

Town of Clifton Park Planning Board
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PLANNING BOARD

ROCCO FERRARO
Chairman

ANTHONY MORELLI
Attorney

PAULA COOPER
Secretary



MEMBERS

Emad Andarawis
Eric Ophardt
Jason Beach
Andrew Neubauer
Denise Bagramian
Greg Szczesny

(alternate) Ram Lalukota

Planning Board Minutes
May 27th, 2020

Those present at the May 27th, 2020 Planning Board meeting were:

Planning Board: R. Ferraro, Chairman, E. Andarawis, D. Bagramian, J. Beach, A. Neubauer, G. Szczesny
R. Lalukota – Alternate Member

Those absent were: E. Ophardt

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. . Mr. Ferraro stated that the Planning Board meeting for tonight is being held remotely due to the current health crisis and inability to hold large gatherings in one place.

Mr. Ferraro stated that in the absence of Mr. Ophardt, Mr. Lalukota would be a voting member tonight.

Minutes Approval:

Mr. Szczesny moved, seconded by Mr. Beach, approval of the minutes of the April 28th, 2020 Planning Board meeting as written. The motion was unanimously carried, Ms. Bagramian abstained.

Public Hearings:

2020-022 Purushotham In Law Apartment SUP

Applicant proposes to construct an addition to their existing home to turn it into a In Law Apartment for their elderly parents who already live in the home. The dwelling is located at 69 Blue Jay Way, Zoned: R-1, Status: PB Concept Review SBL: 276.7-3-35

To be reviewed by: N/A Consultant: N/A Applicant: Rajani Purushotham **Last Seen on: 4/28/20**

Mr. Ferraro explained the review and approval process to those present, stating that the Board was required to render a determination pursuant to SEQRA (State Environmental Quality Review Act) prior to conducting a public hearing on this application. He explained that the Planning Board would assume Lead Agency status for the project and issue a negative declaration as a “formality” which neither granted nor implied approval of the subdivision application. Should it be determined that additional environmental review is required, SEQRA discussions will be reopened and a decision rendered when deemed appropriate.

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

Mr. Ferraro, Chairman, called the public hearing to order at 7:07p.m. The Secretary read the public notice as published in the Daily Gazette on May 17th, 2020.

Consultant/Applicant Presentation:

Rajani Purushotham – Applicant – Ms. Purushotham stated that this application is for an in-law apartment for her elderly parents who have limited mobility and dietary restrictions. She stated that they can no longer go up the stairs in the home to access it. Ms. Purushotham stated that the in-law apartment would be ground floor only and have a living room, bedroom, bathroom, and kitchen so that her parents can live independently.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 5/20/20 stating:

- No further comments at this time.

Sheryl Reed, Chief of the Bureau of Fire Prevention:

- No comments

Scott Reese, Stormwater Management Technician issued a memo dated 5/20/20 with the following comments:

1. No stormwater comments

The Environmental Conservation Commission held a meeting on 5/19/20 and issued a memo recommending:

1. The ECC has no comments at this time

John Scavo, Director of Planning stated on 5/22/20:

- No additional comments

Mr. Scavo stated in the meeting that he as well as others in town hall were happy to be able to see the elevations and that the applicant kept the home looking like a single family home.

Professional Comments:

No professional comments

Public Comments:

No public comments

There being no additional public comment, Mr. Ferraro moved, second by Mr. Lalukota, to close the public hearing at 7:14 p.m. The motion was unanimously carried.

Planning Board Review:

Mr. Ferraro thanked the applicant for the elevations to the project and Mr. Scavo stated the building permit will be issued based on the elevations approved by the Planning Board if they choose to tonight. He stated the restrictions and requirements for the in-law apartment shall be identified on the deed for possible future sale of the home.

Mr. Szczesny offered Resolution No. 9 of 2020, seconded by Mr. Neubauer to waive the final hearing for this application for the Special Use Permit 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:

1. In-law restrictions are clearly identified on deed.
2. The façade renderings follow proposal and if changed will present back to the Planning Department for review and approval

Roll Call:

D. Bagramian - Yes
 E. Andarawis - Yes
 J. Beach - Yes
 A. Neubauer - Yes
 G. Szczesny - Yes
 R Ferraro - Yes
 R. Lalukota – Alternate Member - Yes

Ayes 7

Noes: 0

The resolution is carried.

Ms. Bagramian moved, second by Mr. Szczesny, to waive the final hearing for this application for the site plan review of Purushotham In Law Apartment, 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:

1. In-law restrictions are clearly identified on deed.
2. The façade renderings follow proposal and if changed will present back to the Planning Department for review and approval

Ayes 7

Noes: 0

The resolution is carried.

