

Town of Clifton Park Planning Board
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PLANNING BOARD

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DeniseBagramian
Jeffery Jones
Andrew Neubauer
Eric Ophardt
Greg Szczesny
(alternate) Teresa LaSalle

Planning Board Minutes
July 9th, 2019

Those present at the July 9th, 2019 Planning Board meeting were:

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

Those absent were: A. Neubauer, E. Andarawis

Those also present were: J. Scavo, Director of Planning
W. Lippmann, 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.

Mr. Ferraro stated that Ms. LaSalle would be a voting member of the board tonight in the absence of Mr. Neubauer and Mr. Andarawis

Minutes Approval:

Ms. Bagramian moved, seconded by Mr. Szczesny, approval of the minutes of the June 25th, 2019 Planning Board meeting as written. The motion was unanimously carried.

Public Hearings:

2018-022 Couch 2 Lot Subdivision

Applicant proposes subdivision of land to an immediate family member with permission to build a single family dwelling on the subdivided lot. The applicant was previously granted an area variance by the ZBA for the lot configuration, 65 Ray Rd, Zoned: CR, Status: PB Preliminary Review w/ Possible Determination

SBL: 282.-2-6

To be reviewed by: MJE Consultant: none Applicant: Michele Couch **Last Seen on: 5-8-18**

Mr. Ophardt moved, second by Ms. Bagramian, to establish the Planning Board as Lead Agency for this subdivision application an Unlisted Action, and to issue a negative declaration pursuant to SEQRA.

The motion was unanimously carried.

Consultant/Applicant Presentation:

Michele Couch – Owner – Ms. Couch stated she was asking for a subdivision to be able to put a second home on the property. The second home would be for her brother. She stated she met with Mr. Scavo and VanGuilder Ass. To ensure everything including septic and a 911 address are acceptable.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 06/28/19 stating:

- Last reviewed 5/8/18 at which time lot variances were noted and well and septic locations were requested. Separation of proposed well and septic at 67 Ray Road appears to barely be met. If well is downhill of septic further separation will be required. Topography of the lot is required to make this determination.
- House is approximately 400' from Ray Road. As a result the driveway shall be a minimum of 16' wide and able to support a 75,000 lb. vehicle.

Sheryl Reed, Chief of the Bureau of Fire Prevention:

1. Driveway shall be a minimum of 16 feet wide and support a 75,000 lb. emergency vehicle.

Scott Reese, Stormwater Management Technician issued a memo dated 07/03/19 with the following comments:

1. Per the May 8th, 2018 Planning Board minutes Ms. Susan Meisner, 63 Ray Road expressed concerns of a flowing pipe located on Ms. Couch's parcel directly discharging onto hers. The applicant shall avoid any cause of quantity and/or velocity of the flow of surface water increasing onto an adjacent property through artificial means such as the installation of culvert.

The Environmental Conservation Commission held a meeting on 07/2/19 and issued a memo recommending:

1. The subdivision of this lot and the site layout is inconsistent with the goals and objectives of the Comprehensive Plan that is pertaining to the CR Zone.
2. Approval of this project is inconsistent and a violation of the Comprehensive Plan and CR Zone requirements in addition the project was not submitted to the ECC for comment prior to ZBA approval. Specifically 208-16 E(2)(a) "Development on less than 10 acres. A parcel consisting

of less than 10 acres may be developed at a maximum density of one dwelling unit per 3 acres of unconstrained land. A parcel which is less than 3 acres but larger than 20,000 feet may be developed with one dwelling unit.”

3. The ECC notes that the applicant has not submitted any soil data and seasonal high ground water at the location of the proposed septic system to prove that this is a viable buildable lot.
4. Pursuant to Section 86-7 of the Town Code, natural drainage channels should be preserved to the greatest extent practicable.
5. Prior to final approval the applicant shall provide a grading plan to the planning department. Showing the finished grade and grading changes.
6. The ECC notes that there is a significant area of the property are wooded and 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.

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

A 15 ft. ROW/Trail Easement should be considered on the property boundary line along Ray Rd. for a future multi-use path and utility realignment.

John Scavo, Director of Planning issued a letter dated 07/02/19 with recommendations he made:

1. In a letter dated April 23, 2018, the Saratoga County Planning Board noted the project will have “No Significant County-Wide or Inter-Community Impact.”
2. The final Subdivision Map shall have the Subdivision Stamp Approval Block included on the mylar prints and paper sets. Gilbert VanGuilder Land Surveyor, PLLC, has the applicable CADD File and can add the stamp approval block to the final print.
3. New and replacement Individual Water Supply Wells are required to follow the New York State Residential Code (which references NYS DOH Appendix 5-B "Standards for Water Wells"), be installed by a certified NYS Department of Environmental Conservation (DEC) registered water well contractor (driller) and have groundwater as the water source.
4. The mitigation fee for the Western Clifton Park GEIS preparation will be applicable: a payment of **\$348** per each new dwelling unit will be required to be paid prior to the stamping of the final plan. Therefore, a check made payable to the Town of Clifton Park in the amount of \$348.00 is due prior to the stamping of the final plan.
5. A check for **\$1,250 (\$1,250 x 1 new residential dwelling lot)** made payable to the Town of Clifton Park for parkland mitigation fees is due prior to the stamping of the final plan.

Professional Comments:

Joel Bianchi, P.E of MJ Engineering in a letter dated 07/05/19 had the following comments:

State Environmental Quality Review

1. No additional comments.

Subdivision Plan

2. As noted in Comment 8 of our May 4, 2018 review, the plat shall show the location of the existing well and septic systems on adjacent lots to ensure appropriate horizontal distances will be provided. Specific attention is to any well being located on Lands of Pacelli and it not being within 100-feet of the proposed septic system on the newly created lot.

