

One Town Hall Plaza  
Clifton Park, New York 12065  
(518) 371-6054 FAX (518)371-1136

PLANNING BOARD

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Michael Hale

Joel Koval

Eric Ophardt

Kim Paulsen

Tom Werner

(alternate) Eric Prescott

**Planning Board Meeting**  
**September 24, 2013**

Those present at the September 24, 2013 Planning Board meeting were:

Planning Board: R. Ferraro, Chairman, E. Andarawis, M. Hale, J. Koval, E. Ophardt,  
T. Werner  
E. Prescott – Alternate Member

Those absent were: K. Paulsen

Those also present were: J. Scavo, Director of Planning  
W. Newman, M J Engineering and Land Surveying, P. C.  
M. Montague, Environmental Specialist  
P. Pelagalli, Counsel  
J. Dean, Secretary

Mr. Ferraro, Chairman, called the meeting to order at 7:00p.m. All in attendance stood for recitation of the Pledge of Allegiance. Mr. Ferraro announced that Mr. Prescott would be sitting as a full voting member of the Board in Ms. Paulsen's absence.

**Minutes Approval:**

Mr. Koval moved, seconded by Mr. Ophardt, approval of the minutes of the meeting of September 11, 2013 as written. The motion was unanimously carried.

**Public Hearings:**

[2013-028] **Creative Dance Arts** – Special Use Permit #80942 to permit the operation of a dance studio within an LI2 zone, 2037 Route 9 – Preliminary public hearing for Special Use Permit and preliminary site plan review and possible determination. SBL: 259.-2-12.1

Mr. Ferraro explained the review and approval process to those present, stating that the Board was required to render a determination pursuant to SEQRA (State Environmental Quality Review Act) prior to conducting a public hearing on this application. He explained that the Planning Board would assume Lead Agency status for the project and issue a negative declaration as a “formality” which neither granted nor implied approval of the application.

Mr. Werner moved, seconded by Mr. Ophardt, to establish the Planning Board as Lead Agency for this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. Ferraro, Chairman, called the public hearing to order at 7:04p.m. The Secretary read the public notice as published in the Daily Gazette on September 18, 2013.

Mr. John Fry, Project Executive from the Jersen Construction Group, presented this request for approval of Special Use Permit #80942 to permit the operation of a dance studio in an existing 6,400SF building situated on a 1.39 acre parcel located at 2037 US Route 9 within the LI2 zoning district. The building has been previously utilized as a multi-tenant professional office building.

Mr. Scavo reported that comments issued by Mr. Myers, Director of Building and Development and Ms. Sheryl Reed, Chief of the Bureau of Fire Prevention have been forwarded to all Board members.

Mr. Scavo explained that Mr. Myers’ comments were limited to those contained within the application for approval of the Special Use Permit submitted to the Building Department. Mr. Scavo reported that the Planning Department found the proposed use acceptable and stated that all previously-issued comments have been adequately addressed. Mr. Montague, Environmental Specialist, stated that the ECC found the project plan acceptable. Mr. Scavo also reported that all Planning Department comments have been adequately addressed.

Mr. Dan Hartnett, representative of the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee, asked that the applicant provide a bike rack near the entranceway to the business since it is located along the NYS Route 9 designated bike route. The location of the rack, installation details, and bike rack specifications should be clearly shown on the site plan.

There being no additional public comment, Mr. Ferraro moved, seconded by Mr. Koval, to close the public hearing at 7:08p.m. The motion was unanimously carried.

The Board first considered approval of Special Use Permit #80942.

Mr. Koval offered Resolution #14 of 2013, seconded by Mr. Hale, to grant approval of Special Use Permit #80942 that would to permit the operation of a dance studio within an LI2 zone. The property is located at 2037 US Route 9. Ayes: Ophardt, Prescott, Andarawis, Hale, Werner, Koval, Ferraro. Noes: None

The Board then considered site plan approval.

