

Town of Clifton Park

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PLANNING BOARD

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MEMBERS

Emad Andarawis
Denise Bagramian
Jeffery Jones
Andy Neubauer
Eric Ophardt
Greg Szczesny

(alternate) Teresa La Salle

Final Planning Board Minutes

January 9, 2018

Those present at the January 9, 2018 Planning Board Meeting were:

Planning Board: R. Ferraro, Chairman, E. Ophardt, D. Bagramian, E. Andarawis, A. Neubauer, G. Szczesny, J. Jones

Those also present were: J. Scavo, Director of Planning
A. Morelli, Counsel
M. Springli, Secretary
J. Hakes, Town Designated Engineer

Absent: T. LaSalle – Alternate Member

Mr. Ferraro, Chairman, called the meeting to order at 7:03pm. All in attendance stood for the Pledge of Allegiance. Mr. Ferraro informed those in attendance that the final item on the agenda, The Abele Subdivision and Special Use Permit had been postponed until the January 23rd, 2018 meeting at the request of the applicant.

The chairman then welcomed everyone and said that as it was the first meeting of 2018, there were some details to be addressed. Mr. Ferraro noted that the alternate secretary, Meg Springli, would be acting as secretary at meetings until the return of Janis Dean in the spring. Mr. Ferraro stated that he was also glad to have Emad Andarawis return to serve another 7 year term on the Planning Board, and acting as liaison to the Historic Preservation Commission. It was also remarked that Teresa LaSalle was reappointed as the alternate planning board member for another year although she was unable to attend this meeting. Additionally, Roy Casper was welcomed back as a returning appointee to the Open Space/Trails/Riverfront Committee.

I. Minutes Approval

Mr. Jones moved, seconded by Mr. Ophardt, to approve the minutes of the meeting on December 12, 2017 as written. Ayes: Bagramian, Andarawis, Neubauer, Jones, Ophardt, Ferraro
Noes: None. Abstained: Szczesny. Motion approved.

II. Public Hearings

2017-052 Peabody 2 Lot Subdivision

Applicant proposes to subdivide the existing 1 acre parcel into two parcels to be used for single family homes, 757 Carlton Rd, Zoned: R-1, Status: PB Prelim Review w/ possible determination.

SBL: 265.5-1-2

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 subdivision application. Should it be determined that additional environmental review is required, SEQRA discussions will be reopened and a decision rendered when deemed appropriate.

Mr. Ophardt moved, seconded by Ms. Bagramian, 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 7:09p.m. The Secretary read the public notice as published in the Daily Gazette on 12/27/2017.

Consultant/Applicant Presentation:

Mr. John Petrucko, Consultant with Advanced Engineering, presented the project, a (2) lot subdivision on 1 acre that is zoned R-1. Mr. Petrucko noted that the lots would be serviced with public sewer and the newly built house would be connected to public water.

Staff Comments:

Environmental Conservation Commission

The ECC held a meeting on January 2, 2018 to discuss the project and issued a comment letter stating that assuming applicant connects to the public sewer, the ECC has no further comments.

Scott Reese no comments

Fire Prevention no comments

Building and Development

Steve Myers issued a memo dated 12/27/2017 with the following comment(s):

- Variance approved with condition that both houses be connected to public water and sewer.

Open Space, Trails and Riverfront Committee

Roy Casper sent a memo dated 1/9/2018 with the following comments:

- To raise the awareness of the property owners, a note should be placed on the site plan about the long-term vision for a trail route on the 15 feet of existing ROW along the frontage of the two proposed lots on Carlton Rd.

Planning

John Scavo offered the following: no additional comments

Trails Subcommittee

Add a note on the subdivision plan regarding long-term vision for a future trail along Carlton Road in the right-of-way.

Professional Comment:

Jacki Hakes, representing MJ Engineering emphasized comments from a letter dated 12/27/2017: State Environmental Quality Review
No additional comments.

Short Environmental Assessment Form

- As noted in comment 2 of our October 20, 2017 review, under Part 1.1. of the SEAF modify the response to indicate that the project will meet or exceed the state energy code. Subdivision Plan
- The proposed sanitary sewer improvements shown are subject to the review and approval by the Saratoga County Sewer District No. 1 (SCSD No. 1). The Town shall be provided a record of approvals received from SCSD No. 1 prior to issuance of a building permit.
- The proposed water service lateral shown for the newly created lot is subject to the review and approval by the Clifton Part Water Authority (CPWA) The Town shall be provided a record of approvals received from CPWA prior to issuance of a building permit.
- As noted in Comment 8 of our October 20, 2017 review, pursuant to Section 86-10 of the Town Zoning, the applicant shall be required to plant two trees per living unit on the street side of new construction sites. The existing home has sufficient buffer and unless it is planned to clear this buffer additional plantings do not appear warranted. However, the newly created lot may need plantings pursuant to Section 86-10. This should be discussed further with the Planning Board.
- Indicate whether the existing home that may be renovated will require a sump pump laterals. If so, it shall be in conformance with Section 86-7(A)(6) of the Town Code.
- Provide erosion and sediment control measures associated with the sanitary force main work shown along Carlton Road
- Provide a work zone traffic control plan associated with the sanitary force main work shown along Carlton Road.
- Based upon the extent of proposed improvements associated with the newly created lot and associated utility extensions, it appears the total area of disturbance will be less than one-acre. Please confirm this and delineate the total area of disturbance expected.
- The applicant needs to obtain the 911 emergency response address and show on the final plat

Public Comment:

Dave Mietlicki, 26 Heritage Lane, a neighbor stated that the existing home was in significant disrepair and that he felt there were rodents and wildlife residing in the house which was a problem for the neighborhood. Mr. Mietlicki also requested that the builder install a fence along the rear property line adjoining his property.