Old Business:

2020-001 Schreifels Waite Road 2 Family SUP & Site Plan Applications

Applicant proposes constructing a 2-Family home. Water will be provided by an existing on-site well. and wastewater will be handled by a new raised-bed septic system. The parcel located at 563 Waite Road lies in the R-3 Residential zone which allows multi-family residence with the approval of a Special Use Permit, 563 Waite Rd, Zoned: R-3, Status: PB Preliminary Review SBL: 270.-1-23.3

To be reviewed by: N/A Consultant: ABD Applicant: Scott Schreifels **Last Seen on:**
4/14/20

Consultant/Applicant Presentation:

John Hitchcock – ABD Engineering – Mr. Hitchcock stated that at the last meeting the Board had some concerns and suggestions on the layout of the homes layout. Mr. Hitchcock stated that based on this, the applicant has gotten elevations for the 476 Moe Road twin home for design concepts and have since changed one of the garages that faced the front of the home to a side facing garage. He stated that there are some maple trees that are added in the yard and that there are trees on the front of the property for screening the home from the roadway. Mr. Hitchcock described the layout of the home as it was shown on the screen via Zoom, and indicated where the front and side or north facing garage are now for the proposal.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 5/20/20 stating:

- All my comments appear to have been addressed

Sheryl Reed, Chief of the Bureau of Fire Prevention:

- No comments

Scott Reese, Stormwater Management Technician issued a memo dated 5/20/20 with the following comments:

1. No stormwater comments.

The Environmental Conservation Commission held a meeting on 5/19/20 and issued a memo recommending:

1. The ECC has no comments at this time

John Scavo, Director of Planning stated on 5/22/20:

- No additional comments

Professional Comments:

No professional comments

Public Comments:

No public comments

Planning Board Review:

Mr. Neubauer asked about the grading of the land where the building will be placed, and asked why the grading is so high. Mr. Hitchcock stated that the water table is high in the area and a two foot separation is needed from the basement floor elevation to standing ground water. He noted the test pits showed water at 3.5' below the ground with existing elevations and the proposed grading was to meet the water separation requirements from the structure. Mr. Hitchcock stated that the applicant may want a basement but is unsure at this time. Mr. Neubauer requested more plantings on the north side of the property to help screen the home is on a meadow and up on a mound which makes it more visible.

Mr. Ferraro noted that the plan has removed "subject to change" comment on the application, so these renderings and the façade being presented tonight if voted on will need to be followed or the applicant would need to come back to the Planning Department for approval of any changes and possibly come back before the Planning Board. Mr. Ferraro also stated that based on septic placement, separation requirements and the plans comments stating that there will be no basement, so elevations should not change. Mr. Hitchcock stated that the building will be no higher than what is proposed on the current plan. Mr. Neubauer stated that not having a basement would resolve elevation issues. Mr. Hitchcock stated that from the driveway the elevation is 338 feet and to the garage floor the elevation is 340 feet.

Mr. Hitchcock stated that he is open to more landscaping on the north side as Mr. Neubauer has suggested. He stated that he can stagger more trees on the roadside. Mr. Neubauer stated he would like to see 6 maples closer to the home where the grading for the home starts instead of adding more where the current ones are on the plan. Mr. Hitchcock stated that he thinks it can be done.

Mr. Andarawis asked the applicant if the elevation is the lowest it can be while keeping to code. Mr. Hitchcock stated it is.

Mr. Ferraro asked if the trail easement would be along where the trees are proposed to be planted and if the existing trees would be removed, if a trail were to be put in. Mr. Ferraro stated that it is noted as a questionable area on the application and would like the trees to remain or they would need to be replaced somewhere else. Mr. Hitchcock agreed and noted many of the trees are existing.

Mr. Neubauer offered Resolution No. 10 of 2020, seconded by Mr. Beach to waive the final hearing for this application for the Special Use Permit 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:

Landscaping on the north side of the property will have additional trees planted to buffer the home from the roadway.

Roll Call:

D. Bagramian - Yes
 E. Andarawis - Yes
 J. Beach - Yes
 A. Neubauer - Yes
 G. Szczesny - Yes
 R Ferraro - Yes
 R. Lalukota – Alternate Member - Yes

Ayes 7

Noes: 0

The resolution is carried.

Mr. Beach moved, second by Mr. Lalukota, to waive the final hearing for this application for the site plan review of Schreifels Waite Road 2 Family Home, 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:

Landscaping on the north side of the property will have additional trees planted to buffer the home from the roadway.

Ayes 7

Noes: 0

The resolution is carried.

New Business:

None

Discussion Items:

Nortrax Site Plan Project #2020-021 & 2020-020 DCG Ushers Road 3-Lot Subdivision, discussion and update on from applicant regarding proposed grading and clearing limits.

Joe Dannible – EDP – Mr. Dannible stated that this site is adjacent to the Northway/I87 and is to be purchased by Nortrax. He stated that at the last meeting there were concerns about the 25 foot no cut buffer along the Northway and the current proposal is to clear some land to match the clearing that was done to the property to the north of the site, and Mr. Dannible indicated the area on the map shown via Zoom. The buffer on the adjacent property consists of a 25 ft. no cut buffer adjacent to the Northway as well as and a sign visible to the Northway on the site. The applicant's proposal is to maintain a 25 ft. no cut buffer and the existing vegetation and having a total of a 50-60 ft. total buffer zone with vegetation and trees. About a 50 ft. buffer clearing within this is being proposed as a staging area for the company's vehicles like an excavator or 2 smaller vehicles. Mr. Dannible showed the Board via zoom screen a picture of the site with the natural topography and elevations of the site from the Northway, showing the natural slope of the land which screens the property from the Northway. Mr. Dannible showed on the screen via Zoom a picture of the northern adjacent property's signage shown the parking, and signage, explain that there is not a natural berm or vegetation to screen that property. Mr. Dannible stated that the new plan shows the only signage on the Ushers Road entrance off site, no longer on the Northway.