Mr. Ophardt moved, seconded by Mr. Andarawis, to grant preliminary and final site plan approval to this application conditioned specifically upon installation of a bike rack near the entranceway to the business and satisfaction of all the comments listed in the final comment letter prepared by the Planning Department. The motion was unanimously carried.

### **Old Business:**

[[2013-020] **Trojanski Builders** – Proposed (10) lot subdivision, 535 Clifton Park Center Road – Revised conceptual review. SBL: 271.19-2-4

Mr. Joe Dannible, consultant for the applicant, presented this application that has been significantly revised from its original presentation to the Planning Board on July 9, 2013. The applicant has obtained an additional 1.5 acre parcel of land to the rear of the project from adjoining property owner Robert Phillips, allowing for the development of two (2) additional residences. Lots range in size from 20,000 SF to 38,000 SF and generally conform to zoning code requirements. A “Core Habitat Area” has been provided in the northeasterly portion of the site to ensure preservation and protection of an identified butterfly habitat, though the speaker stated that no Karner Blue butterflies have been identified on the site in many years. He reported that the Environmental Design Partnership was in receipt of correspondence from NYSDEC that states that “there is no taking of species or habitat” on this parcel and that no permit from the agency will be required. Notes on the plan state that post and rail fencing will be installed around the habitat area and buffer and that “lots adjacent to the butterfly habitat will be landscaped with nectar species that attract birds and butterflies.” Stormwater will be managed on site with run-off directed to a management area located to the west of the proposed new roadway and one within the cul-de-sac. Water and sewer utilities will be extended along Clifton Park Center Road from existing lines located at the Clifton Park Center – Moe Road intersection.

Mr. Scavo reported that Mr. Myers, Director of Building and Development, offered the following comments on this application in a memo dated September 17, 2013. Referring to the proposed conveyance of land from the property owner to the north, Mr. Myers stated that the 1.5 acre parcel must be consolidated with the larger lot prior to subdivision approval due to the “overlap” of the proposed building lots. The effects, if any, on granted variances must be identified. Stormwater management plans must reflect the revised subdivision plan and increased number of lots.

Mr. Scavo read comments prepared by the Planning Department. Part I of the SEQR Environmental Assessment Form (EAF) should be updated by the applicant to reflect the updated site statistics and the narrative should be amended to reflect the increase from eight (8) lots to ten (10) lots. Part I, Page 2 of the EAF should be modified to include the Saratoga County Sewer District and Clifton Park Water Authority as other regional/local entities that have approval requirements over the proposed subdivision. An analysis of the identified critical habitat area should be provided. This analysis should address, but not be limited to, the following: how and when the habitat area and species were identified; how or if continual monitoring of the area was conducted; an accurate depiction of the square footage of the critical habitat area delineated and the area of related protective buffer proposed for the project; what, if

any, maintenance requirements are proposed for the protected habitat area. As plans evolve, the applicant must provide a landscaping plan showing species type, quantity, and location for the lots adjacent to the butterfly habitat area which note on the concept plan that they “will be landscaped with nectar species that attract birds and butterflies.” The designated Critical Habitat Area should be incorporated into a lot to be privately owned and maintained through permanent deed restrictions and covenants. Proposed language for these restrictions should be provided to the Planning Board for comment. Additional comments will be provided upon review of a preliminary subdivision plan. Mr. Scavo recommended that the subdivision be incorporated into the Clifton Knolls Park District.

Mr. Montague, Environmental Specialist, reported that the ECC provided the following comment after reviewing the revised conceptual application. A land locked parcel (i.e. Habitat Area) is not allowed by Town Code; therefore, the parcel should be associated with one of the parcels on the site plan. The applicant is advised to contact the NYSDEC endangered species unit regarding a proper management plan for the Habitat Area.

