

Town of Clifton Park Planning Board
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PLANNING BOARD

ROCCO FERRARO
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Emad Andarawis
DeniseBagramian
Jeffery Jones
Andrew Neubauer
Eric Ophardt
Greg Szczesny

(alternate) Teresa LaSalle

Planning Board Minutes
June 25th, 2019

Those present at the June 25th, 2019 Planning Board meeting were:

Planning Board: R. Ferraro, Chairman, E. Andarawis, D. Bagramian, J. Jones, A. Neubauer, E. Ophardt, G. Szczesny
T. LaSalle – Alternate Member

Those absent were:

Those also present were: J. Scavo, Director of Planning
J. Bianchi, M J Engineering and Land Surveying, P.C.
A. Morelli, Counsel
P. Cooper, Secretary

Mr. Ferraro, Chairman, called the meeting to order at 7:00 p.m. All in attendance stood for recitation of the Pledge of Allegiance.

Minutes Approval:

Mr. Szczesny moved, seconded by Ms. Bagramian, approval of the minutes of the May 29th, 2019 Planning Board meeting as written. The motion was unanimously carried, with the exemption of Mr. Neubauer who was absent at the meeting.

Mr. Neubauer moved, seconded by Ms. Bagramian, approval of the minutes of the June 11th, 2019 Planning Board meeting as written. The motion was unanimously carried, with the exemption of Mr. Ferraro who was absent at the meeting.

Public Hearings:

None

Old Business:

2019-024 Neet Automotive Site Plan

Applicant proposes construction of a 12,500 SF building for use as a body shop to replace the shop that burned down. New footprint has additional SF, 2043 Rt 9, and Zoned: L11, Status: PB Preliminary Review w/ possible determination SBL: 259.-2-14.2

To be reviewed by: MJE Consultant: Eric Holt, P.E. Applicant: Tim Neet **Last Seen on: 5-29-19**

Consultant/Applicant Presentation:

Tim Neet – Applicant – Mr. Neet stated he did not receive the latest staff comments. Therefore he cannot comment on them. Mr. Neet would like to move forward with the approvals to be able to get his business running.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 6/19/19 stating:

- Notes from previous review still applicable
- Wetlands must be delineated and mapped. All that is shown is a straight line
- Lot line adjustment required prior to approval of this proposal
- Distinction between building lines, property lines etc. needed on site plan. (drawing line distinctions) for clarity
- Do not believe sump can discharge to wetland without some type of filtration. Is swale part of Stormwater measures?
- Green Space needs distinct delineation to ensure compliance.

Sheryl Reed, Chief of the Bureau of Fire Prevention:

- A sprinkler system is required per 903.2.9 IBC perNFPA13
- Fire Apparatus Access Road is required per 503.1 IFC. This is extremely important to emergency services because no municipal water for fire hydrant is available

Mr. Neet stated that they reduced the size of the building by 500 feet for a total of 12,000 square feet in order to meet the fire code requirements.

Scott Reese, Stormwater Management Technician issued a memo dated 7/21/19 with the following comments:

1. For the next submittal show location of existing drainage swale along southern property line, and existing culvert location. Discussion of possible easement for drainage conveyances should be discussed.

The Environmental Conservation Commission held a meeting on 7/18/19 and issued a memo recommending:

1. The ECC requested information at the previous submittal for the following items. We respectfully request that the applicant provide the following information:
 - a. The ECC requests the applicant to supply a detail operation report on the planned activities the business will have. The ECC is concerned with the location of floor drains and where it will drain to. What type of materials will be stored inside and outside the proposed structure should be listed in the operations report.
 - b. The Applicant should indicate all other environmental permits / registrations that may be required for the activities that are proposed under the planned use of the site.
 - c. The Applicant shall comply with the Town's Hazardous Materials Policy, which can be obtained from the Town of Clifton Park Stormwater Management Officer.
 - d. The ECC notes that the project includes the installation of storage tanks that may be regulated under the state petroleum or chemical storage regulations. The ECC recommends that the Planning Board require the applicant to provide evidence of registration of these tanks prior to placing in service.
 - e. 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 Stormwater Management Officer before such materials are stored.
 - f. The floor drain should not connect to the sanitary septic system.
 - g. The applicant shall describe the holding tanks purpose on the plan.
2. Relative to comments d. & g. The ECC requests more detail including the size of tank, materials of construction, chemical material of contents, status of registration of tank, leak detection if any. Identification of the licensed hauler and location of the disposal / recycle facility.
3. Due to the probability of automotive wastes leaking from the on-site dumpster(s) into a storm water 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(s) that accept liquid wastes. If necessary, the Applicant will need to periodically pump out the accumulated wastes within the bermed area to avoid any overflow.
4. Applicant shall describe the use of the sump pump located on the plans.
5. The ECC requests the applicant to have the surveyor provide the bearings and distances on the owner's property. The topography shall be shown on the plans in order to determine appropriate drainage patterns. The location of the swale and it's direction toward the adjoining property is of concern with the ECC.
6. The ECC notes that the project may result in an intrusion into the wetlands. If so, the Town should be provided with the NYSDEC wetland disturbance permit.

Mr. Scavo stated that the DDS sheets were provided and that the applicant has a valid permit for the drains.

Roy Casper of the Trails Subcommittee submitted the following comments for the Planning Board to consider in its decision making:

A 5 ft. wide sidewalk from the proposed building's front entrance to the Route 9 road frontage was recommended in the Trails Subcommittee's comments on 5-29-19.

John Scavo, Director of Planning issued a letter dated 06/13/2019 with recommendations he made:

1. The preliminary site plan appears to address all comments from my prior review letter, dated May 21, 2019.
2. The Saratoga Co. Planning Board is scheduled to meet and offer a recommendation on the proposed site plan at their meeting this evening. Once the written recommendation is received by Town Planning Staff, a copy will be sent to the Planning Board for their consideration.

Mr. Scavo stated that it has been verified that the project would have no county-wide or inter-community impacts.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 6/21/19 had the following comments:

State Environmental Quality Review

1. Based upon our 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:
 - a. Saratoga County Planning: 239m referral due to the project's proximity to Route 9.
 - b. New York State Department of Environmental Conservation: identification of threatened and endangered species
 - c. NY State Historic Preservation Office: identification of archeological resources.

Additional agencies may be identified by the Town during its review of the project.

2. The applicant has submitted Part 1 of the Short Environmental Assessment Form (SEAF) dated, 4/17/19 . It appears a revised SEAF was not included with the latest submission. Based upon our review of the submitted Part 1 SEAF, the following comments are offered:
 - a. Part I.12b – The following comment is carried over from the letter dated, 5/24/19. The applicant indicates that the proposed action is not within or adjacent to an area designated as sensitive for archeological sites. This response is inconsistent with a review of the DEC Environmental Assessment Form (EAF) Mapper, located at www.dec.ny.gov/eafmapper/. The applicant should modify response to indicate Yes per the DEC EAF Mapper.
 - b. Part I.13a & b– The following comment is carried over from the comment letter dated 5/24/19. The applicant indicates that no portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by federal, state or a local agency. A review of the DEC EAF Mapper indicates a discrepancy in this response. The applicant should modify response to

indicate Yes per the DEC EAF Mapper. For Part I.13b, the response could then be provided based on the Applicant's comment response letter.

Part I.14 – The following comment is carried over from the comment letter dated 5/24/19. No response to question 14 was indicated. Please provide a response.

- d. Part I.15 – The following comment is carried over from the comment letter dated 5/24/19. The applicant indicates that the site does not contain any species of animal or associated habitats listed by the State or Federal government as threatened or endangered. A review of the DEC EAF Mapper indicates the presence of the Frosted Elfin and the Karner Blue Butterfly on or near the project site. The applicant is requested to indicate Yes per the DEC EAF Mapper. Note: The EAF Mapper does not account for federal species and a search of the USFW IPaC database (<https://ecos.fws.gov/ipac/>) would be necessary.
- e. Part I.20 – The SEAF dated 4/17/19 indicates a No response for the remediation of hazardous waste. A review of the DEC EAF Mapper indicates that the site has been the subject of remediation. The applicant is requested to update response to Yes and include the information provided in their response letter to describe the response in the SEAF.