Public Comments:

No comments

Mr. Ferraro, second by Mr. Ophardt, to close the public hearing.

The motion was unanimously carried.

Planning Board Review:

Ms. Bagramian asked Ms. Couch about a neighbor complaint of a water pipe draining on to the neighbor's property. Ms. Couch stated that it was a clean water pipe from her sump pump and the issue has been resolved. Ms. Couch stated that the pipe has been cut down in length so it now drains onto her own property. It was then clarified by Mr. Scavo that according to codes Michele is within her rights and the pipe is now fine.

Mr., Ophardt asked about how many trees would be cut down to accommodate the new home. Ms. Couch stated that there would not be much tree disturbance. She stated that the property is open with a row of pine trees in the back of the property that should stay. The only disturbance may be when the well needs to be dug but that location is still subject to a final field determination. She stated that there is a shed as well as a chicken coop that will be removed for the construction of the new home. Ms. Couch stated she does not wish to remove any of the trees if she is able.

Mr. Ferraro stated that he would like to see land survey included with the final site plan for review and to include in the plan the trees that will be disturbed. He would also like to see the grading/contours of the property as well per ECC comments. He stated that all of this can be handled administratively within the department.

M. Ophardt asked if there would be a basement in the new home. Ms. Couch stated that it will be on a poured foundation, and no basement will be included.

Mr. Ferraro asked if there would be a right of way for a trails easement. Mr. Scavo stated that National Grid has an existing easement outside of the Town's Right-Of-Way that prohibits the owner from granting additional public easement at this time.

Mr. Jones offered Resolution No.11 of 2019, seconded by Mr. Ophardt to waive the final hearing for this application for the Couch Subdivision approval, and to grant preliminary and final subdivision approval condition 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.

Conditions:

Survey map will be submitted with final plan and will include areas not to be disturbed as well as existing contours and proposed grading of the property. Town Staff will review and approve the additional data through administrative review. If not acceptable to Town Staff the project will be remanded back to the Planning Board. Percolation Tests are required to verify the adequacy of septic at the time of application for the building permit.

Roll Call:

D. Bagramian - Yes
 E. Andarawis - Absent
 E. Ophardt - Yes
 J. Jones - Yes
 A. Neubauer - Absent
 G. Szczesny - Yes
 R Ferraro - Yes
 T LaSalle – Yes

Ayes _____ Six (6) _____

Noes: _____ Zero (0) _____

The resolution is carried.

Old Business:

2019-022 Anyaegbunam Route 146 Medical Office

Applicant proposes development of a 2 story 3,000 sf base foot print medical office building (approximately 6,000+/- sf total building SF) with approximately 40 parking stalls. Access to the facility is a proposed curb cut on Route 146. The site will be serviced by an existing waterline along Route 146 through CPWA and sewer will be managed on site via a private WWTS with future provisions to connect to a future SCSD Main within the Edison Club Development Plan, Rt 146, Zoned: HM, Status: PB Preliminary Review w/possible determination

SBL: 269.-3-3

To be reviewed by: MJE Consultant: Lansing Applicant: Anyaegbunam **Last Seen on: 6-11-19**

Consultant/Applicant Presentation:

Scott Lansing – Lansing Engineering – The applicant has incorporated prior comments made by the board. The ECC comment is addressed by putting the sidewalk through the property to the front of the building. Mr. Lansing stated the applicant is willing to change this if the Board suggests otherwise. Mr. Lansing stated the MJ Engineering’s comment of no spilling of light 50 feet into the property has also been addressed, with the exception of the lit freestanding sign at the driveway entrance. He also stated that the footprint will be 4,000 square feet on the first floor and 2,000 square feet on the second floor, the

second floor will be “u” shaped and will slope towards the back of the building. An elevator is in the plan for access to the second floor.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 06/28/19 stating:

- Handicapped accessibility will require the building to have an elevator.

Sheryl Reed, Chief of the Bureau of Fire Prevention:

1. Specify the location of the nearest fire hydrant. Additional hydrant may be required to be installed.
2. Specify the 911 address of 1584 Route 146 on the final site map

Scott Reese, Stormwater Management Technician issued a memo dated 07/03/19 with the following comments:

1. With the installation of catch basins and culverts may cause the quantity and/or velocity of the flow of surface water to be considerably and substantially increased, causing damage to adjacent properties. The applicant shall show how this will be avoided.
2. The outlet from the catch basins and culverts is within the sanitary absorption field expansion area.
3. The plans show the SWPPP grading line area to be ± 0.97 acres. Since this is close to the 1 acre of disturbance required for stormwater quality and quantity controls an orange construction fence shall be shown on the plans to be installed prior to any land disturbance and surveyed to ensure that the project will be disturbing less than 1 acre.

The Environmental Conservation Commission held a meeting on 07/02/19 and issued a memo recommending:

1. The 1.52-acre parcel justifies an office use of 6,080 gross square feet. If the office gross square footage will exceed this amount it should be subject to a density bonus per 208-43.5 or the building shall be reduced in size to meet the bulk standard.
2. The ECC is notes that the water letter report indicates that the water demand is 750 gallons per day. Based on this capacity the design point for the septic tank should be 1,125 gallons (1.5 times). The applicant should justify that the 1,000-gallon septic tank is sufficient to accommodate the intended use for the intended medical use.
3. The applicant should ensure that there is adequate access to the building entrance to accommodate emergency medical services.
4. The ECC notes that there is existing bus service in this area. Given the high volume and high-speed traffic conditions on NYS Route 146 in this area, the ECC recommends relocation of the sidewalk to the area adjacent to the driveway access to increase the visibility of the pedestrians by the vehicles and ease access to the facility for patients using public transportation.