Anthony Lafleche, 21 Wheeler Drive, questioned the proposed setbacks and was told the home as drawn on the plan was approximately 75 ft from the property line along the road, and that 50 ft was the minimum required by Code in R-1 zoning.

There being no additional public comment, Mr. Ferraro moved, seconded by Mr. Neubauer, to close the public hearing at 7:19p.m. The motion was unanimously carried.

Planning Board Review:

Mr. Jones questioned clearing limits and landscaping as they were shown on the plan. The consultant stated that there would be some clearing for building of the house and some in the back yard and that plantings would be adjusted on the final plan prior to stamping. Ms. Bagramian asked if the existing home would be fixed up, and the consultant stated that he believed that was the intention of the applicant.

Mr. Neubauer asked if it would be necessary to plant two street trees if enough of the existing vegetation would be left. Mr. Scavo stated that after a field visit verification, the final plan might not require the additional plantings, and could be waived. Mr. Ferraro then asked that clearing limits be shown on the plan. Discussion ensued about clearing and grading that would be needed at the site. Mr. Scavo noted that the applicant could be asked to address rodent control at the time of the building permit being issued. The Board then discussed whether to require a fence at the back of the property, and said that they felt that it was not warranted with this project.

Mr. Neubauer offered Resolution No. 1 of 2018, seconded by Mr. Ophardt, to waive the final hearing for this application for the Peabody 2-lot subdivision, and to grant preliminary and final subdivision approval conditioned upon satisfaction of all comments provided by the Planning Department, Town Designated Engineer, and all items listed in the final comment letter issued by the Planning Department.

Ayes: D. Bagramian, E. Andarawis, E. Ophardt, J. Jones, G. Szczesny, A. Neubauer, R. Ferraro
Noes: None
Resolution passed.

2017-063 Deleonardis Solar Array Special Use Permit

Applicant requests SUP approval per section 208-79E.(3) for a ground mounted solar array in a CR Zone. Total array area is 2 X 325 SF = 650 SF, 421 Riverview Rd, Zoned: CR, Status: PB Preliminary review w/ possible determination. SBL: 287.-1-7.2

Mr. Ferraro stated that the Planning Board would assume Lead Agency status for the project and issue a negative declaration, which neither granted nor implied approval of the subdivision application. Should it be determined that additional environmental review is required, SEQRA discussions will be reopened and a decision rendered when deemed appropriate.

Mr. Andarawis moved, seconded by Mr. Szczesny 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 7:33p.m. The Secretary read the public notice as published in the Daily Gazette on December 27, 2017.

Ms. Lindsey Halsey, a Consultant with Kasselmann Solar, presented the project, a solar array in a residential parcel in the CR zoning district. Ms. Halsey noted that the site was not surrounded by any other residences and added that trees would block the visibility of the array from the street and no trees would be disturbed during installation of the solar panels.

Staff Comments:

Environmental Conservation Commission

The ECC held a meeting on January 2, 2018 to discuss the project and issued a comment letter on stating:

- The ECC requests that, if this project is approved, the installation should be screened with an appropriate combination of natural vegetative buffer, landscaping or other screening and the installation shall be sited so as to minimize significant adverse visual and or auditory impacts (208-79) (E) Standards for Special Use Permits (3)(b)(1).
- The Planning Board should request that the applicant demonstrate the need for the proposed solar array based upon the energy load to be powered by the installation. (208-79) (E) Standards for Special Use Permits (3)(a)(4).

Fire Prevention

Sheryl Reed - no comments

Building and Development

Steve Myers issued a memo dated 12/27/2017 with the following comment(s):

- Allowed use if approved by SUP in CR zone per 208-79 and 208-16D(3)(a)[22].

Planning

John Scavo offered the following:

- Based on the proposed siting of the panels, it appears the solar energy system will not impact air or water, and will not increase noise levels.
- A mature deciduous tree buffer appears to exist adjacent to Riverview Road along the frontage of the parcel to provide visual screening.
- The project does not appear to boarder adjacent residential dwellings. The nearest residential dwelling appears to be approximately 1,135' +/- away from the proposed solar panel locations.
- The applicant should confirm if the project will not require significant tree cutting or vegetation removal. Also address if site grading will be conducted so the system equipment can be installed.
- The applicant should verify that noise will not be generated by the solar panels/inverters at a level that will extend beyond the property line.

Public Comment:

Joann Coons, 4 Balsam Way, thanked the Planning Board and the applicant for supporting solar energy.

There being no additional public comment, Mr. Ferraro moved, seconded by Ms. Bagramian, to close the public hearing at 7:22p.m. The motion was unanimously carried.

Planning Board Review:

Mr. Jones asked if there would be any glare from the panels that might be visible from the road. The consultant stated that the panels were non-reflective.

Mr. Andarawis offered Resolution No. 2 of 2018, seconded by Ms. Bagramian, to waive the final hearing for this application and to grant preliminary and final approval of the Special Use Permit, conditioned upon satisfaction of the comments offered by the Planning Board, Planning Department, and Town Designated Engineer, including submitting the landscaping plan for approval to the Planning Director prior to the stamping of the Special Use Permit.

Conditions/Comments:

Ayes: D. Bagramian, E. Andarawis, A. Neubauer, G. Szczesny, J. Jones, E. Ophardt, R. Ferraro
Noes: None
Resolution Passed

Mr. Neubauer moved, seconded by Mr. Ophardt, to waive the final hearing for this application for the site plan review of Deleonardis, and to grant preliminary and final site plan approval conditioned upon satisfaction of all comments provided by the Planning Department, Town Designated Engineer, and all items listed in the final comment letter issued by the Planning Department.