Site Plans

- 3. The plan, as submitted do not provide the required topographic information. If the Town is considering this a preliminary submission, additional mapping requirements are needed as outlined in Section 208-115 of the Town Zoning.
- 4. Indicate accessible route from handicap aisle to front entrance. Grading and spot elevations are required to clearly define the accessible route from the accessible aisle to the front entrance. If an accessible curb ramp is necessary, identify its location with a supporting detail.
- 5. The accessible parking space shall include the “racing handiman” which is required in New York State.
- 6. Confirm minimum parking space size of 9’x 18’ to ensure adequate room is available to accommodate proposed spaces.
- 7. Provide dimensions to ensure parking lot aisle width is 24’.
- 8. Identify proposed landscape plantings along building foundation and parking lot areas.
- 9. Any proposed site lighting should be developed with attention paid to limited spillage to adjacent properties along Route 9.
- 10. Provide notation on the Site Plan indicating the location of the required Knox Box. Alternatively, provide a note indicating final location is to be determined as part of the building permit process and is subject to the Town of Clifton Park’s review and approval.
- 11. Erosion and Sediment Control Plan will be required for review.
- 12. The plans need to indicate how roof drainage is collected and conveyed to the on-site stormwater facilities.
- 13. Provide water and sewer connection on plans.

Subsequent submissions should include architectural renderings of the building along with identification of materials of construction. There should also be indication whether or not roof top units are expected and how they may be screened from the public right-of-way.

Public Comments:

No public comments

Planning Board Review:

Mr. Ophardt asked about the land disturbance and how much it would be. Mr. Neet stated it would be less an acre of disturbance. Mr. Scavo stated that the final grading on the site needs to be seen for final signoffs by professional staff.

Mr. Jones asked about the sidewalk request from the trails committee. He stated he does not know where it would go. Mr. Neet stated there is a bike route but there is only about a 7 foot easement for it. Mr. Ferraro said that due to the type of business and the fact that the business was previously destroyed by fire and the applicant is looking to rebuild his business an exception can be made.

Mr. Neubauer asked about the materials of the building. Mr. Neet stated the shop will be all metal panels, then the office porton will be brick up to the windows and then cedar siding from there.

Mr. Ferraro noted that the Board is sympathetic to the applicant's situation however, the technical comments raised by staff are not new comments and the applicant will need to satisfy these issues before a building permit is issued and the final site plan is stamped. Mr. Ferraro encouraged the applicant to meet with Town Staff to discuss how the applicant's design professionals can proceed to address the outstanding issues.

Mr. Ophardt moved, second by Mr. Jones, to establish the Planning Board as Lead Agency for this application, a Site Plan action, and to issue a negative declaration pursuant to SEQRA.

The motion was unanimously carried.

Mr. Andarawis moved, second by Mr. Jones, to waive the final hearing for this application for the site plan review of Neet Automotive, 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 listened in the final comment letter issued by the Planning Department

Conditions:

Required signoffs for final site grading plan and culverts. Fire access pursuant to the Fire Code must be met as per Ms. Reed's notes. Holding tank notes from ECC and Mr. Reese must be addressed and satisfied. The final plan will be emailed to the Planning Board Members after Staff has signed off on the outstanding issues to review the final check print prior to the approval stamp being affixed to the site.

Ayes: 7 Noes: 0 The motion is carried.

New Business:**2019-029 Ravenswood Outdoor Bar Addition**

Applicant proposes to construct an 180 square foot bar addition that will be constructed at the north-west end of the existing building and concrete patio. The proposed bar will not require additional parking, 1021 Rt 146, Zoned: B-3, Status: PB Preliminary Review w/ possible determination SBL: 271.-1-17
 To be reviewed by: MJE Consultant: ABD Applicant: Van Auken Management

Consultant/Applicant Presentation:

John Hitchcock of ABD Engineer's representing the applicant stated they are requesting 180 foot bar addition at the northwest end of the building with a grease trap separator. The electric and water run from the existing building.