Mr. Andarawis asked what the display pad visibility would look like from the Northway. Mr. Dannible stated that in between the Northway and the property would be 30ft of vegetation, and

the display pad would be set up high above the berm to give visibility of the pad, the pad would have landscaping and still have a buffered view.

Ms. Bagramian asked whet the lighting on the pad would be. Mr. Dannible stated there would be lighting on the pad and it would most likely be ground lighting facing upward and away from the Northway.

Mr. Ferraro asked if there needs to be DOT approval for the signage or lighting. Mr. Dannible stated that he does not believe so as it is not in the right of way, if the lighting was a billboard he thinks it would be but it is not. Mr. Scavo stated that if the Board approves this application he would forward it to DOT as well as other interested agencies for review.

Mr. Ferraro asked if the dead or dying trees or underbrush would be removed from the buffer as he would like to see them stay. Mr. Dannible stated that if there is a liability issue with the buffer as far as dead or dying trees or underbrush it should be allowed for removal. Mr. Ferraro agrees with a dead tree being removed but not with the underbrush. Mr. Dannible stated that he can provide a cross section from the Northway berm to the staging area for the next meeting. Mr. Scavo stated that they can work with the applicant to make a note on the plan that the applicant needs to notify the town of any removal for town review. Mr. Ferraro stated it does concern him on the definition of a no cut zone as there are other projects that had a no cut zone but it seems the buffers have slowly decreased in size. The applicant, Don McElroy, stated that he would like to invite the Board out to the site to walk the property with him to view the vegetation and the buffer areas, Mr. Ferraro stated that he would like that, and have Mr. Scavo coordinate that with the applicant.

Mr. Neubauer asked about the grading contours and if they are existing or a proposal. Mr. Dannible stated that they are existing contours and the berm from the Northway would remain as well. Mr. Neubauer stated that he thinks that there will be the berm and space from the buffer before where the pavement starts. Mr. Dannible stated that the parking lot will be about the same as the travel lanes of the Northway. Mr. Neubauer supports Mr. Ferrero's comment on the underbrush and touring the property.

Mr. Neubauer stated that he would like to see more of the proposal of overseeing the cutting of buffers. Mr. Neubauer stated that he feels that the Board needs to view each project on its own merit and Mr. Ferraro stated that there is a concern about precedent setting along this part of the Northway and agrees with Mr. Neubauer on this.

Mr. Neubauer stated he appreciates the applicant taking into consideration pushing back the buffer, but is still unsure about the pad site.

Mr. Andarawis asked how far the yard will be from the no cut buffer. Mr. Dannible stated that it would be 50 feet from the property line, with a 20 ft. slope difference included.

Mr. Dannible stated that the garage building may be rotated 45 degrees to take advantage of the wind to allow for air flow through the garages when the doors are opened.

Rexford Square Self Storage 2020-016, discussion to review updates to the plans and readiness to move forward with a preliminary submittal.

Chris Longo – Empire Engineer – Mr. Longo stated that the applicant has come back for a discussion as they have modified the proposed structures. Mr. Longo stated that gable roofs on the 2 front structures have been added and half of the overhead doors are no longer facing Route 146. He also stated that on building 12, the number of doors was cut by half. Mr. Longo said that the PVC fencing has been replaced by a vinyl coated black chain link and that the tree buffer was able to be moved back since building 1 size was decreased. He also stated that there has been a decrease in outdoor storage bringing the storage further away from the wetlands, but is still allowing for snow removal/storage and a fire lane.

Mr. Neubauer stated that it seems that almost all comments and recommendations made by the Board have been addressed. He stated he like the new look for building 4 that has the carriage style doors and suggests the same for building 1 or 8. Mr. Neubauer suggested to utilize the building in the front or building 1 as a fence and to eliminate the chain link fence in front of the building.

Mr. Ferraro asked if the wooded land on the parcel in front of the applicant's parcel is being cleared. Mr. Longo stated it is not. The rendering is showing without the trees for the Boards benefit, and they are not looking to clear that land at this time.

Mr. Lippmann stated that he had requested from the applicant all proposed development on Rexford Square; he stated he has received it and it will be with the next submittal.

Mr. Scavo stated that there are no applications for review for the June 9th, 2020 meeting so the next Planning Board meeting will be held on June 24th.

Mr. Szczesny moved, seconded by Mr. Neubauer, adjournment of the meeting at 8:39 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on June 24th, 2020.

Respectfully submitted,

Paula Cooper

Paula Cooper, Secretary