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

- The Trails Subcommittee had previously recommended extending the proposed medical office building front entrance sidewalk to the roadway shoulder on Route 146 to provide direct pedestrian access to and from the roadway shoulder. This was suggested by the Trails Subcommittee since a multi-use path at this location may be many years away and until the time a multi-use path is built, the only pedestrian route is the roadway shoulder. The consultant's comment is well taken that NYSDOT may consider this sidewalk extension in their right of way as a way to promote and imply a crossing of a State road at an unmanaged and unsignalized location. Certainly, the Trails Subcommittee is not recommending a crosswalk across Route 146 at this location, but simply a pedestrian connection to the roadway shoulder - a "No Pedestrian Crossing" sign may be a possibility here if this would meet NYSDOT's guidelines.
- The preliminary plans that were submitted with the comment response letter include a Pedestrian Access/Floating Easement for the potential future pedestrian connection to the proposed Edison Club project. Would it be possible to note the "general location" of this easement on the layout plan? For example: Pedestrian Access/Floating Easement along the eastern property boundary line.
- The preliminary plans include a bicycle rack located in close proximity to the building front entrance.

John Scavo, Director of Planning issued a letter dated 07/02/19 with recommendations he made:

1. In a letter dated May 17, 2019, the Saratoga County Planning Board noted the project will have "No Significant County-Wide or Inter-Community Impact."
2. Since the project is adjacent to a State Highway, please add the following note to the final plan:

"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."

3. A curb-cut permit issued by NYS DOT for the proposed access driveway onto NYS Route 146 will be required for the issuance of a building permit.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 07/05/19 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 Board: 239m referral due to the project's proximity to NYS Route 146 (Balltown Road)
- b. Clifton Park Water Authority: water service connection
- c. New York State Department of Transportation: proposed curb cut along NYS Route 146
- d. New York State Department of Environmental Conservation: Potentially NYSDEC Phase II Stormwater Regulations and coverage under stormwater SPDES and identification of threatened and endangered species.

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

Short Environmental Assessment Form

2. No further comments at this time.

General Comments

3. Applicant has indicated they submitted the information to the CPWA and will forward approval once received.
4. Water details will need to be provided for water service connection.

Provide notation on the plan indicating that all work within the State right-of-way is subject to a highway work permit obtained from the NYSDOT (driveway, culvert, water service).

Site Plans

5. Sheet LMG-1 indicates 6" DR-Flex water pipe. Should read TR-Flex Pipe.
6. Sheet LMG-1 septic tank inlet and outlet, minimum slope for 4" pipe shall be 2% and minimum slope for 6" pipe shall be 1%. Revise accordingly.
7. Sheet LMG-1, provide invert of 4" pipe out of distribution box, the drop from in/out should be at least 0.17'.
8. Sheet LMG-1 show cleanout on sanitary sewer line exiting the building.
9. Sheet DT-3 indicated 4" PVC SCH 40 from building to septic tank, however Sheet LMG-1 indicates 6" PVC. The notes and details should be coordinated with one another.
10. Sheet DT-3, septic system, the reduction allowance should depend in part upon the ability of the owner to ensure adequate maintenance and/or replacement in-kind when necessary.
11. Sheet DT-2, provide a sump of 12-inches.
12. Sheet DT-3, Soil Appraisal table references Charlton Road. Correct as necessary.
13. Sheet DT-4, detail 3, space dimensions per Sheet LMG-1 are 9' x 18'. Please confirm size.

14. Sheet LLP-1 shows the proposed site lighting and corresponding footcandle values. It appears that the first 50 feet of the site entrance from Route 146 lighting may be warranted from the site entrance at Tanner Road and extending into the primary parking lot as none is shown presently.
15. The plan shows the 100% septic system expansion within what appears to be part of the storm sewer system. There needs to be consideration as to what effect the construction of the expansion would have on the proposed stormwater conveyance system, if any.
16. Identify locations where roof drainage is to be collected and conveyed to the site storm sewer.
17. Once confirmed with the Fire Chief, indicate location of Knox box on plans.

Public Comments:

No public comments

Planning Board Review:

Mr. Jones asked for clarification on the square footage of the building. Mr. Lansing stated that the rough estimate is 4,000 square feet.

Mr. Ophardt asked about the recent change in the design. Mr. Lansing stated the applicant wanted more space on the first floor for the layout and program.

Mr. Jones asked about parking suggestions that were previously made and questioned what was changed. Mr. Lansing stated that 2 of 4 the parking spots that were in the front of the building have been moved to the side of the building.

Mr. Szczesny asked where the water runoff would be collected. Mr. Lansing stated that the grading keeps the runoff where it was previously but now the riprap will disperse the water to the southeast. Mr. Jones stated that he would like to see a study to show runoff. Mr. Lansing stated it is not required for this project under the NYS DEC Stormwater Regulations but will provide the requested documentation to Town Staff for review. Ms. Bagramian asked how close the riprap is to the property, Mr. Lansing stated that it is 30/25feet from the property line and fans out approximately 12 feet. Mr. Ferraro stated he would like to see a hydro model showing this and it can be reviewed administratively in the Planning Department.

Mr. Scavo asked what would happen to septic if the adjacent property application goes through. Mr. Lansing stated the septic system would be abandoned and this applicant would tie into the sewer of the other proposal.