Ayes: Unanimous. Noes: None. The motion was unanimously carried.

III. Old Business

2017-056 Adirondack Office Suites - Site Plan

Applicant proposes to construct a 45' x 102.5' detached garage in the rear of the property with driveway access to Commerce Drive. Site consists of an existing office building with utility connections and 17 parking spaces. Building area is 4,612 sf of the 39,295+/- acres, 282 Ushers Rd, Zoned: L 2, Status: PB Preliminary Review w/ possible determination SBL: 259.-2-38

Chuck Hotaling, applicant and Mark Bergeron, Consultant, presented the project, construction of a garage and storage area, in a L-2 Light Industrial zoning district. Mr. Bergeron stated that there would be restrooms in the garage. However, the garage would be intended for temporary storage and the restrooms would be added for convenience although not frequently used, as this will not be an office. Mr. Bergeron also noted that a proposed culvert had been added to the plan. Mr. Hotaling noted that there would be no storage outside of the garage adding that someone might perform maintenance on their equipment within the unit.

Staff Comments:

Environmental Conservation Commission

The ECC held a meeting on January 2, 2018 to discuss the project and issued a comment letter stating that:

- The Applicant shall comply with the Town's Hazardous Materials Policy, which can be obtained from the Town Environmental Specialist.
- If hazardous materials will be stored on this site, the Applicant must submit a plan for approval addressing handling and storage and spill response to the Town of Clifton Park Environmental Specialist before such materials are stored.

Fire Prevention

Sheryl Reed – no comments

Building and Development

Steve Myers issued a memo dated 12/27/2017 with the following comment(s):

- Allowed use in Light Industrial 2 zone.
- Previous variance for existing building.
- Lot coverage not to exceed 60%-unknown from submittal.
- The minimum required 25' buffer appears to be established as is the side setbacks (corner lot has 2 fronts and 2 sides, no rear).
- Building height is unknown and limited to 50'.
- 2 curb cuts per lot are proposed. Per 208-66A the Planning Board can waive the one curb cut per lot requirement.

Open Space, Trails and Riverfront Committee

Roy Casper no comments

Planning

John Scavo offered the following:

- clearing limits were verified and mature trees were marked and should be shown on the plan.
- The Saratoga Co. Planning Board issued a letter dated November 17, 2017, that noted the project will have, “No Significant County Wide or Inter Community Impact.”
- I issued a letter dated December 14, 2017, that called out items to be addressed by the applicant. It appears the applicant has adequately addressed those outside items within the current site plan submittal.

Scott Reese, Stormwater Technician issued a memo dated January 5, 2018 with the following comments:

- Applicant shall show the grading required for the proposed garage and proposed asphalt drive and describe how stormwater runoff from the site will be affected.
- Proposed water line should be moved to the north to avoid removing additional vegetation.

Professional Comment:

Jackie Hakes, MJ Engineering, reviewed comments from a letter issued on 12/27/2017:

State Environmental Quality Review

- No additional comments.

Site Plans

- The submitted plans show a proposed culvert at the new entrance off of Commerce Drive. Indicate the pipe size, pipe slope and materials of construction. Also provide sizing criteria for this culvert pipe.
- As noted in our November 20, 2017 review, subsequent plans shall show the extent of grading and limits of tree clearing associated the work proposed. Tree clearing appears to be shown, but no proposed grading.
- With an increase in impervious, at a minimum it is recommended that a stormwater analysis be conducted to show how the site changes may impact runoff from the site. It may be necessary incorporate stormwater management systems to retain pre-development conditions and to mitigate against increases in stormwater runoff.
- The updated plans show a proposed water service to the building. Indicate the water service size and materials of construction conforming to Clifton Park Water Authority (CPWA) standards as well as the method of installation. Further, the Town shall be provided documentation that the CPWA is willing and capable of servicing the project site.
- Provide notation on the plan indicating that all work within the Town right-of-way is subject to a highway work permit obtained from the Town of Clifton Park Highway Department.
- With the proposed garage being provided with a water service, confirm if a new internal restroom is proposed. If one is proposed, methods of sewage disposal shall be shown.

Public Comment: none

Planning Board Review:

Mr. Andarawis questioned the need for moving the water line to the north and discussion ensued about the vegetation that might be disturbed by a water line.

Mr. Ferraro asked for and received clarification of the location of the new curb cut and the elimination of others on the plan. The chairman then requested that the existing asphalt parking lot be removed and lawn to be planted and noted on the plan and to continue existing landscaping along the frontage on Ushers Road and Commerce Drive to the new entrance, where existing entrances will be removed. It was agreed that this would be subject to sign off from the Stormwater Technician and Town designated engineer.

Mr. Ophardt moved, seconded by Mr. Neubauer, to waive the final hearing for this application for the site plan review of Adirondack Office Suites and to grant preliminary and final site plan approval conditioned upon satisfaction of all comments provided by the Planning Department, Town Designated Engineer, and all items listed in the final comment letter issued by the Planning Department.

Ayes: All. Noes: None. The motion was unanimously carried.