Mr. Newman reported that, after review of the revised conceptual plan, M J Engineering and Land Surveying, P. C. found that many previous comments have been satisfactorily addressed. The Full EAF must be updated to reflect the project changes, most notably the total project acreage and any other applicable items. Considering that the application is still at a conceptual level, it would be appropriate to submit a revised EAF as part of subsequent and more detailed submissions. The project now includes a separate lot for the habitat area to the rear of Lots #4 and 5: there may be a need for this lot to conform to the bulk lot requirements of the existing zoning district. The Zoning Enforcement Officer may wish to comment on the size of the proposed lot.

Mr. Dan Hartnett, representative of the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee, explained that although the subcommittee originally requested that the developer install a trail link from the property frontage easterly to Moe Road, it was determined that trail construction was not feasible due to the presence of a significant drainage structure located several hundred feet east of the property boundaries and impacts to private properties along the route, members now request a 15’ easement along the Clifton Park Center Road frontage to provide for future trail development. Mr. Scavo confirmed that an easement, rather than conveyance of land via fee title, would be acceptable. Mr. Dannible did express his concern for the removal of trees and vegetation on Lot #1 to allow for installation of a trail since the house is to be located quite close to Clifton Park Center Road.

Mr. Hale explained that he was familiar with the designated habitat area, having conducted site investigations in years past. Although there were no Karner Blue butterflies identified on the site, there was evidence that the Frosted Elfin existed on the site. In response to his question regarding access to the area and a detailed management plan, Mr. Dannible explained that the revised map showed no access to the parcel and that no maintenance plan was currently proposed. The question of ownership for the proposed habitat area was discussed at length. Mr. Hale preferred that the area be incorporated into a single lot, clearly delineated with fencing and appropriate signage. Mr. Koval observed that the plan as presented would be considered an eleven (11) lot subdivision since the protected habitat area occupies its own parcel.

Mr. Dannible explained that since the lot does not adjoin a roadway, it may be dedicated to the town or to an individual owner. Mr. Scavo did not support approval of the habitat area as a separate lot: he prefers that the lot be incorporated into one of the proposed lots as a protected area. Mr. Ferraro supported this concept. In response to his question regarding the note on the plan that requires “lots adjacent to the butterfly habitat to be landscaped with nectar species that attract birds and butterflies,” Mr. Hale explained that there is little maintenance required to maintain the habitat area since area soil conditions adequately “controlled vegetative creep,” and, therefore, provided security for preservation of the site. He explained that there would be a threat to the area if adjoining property owners planted invasive species on their properties. Mr. Andarawis expressed concern that the area would become a “dumping ground” for adjoining property owners if approved as a separate parcel. Board members agreed that the protected area must be surrounded by fencing and signage to minimize disturbance of the habitat. Board members appeared to agree that the protected habitat area should be incorporated into one of the single-family lots, that a definitive maintenance plan for the area be provided with the final subdivision plan, that a detailed grading plan for the be prepared, and that a comprehensive stormwater management plan be submitted.

[2013-021] **743 Pierce Road** – Proposed 2,000 SF office/retail addition and 11,500 SF warehouse addition, 743 Pierce Road – Preliminary site plan review and possible determination. SBL: 259.-2-49.2

Mr. Scott Lansing, consultant for the applicant, presented this application for the Board’s consideration, explaining that the plan remains generally as presented at the August 13, 2013 meeting. Mr. Lansing has submitted a detailed plan set that includes an existing conditions and removal plan, layout, materials and grading plan, lighting and landscaping plan, and an erosion and sediment control plan. Written responses to each of the comments issued by the Town’s Designated Engineer have also been provided. The speaker noted that the proposed development will not exceed one acre of disturbance and that both the Clifton Park Water Authority and Clifton Park Sewer District have indicated that adequate capacity exists in the area to accommodate the project. He pointed out that Section 208-65E of the Town Code states that “no parking or maneuvering area shall be allowed in the front yard unless the Planning Board finds that, in the case of keyhole lots or lots with similar configurations, the intent of this article is better met by allowing construction within the front yard setback.” The proposed parking area will be expanded from its current location northward to permit potential clients easy access to the showroom area. He explained that the proposed building addition and parking lot expansion are compatible with other businesses operating within the Light Industrial Zone. The project now proposes to “landbank” thirty parking spaces and includes the required number of handicapped spaces. Mr. Lansing reported that the proposed building and existing structure will be equipped with automatic sprinklers: the distance for a fire apparatus road is extended to 300’. The dumpster has been shown in the southeasterly corner of the back parking lot. Detailed architectural plans are currently being developed.