Mr. Szczesny moved, second by Ms. Bagramian to establish the Planning Board as Lead Agency for this site plan application, an unlisted action, and to issue a negative declaration pursuant to SEQRA.

The motion was unanimously carried.

Mr. Szczesny moved, second by Mr. Ophardt, moved 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.

Condition:

More clearly delineate and identify the location of the pedestrian floating easement on the plans including arrows indicating the location and extent of the floating easement. If any questions or concerns on the hydro cadd model arise it will be taken care of administratively or it will be remanded back to the Planning Board if a solution cannot be reached with Town Staff.

Old Business:

2019-027 Environmental Design Partnership Office Park

Applicant is proposing to construct three (4,800 SF) mixed use office buildings totalling 14,400 SF. The buildings and parking will be placed to the rear of the property. The proposed buildings will be connected to municipal sewer and water supplies. Stormwater will be managed on site, 900 Rt 146, Zoned: B-1, Status: PB Preliminary Review

SBL: 271.-2-22.2

To be reviewed by: MJE Consultant: EDP Applicant: EDP **Last Seen on: 5-29-19**

Consultant/Applicant Presentation:

Joe Dannible - EDP – Office use and expansion to the office park. The concept is for 3 buildings and 14,400 square feet. There will be 137 parking spaces, buffers and the driveway to the property from Route 146 will be staying as it is now. Mr. Dannible stated that trip generations show 21-50 cars per hour at p.m. peak hours. He also stated previous comments are addressed by bringing a sidewalk from front of property to the parking area. Mr. Dannible stated there is a decrease in pavement from buildings C and D to provide access to the basements of the buildings and to give more green space. The basement will be for electrical, heating, and plumbing only just for maintenance use and to change out fixtures as tenants needs change.

Mr. Scavo stated that he has spoken to Mr. Meyers and he supports the basement use for utilities only. The concern lies if the basement is used as storage, it may be considered occupied space. Mr. Dannible stated if it will become occupied space he will address the codes with Mr. Meyers.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 06/28/19 stating:

- Buildings proposed are to be two story which exceeds the allowed area of 4800 sf maximum per building since each story will be 4800 sf, this is not allowed per 208-33B. The code does not state “4800 sf footprint”, it states 4800 sf maximum.

- The SWPPP calls for porous pavement for runoff reduction. The maintenance plan should reflect the additional maintenance that will be required. Further stormwater comments are expected from Scott Reese.

Sheryl Reed, Chief of the Bureau of Fire Prevention:

1. Provide adequate emergency access from Route 146 through the existing parcel to the new buildings.
2. Relocate new fire hydrant to the opposite end of the parking lot closest to the existing building.
3. Provide postal verification

Scott Reese, Stormwater Management Technician issued a memo dated 07/03/19 with the following comments:

1. Provide soil testing results at the locations of the proposed stormwater management areas.
2. Provide the required percentage of water quality volume in the pre-treatment areas prior to any infiltration facilities.
3. The peak elevations provided in the stormwater modeling calculations do not coincide with the infiltration basin elevations table on sheet 12 of 13.
4. The peak elevation for the 100-year storm event in SMA#1 provides only 0.13' of freeboard where 1.0' is required.
5. The pre-treatment to SMA#1 is labeled as a forebay. Forebays shall be 4 to 6 feet deep.
6. Provide elevations of the proposed contours in the infiltration basin area.
7. Provide calculations on how the pre-treatment practices for the stormwater management areas are meeting the Design Manual requirements.
8. Verify the property located to the east of the proposed mixed use office building with the FFE 318+ will not be impacted by stormwater runoff in the existing depression. A swale may need to extend through this area to drain to SMA#1.

The Environmental Conservation Commission held a meeting on 07/02/19 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. ECC recommends the applicant to provide a lighting plan that displays the lighting plan showing foot candle in the parking area.

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

- As previously recommended by the Trails Subcommittee, a 5 ft. wide sidewalk should be constructed from the existing office building's front entrance to the sidewalk along NYS Route 146 for pedestrian access. This entranceway sidewalk should also connect with the proposed internal sidewalks shown on the site plan.
- Floating Cross Access Easements on the eastern and western property boundaries should be provided for motor vehicles and pedestrians if mutually agreed upon by all affected

land owners. These easements would enable potential future connections to St. George's Episcopal Church, Clifton Community Church, the Moe Road multi-use path, etc.

John Scavo, Director of Planning issued a letter dated 07/05/19 with recommendations he made:

1. The applicant needs to contact Steve Myers, Chief Zoning Officer, to determine if the storage space will be counted towards the 4,800 square foot maximum building limit within the B-1 Zoning District.
2. The applicant needs to meet with Building Department Staff to discuss the intended use for the basement level of the proposed buildings. Handicapped accessibility requirements under the State Building Code need to be determined based on the intended use of the space. Specifically, the exterior concrete stairs to the rear of the two buildings adjacent to the property's eastern property boundary need to be discussed and assessed for applicability to NYS Building Code requirements.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 07/05/19 had the following comments:

State Environmental Quality Review

1. 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. Part I.8a – The response indicates that the proposed action will not result in a substantial increase in traffic above present levels. At a minimum, provide the expected peak hour vehicle trips for review that may support this statement.
 - c. Part I.10 – The response indicates the project will connect to an existing public water supply. The applicant will need to prepare the appropriate technical studies to confirm adequate capacity exists to service the project. It is recommended that the Town be furnished with documentation that the CPWA is willing and capable of service this project.
 - d. Part I.11 – The response indicates that the project will connect to existing wastewater facilities. The applicant will need to prepare the appropriate technical studies to confirm adequate capacity exists to service the project. It is recommended that the Town be furnished with documentation that the SCSD No 1 is willing and capable of servicing this project.

