

Town of Clifton Park Planning Board
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PLANNING BOARD

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

(alternate) Ram Lalukota

Planning Board Minutes
June 24th, 2020

Those present at the June 24th, 2020 Planning Board meeting were:

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

Those absent were: J. Beach

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 Mr. Beach's absence, Mr. Lalukota would be a voting member for tonight's meeting.

Minutes Approval:

Ms. Bagramian moved, seconded by Mr. Szczesny, approval of the minutes of the May 27th, 2020 Planning Board meeting as written. The motion was unanimously carried. Mr. Ophardt abstained, as he was absent from the May 27th, 2020 meeting.

Public Hearings:

None

Old Business:

2019-052 Plank Road Apartments

Applicant proposes combining parcels located at 632,634,and 636 Plank Road in order to construct a 34 Unit 4 story Apartment Complex with a 8,650 sf footprint. Each existing parcel contains a 2 story office building with access from curb cuts at 632 and 636 Plank Road. Access to parcel 634 is through via ingress/egress easements on 632 & 634. The apartment building will be west of the existing office buildings. Applicant proposes to revitalize the frontage on Plank Road with landscaping, lighting, multi use path and 223 parking spaces along with a cross-lot connection to the existing "Shoppers World" Plaza. Also involves parcel 271.-3-19.113 & 114, 636 Plank Rd, Zoned: TC5, Status: PB Preliminary Review w/ possible determination SBL: 271.-3-19.112

To be reviewed by: MJE Consultant: ABD Applicant: Plank Rd Center, LLC Last Seen on: 3-24-20

Consultant/Applicant Presentation:

John Hitchcock – ABD Engineering – Mr. Hitchcock stated that he was aware of the concern with the north side of the building being commercial space so since the last meeting the commercial space has been moved to the south side and noted that the residential outdoor seating and common area entrance has been moved to the north side. Mr. Hitchcock stated that as per the Board’s request, stop signs have been added, bike racks have been added, and are accessible to all the commercial and residential sections of the building. He stated that the sidewalk to the hotel on the south side of the site has been extended and there are 4 EV parking spaces for the residential portion of the building and there are 4 existing EV stations at 636 Plank Road for commercial tenants and their visitors. Mr. Hitchcock stated that there are benches and trees within the residential common area of the application.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 6/10/20 stating:

- All my comments appear to have been addressed
- Commercial shop fronts on the first floor is required in most areas. It is unknown if shop fronts at the corners only qualifies
- Several waivers from the TC-5 zoning requirements are requested. The request for 24' drive lanes is not allowed per the NYS Fire Code and the planning board cannot waive this requirement.
- The other waiver requests are under the purview of the planning board

Sheryl Reed, Chief of the Bureau of Fire Prevention:

- 1) Place 911 Address on plans 640 Plank Road.
- 2) Place an additional fire hydrant at the rear of the new building between 632 & 634.

Scott Reese, Stormwater Management Technician issued a memo dated 6/18/20 with the following comments:

1. Stormwater Management Report Review a. After the existing pavement along the east side is removed, additional test pits and percolation tests will need to be done where the proposed pervious pavement will be installed. Submit the data to the town to verify that the soils meet all the performance criteria.
2. Stormwater Pollution Prevention Plan Review
 - a. SWPPP & NOI will need to be for General Permit # GP 0-20-001.
 - b. Complete NOI Owner contact information.
 - c. Supply CPv and RRv to confirm NOI question 36a

The Environmental Conservation Commission held a meeting on 6/16/20 and issued a memo recommending:

1. The ECC has concerns with the applicant's conclusions pertaining to the impact of the character of the neighborhood.
2. Per town code 208-21(1) one of the purposes of the form-based zoning code is to provide "an attractive mix of green lawns, park space, shade trees, multi-use paths, activity areas, and civic uses for public enjoyment."
 - a. Because of the scale of this project none of these objectives are being achieved. The proposed design of the project in fact undermines the previously outlined objectives.

Mike Hartnett on behalf of the Clifton Park Open Space, Trails and Riverfront Committee, submitted the following comments for the Planning Board to consider in its decision making:

OSC Committee Comments:

*Comments previously submitted by Jennifer Viggiani on June 9, 2020.