2017-009 Clifton Park Center Road Apartments - Site Plan

Applicant proposes construction of a residential community with access from Clifton Park Center Road and Wall Street. A total of 39 units to be included in 1 building on 3.98 +/- acres. Provisions for stormwater management will be made on-site. Connections to municipal water and sewer will be

made, Clifton Park Center Rd, Zoned: TC2, Status: PB Preliminary Review
SBL: 271.-3-76.1

Peter Murray, Attorney for Clifton Park Holding and Tom Andress, Consultant, with ABD Engineering, presented the project, a 39 unit apartment building on 3.98 +/- acres in a TC2 zoning district. The project was last seen March 14, 2017 and had been revised to a single 3-story apartment building that would tie into the Saratoga County Sewer District on Wall Street, and a Clifton Park Water Authority line on Clifton Park Center Road. Also shown on the plan was a trail connection from frontage along Clifton Park Center Road to the rear of the property at Wall Street. The consultant stated that the project would have both private underground parking as well as a surface parking lot for additional resident vehicles and guests which amounts to 2 spaces per apartment. Then the speaker stated that an outdoor patio area and community space are planned on the third level of the apartment building. Next, Mr. Andress described the elevation of the building stating that it followed the Town Center guidelines as reviewed by the Technical Advisory Committee (TAC). The consultant then addressed the comments that were outlined by MJ Engineering and stated that the plans had been recently revised and submitted to the Planning Department to address those issues. Additionally, Mr. Andress stated that necessary access for firetrucks was addressed and that the building would have automatic fire sprinklers installed and would conform to the existing codes. Then, the internal circulation within the underground parking garage and surface parking lot was also outlined.

Mr. Ophardt noted that he felt that there should be a traffic lane that encircled the entire building. Mr. Neubauer added that the TAC had reviewed the plans and felt that the applicant had conformed to the Fire Code, and was in compliance with Town Center zoning requirements for access. Discussion ensued and other board members expressed that they felt that as long as codes were met, they would prefer not to add more pavement, nor encroach on the wetlands.

Staff Comments:

Environmental Conservation Commission

The ECC held a meeting on January 2, 2018 to discuss the project and issued a comment letter stating that:

- The ECC recommends placing split rail fencing and signage along the wetland boundaries.
- The ECC recommends including the protection of the existing wetlands with deed restrictions.
- 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 landscaping and grading to provide visual and auditory buffering between the project other properties on the eastern boundary of the site.
- The ECC recommends that this project be carried out in keeping with the goals of tree preservation as stated in the Town Comprehensive Plan by requiring tree preservation during the site plan review and project construction. The applicant should utilize a landscape architect or a professional tree expert to identify key trees to conserve and present their findings to the Planning Board as part of the review process.

Fire Prevention

Sheryl Reed issued a memo dated January 9, 2018 with the following comment(s):

- Provide emergency services access to all exterior areas of the building per IFC.
- The grass paver area for fire department access has proven to be problem when it comes to snow removal and general maintenance. A paved area would be preferable for emergency services.
- Provide an approved turn around area at the end of the parking area for emergency services per IFC.
- Provide a fire hydrant at the east side of the building.

Mr. Szczesny asked if the property to the north was still developable and would require the applicant to appear before the Planning Board for any further site plan approvals in the future should they desire to develop it. The Planning Director responded that it would require site plan review.

Building and Development

Steve Myers issued a memo dated 12/27/2017 with the following comment(s):

- Parcel is zoned TC-2 edge zone, apartments are an allowed use.
- Issues found with compliance table.
 - Side line setback = 66', states 108'.
 - 3 stories max allowed, building is 4 stories.
 - Rather than complete table it states see architectural plans which are not included. As a result the review cannot be completed. No approvals should be granted until a full review can be completed.
 - Parking drive lane required is in violation of NYS Fire Code at 24', 26' is proposed and is in compliance with code.
 - Per NYS Fire Code access to all exterior points of the building shall be within 150' of fire department access roads. This is not the case. Sprinkler installation may allow this requirement to be waived (building is 320 x 70 roughly).
 - Grass paver area is shown for fire department access. It appears to correct 150' issue but maintenance will be a concern. A road all the way around the building would be preferred.
 - Fire department access for dead end roads over 150' long shall be provided with an approved area for turning fire apparatus around. None is shown.
 - A hydrant shall be required somewhere near the main parking area. Location of the fire department connection on the building may influence the location.
 - Catch basins are shown in what is believed to be the parking level. A oil/water separator should be installed as a result for this flow.
 - No soils data or SWPPP has been provided yet on infiltration basin is proposed. NYS requires extensive proof that no other stormwater management practices will work before allowing an infiltration basin. Due to the proximity of the infiltration area to a stream and wetland it may not be a practical plan.
 - Per Section 208-99, 1.3 parking spaces per apartment are required which is 50 spaces for 39 apartments. 30 surface spaces are shown. It is unknown how many basement spaces are available.
 - The NYS Building Code only requires 2 handicapped parking spaces for up to 50 people. Since it is expected this will be more than 50 occupants in this building additional

handicapped spaces should be required. These spaces need to be located closest to an accessible entrance.

- The proposed bridge over the stream to Wall Street may not be practical due to the wetland and stream flow in this area.
- Further comments may follow.