Staff Comments:**Steve Myers, Director of Building and Development issued a memo dated 6/19/19 stating:**

- The proposal is for an expansion of an allowed use in a B-3 zone. The proposal is for an addition of an outdoor bar area.
- The addition shall meet all the requirements of the NYS Building Code, including the energy code.
- The proposal may not require additional parking, but it appears to eliminate at least one space. It should be confirmed that parking issues from previous proposals have been resolved
- Handicapped parking required to be to the closest entrances. The front spaces do not appear to be the closest and no spaces are present at the rear.

Sheryl Reed, Chief of the Bureau of Fire Prevention:

No Comments

Scott Reese, Stormwater Management Technician issued a memo dated 7/21/19 with the following comments:

No comments

The Environmental Conservation Commission held a meeting on 7/18/19 and issued a memo recommending:

1. The ECC has no comments at this time.

Roy Casper of the Trails Subcommittee submitted the following comments for the Planning Board to consider in its decision making:

- Sidewalk/crosswalk connection to the approved sidewalk on the west side of the Common Access Drive
- To provide pedestrian access to Ravenswood Restaurant, there should be a 20 ft. long sidewalk constructed on the north side of the parking lot entrance and crosswalk connections should be provided from the sidewalk to the restaurant concrete sidewalk shown on the plan and across the Common Access Drive to the future sidewalk on the

west side of the Common Access Drive. (Please see the attached sidewalk/crosswalk proposal.)

- This sidewalk/crosswalk connection is important for future residents of Park West Development and other surrounding neighborhoods off NYS Route 146 and Route 146A to be able to walk safely to the restaurant.

John Scavo, Director of Planning issued a letter dated 06/13/2019 with recommendations he made:

1. Mr. Scavo noted the Saratoga Co. Planning Board issued a recommendation that the project will have no county-wide or inter-community impact.
2. The project is for an outdoor covered bar area. The remaining portion of the outdoor dining area should not be enclosed beyond what has already been previously approved with the exterior canopy. Any proposed modifications to the exterior dining area beyond the scope of this project once approved, will need additional site plan review.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 6/21/19 had the following comments:

State Environmental Quality Review

1. Based upon our review of Part 617 of NYS Environmental Conservation Law, the project appears to be a “Type II” action and requires no further SEQR review. The action is consistent with section 617.5-c(9) which states that the “construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities”. The proposed action required Site Plan Review based on a provision of a previous Planning Board Approval.
2. The applicant has submitted Part 1 of the Short Environmental Assessment Form (SEAF). Based upon our review of the submitted Part 1 SEAF, the following comments are offered:
 - a. No comments at this time. Additional comments may be forthcoming as the project advances.

Site Plans

3. The project resides within the Town’s B-3 Zoning District. In our review of Section 208-37(B) of the Town’s Zoning, the proposal for an expansion of an existing restaurant is a permitted principal uses within the B-3 Zoning District.
4. Based upon a review of the lot configuration, it appears the minimum bulk lot requirements as identified in Section 208-43.3 of the Town’s Zoning are satisfied.
5. Proposed addition may cause vehicle maneuverability issues on the west side of the building. Applicant should show the parking lot layout to reflect current site conditions. It appears based on the proposed addition/guiderail, spaces may need to be eliminated and/or modified.

6. Proposed floor plan view of the wooden guide rail on north side of building shows an offset from the back of the building, however the elevation views and site plan indicate the guiderail up against building. Please verify guide rail location.
7. The project proposes to service the building expansion with public sewer from the Saratoga County Sewer District. The applicant shall provide the Town documentation of the SCSD's ability and willingness to service the project with public sewer, including grease trap permit. Any action on the application should be conditioned upon receipt of plan approval from the SCSD.
8. A cleanout is recommended on the outlet side of the grease trap at the 45-degree angle.
9. Provide pipe inverts and top of frame/rim elevations for the grease trap.
10. Provide size, type of material, and slopes for all sanitary sewer lines.