1. Create a continuous pedestrian connection (the apparent 6-foot wide concrete path), along the entire project frontage (which is shown), but also extend it to the south from the Hampton Inn Driveway at 620 Plank Road; and extend it to the north, to the adjacent property's driveway. It appears this work could all be constructed within the Town's ROW for Plank Road.
2. The 3-foot sidewalk along the on-road, parallel parking spaces, should be extended along all parking spaces. It ends abruptly, where the parking is closest to the "pergola" and 1,000 sf commercial space. The extended 3-foot sidewalk should also have an additional "connector" from the 3-foot sidewalk along the on-road, parallel parking to the 6-foot path, at the southern end of this 3-foot sidewalk, as shown on the mark-up.
3. The new 5-foot concrete sidewalk shown on "Lands N/F Northside LLC Shoppers World Park Ave." appears to need an ADA ramp/transition at the western end.

Jennifer Viggiani, Open Space Coordinator:

- Create a continuous pedestrian connection (the apparent 6-foot wide concrete path), along the entire project frontage (which is shown), but also extend it to the south from the Hampton Inn Driveway at 620 Plank Road; and extend it to the north, to the adjacent property's driveway. It appears this work could all be constructed within the Town's ROW for Plank Road.
- The 3-foot sidewalk along the on-road, parallel parking spaces, should be extended along all parking spaces. It ends abruptly, where the parking is closest to the "pergola" and 1,000 sf commercial space.
- The extended 3-foot sidewalk should also have an additional "connector" from the 3-foot sidewalk along the on-road, parallel parking to the 6-foot path, at the southern end of this 3-foot sidewalk, as shown on the mark-up.
- Also, the new 5-foot concrete sidewalk shown on "Lands N/F Northside LLC Shoppers World Park Ave." appears to need an ADA ramp/transition at the western end.
- Has the applicant secured an easement for constructing the road and sidewalk on the "Lands of N/F Northside LLC Shoppers World Park Ave."? Ideally, this would be a public easement for public use of this road and sidewalk to the adjacent parcel to the west.

John Scavo, Director of Planning issued a letter dated 6/8/20 with recommendations he made:

1. No outdoor mechanical equipment is shown for the proposed in-fill building. If mechanical equipment is located at-grade, and is visible from an adjacent street or sidewalk, it shall be screened by a fence or garden wall that will require additional Town Approval from the Planning Board.
2. The applicant should confirm if any rooftop mechanical systems are proposed. If such systems are to be implemented, they shall be screened from Plank Road or the adjacent

sidewalk by a parapet or setback from the roof line to a distance that achieves Zero visibility from Plank Road and the adjacent sidewalk.

3. A vital connection for this project that supports the waiver of certain dimensional TC-5 requirements is the private roadway connection shown to connect into Shoppers World Plaza. The applicant is responsible for demonstrating the ability to construct such connection with easements or other mechanisms prior to the issuance of a building permit.
4. Add the assigned 911 address for the new building to the final site plan.
5. The Planting Schedule shows a quantity of 12 for proposed red maple plantings. However, there appears to be 13 red maples shown on the site plan. Update the planting schedule to reflect the 13 red maples shown on the site plan.
6. Provide documentation to demonstrate compliance with §208-26(6) Outdoor Lighting Site Standards A through G.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 6/19/20 had the following comments:

State Environmental Quality Review

1. No additional comments.

Site Plans

2. The following waivers from Section 208-22.1(TC1)(A) of the Town's Zoning would be needed from the Planning Board based upon the proposed site layout.

a. 208.22.1 Three-story mixed-use buildings are permitted, with residential dwelling units only allowed above commercial spaces. Retail shop fronts are required along the ground-floor level.

b. 208.26(3) Parking Lot landscaping

i. 208.23(3) A - Front yard buffer: All parking areas abutting a public right-of-way or future street shall provide a front yard buffer at least 10 feet deep from the sidewalk, consisting of shrubbery, hedges, trees, decorative walls or fences, which creates a visual screen at least three feet high.

ii. Section 208-26(3)(C): End-of-row bulb-outs shall include flowers, shrubs, grass and/or trees where not more than 50% of the ground cover is mulch or gravel. Define what the predominate ground cover will be within the end of row bulb-outs.

3. Verify the rim elevations of the two existing catch basins along Plank Road. Provide any height adjustments to accommodate proposed grading.