Mr. Scavo reported that Mr. Myers, Director of Building and Development, offered the following comments on this application in a memo dated September 17, 2013. In accordance with Section 208-65E of the Town Zoning Code, the Planning Board must rule on the proposed parking expansion to the front of the building. Sprinklers will increase the 150’ emergency

access restriction to 300'. An area variance for parking within 50' of the roadway may still be required.

Mr. Scavo read comments prepared by the Planning Department. It is recommended that the Planning Board allow for the "landbanking" of thirty (30) parking spaces to meet the required site total of 68 parking spaces. The applicant has addressed previously-issued comments and recommendations. The plan now shows proposed stone check dams within the existing open drainage trench along Pierce Road: this will provide a stormwater management benefit to the watershed. A landscaping security deposit and site inspection escrow will be established and outlined in a final review letter that will be sent to the applicant after site plan approval is granted. Mr. Scavo stated that he found parking in the front yard acceptable in this instance since additional screening is proposed along Pierce Road and because the preservation of mature trees to the rear of the site is aesthetically desirable.

Mr. Montague, Environmental Specialist, explained that the ECC offered the following comments regarding this application. In keeping with the recommendations and goals of the Town Comprehensive Plan, the applicant *should* retain existing vegetation to the maximum extent practical and/or the use of landscaping and grading to provide visual and auditory buffering between the project and adjacent roadways or other properties. Due to the probability of food and liquid wastes leaking from the on-site dumpster into a stormwater catch basin and/or surface water body, the ECC recommends the applicant enclose the area (i.e. roof) on an impervious surface with a berm surrounding the dumpster that accepts food and liquid wastes. If necessary, the applicant will need to periodically pump out the accumulated wastes within the bermed area to avoid any overflow.

Mr. Newman reported that M J Engineering and Land Surveying, P.C. offered the following comments regarding this application. Comment 4 of our August 5, 2013 review requested that peak vehicle trips be calculated for the project. Though this topic was discussed with the Planning Board during the first presentation of the project at which time the Planning Board was generally satisfied with the verbal responses provided, it is recommended that, at a minimum, a narrative be furnished to the Town indicating the peak vehicle trips anticipated so it may become part of the project record and also support SEQRA findings. The project is not subject to the NYSDEC Phase 2 Stormwater Regulations since the total disturbance is less than one acre. Notwithstanding, it is still appropriate to provide supporting calculations relative to the design of the proposed on-site stormwater conveyance systems. The limited analysis should document that the conveyance system is safely conveying the design storm as well as what the off-site stormwater discharge(s) will be, ensuring there will be no adverse impacts to adjacent properties or receiving drainage systems.

The following comments relate to the proposed site plan. Comment 6 of the August 5, 2013 review noted that there may be a need for the applicant to seek relief for the placement of parking in the parcel's front yard, which is not permitted pursuant to Section 208-65(E)(1) of the Town's Zoning Code. It is understood that the applicant has discussed this matter with Town staff and the direction given is that the applicant may obtain relief directly from the Planning Board if it is found that intent of the article is met by placement of parking in the front yard. The applicant is proposing to bank spaces in the front yard, using them only if demands warrant