Scott Reese, Stormwater Technician issued a memo dated January 5, 2018 with the following comments:

- Catch basins and or Storm Manhole #1 shall have ability to trap vehicle fluids from interior parking area.
- Location of subsurface infiltrators shall be setback 25 feet downgradient from structures per NYS Stormwater Management Design Manual 6.3.1.
- The runoff shown in the report increases from the pre-development runoff totals. Per the NYS Stormwater Management Design Manual section 4.10, the net change of peak discharge shall increase by less than 5% of the pre-developed condition for the design storm and no downstream structures or buildings are impacted. The runoff peak discharges are at a minimum, but the report should address a downstream analysis.
- Supply percolation test times at the infiltration trench and infiltration basin locations. Per the NYS Stormwater Design Manual section 3.4 Quantity Controls “Infiltration practices can also be used as an accepted control for up to the 10-year storm, provided the infiltration rate is greater than 5.0 in/hr. In addition, extended detention storage may be provided above the water quality volume in an infiltration basin with a proper outlet design.”
 - For Area 1 the stated “the required 100-year storage volume is 10,539± cubic feet and the basin provides 10,726± cubic feet with no offsite discharge.” The pre-development discharge that make up Area 1 (Pre-Area 1A and B) total 1,936± cubic feet for a 100-year storm event. The post-development discharge to Area 1 (Post Area 1 and 2) total 21,947± cubic feet for a 100-year storm event. The difference in the volume of runoff during a 100-year storm event is 20,011± cubic feet. Report should address how the infiltration practices adhere to the NYS Stormwater Design Manual.
- Provide 1’ of freeboard at infiltration basin
- What is the volume behind the stone berm and what is the elevation of the stone berm within the infiltration basin?
- Comments on Notice of Intent (NOI)
 - Complete Owner/ Operator Information on Sheet 1.
 - Question 37a should be addressed.
- Comments on Stormwater Pollution Prevention Plan
 - Verify the name of receiving waters (Section 1.7).
- Submit an Erosion and Sediment Control Plan for review.

Mr. Andress explained that on the building front area, the façade would be a 3-story building with some steps leading up to the entrance. The parking garage under the apartments would be below grade. Mr. Szczesny asked for clarification of the definition of a story – asking if it was defined as liveable space? Mr. Scavo said that was up to the Planning Board to interpret and/or approve. The height of the building was also discussed. Board members appeared to agree that it

would be a 3-story building and that parking below grade would not count as a story. Mr. Neubauer then referred to Chapter 5 of Town Center Code, p. 61, which defined porches and stoops, and discussed the benefit of the parking garage and stated that he felt this application was in conformance with the intent of the Town Center Code Chapter 5 standards. The other board members expressed agreement.

Open Space, Trails and Riverfront Committee

Roy Casper reviewed a memo dated 1/9/2017 with the following comments:

- The front of the building should have a set of wide and inviting front steps. Another alternative here could be a long, curving ramp on both sides of the façade for pedestrians to enter the front of the building. The building frontage along Clifton Park Center Road could benefit from more visual clues that inform it as “the front” of the building.
- **Multi-use path shown on the plan along Clifton Park Center Road.** According to the Town Center Code’s Future Streets Map, it appears that the project’s front is located on Clifton Park Center Road which is a Perimeter Road. (Per the code, 208:IIIA-56, new multi-use paths should be a minimum of 8 feet wide for Perimeter Roads.) **This is shown on the site plan for the multi-use path along Clifton Park Center Road.** Based on the Code for Perimeter Roads, the site plan layout should also include a 9 foot planter alongside the multi-use path for medium sized trees spaced 40 feet apart. The site plan should show the planter trees along Clifton Park Center Road to enhance the project’s streetscape.
- **Multi-use path shown on the plan connecting Clifton Park Center Road to Wall Street**
 - The multi-use path needs to be a minimum of 8 feet wide to accommodate pedestrian and bicycle traffic based on Code for a New Road or Multi-Use Path. (The site plan only shows a 6 foot path.) An 8 feet wide multi-use path also provides maintenance consistency with other 8 foot paths in the area.
 - The pedestrian bridge crossing the stream on this path should also be 8 feet wide and should be designed to ensure it can handle floodplain events along the stream banks.(The Library Trail pedestrian crossing over the same stream may be informative for the pedestrian bridge design here.)
 - Lighting should be provided along this multi-use path for safe and convenient evening path use to the YMCA, plazas, etc.
 - The On-Site pedestrian circulation immediately around the building and the connection to the on-site pedestrian path needs a closer look. There should be a crosswalk across the parking lot from the sidewalk on the east side of the building to the multi-use path.
 - The dumpster should be moved further east of the multi-use path and closer to the property line and it should be fenced and landscaped to reduce the dumpster’s visual impact. The multi-use pathway should then be rerouted in front of the dumpster for a safer and more pleasant pathway experience.
 - Access to the stormwater management area for future maintenance should be noted on the site plan. (An 8 foot wide multi-use path may also provide convenient maintenance access to the stormwater management area.)

Mr. Murray stated that the applicant preferred the 6ft wide pathway that he said had been agreed upon earlier in the planning process. He added that the path would be on private property although it would be accessible between two public roadways and likely used by the public as well as residents of the apartment building. It was noted by the Chairman that the TAC was in general agreement with this design as proposed.

Planning

John Scavo, in a letter dated 1/4/2018 offered the following:

- Prior to stamping the final plan, the applicant should verify that the multiuse path location can be constructed as shown. Particularly at the proposed terminus with Clifton Park Center Road, adjacent to an existing utility pole. The utility pole appears to have a guy wire anchored adjacent to the pole. Please verify the guy wire will not be an impediment to the paths location.
- In addition to the proposed arborvitae adjacent to the emergency generator, it is recommended, a chain link fence with vinyl slats or a solid fence be placed along the north and east elevations of the generator. The fencing is required to be high enough to shield the mechanical equipment from public view.
- A floating easement for the eastern adjacent parcel that doesn't impact parking should be granted. The easement should allow for a future cross access ingress/egress and a connection/continuation of the multi-use pathway.
- The approved building elevations should be attached to the final approved plan for stamping purposes and shall be part of the binding agreement between the Town of Clifton Park and property owner.