Public Comments:

No public comments

Planning Board Review:

Mr. Ophardt asked if the applicant has looked into a second sidewalk towards the back of the property line. And if a second driveway or sidewalk can be built in cooperation with Mr. Earle, the adjacent property owner, to help with traffic flow and the tight turning at the rear of the parking lot.

Mr. Neubauer stated that he feels the Trails Committee suggestion for a pedestrian connection would be good for the area. He also stated that new striping clarifies the pedestrian right of way and it needs more clear direction. Ms. Bagramian agrees with Mr. Neubauer's comment.

Mr. Jones is concerned that the crosswalk suggested leads to a flower bed in front a few parking spaces that does not allow for pedestrians to walk through. He stated that pedestrians would have to walk around parked vehicles to get to the entrance of the building.

It was greed by the Planning Board that the applicant shall work with the Town staff to identify the most appropriate pedestrian connection from the proposed sidewalk on the west side of the road to the building's entrance.

Mr. Ophardt moved, second by Mr. Neubauer, to establish the Planning Board as Lead Agency for this application, a Site Plan action, and to issue a negative declaration pursuant to SEQRA.

The motion was unanimously carried.

Mr. Szczesny moved, second by Mr. Ophardt, to waive the final hearing for this application for the site plan review of Ravenswood Outdoor Bar Area, and to grant preliminary and final site plan approval

The Environmental Conservation Commission held a meeting on 7/18/19 and issued a memo recommending:

1. The ECC recommends that this project be carried out in keeping with the goals of tree preservation as stated in the Town Comprehensive Plan, to the greatest extent practicable.
2. The applicant shall provide a landscaping schematic in the next submittal.

Roy Casper of the Trails Subcommittee submitted the following comments for the Planning Board to consider in its decision making:

- The applicant should construct a sidewalk from the proposed office building sidewalk shown on the site plan to the roadway frontage along NYS Route 146.
- A 15 ft. ROW/Trail Easement should be provided on the property boundary line along NYS Route 146 for a future multi-use path and utility realignment.
- A bicycle rack should be installed in close proximity to the front entrance of the proposed office building.

John Scavo, Director of Planning issued a letter dated 6/13/19 with recommendations he made:

1. The Saratoga Co. Planning Board is scheduled to meet and offer a recommendation on the proposed site plan at their meeting this evening. Once the written recommendation is received by Town Planning Staff, a copy will be sent to the Planning Board for their consideration.
2. The project appears to meet the density and use requirements as prescribed by the Hamlet Mixed Use Zoning District.
3. The Preliminary Design Plan should include a detail for the refuse enclosure and provide plantings to the east of the refuse area to minimize visual impacts from NYS Route 146.
4. Based on the building size, it appears at least one accessible parking space with access isle will be required. The accessible space must connect to the shortest accessible route to the building entrance.
5. As the exterior lighting plan progresses through design, it is recommended the applicant pursue energy efficient lighting options that are dark-sky friendly. International Dark-Sky Friendly Fixtures can be researched at www.darksky.org.
6. Add a note to the preliminary site plan that states:

Any utility work or construction within the State Highway Right-Of-Way requires the property owner to obtain a highway work permit from the NYS Department of Transportation, whether it is for construction or installation of facilities, or for repairs and maintenance.

7. Add a note to the plan that states:

COMMON RIGHTS OF INGRESS/EGRESS:

The perpetual ingress-egress easements for Daggett Drive (private roadway) shall be used in common by the owners of lot(s) 2, 3, 7, and 8 Daggett Drive. All such easements are in effect

and binding upon the owners of said lots, their heirs, successors, and assigns and all future owners of said lots, their heirs, successors, and assigns, per the map entitled, "Subdivision Lands of Daggett Development Company, LLC, dated August 15, 2017 and filed within the Saratoga County Clerk's Office.