future expansion. The Planning Board should provide the applicant direction on this matter and determine whether granting relief for the placement of parking spaces is appropriate. Should the Planning Board grant relief, a notation shall be provided on the plans regarding this. As noted in Comment 14 of the previous review letter, elevations and materials of construction for the proposed building expansion should be submitted to the Planning Board for review. The applicant has indicated that this information is being developed and will be submitted once complete. Whether or not an approval is offered with or without this information is left to the discretion of the Planning Board. The project now proposes to land bank 30 of the required 68 spaces. If the Planning Board supports land banking of the 30 spaces, then appropriate notation shall be provided indicating the approval of banking on subsequent plan submissions under Site Statistics on Sheet COV-1. Under General Notes on Sheet COV-1 a note indicating the total area of disturbance and that the project is not subject to the NYSDEC Phase 2 Stormwater Regulations must be added. Sheet LMG-1 shows a new 4-inch water service crossing Pierce Road: the intended method of installation must be noted on the plans. Should an open cut of Pierce Road be required (or allowed) then a work zoning traffic control plan must be developed. LMG-1 shows a drainage swale in an area planned for banked parking. The plan should show the revised drainage swale routing or other required modifications should the banked parking be deemed necessary. The plans must indicate how roof drainage is being routed to the on-site stormwater system from the proposed building. If the proposed building expansion has any required ingress/egress doors along its exterior, they must be noted on the plans. Sheet LLP-1 shows proposed exterior lighting fixtures: plans must indicate whether or not there are any building mounted fixtures. Further, there needs to be foot-candle values provided illustrating light levels on the ground surface to ensure that adequate light levels are provided internal to the parcel and excessive glare is not spilling over to adjacent properties pursuant to Section 208-115 (C) of the Town Zoning. Detail 2 on Sheet DT-2 must specify the minimum strength of concrete to be used. Detail 3 on Sheet DT-1 must specify the NYSDOT item number for each course of pavement. Detail 4 on Sheet DT-1 must specify that tack coat shall be applied at the interface between new and existing pavement.

Mr. Dan Hartnett, representative of the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee, asked that the applicant provide a bike rack near the entranceway to the business. The location of the rack, installation details and bike rack specifications should be clearly shown on the site plan.

In response to Mr. Koval's question regarding the retail component of the project plan, Mr. Lansing explained that the office will provide space for potential clients to view table settings, arrangements, etc. and for the caterer to offer food "tastings." In response to Mr. Werner's query regarding the number of vehicle trips generated, Mr. Lansing stated that approximately 15 service trucks would access the site on a daily basis: no tractor-trailers will use the site. Mr. Lansing agreed with Mr. Ophardt's observation that it was likely that employees would utilize the back parking lot. Mr. Ophardt supported the "landbanking" of excess parking spaces. Mr. Hale commended that applicant for his willingness to address the Board's concerns: he approves of the proposed changes to the building's façade, parking in the front yard that preserves mature trees to the rear of the site, and the "landbanking" of excess parking spaces. In response to Mr. Ophardt's question regarding existing sidewalks on the site, Mr. Lansing explained that the sidewalks will be retained and extended as necessary. Mr. Ferraro expressed

his appreciation for the applicant's willingness to work cooperatively with the Board to develop a desirable site: he commented particularly on the proposed improvements to the site such as "incorporation of landscaping to provide a visual barrier" along Pierce Road and the applicant's commitment to the preservation of the mature oak tree in front of the building.

Mr. Ophardt moved, seconded by Mr. Hale, to establish the Planning Board as Lead Agency for this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. Werner moved, seconded by Mr. Hale, to grant preliminary and final site plan approval for this application conditioned upon satisfaction of the comments offered by the Planning Board, Planning Department, and Town Engineer, and all items listed in the final comment letter prepared by the Planning Department. The motion was unanimously carried.