Professional Comment:

Jackie Hakes, MJ Engineering issued a letter on 12/27/2017 with the following comment(s):

General Comments

- The project proposes to provide potable water to the building via a service connection from a main owned and operated by the Clifton Park Water Authority (CPWA). The applicant shall provide the Town documentation indicating the CPWA's ability and willingness to provide potable water to the project. Any approvals offered by the Planning Board should be conditioned on receipt of CPWA's review and approval.
- The project proposes to provide sanitary sewer service to the building from the Town of Clifton Park, by way of the Saratoga County Sewer District No. 1 (SCSD). The applicant shall provide the Town documentation indicating both the Town's and SCSD's ability and willingness to provide sewer capacity to the project. Any approvals offered by the Planning Board should be conditioned on receipt of SCSD's review and approval.
- Given the size of the proposed development, at a minimum, the applicant shall provide a summary of expected peak hour vehicle trips. Should this analysis show that more than 100 new peak vehicle trips will result, a formal traffic impact statement may be required. This assessment needs to account for other projects proposed within proximity of the project site.

State Environmental Quality Review

- Based upon our review of Part 617 of NYS Environmental Conservation Law, the project appears to be an “Unlisted” action. Assuming 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:
 - Clifton Park Water Authority: Taking of additional water.
 - Clifton Park Sewer District: Additional reserve sewer capacity.
 - Saratoga County Sewer District: Additional reserve sewer capacity.
 - New York State Department of Environmental Conservation: permit coverage under GP-0-15-002.
 - New York State Office of Parks, Recreation and Historic Preservation: determination of the absence of existence of cultural, historic or archeological resources within the project site.
 - United States Army Corps of Engineers – potential joint permit application for temporary and/or permanent disturbances to regulated waters of the U.S.
 - Additional involved/interested agencies may be defined as the project proceeds through the Town’s regulatory review.

Full Environmental Assessment Form

- Under Part B, add the Clifton Park Sewer District as an additional agency having jurisdiction.
- Under Part D.2.c.ii, additional information must be furnished to substantiate the response that the existing water district can service the project (see also Comment 1).
- Under Part D.2.d.iii, additional information must be furnished to substantiate the response that the existing sewer district can service the project (see also Comment 2).
- Under Part D.2.k. provide a response regarding the need for additional energy demands with an estimated usage for the project.
- Under Part D.2.q. provide a response regarding the use of pesticides during construction or operation for the project.
- Under Part D.2.r. provide a response regarding management or disposal of solid waste for the project.
- Under Part D.2j, additional information must be furnished to substantiate the response that the project will not result in substantial increase in traffic above present levels (see also comment 3).
- Under Part E.2.1, the response notes the project is located over the Schenectady – Niskayuna Sole Source Aquifer. As the project design advances, special attention must be paid to vertical boundary conditions that must be applied when developing the project specific stormwater facilities.
- Under Part E.2.o. the response indicates “no” for the existence of species of animals or habitat listed by state or federal governments for threatened and endangered species. Please confirm this response as the Northern Long Eared Bat is a federally listed species commonly found throughout New York State.
- Under Part E.3.f the response indicates that the site or portions of the site is located in or adjacent to an area designated as sensitive for archeological resources. To demonstrate eligibility for covered under General Permit GP-0-15-002, consultation with the NYS Office of Parks, Recreation and Historic Preservation is required. Site Plans

- The project is located within the Town's TC2 Edge Zone of the Form Based Code (FBC). The proposal for multifamily units is a permitted principal use within the TC2 District. Sheet 1 of 8 provides a summary of the TC2 District bulk lot requirements, noting where certain provisions are not being satisfied. A summary of the potential noncompliant bulk lot conditions are as follows:
 - The building placement appears to be beyond the 15-foot maximum front build to zone (BTZ) with the stoop extending into the 10 to 15-foot BTZ. However, the plan shows a fence, which is permitted when the building facade steps back or is absent from the BTZ.
 - Building façade at the BTZ is proposed at 33%, where 50% is preferred.
 - Maximum building height is 3 stories. The building proposes 4 stories with the first level serving as covered parking. Refer to Section 208-22(8)(F) of the FBC for building height definition.
 - The maximum ground floor elevation above the sidewalks for residential uses is 24-inches. The building will have a ground elevation more than 24-inches above the proposed sidewalk since the first level will be covered parking.
- Clifton Park Center Road is defined as a perimeter street in the Future Streets Map found in Section 208-23 of the FBC. The perimeter road requires a planter edge that is 9-foot wide, a 8-foot wide multi-use path and 2 to 5-foot wide grassed edge to the property line. The street side improvements include an 8-foot wide concrete multi-use path, but the buffers on each side of the multi-use path are not provided to the specified widths. Due to limited right-of-way available at the project site, we would take no exception to the configuration proposed as long as a minimum of 4-foot is provided between the multi-use path and the pavement edge of Clifton Park Center Road. If 4-foot is not provided, other pedestrian barrier protection should be considered or the multi-use path should be shifted further north.
- The proposed building is subject to the Architectural Standards outlined in Section 208-25 of the Town's Zoning. The submission includes floor plans, elevations, color palette and materials of construction. The Planning Board shall provide feedback regarding these building features.
- There should be consideration of providing a cross lot easement to the adjacent parcel to the east to provide a greater level of access management. This is also a requirement of Section 208-26(1)(F) of the FBC.
- The end of row bulb-outs shown along the parking on the east side of the travel way needs to be modified to conform with Section 208-26(3)(C) of the FBC. The bulb-out adjacent to the dumpster enclosure shall not be paved and must include flowers, shrubs, grass and/or trees where not more than 50% of the ground cover is mulch or gravel. Along the same row of parking, but at the south end, the bulb out is occupied by an emergency generator with no apparent landscaping. The generator should be shifted south with more prominent landscaping at the bulb-out.
- The landscaping shown on Sheet 5 of 8 needs to be modified to meet the requirements of Section 208-26 of the FBC as follows:
 - Section 208-26(5)(C)(6) requires that where more than 24 new trees are required to be planted, no more than 24% of them can be of one species. The number of Red Maples and Arbor Vitae need to be reduced as they are above the 24% maximum.