8. The applicant should be prepared to discuss with the Planning Board, building material types for the proposed conceptual elevation provided.
9. The applicant proposes to service the lot with an on-site septic system. The proposed septic system shall be designed by a New York State licensed professional engineer and conform to the requirements of the New York State Department of Health (Section 208-91) for review and approval by the Town Building Department.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 6/21/19 had the following comments:

State Environmental Quality Review

1. Based upon our review of Part 617 of NYS Environmental Conservation Law, the project appears to be a "Type II" action and requires no further SEQR review. The action is consistent with section 617.5-c(9) which states that the "construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities".
2. The applicant has submitted Part 1 of the Short Environmental Assessment Form (SEAF). Based upon our review of the submitted Part 1 SEAF, the following comments are offered:
 - a. No further comments at this time. Additional comments may be forthcoming as the project advances.

Site Plans

3. The project is located within the Town's Hamlet Mixed Use (HM) zoning district. The proposal for an office is a permitted use within the HM District as noted in Section 208-43.2 of the Town's Zoning.
4. Based upon a review of the lot configuration, it appears the minimum bulk lot requirements as identified in Section 208-43.3 of the Town's Zoning are satisfied.
5. The square footage of the proposed building is consistent with the previously approved subdivision in 2017 and Town Code of 4,000 SF per acre.
6. Project information should be revised to reflect project parcel SBL 269.-3-2.22.
7. While the application material indicates that the project will have less than 1 acre of disturbance and would not be subject to GP-0-15-002, there is a proposal to increase impervious cover and potentially change or alter drainage patterns. As such, an analysis shall be completed that

examines the pre and post drainage conditions to determine whether or not there will be adverse impacts to the receiving drainage system.

8. It is unclear from the submitted plans what the expected area of disturbance will be. A call out of 0.7 acres is identified, however no disturbance line is provided. Subsequent plans need to delineate the extent of land disturbances.
9. In-situ percolation tests and test pits shall be provided in the proposed septic system location to demonstrate the type of system required and to ensure that the location indicated is feasible.
10. An additional 100% expansion area has been provided on the plan, however location maybe affected in the future by improvements along Route 146. Consider reducing to 50% expansion per Appendix 75-A of the State Sanitary Code to provided extra setback space from future watermain and road improvements.
11. It is recommended that at a minimum the number of peak hour vehicle trips, including truck trips, be provided. Analysis shall also incorporate existing office space vehicle data.
12. Accessible parking aisles must be located to connect directly to the accessible route. The current location does not provide this requirement.
13. Parking provided is for general office space meeting Town Code Section 208.99 of 1 space / 300 SF. If medical and dental are being considered as an option, then additional parking will be required to meet 1 space / 150 SF.
14. There needs to be a determination if the proposed building construction and use will warrant automatic sprinklers as prescribed in the Building Code of New York State. This information is needed to determine whether an on-site hydrant is required to satisfy the requirements of Section 508.8 of the FCNYS.
15. Determine if a Knox Box is required based upon the building arrangements, occupancy and materials of construction. If one is required, its location is subject to the review and approval of the Fire Chief.
16. Subsequent plans should include architectural elevations of the building with a listing of the materials of construction for review by the Planning Board.
17. Considering the plan submitted is conceptual in nature, we will reserve further comments until more detailed plans and reports are submitted. Subsequent submissions shall include information as outlined in Section 208-115 of the Town zoning specific to site grading, lighting, sewage disposal system, erosion control and stormwater management to fully assess the design and its compliance to the applicable standards.

Public Comments:

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche stated he likes the design, as well as the side parking. Mr. LaFleche asked where to septic would be. Mr. Longo stated the septic would be in the front of the building. Mr. LaFleche also asked if the applicant would consider the 146 easement could be increased in the event that in the future Route 146 becomes 4 lanes.

Planning Board Review:

Mr. Ferraro asked about where extra spaces would be if medical uses were to come into place. Mr. Longo stated that they are land banking and they can be put in along the side of the building. Mr. Ferraro stated he would like to see the land banking in the next submittal.