### **New Business:**

[2013-030] **Briscoe – Grooms Road (Subdivision of the Lands of Briscoe Property Ventures, LLC** – Proposed (2) lot subdivision, 557 Grooms Road – Conceptual review. SBL: 277.-3-35

Ms. Gina Briscoe, applicant, presented this application that calls for the subdivision of 2.2 acres of land located within the R1 zoning district on the northerly side of Grooms Road a few hundred yards west of its intersection with Moe Road. The applicant seeks approval to "subdivide the property back to its original configuration," creating two (2) parcels of 1.146 acres each, explaining that the existing deed indicates that the two parcels were consolidated in the past to create the larger 2.2 acre lot. The eastern-most lot contains an existing single-story brick house: the other lot contains an existing 18' high metal pole barn. The existing home is serviced by an on-site well and individual septic system, though it is anticipated that public water and sewer available at the roadway will be extended to serve the Lot #2.

Mr. Scavo reported that Mr. Myers, Director of Building and Development, offered the following comments on this application in a memo dated September 17, 2013. Variances were granted by the Zoning Board of Appeals at its September 3, 2013 meeting to permit 150' of frontage on Grooms Road – a reduction from the required 200'. The Historic Preservation Commission has assessed the existing barn on the property and has determined that it has no historic value: Mr. Kazmeirczak, Commission Chairman, states in a letter dated September 9, 2013 that the Commission would not object to the barn's removal.

Mr. Scavo read comments prepared by the Planning Department. Approval for the proposed curb cuts onto Grooms Road is required to be granted by the Saratoga County Department of Public Works (SCDPW). Prior to final approval of the proposed subdivision, the applicant must secure approval from that department. If the SCDPW requires culverts to be installed under the proposed driveways, the applicant must show that requirement on the approved subdivision plan. Bulk and use requirements for the zoning district should be shown on the plan. Any variances granted by the Zoning Board of Appeals should also be noted on the plans with the date granted. The project will be subject to a referral to the Saratoga County

Planning Department since it is adjacent to County Route 91 [Grooms Road]. Additional comments will be provided when a preliminary subdivision plan is submitted.

Mr. Montague, Environmental Specialist, reported that the ECC found this project plan acceptable and offered no comment on the application.

Mr. Newman reported that M J Engineering and Land Surveying, P.C. offered the following comments regarding this application after consideration of the materials submitted for conceptual subdivision review. Based upon review of Part 617 of NYS Environmental Conservation Law, the project appears to be an "Unlisted" action. If the Planning Board is to request Lead Agency status under SEQRA, the need to undergo a coordinated review is optional. Under a coordinated review, involved/interested agencies to be engaged may include, but is not necessarily limited to the following: Saratoga County Planning Board – 239m referral for projects located along a County highway. Additional agencies may be identified by the Town during its review of the project. The project is located within the Town's Residential I District (R1). The proposal for single family homes is a permitted principal use within the R1 district as noted in Section 208-10(B)(2) of the Zoning Code. It appears that the proposed lot configurations meet the minimum bulk lot requirements as identified in Section 208-11 of the Code for the R1 district, with the following exception. Section 208-98 of the Town Zoning requires lots along Grooms Road to be no closer than 100 feet from the center line of the street: the appropriate front setback line shall be shown on the plat. Note that this may not apply to the pre-existing home on Lot #1. There must be clarification regarding how and where sanitary sewer and potable water will be provided for proposed Lot #2 in the event a new single family home is to be constructed. With respect to proposed Lot #1, it is understood that there is an existing septic system servicing the lot, however, Section 169-13(B) of the Town Code requires that at such time that a public sewer becomes available to a property, a direct connection shall be made to the public sewer and the existing disposal facilities shall be abandoned. As such, regardless of what the intended development plan is for Lot #2, Lot #1 may need to connect to the public sewers that are available. It is believed that if Lot #2 was developed with a new single family home, the total disturbance will be less than one acre. It is suggested that the plat be provided with notation indicating the proposed area and limits of disturbance and further indicating that it will be less than an acre, if this is in fact the case. Lot #2 does not show any proposed house location; notwithstanding, if Lot #2 is to include a new single family home, the lot shall be graded such that drainage is directed away from the home and towards lot lines and ultimately to an approved drainage course as required by Section 86-7(A)(5) of the Town Code. Given the small size of this project, it is suggested that notation be provided on the plat indicating that this requirement must be met as part of the permitting process. The applicant should be aware that the Town may require the development of a lot specific grading and drainage plan for Lot #2 supporting the issuance of a building permit for that lot. Should any basement sump pumps or gravity discharges be deemed required for a future home on Lot #2, under the criteria stated in Section 86-7(A)(6) of the Town Code, their end discharge locations must be noted on the plans or notation provided on the plat indicating that this requirement must be met as part of the permitting process. Additional details may be required as part of the Town's building permit process. A note shall be added to the plat indicating that no utilities shall be installed under a proposed driveway for the Lot #2, if a home is planned for construction on that lot. Prior to approval or filing of the subdivision plat with the Saratoga County Clerk, the