- Section 208-26(5)(D)(3) requires that street trees shall be a minimum caliper of three-inches and a minimum height of eight feet. The “AR” red maples along Clifton Park Center Road are shown as being installed at a 2 to 2.5-inch caliper.
- While not required, it is suggested that the Arbor Vitae be replaced with a species that is “deer” tolerant.
- Confirm that the parking lot lighting shown on Sheet 5 of 8 provides for an average 0.2 footcandle at grade level pursuant to Section 208-26(6)(B)(3) of the FBC.
- Confirm that the building lighting shown on Sheet 5 of 8 has an average footcandle value of 2.0 pursuant to Section 208-26(6)(E)(4) of the FBC.
- Provide a summary of the common pedestrian amenities, such as benches and bicycle racks pursuant to Section 208- 26(7)(A) of the FBC.
- With the proposal for a parking structure, illustrate how it will comply with Section 1105.1.1 of the 2015 IBC in regard to accessibility to buildings or facility entrances.
- Confirm that adequate sight distance will be provided at the project entrance and there are no obstructions looking left or right for vehicles exiting the project site. Show on the plans the appropriate sight triangles to illustrate if clearing is required or if other site features needs to be relocated to provide the minimum sight distances.
- The plan calls for 80 parking spaces that includes two accessible spaces. Pursuant to Section 1106.1, Table 1106.1 of the 2015 IBC, 4 accessible spaces are required.
- Indicate whether the proposed buildings will be equipped with automatic sprinklers. This will dictate whether on-site fire hydrants are necessary. Should on-site hydrants be warranted, the site access roads shall comply with Appendix D, Section 103 of the 2015 IFC.
- The proposed fire apparatus access roads shall be reviewed by the responding agencies. Specific attention is called to the east side access which is greater than 150-feet in length and is a dead end. This may require a turnaround conforming to Appendix D, Section 103.4 of the 2015 IFC.
- The architectural plans submitted indicate a building height in excess of 30-feet. The positioning of the parking lot on the east side of the building and fire access on the west side of the building do not appear to provide the appropriate aerial fire access in accordance with Appendix D, Section 105 of the 2015 IFC. Section D105.3 requires that at least one of the required access routes shall be located a minimum of 15-feet and a maximum of 30-feet from the building and shall be positioned to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official. The east drive is more than 30-feet from the building face and the west drive is only 20-feet wide and extends along a portion of the building face.
- Provide notation on the plans indicating that all work proposed within the Clifton Park Center Road right-of-way are subject to a highway work permit issued by the Town of Clifton park Highway Department.
- It is suggested that the infiltration basin be provided with additional measures to ensure proper operation during cold weather pursuant to Section 6.3.7 of the NYSSMDM. This may include the installation of a dry well that is to a depth greater than frost.
- Each of the proposed stormwater practices needs to have a sign posted in the immediate vicinity of the practice. The sign shall be not less than 18 inches by 24 inches and shall contain the information outlined in Section 3.5 of the NYSSMDM.
- On Sheet 3 of 8, provide an invert and pipe size for the pipe segment extending west from STMH #1.

- On Sheet 3 of 8, CB#1 enters a 10-inch HDPE pipe via a tee connection. It is suggested that a manhole or other type of maintenance access structure be provided at this location.
- On Sheet 3 of 8, label the pipe diameter and slope for the pipe segment between the trench drain and CB#4.
- On Sheet 3 of 8, label the pipe diameter and slope for the pipe segment between the building and infiltration basin.
- On Sheet 3 of 8, there is a new drainage structure shown within Clifton Park Center Road, immediately east of the fire access. Provide top of frame and invert elevations for this structure as well as pipe size and slope for the discharging culvert pipe. It is assumed that the culvert pipe will be conveyed to the Town of Clifton Park. If this is the case, an easement shall be provided for the length of pipe outside of the right-of-way. The typical easement width for utilities conveyed to the Town is 30-feet wide.
- On Sheet 3 of 8, provide the following notation to meet the requirements of Section 6.3.6 of the NYSSMDM: a. The infiltration basin shall not be used for sediment control during construction. b. Upstream construction shall be completed and stabilized before connection to a downstream infiltration facility. A dense and vigorous cover shall be established over the downstream contributing pervious drainage area before runoff can be accepted into the facility.
- Sheet 3 of 8 needs to illustrate how sediment will be prevented from entering the infiltration basin during construction.
- On Sheet 3 of 8, show the location of the required construction phase sediment basin with the sizing calculations based upon the area of disturbance and contributing drainage area.
- On Sheet 5 of 8, identify the depth and size of fence post footing as well as concrete strength.
- On sheet 5 of 8, the stop bar in front of the crosswalk shall be a minimum of 18-inches wide and labeled as such.
- The concrete sidewalk at the emergency access road shall be modified from the standard detail shown on Sheet 7 of 8 to support the imposed load of emergency vehicles intending to access this area.
- The ladder style cross walk detail on Sheet 7 of 8 shall be modified such that it matches the width of the adjacent walk and meets the dimensional requirements of the NYSDOT Standard Sheet 685-01 for Type L or Type LS crosswalks.
- Provide a cross sectional detail and detailed arrangement for the proposed infiltrator row.
- Provide a work zone traffic control plan associated with work within the Clifton Park Center Road right-of-way.
- Within the plan set provide a detail for a concrete washout included in the SWPPP appendices and show a proposed location within the plan set. Stormwater Management Report
- Page 1 of the SMR indicates soil testing was conducted. Confirm that the testing was conducted in conformance with Section 6.3.1 of the NYSSMDM.
- Within the SMR provide a summary of all available green infrastructure practices, describing why each was or was not selected.
- The stormwater model applies an infiltration rate of 4-inches per hour. Provide the in-situ soil testing performed. For modeling and design a factor of safety of 2 shall be utilized.