Site Plans

3. The number of accessible parking spaces shown meets the minimum requirements of Section 1106.1 of the Building Code of New York State (BCNYS). However, with a building possibly being proposed for medical uses, there may be a need to provide additional accessible spaces to meet the requirements of Section 1106.3 and/or 1106.4 of the BCNYS.
4. Accessible parking spaces and access aisles shall be level with surface slopes not exceeding 1:50 (2%) in all directions pursuant to Section 4.6.6 of the ADA 2010 Standards. The proposed grading

at the accessible parking spaces on the south side of the building and out in the parking lot need to be reviewed as it appears that the pavement slopes exceed the stated minimums. Providing a site-specific illumination plan that shows foot-candle values at pavement level for review.

5. Provide notation on the Erosion and Sediment Control Plan that all upstream construction shall be completed and stabilized before connecting to the downstream infiltration practice(s) pursuant to Section 6.3.5 of the NYSSMDM.
6. Provide notation on the Erosion and Sediment Control Plan that the infiltration practice(s) shall not be used as sediment control device during site construction phase pursuant to Section 6.3.6 of the NYSSMDM.
7. The Erosion and Sediment Control Plan needs to indicate locations for temporary sediment traps to be used during construction.
8. Include stoned check dams along graded swale behind southern-most building.
9. Provide a standard construction detail of the proposed vegetative swale as a green infrastructure technique to confirm it meets the design requirements of Section 5.3.3 of the NYSSMDM.
10. Provide elevation detail for the proposed dumpster enclosure.
11. Sheet 5 of 13, consider a yard drain in the area north of forebay to direct grass swale flow. Areas appears to be a plateau.
12. On Sheet 6 the location of the one on-site fire hydrant shall be reviewed with the Town's emergency services to confirm it is properly located for their needs.
13. Sheet 6, label and provide inverts for SAN MH #2.
14. On Sheet 6 the top of frame elevation is lower than the 1.5" invert elevation. Revise accordingly.
15. Sheet 7 of 13, provide clearing limits for water and sewer installation.
16. Sheet 8 of 13, provide planting plan for bioretention areas that incorporates both trees and underlying shrubs.
17. Sheet 9 of 13, consider providing an erosion control blanket on slopes 1:3 and greater.
18. Sheet 9 of 13, show erosion and sediment control measures for off-site utility work.
19. Sheet 9 of 13, provide additional silt fence on west, south and east property lines.
20. Sheets 11 and 12 label each detail.
21. Sheet 12 of 13, show pipes in drywell detail with a 12" sump.
22. Sheet 12 of 13, elevations called out on drywell detail do not correspond to elevations on utility plan. Please revise accordingly.

23. Sheet 12 of 13, infiltration basin elevation C-2 and storm event elevations do not coincide with plans or SWPPP. Please correct as necessary.
24. Sheet 12 of 13, infiltration basin elevation C-2 and storm event elevations do not coincide with plans or SWPPP. Please correct as necessary
25. Provide retaining wall details.
26. Label all proposed contours for infiltration basin.
27. Provide location of porous pavement along with associated details if applicable.

Stormwater Pollution Prevention Plan

28. Section I.H of SWPPP should include porous pavement inspection and maintenance guidance and winter maintenance guidelines in Section 6.
29. Section II.G of the SWPPP references a pending correspondence from the Heritage Program in regard to State threatened and endangered species. It also notes that the USFW Ipac database identified the Northern long eared bat as potentially being present, but no known habitat. While no specific habitat may be identified on the parcel, the NLEB may be found in virtually any county in New York State. Although this site may fall outside of the currently recognized occupied habitat for this federally-threatened species, the NYSDEC recommends that removal of any trees greater than 3 inches in diameter at breast height take place between November 1 and March 31 each year., if possible, in order to protect potential bat habitat.
30. Upon receipt of your SHPO “no effect” letter, include with the SWPPP and make reference to it in Part II.H.
31. Section II.B of the SWPPP shall be revised accordingly to reflect scope of project.
32. Section III.A.4 does not reference porous pavement, however drywells. Please confirm which will be utilized as part of this project.
33. Update Section VI of the SWPPP to include the post construction maintenance requirements for drywells.
34. Since the stormwater management area will be privately owned and operated, a Town of Clifton Park Maintenance Agreement will need to be executed and filed.

Stormwater Management Narrative

35. There is a discussion of the use of porous asphalt, yet the plans and green infrastructure calculations do not show this practice being used. Correct as necessary.
36. The Stormwater Management Narrative notes that a site-specific soil investigation will be completed to support the design assumption made. It also states that a 5 in/hr rates has been utilized for design. Once the actual site soil infiltration rates have been determined, the SWPPP shall be modified accordingly.

37. Consider the installation of an underdrain to increase cold weather soil infiltration.
38. Provide calculations that show that the required WQv is being provided prior to entry to the infiltration practices pursuant to Section 6.3.3 of the NYSSMDM. This pretreatment volume may vary based upon reported infiltration rates.
39. Provide calculations or a summary of how Section 6.4.3. of the NYSSMDM is being satisfied with respect to providing dry or wet pretreatment prior to the bioretention filter media equivalent to at least 25% of the computed WQv.
40. At the 100-year storm event, the basin will reach a flood elevation 308.87, just a few inches below the top of berm. There should be 12-inches of freeboard between the top of berm and flood elevation as a factor of safety.
41. Section 5.1, clarify SMA#1 will provide attenuation for overflow from SM#2 and SM#3.