4. The applicant shall confirm with the Town that the revised 6' multi-use path is acceptable as opposed to an 8' wide multi-use path.
5. The window lintels shown in the renderings of the brick façade shall be in conformance with Section 208.25 of the Town Code.
6. Provide clarification to the locations of porous pavement. Consider a different shading as the new standard asphalt pavement areas have the same shading as porous areas.
7. Provide construction details for the proposed dumpster enclosure.
8. Provide an illumination plan in conformance with Section 208-26(6)(B,C,D &E) of the Town's Zoning indicating the average and maximum footcandles at grade level for the parking lot, building mounted, vehicle canopy, pedestrian walkways and security.
9. Section 208-26(5)(C)(6) requires that when more than 8 new trees are required to be planted, no more than 40% of them can be of one species. Sheet 1 of 6 shows 22 new trees, with the Red Maple (12 or 55%) and Royalty Crab (10 or 45%) needing to be replaced with other species as they exceed the 40% noted.
10. There appears to be a stray light in Plank Road on the southeast side of the site.
11. Concrete washout area shall be a minimum of 8' x 8' and 24" deep per NYSDEC E&SC Standards. Revise accordingly.
12. Provide details for the proposed stormwater infiltrator.
13. The proposed porous pavement north of Building 634 appears to have a proposed slope of 7.5%. The maximum surface slope shall be 5%.
14. Provide detail for porous pavement cleanout.
15. Pursuant to Section 3.5 of the NYSSMDM, the proposed stormwater practices need to have a conspicuous and legible sign posted. The plans need to provide the standard sign with the applicable language as well as the location.
16. Consider adding a note to follow the NYSDOT specifications for porous pavement.

Stormwater Management Report

17. The Soils section of the report shall be updated with a summary the site-specific soil investigation. The soil and section of the SMR shall include a discussion of the site-specific soil investigation completed on May 21, 2020.

18. Within the SMR provide a summary of all available green infrastructure practices, describing why each was or was not selected.

19. The WQv calculation for porous pavement shall be considered as an impervious cover. The water quality calculations shall be recalculated to reflect this.

20. In the HydroCAD model the porous pavement sections should be modeled as imperious surfaces going into the porous pavement practice (pond-reservoir layer).

21. For porous pavement area 1B-1 (Pond 2P) and 1-C1 (Pond 3P) verify the invert of the underdrain. It currently shows underdrain two feet above the bottom of the practice, detail indicates invert should be 1 foot.

Stormwater Pollution Prevention Plan

22. The SWPPP shall include documentation demonstrating permit eligibility with respect to not adversely impacting both state and federal endangered or threatened species pursuant to Part I.F.4 of the General Permit.

23. The SWPPP shall include documentation demonstrating permit eligibility with respect to not adversely impacting cultural, historic or archeologically significant properties pursuant to Part I.F.8 of the General Permit.

24. Include the post construction requirements for regular and winter maintenance and inspection for the porous pavement.

25. Include the operation and maintenance for the stormwater infiltrator system.

26. The operation and maintenance shall also include those associated with soil restoration pursuant to Section 5.1.6 of the NYSSMDM.

27. Additional soil tests are required to substantiate the infiltration rates applied to the design. At a minimum, each infiltration practice required one infiltration test per 5,000 s.f. of facility area. For the porous asphalt parking lot, it appears at least 9 infiltration tests are required (45,000 s.f. of pavement estimated). When completing the tests, they shall be at the appropriate elevation that corresponds to the depth of the infiltration facility.

28. If and when the project receives approvals, the final SWPPP shall include an executed NOI with both the professional's and operator's signatures.

29. Complete Page 1 of the NOI with all the operator's information.

Public Comments:

No public comments.

Planning Board Review:

Mr. Neubauer questioned if Mr. Myers's comment on the 24' driveway access was to be applied with the 24' width around the entire site. Mr. Hitchcock stated that the existing buildings are only 2 story buildings so aerial access is not required and is needed only for the proposed 4 story building; however he will check with Mr. Myers for clarification. Mr. Ferraro asked if Mr. Myers was referring to the private roadway connection to Shoppers World. Mr. Hitchcock stated he does not believe so but can increase the roadway to 26' for that location if that is the issue.