appropriate 911 emergency response numbers must be obtained for and assigned to each lot created and placed on the filed plat.

Mr. Dan Hartnett, representative of the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee, asked that the applicant provide a 15' easement to provide for future trail development if existing right-of-way width is insufficient.

Mr. Scavo commented that it would be possible to waive the required parkland fee if it were to be necessary for the applicant to provide the 15' easement for future trail development. Clarification regarding the right-of-way width of Grooms Road at the property line will be required before a determination regarding the easement is made.

Board discussion concerned the necessity of connecting both the existing residence and the proposed residence to the public sewer system. Ms. Briscoe commented that the individual septic system on Lot #1 was installed quite recently. Mr. Ferraro summarized the discussion by stating that there must be a resolution to the "confusion" concerning the requirements for connections to available public sewer and water services. It appeared that Board members found the subdivision plan generally acceptable.

### **Discussion Items:**

#### **[2011-026] Parkwood Village Addition**

Mr. Brett Watts, representative of Albany Management, requested a three-year extension of site plan approval to permit construction and/or use of "storage containers" at the Parkwood Village apartment complex, explaining that the owners of the complex are replacing kitchen cabinets in nearly two-thirds of the apartments. The storage containers provide space for storing the used cabinets as well as the new ones to be installed. Mr. Scavo pointed out that site plan approval for placement of the temporary storage units would expire on December 31, 2013. Mr. Ferraro rhetorically asked if it was possible to determine "when temporary becomes permanent." In response to Mr. Ferraro's question regarding the anticipated time frame for completion of the kitchen remodeling project, Mr. Watts stated that management expects to replace one kitchen each week: the project will likely take two years. Mr. Hale commented that the storage containers lend a "construction site" look to the parcel and asked that the owners work to make the structures look "more permanent." He recommended the addition of fencing or landscaping to the site to better screen the containers. In response to Mr. Werner's question regarding visibility from Kinns Road, Mr. Koval explained that they were not visible to those traveling on Kinns Road. The "structure" is described as two 10' high storage containers linked by a "roof." In response to Mr. Ophardt's question concerning the ownership of the containers and their future use, Mr. Watts explained that they were owned by the company that oversees Parkwood Village and that they could be transported for use at other locations.

Mr. Andarawis moved, seconded by Mr. Ophardt, to authorize a one-year extension of site plan approval, allowing the company to continue use of the storage containers until December 31, 2014. The motion was unanimously carried.