Public Comments:

No comments

Planning Board Review:

Ms. LaSalle asked about the architectural plan and if there is one available for review. Mr. Dannible stated there is not yet a plan in place, the applicant is waiting for tenants to start designing the interior floor layout for each building.

Ms. Bagramian asked if there would be basements in all the buildings as there does not appear to be one proposed for building B. Mr. Dannible stated that there will be a basement that will no longer be a walkout as previously shown.

Mr. Ferraro asked if the parking could be reduced 2-4 spaces to add landscaped islands to break up the parking lot. Mr. Dannible stated that the parking and reduction of parking can be assessed with tenants needs. He is willing to land bank if parking spaces are not needed at that time. Mr. Ferraro also asked about buffering with neighbors on the sides of the property. Mr. Dannible stated that the applicant has been in contact with the adjacent property owners and they will be working with them.

Mr. Ophardt asked what the applicant will be doing about grading in and around the parking lots. He is concerned with sidewalks, elevators and stairs. Mr. Dannible stated that grading will be done for the look at ground level. The rears of the buildings will be shown as a 2 story idea even though the building itself will be one story with a basement.

Mr. Ferraro asked if land banking would be done as the property will be developed. Mr. Dannible stated that the buildings will not be erected unless there are tenants for them first. Buffers will be in place by the Pastors home on the side of the property and the site will be developed as the tenants become available.

Mr. Scavo requested to see a cross section view of buildings B and C.

New Business:**2019-034 1573 Crescent Road 4 Lot Subdivision**

Applicant proposes subdividing the parcel into 4 lots creating a .65 acre lot for the existing single family home located on the property as well as 3 vacant lots. It is intended to further subdivide proposed lots 2 and 3 at a future date, 1573 Crescent Rd, Zoned: R-1, Status: PB Concept Review SBL: 283.-2-9

To be reviewed by: MJE Consultant: GVG Applicant: Fisher Revocable Trust

Consultant/Applicant Presentation:

Dwayne Rabideau – Van Guilder Associates – Mr. Rabideau stated that the proposal is to subdivide the parcel into four lots with lot 1 to have the existing home on it. Lots 2 and 3 will be further subdivided to accommodate single family homes. Lot 4 is for one single family home. At this time, the applicant’s plan is to relocate Fairmont Drive from what was previously proposed and approved by the Planning Board. Mr. Rabideau stated that relocating the road will have less impact on wetlands in the area, it will separate the distance at the roadside between 2 driveway entries on the property which are currently close to each other at the end and eliminates the need for a proposed cul-de-sac if the property was developed at a later Date as a separate subdivision. Lots are being reconfigured on the previously approved subdivision to align with the new road so that there will be no change in the number of lots from what was previously approved. Mr. Rabideau stated that this parcel of land was just purchased, therefore the recent change is to plan for the new location of Fairmont Drive, and that the applicant wishes to deed open space that will become available to the Town of Clifton Park.

Mr. Scavo stated that with this change in roadway that there would indeed be less impact on the wetlands.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 06/28/19 stating:

- Proposal requires two front setback variances and only one is currently proposed to the ZBA which is the setback from the centerline of Crescent Road. The setback from Fairmont Drive (50’ required, 32’ proposed) has not been submitted to date. The setback from Fairmont Drive will be addressed during the planning review.

Sheryl Reed, Chief of the Bureau of Fire Prevention:

1. Provide postal verification

Scott Reese, Stormwater Management Technician issued a memo dated 07/03/19 with the following comments:

1. The plans are showing a proposed road and reconfiguration Crescent Woods Subdivision. Stormwater Management of the water quantity and quality will need to be located on the plan. The stormwater management areas are typically deeded over to the Town of Clifton Park.

2. The SWPPP for Crescent Woods Subdivision will need to be updated to include the proposed changes.

The Environmental Conservation Commission held a meeting on 07/03/19 and issued a memo recommending:

1. In order to fully access the environmental impacts of this proposed project, including but not limited to stormwater management, the ECC recommends that this project be proposed in its entirety. The entire development plan for both parcels should be combined to allow for a comprehensive review.
2. The applicant shall show the square footage of each lot along the realigned lot along the proposed road alignment on the plan.
3. The ECC requests the applicant to clarify the proposed lots are out of character of the approved lots

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

- The preliminary site plan indicates a “Proposed Multi-Use Path Connection” on the property boundary along Crescent Road – Will the applicant be constructing the multi-use path at this location? If so, the multi-use path details should be provided on the final site plan.
- The proposed sidewalk along Fairmont Drive (Crescent Woods Subdivision Plan) would provide pedestrian access to the residents of this proposed 4 lot subdivision.

John Scavo, Director of Planning issued a letter dated 07/05/19 with recommendations he made:

1. In a letter dated June 21, 2019, the Saratoga County Planning Board noted the project will have no significant countywide or inter-community impact. The County Planning Board reviewed the subdivision layout as part of a recommendation for an area variance application. An area variance is needed for the existing residential structure at 1573 Crescent Road prior to the final approval of the subdivision. The front setback loses its pre-existing nonconforming setback status as a result of the subdivision.
2. A new referral to the Saratoga Co. Planning Board specific to the subdivision has been made and will be considered by the County Planning Board at their July 19th meeting.
3. The applicant will need to send 500’ notifications to adjacent property owners and provide evidence of the mailings at the time of submittal for the preliminary plan.
4. Pursuant to the Town of Clifton Park Subdivision Regulations, streetlighting shall be provided at the intersection of subdivision streets with existing arterial or collector streets. Update the map to show a streetlight is to be installed at the intersection of relocated Fairmont Drive with Crescent Road.
5. Add a notation to the Subdivision Plan that states, “Fairmont Drive is to be dedicated to the Town of Clifton Park in accordance with the procedures and process as promulgated within §179-23 of the Clifton Park Town Code.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 07/05/19 had the following comments:

State Environmental Quality Review

1. This application is being treated as an amendment of the previously approved realty subdivision. The prior application was classified as a Type I SEQRA action, underwent a coordinated review with interested/involved agencies and a negative declaration was issued by the Planning Board. The current proposal includes elements that need to be discussed further with the Town to determine how a SEQRA evaluation may be conducted for the amendment being proposed. Topics to be discussed include:
 - a. The amendment includes work on a parcel of land that was not included in the prior SEQRA evaluation identified as tax parcel 283.00-2-9. We do not believe that the prior SEQRA will be adequate to rely upon solely and additional analysis may be warranted as new information is now being presented (i.e. additional lands added to the project).
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. Part 1. Brief Description of Proposed Action – The SEAF will need to be updated to reflect the Narrative Description as presented in the Application for Subdivision Review, dated 6/11/19.
 - b. Part I.12b – 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 provide confirmation that the action is not within or adjacent to an area designated as sensitive for archeological sites to support their response or modify response.
 - c. Under Part I.14, provide a response to the question.
 - d. Under Part I.15, confirm the response is inclusive of the USFW Ipac database.
 - e. No further comments at this time. Additional comments may be forthcoming as the project advances.

Subdivision Plan

3. The project is located within the Town's Residential I District (R-1). The proposal for single family homes is a permitted principal use within the R-1 District as noted in Section 208-10(B)(2) of the Town's Zoning.
4. The plan submitted indicates five lots as follows on parcel 283.-2-9 (revise cover sheet to reflect correct parcel ID#):
 - a. Lot 1 – 26,366 SF (Existing house)
 - b. Lot 2 – 2.28 acres
 - c. Lot 3 – 1.42 acres
 - d. Lot 4 – 13,877 SF
 - e. Lot 5? – Proposed Park Land, provide square footage and indicate who this will be conveyed
5. In reviewing the proposed lot configuration, the created lots appear to be deficient in regards to meeting the minimum bulk lot requirements outlined in Section 208-11 of the Town's Zoning.

The noted deficiencies are as follows:

- a. Section 208-11 of Town Zoning requires a minimum lot size of 20,000 s.f. with central water and sewer being available. Lot 4 is 13,877 s.f. in size.
- b. Section 208-11 of Town Zoning requires a minimum lot width of 100-feet at the front building line. Lot 4 has a lot width of 85.25' at the front building line.
- c. The minimum width of all lots at the front building line along those streets listed in § 208-98 (Crescent Road) shall be 200 feet in all residential districts. Lot 1 provides 187-feet.
- d. Section 208-98 of the Town Zoning requires that no building or part of a building, other than steps, eaves and similar fixtures, shall extend nearer to the center line of Crescent Road than 100 feet in the case of a building in a residential district. The plan indicates 95.6' to the center line of Crescent Road from the house on Lot 1. Note that this was the same lot deficiency identified with application 2019-018 for the two-lot subdivision. This matter should be discussed further with the Chief Zoning Officer in regards to the need to seek relief from the Town for noted lot deficiency identified.

The plan would need to be modified or the applicant will be required to seek relief from the Town Zoning Board of Appeals for the lot layout as proposed.

6. Provide the building setback lines for each lot shown.
7. Provide a note on the plan indicates the individual/firm performing the wetland delineations shown and the date in which the delineations were performed.
8. These additional lots should be incorporated into the SWPPP entitled "Crescent Woods Residential Subdivision" dated February 2019 and modified accordingly.
9. The existing split rail fence should be removed from the County right-of-way and noted as such on the plat.
10. Provide notation on the plan as follows:
 - a. No Utilities shall be installed beneath the proposed driveways.
11. The concept subdivision plan shall show speculative homes, driveways, utilities and grading.
12. Provide information on the plans to indicate how potential sump pump laterals may be positioned which shall be in conformance with Section 86-7(A)(6) of the Town Code.
13. The submitted information indicates the project is proposing to connect to an existing water main(s) within proximity to the parcel. These mains are owned and operated by the Clifton Park Water Authority (CPWA). It is recommended that the Town be furnished with documentation that the CPWA is willing and capable of providing potable water to the project.

14. The submitted information indicates the project is proposing to connect to an existing sewer main(s) within close proximity to the parcel. These mains are owned and operated by the Saratoga County Sewer District No. 1 (SCSD). It is recommended that the Town be furnished with documentation that the SCSD is willing and capable of providing sanitary sewer service to the project.
15. Prior to approval or filing of the subdivision plat with the Saratoga County Clerk, the appropriate 911 emergency response numbers must be obtained for and assigned to each lot created and placed on the filed plat.
16. Considering this plan is conceptual in nature, subsequent comments will be provided with a preliminary plan submission.

Public Comments:

Christina Stroud – 46 East Haystack Road – stated that moving Fairmont Drive would move the roadway closer to Okte Elementary School and that it may cause an impact as that is the corner the school playground is on. Mr. Scavo and Mr. Ferraro both agree that a guardrail should be put up on that corner to ensure public safety.

Ms. Stroud also stated that there is a culvert pipe that runs under Crescent Road currently that does not function properly and she is concerned the added runoff may cause more flooding in the rear of her yard and the others around her. Mr. Ferraro asked if the water table will drop with this construction, Mr. Rabideau stated he was not certain if the runoff would decrease but it would not increase, however if the land is protected by wetlands there may be little that can be done.