Mr. Ophardt asked about the potential to change the office building to medical/dental and what would be done for the septic for the increased number of people. Mr. Longo stated that they can expand on the system if the building changes to medical.

Mr. Andarawis asked if the 6 parking spots on the north side of the building can be moved to the south side to be able to move the building closer to Daggett Drive. Mr. Longo responded by explaining that the grading would change if the building were to be moved. Mr. Neubauer asked if then, the building could be appealing more to pedestrians and to move the parking in that favor. Mr. Longo stated that the building is in its current proposed location so that it is visually appealing from the roadway. Mr. Guidarelli stated then that the look of building to the rear of the proposed building is visually appealing and he would like to keep it visible. Mr. Jones suggested having an ornamental front entrance. Mr. Longo stated that they could always look into have two fronts to the building. Mr. Scavo stated that to have a false front would have to be reviewed by the Building Department, and that he would follow up on this as a possibility. Mr. Ferraro suggested bringing back Sheryl Reed for evaluation and decision on parking layout due to the need of 911 responses.

Mr. Jones asked if there would be any removal of trees for this project. Mr. Longo stated that they hope they would not be however currently there is a possible one tree to be removed. Mr. Ferraro stated that he wants to see on the next presentation what trees would in fact be removed.

Mr. Ferraro would like to see a sidewalk to route 146 for any future plans. Mr. Longo asked where to put it as there is nothing in place currently. Mr. Jones stated the sidewalk should be down Daggett Drive to 146 with a possible easement for a future route 146 trail. Mr. Jones stated that it needs to be looked at as to where the town would put the sidewalk; if it is on the opposite side of the road then a crosswalk would have to be put in on a busy street.

New Business:

2019-031 Rexford Square Garages

Applicant proposes construction of two accessory garages on two parcels adjacent to the existing parking lots, 2 Daggett Dr, Zoned: HM, Status: PB Concept Review

SBL: 269.-3-2.21

To be reviewed by: MJE Consultant: Chris Longo, P.E. Applicant: Guidarelli

Consultant/Applicant Presentation:

Chris Longo, PE - Empire Engineering – 2 building proposal consisting of garages. garages for surrounding buildings used for storage with general maintenance storage and use as well. There will be no water, no sewer, but utilities will be hooked up. The buildings are proposed to match the building facade they are closest to. The driveway will be large enough for a turnaround to back up for a vehicle.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 6/19/19 stating:

- Proposal for garages in HM zone. The use of these garages is required. Accessory structures are an allowed used in conjunction with residential uses but there is no provision for commercial use.
- All setbacks need to be shown on plan.
- More comments to follow with future submissions.

Sheryl Reed, Chief of the Bureau of Fire Prevention:

No comments

Scott Reese, Stormwater Management Technician issued a memo dated 7/21/19 with the following comments:

Provide documentation that the construction of this plan will not result in the exceedance of the 10-year storm design capacity of the downstream culvert in the right-of-way

The Environmental Conservation Commission held a meeting on 7/18/19 and issued a memo recommending:

1. The ECC has no comments at this time.

Roy Casper of the Trails Subcommittee submitted the following comments for the Planning Board to consider in its decision making:

The Trails Subcommittee does not have any comments regarding this proposal

John Scavo, Director of Planning issued a letter dated 06/13/2019 with recommendations he made:

1. The Saratoga Co. Planning Board is scheduled to meet and offer a recommendation on the proposed site plan at their meeting this evening. Once the written recommendation is received by Town Planning Staff, a copy will be sent to the Planning Board for their consideration.
2. The project appears to meet the density and use requirements as prescribed by the Hamlet Mixed Use Zoning District.
3. As the exterior lighting plan progresses through design, it is recommended the applicant pursue energy efficient lighting options that are dark-sky friendly. International Dark-Sky Friendly Fixtures can be researched at www.darksky.org.
4. Add a note to the preliminary site plan that states:

Any utility work or construction within the State Highway Right-Of-Way requires the property owner to obtain a highway work permit from the NYS Department of Transportation, whether it is for construction or installation of facilities, or for repairs and maintenance.