**Discussion Items:****St. Peters Health Partners at Northcrest Park**

Mr. Joe Dannible, consultant for the applicant, presented a sketch plan of proposed site modifications and parking expansion within the Northcrest Park Planned Development District. Offering a brief overview of the project proposal, Mr. Dannible explained that design plans call for the conversion of existing professional office space within the PDD to be converted to medical office uses which would be associated with the existing Seton Health Care facility located at the northeasterly intersection of Tallowood Drive and Route 146. In accordance with Department of Health requirements, an increase of 90 – 100 spaces must be installed. Building modifications would include a new canopy and drop-off area to the easterly side of the Seton Health Care building and a new canopied entrance to an existing building located behind that facility. Mr. Scavo reported that he recognizes that the parking expansion will result in reduced greenspace and he has asked that the applicant consider the use of porous pavement to minimize negative impacts. He explained that the Planned Development District legislation states that “the number of medical offices and general not-retail offices may be adjusted by the Planning Board, but only with the consent of the Town Board...” Mr. Ferraro expressed his concern for the amount of paved parking area stating that, in addition to the fact that there would be a significant reduction of green space on the site, the “intrusion of that much parking” along the Route 146 corridor would not be “aesthetically pleasing.” Mr. Dannible offered the following rationale for the location of the expanded parking lot, explaining that it was the applicant’s intention to retain vegetated buffers along the residential Tallowood Drive, avoid disturbance of significant topographic variations in other areas of the site, protect existing stormwater facilities, and provide easy access to existing and proposed medical offices. Mr. MacElroy, the applicant’s representative, explained that the expansion was “driven by the need for increased medical services.” It is the applicant’s goal to provide such services for community residents, utilizing a “campus” theme to develop office buildings and associated parking areas. Mr. Ferraro suggested that the applicant consider construction of a parking garage. Mr. Werner’s recommendation that the applicant seek a “Use In Occupancy Permit” from the NYSDOT was supported by Mr. Hale who stated that such a permit may “offer space for the installation of a berm and additional plantings” that would help to mitigate visual impacts. Mr. Hale stated his support for “connectivity” between sites. Mr. Ophardt advised the applicant to consider whether or not enhanced berming and landscaping along Route 146 would limit sight distances from Tallowood Drive. He stated his opposition to the parking as proposed, recommending that the applicant consider relocating some of the parking to “the north.” Though Mr. Koval commented that the Board has been “pretty consistent with requirements for parking in front yards, Mr. MacElroy explained that design consultants must consider accessibility to services, protection of stormwater management areas, and site grading issues.

Mr. Werner moved, seconded by Mr. Hale, adjournment of the meeting at 9:05p.m. The motion was unanimously carried. The next meeting of the Planning Board will be held as scheduled on October 8, 2013.

Respectfully submitted,

Janis L. Dean,  
Secretary

cc: Planning Board Members, Planning Department, Supervisor, Assessor, Zoning Board, Department of Building and Development, Town Clerk, Town Board Members, Highway Superintendent, Lou Renzi, Town Attorney, Tom McCarthy, Town Attorney, Paul Pelagalli, Town Attorney, ECC, Clifton Park Water Authority

**NOTICE OF DECISION**

**Resolution #14 of 2013**

**APPROVAL**  
**Special Use Permit**

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on September 24, 2013 there were:

Present: R. Ferraro, Chairman, E. Andarawis, M. Hale, J. Koval, E. Ophardt,  
T. Werner  
E. Prescott – Alternate Member

Absent: K. Paulsen

Mr. Koval offered Resolution #14 of 2013 and Mr. Hale seconded, and

Whereas, an application has been made to this Board by Creative Dance Arts for approval of Special Use Permit #80942 to permit the operation of a dance studio in an LI2 zoning district pursuant to Section 208-64(B) of the Town Code;

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on September 24, 2013 in the Town Office Building,

Whereas, the Planning Board was established as Lead Agency for this application, an unlisted action, and a negative declaration was issued pursuant to SEQRA, and

Whereas, it appears to be in the best interest of the Town that said application be approved,

Now therefore, be it resolved that the Planning Board approves the application of Creative Dance Arts for approval of Special Use Permit #80942 to permit operation of a dance studio within a LI2 zoning district.

Resolution #14 of 2013 passed 9/24/2013

Ayes: Ophardt, Prescott, Andarawis, Hale, Koval, Werner, Ferraro

Noes: None

R. Ferraro,

Chairman