- The USDA soil data indicates that the Wa (Wareham loamy sand) is an A/D soils. The modeling applies A type soils throughout. Indicate why the modeling did not apply D soil types and associated CN values for these areas.
- The HydroCAD model indicates that the infiltration basin will reach a maximum of height of 308.96 at the 100-year, 24-hour storm event. This is effectively the top of the perimeter berm and would provide little freeboard above the crest height of the basin berm. It is suggested that the infiltration berm provide a minimum of 12-inches of freeboard from the 100-year 24-hour water elevation and top of perimeter berm.
- It is unclear how the runoff entering the infiltrator chambers is being pre-treated.

Stormwater Pollution Prevention Plan

- Update Section 7 of the SWPPP to include the post construction maintenance requirements for the subsurface infiltrator system.
- Update Section 7 of the SWPPP to include the post construction maintenance requirements outline in Section 5.1.6 of the NYSSMDM (Pg 5-24) associated with soil restoration.
- The SWPPP shall include documentation demonstrating permit eligibility with respect to not adversely impacting endangered or threatened species pursuant to Part I.F.6 of the General Permit.
- The SWPPP shall include documentation demonstrating permit eligibility with respect to not adversely impacting cultural, historic or archeologically significant properties pursuant to Part I.F.8 of the General Permit.
- Complete Page 1 of the NOI with all the operator's information.
- The final SWPPP shall include an executed SWPPP Preparer Certification and Owner/Operator Certification.

Public Comment:

Ron Etchels, a resident at 8 Wall Street, expressed concern regarding the proposed project for the following reasons:

- whether the applicant could use the area on their parcel that had been granted as an easement to the Bentley for stormwater purposes.
- additional stormwater runoff that would be created by additional paved surfaces
- whether the sewage line would be able to handle all these apartments.

Mr. Address responded that it was a non-exclusive easement and the property owner would be able to co-locate other utilities in the same area. The only restriction would be that a building cannot be placed within the limits of the easement. Next, Mr. Address replied that the soil was very sandy and that stormwater would be managed on site and would not flow into the wetlands. Chairman Ferraro noted that all applicants are required to ensure that all stormwater can be handled on the site and that the Town studies the plans to insure that the requirements are addressed, and that those requirements had been made more stringent in the last few years.

Mr. Caraco, a resident at 8 Wall Street, expressed the following concerns:

- noise increasing due to the increased density... dumpsters, generators, roof mounted mechanical equipment

Mr. Scavo noted that there were noise ordinances for things such as garbage removal and that the Building Department would investigate issues if a complaint were filed. Mr. Andress noted that it would be specified to run generator tests during the day in a residential setting, and some residential sound packaging would be required on the outdoor rooftop mechanical equipment.

Anthony Lafleche, 21 Wheeler Dr., had the following comments

- supported the current design
- clarification about the sidewalk along Clifton Park Center Road and responsibility for clearing in the right-of-way

It was noted by the Planning Director that the Town would be responsible for sidewalks in the Town right-of-way and the property owner would be responsible for clearing on the private property.

Planning Board Review:

Mr. Neubauer commented that he felt this application was a success story and that through working with the TAC this project conformed with the Town Center Code and its architectural standards. Then, he asked that the build-to line be carried across the wetlands, west to the property line as required in the code. Discussion ensued and the Board appeared to agree that a hedge would be preferable to establish the build-to line.

Mr. Jones stated that he “loved the project” and asked the applicant to consider adding some EV stations. Other Board members mentioned that they felt the underground parking was a great feature as well and suggested the following:

- Maintenance agreement by owner for the internal walkway
- Landscaping plan
- Interpretive signs
- Encourage outside bike rack

Mr. Jones 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. Jones moved, seconded by Ms. Bagramian, to waive the final hearing for this application for the site plan review of Clifton Park Center Road Apartments, and to grant preliminary and final site plan approval conditioned upon satisfaction of all comments provided by the Planning Department, TAC, Town Designated Engineer, and all items listed in the final comment letter issued by the Planning Department.

Conditions:

Ayes: All. Noes: none. The motion is unanimously carried.

Mr. Philips thanked the Planning Board, the TAC and the Planning Director for working through this as it was their first proposal in the Town Center.

2017-021 Abele 14 Lot Subdivision and Duplex SUP postponed until 1/23/2018 at request of applicant

IV. New Business- none

V. Discussion Items – Board members were asked to complete the annual Ethics Disclosure Forms and/or Oaths of Office for 2018

Mr. Szczesny moved, seconded by Mr. Andarawis to adjourn the meeting at 9:55 pm. The motion was unanimously carried.

Next Meeting Date: January 23, 2018

Next Submittal Date: January 22 for February 13th meeting

Respectfully Submitted,


Meg Springli