Planning Board Review:

Mr. Ophardt asked Mr. Scavo if Mr. Casper, the Chair of the trails Subcommittee, has seen the new plans and if the change is ok with him. Mr. Scavo stated that Mr. Casper seems to be fine with the changes, but Mr. Casper would like to keep some access to the trails from other subdivisions. To be added to the plans Mr. Ophardt asked for verification of a sidewalk from Fairmont Drive to Okte School. Mr. Scavo defined the route of the walkway, which will make a continuous connection down Crescent Road directly to Okte and ending at the existing crosswalk.

New Business:

2019-035 Texture Hair Studio

Applicant proposes installing 14 new parking spaces and use the existing 1,200 sf one story building for a hair salon on a 3 acre parcel with road frontage on Route 9 and Myer Road, 1812 Rt 9, Zoned: B-3, Status: PB Concept Review

SBL: 265.-1-22.111 To be reviewed by: MJE Consultant: EDP Applicant: Peter Hoffman

Consultant/Applicant Presentation:

Joe Dannible – EDP – applicant is proposing to expand and relocating parking spaces to the rear of the building resulting in a total of 16 spaces for the hair salon.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 06/28/19 stating:

- Proposal is in a B-3 zone which allows personal service establishments such as hair salon.
- Existing building does not meet required front setback (80') from property lines on either Route 146 or Meyer Road (two fronts)
- Proposed parking extends over the required 30' parking setback line.
- Are the two entrances to remain?
- Handicapped parking is required to be the closest to the entrance. This does not appear to be the case.
- Creation of new impervious surface needs to be addressed.

Sheryl Reed, Chief of the Bureau of Fire Prevention:

No comments

Scott Reese, Stormwater Management Technician issued a memo dated 07/03/19 with the following comments:

1. Topography and a Grading Plan should be shown to ensure proper site drainage.

The Environmental Conservation Commission held a meeting on 07/02/19 and issued a memo recommending:

The ECC has no comments.

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 studio's front entrance sidewalk to the roadway shoulder along Route 9 (or to the NYSDOT Right of Way) would provide good pedestrian access to the hair studio.
- A 15 ft. ROW/Trail Easement should be considered on the property boundary line along Route 9 for a future multi-use path and utility realignment.

John Scavo, Director of Planning issued a letter dated 07/05/19 with recommendations he made:

1. In accordance with GML §239(m), a referral to the Saratoga Co. Planning Board has been made and will be considered at their July 19th meeting.
2. The applicant will need to send 500' notifications to adjacent property owners and provide evidence of the mailings at the time of submittal for the preliminary plan.
3. The running slope of the curb ramp should be shown to meet ADA requirements in relation to the finished sidewalk and asphalt topcoat elevations.

4. The applicant shall add a detail for the striping and signage for the accessible parking space and access isle.
5. Add a note to the 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.”

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 07/05/19 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 and n referral due to location along US Route 9

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). Based upon our review of the submitted Part 1 SEAF, the following comments are offered:
 - b. Part I.12b – The applicant indicates that the proposed action is 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 update the SEAF to reflect a “No” response to question 12b.
 - c. Part I.17 – The response indicates that the proposed action will create stormwater discharge. A stormwater analysis should be conducted to ensure there will be no adverse impacts to adjacent or down gradient properties.
 - d. No further 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 a hair studio and associated parking lot expansion is a permitted principal uses within the B-3 Zoning District.
4. Since there are no planned building renovations, a review of the building placement, building form, building type and allowed frontage types have not been completed.

5. 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.
6. Show the existing and proposed contours on the plans.
7. Consider moving the handicap parking space to the new parking lot as the accessible space must connect to the shortest accessible route to the building entrance.
8. Update the site statistics table to account for the special setback requirements from NYS Route 9 as defined in Section 208.98 of the Town's Zoning. It would appear that the existing building is within the 130-foot setback identified in Section 208.98 of the Town's Zoning, However, is a preexisting condition that is not changing as a result of the project.
9. Section 208-40 of the Town zoning requires the property margins at the sides from the front building line to the rear property line shall be planted with trees and shrubs for a width of not less than 10 feet. Subsequent plans will need to illustrate how this requirement is to be satisfied.
10. 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, erosion control and stormwater management to fully assess the design and its compliance to the applicable standards.

Public Comments:

No comments

Planning Board Review:

Mr. Ophardt asked if the sign for the business would be moved due to it currently being in the state right of way. Mr. Dannible stated it can be moved back.

Ms. Bagramian asked about the entrance being where traffic would be coming in and out, if the entrance to the building could be changed. Mr. Dannible stated that it has to be that door as the interior of the building is set up for that. If it needed to be changed then the entire inside of the building would have to be redone. Ms. Bagramian, Mr. Jones, and Mr., Ferraro all suggested reconfiguring landscaping, the asphalt area, and curb in order to add a sidewalk link for pedestrians to enter the building from the parking lot. Mr. Dannible stated there is not a lot of room for cutting a corner, but it will be discussed with the applicant and brought back to the Board.

Mr. Ferraro requested landscaping as noted in comments for the outlying area of the parking lot. Mr. Dannible stated there can be some landscaping added to the plan, and the old parking lot will be returned to lawn.

Discussion Items:

None

Ms. Bagramian moved, seconded by Mr. Ophardt, adjournment of the meeting at 10:10 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on August 13th, 2019.

Respectfully submitted,

Paula Cooper

Paula Cooper, Secretary