5. The applicant should be prepared to discuss with the Planning Board, building material types for the proposed conceptual elevation provided.
6. The site plan displays “Total Project Area: 6.47 AC” this should be changed to reflect “2.59 AC”, the acreage for lots 2 and 7.
7. To provide ease of use in interpretation of our Town Code, Local Law #5 of 2019, removed the definition of “Accessory Building” from our Town Code. Therefore, the proposed garages are classified under our Town Code definition as:

ACCESSORY USE

A term applied to a use, building or other structure, clearly incidental or subordinate, but customary to the principal use, located on the same lot with the principal use.

The lot build-out for the principle use is based on square footage. An accessory use does not count against the square footage calculations of the primary structure and use within the HM Zone, so long as each parcel’s required greenspace requirement is met, and the accessory use is deemed to meet the Town Code’s definition of such.

8. The applicant should be aware that The NYS Building Code will require frost protection for an exterior landing area from an exit door.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 6/21/19 had the following comments:

State Environmental Quality Review

1. Based upon our review of Part 617 of NYS Environmental Conservation Law, the project appears to be a “Type II” action and requires no further SEQR review. The action is consistent with section 617.5-c(9) which states that the “construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities”.
2. The applicant has submitted Part 1 of the Short Environmental Assessment Form (SEAF). Based upon our review of the submitted Part 1 SEAF, the following comments are offered:
 - a. No further comments at this time. Additional comments may be forthcoming as the project advances.

Site Plans

3. The project is located within the Town’s Hamlet Mixed Use (HM) zoning district. The proposal for a medical office is a permitted use within the HM District as noted in Section 208-43.2 of the Town’s Zoning.
4. Based upon a review of the lot configuration, it appears the minimum bulk lot requirements as identified in Section 208-43.3 of the Town’s Zoning are satisfied.

5. Project information should be revised to call out the individual parcels project parcel SBL 269.-3-2.21 and 269.-3-2.23 totaling 2.59 acres.
6. It is unclear from the submitted plans what the expected area of disturbance will be. A call out of 0.15 acres is identified, however no disturbance line is provided. Subsequent plans need to delineate the extent of land disturbances.
7. Subsequent plans should include architectural elevations of the building with a listing of the materials of construction for review by the Planning Board.
8. Considering the plan submitted is conceptual in nature, we will reserve further comments until more detailed plans and reports are submitted. Subsequent submissions shall include information as outlined in Section 208-115 of the Town zoning specific to site grading, lighting, sewage disposal system, erosion control and stormwater management to fully assess the design and its compliance to the applicable standards.

Public Comments:

Pam Marshall – 5 Fairlong Court – Ms. Marshall asked why if only two bays there are three shown in the proposal. M. Longo explained this is a concept is for two separate garage structures and doesn't correspond to the number of bays shown for each.

Planning Board Review:

Mr. Jones asked about the actual scale of the garages. Mr. Longo stated one will be four the other will be four or five garages. And the storage garages would be approximately thirty by seventy feet.

Mr. Andarawis stated he would like to see the design of the buildings submitted, if the board cannot agree on the look then the applicant needs to come back to the board for further guidance. As one is being proposed as brick the other is not.

Mr. Szczesny moved, second by Mr. Jones, to waive the final hearing for this application for the site plan review of Rexford Square Garages, 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 listened in the final comment letter issued by the Planning Department

Conditions:

Actual images of the buildings with renderings need to be attached to the submittal paperwork.

Ayes: 7 Noes: 0 The motion is carried.

Discussion Items:

None

Mr. Neubauer moved, seconded by Mr. Szczesny, adjournment of the meeting at 9:40 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on July 9th, 2019.

Mr. Andarawis stated he will not be at this meeting.

Mr. Neubauer stated he may not be at this meeting.

Respectfully submitted,

Paula Cooper

Paula Cooper, Secretary