Mr. Neubauer asked Mr. Hitchcock about a catch basin on Plank Road and noted that it shows in the proposal to have the roadway up to the parking. Mr. Hitchcock stated that they plan to do a 3' transition curve and allow the runoff to naturally flow from Plank Road. Mr. Neubauer asked why there cannot be an integrated catch box. Mr. Hitchcock agreed and stated they can put one in at that location.

Mr. Neubauer asked if there would be an enclosure for the dumpster area and where it would be located. Mr. Hitchcock indicated on the map where it would be and stated that the enclosure would be with a chain linked fence. Mr. Neubauer asked if a full enclosure is a town law or only for the town center. Mr. Scavo stated a fence or garden wall would be acceptable but the Board has a right to request vinyl coated fencing with vinyl slats for visual screening.

Mr. Neubauer asked Mr. Lippmann if he knew anything about the hedge line and parking in relation to the comment made by MJ Engineering due to utilities being so close and their height. Mr. Lippmann stated that the large sidewalk parallel to Plank Road is just about 8' from the building and this is what is required. Therefore, he further noted, the Board can decide if that is acceptable to them. Mr. Lippmann stated that he feels that 8' is plenty of room for landscaping. Mr. Hitchcock stated that he has a letter from Clifton Park Water Authority stating that Don Austin would not like the utility covered by a sidewalk, so access is available if needed in that area. Mr. Neubauer and Mr. Ferraro stated they are ok with the proposed layout due to the Water Authority's issue.

Mr. Neubauer asked the applicant about the lintels and the town code in relation to the MJ comments. Mr. George Olsen stated that the brick was re-toned and eliminated the lintels, but they can make them more pronounced and give the building more of a traditional look, he can resubmit with the site plan. Mr. Neubauer stated he would be happy with that.

Mr. Olsen stated that there was a comment on the mechanical systems and he stated that all mechanical features will be similar to 451 Clifton Park Center Road's design. There will be

rooftop mechanicals and that at the highest point each unit would only be about 42" and would be clustered in the middle of the building so that at eye level view, visual impacts would be minimal. Mr. Olsen stated that the cluster would be about 30"x4'x42" and the other units on the rooftop would be 24" high and 34" square. Mr. Olsen stated that he can provide an eye level view for the Board to look over. Ms. Bagramian asked if there would be a parapet wall for screening as previously discussed. Mr. Olsen stated that they can possibly do skirting if the Board feels there needs to be more screening. Ms. Jackie Murray stated that she does not feel the mechanical systems on the roof would be visible, but she suggested a cross section to be done to help determine if it would be visible. Mr. Ferraro is open to Ms. Murray's suggestion and stated that Mr. Scavo will review the cross section and see if it is acceptable to code or if it needs to come back to the Board for further review.

Mr. Ferraro stated that the Trails comments have been incorporated into the plan with the exception of the extension along Plank Road to the north and he would like to see the sidewalk extended to the north to the medical buildings driveway for more pedestrian access. Mr. Hitchcock stated that he would add the extension into the plan. Mr. Ferraro stated that he likes the 6 foot sidewalk being proposed.

Mr. Ferraro stated that there is a zoning code requirement stating there is a maximum number of tree species being planted on the site in reference to Mr. Lippmann's comments; he stated that he like consistency of the red maples on the frontage. Mr. Hitchcock stated that he can look at the layout and see what other options to get closer to the 40% of same species as per code. Mr. Hitchcock stated that they can add more shrubs and or trees to the percentage to it may be more agreeable to consistency. Mr. Ferraro stated that he would be willing to suggest to the Board to grant a waiver.

Mr. Ferraro asked if the sidewalk north of 632 would remain from building to building and building to parking spaces and if there could be more landscaping done to the green space around it. Mr. Hitchcock stated that there is no intention of getting rid of the sidewalks or green space and he will try to tie the landscaping into the rest of the site.

Mr. Ophardt asked about the ECC comment to remodel the entire site and if that is a plan for the applicant. Mr. Hitchcock stated that he is unsure of the intent of the applicant on what to do with the 3 older buildings behind the new one on the site. Ms. Murray stated that the 3 buildings are not a part of the application and that the intention of this application is to bring the new town center code to the site.

Mr. Ophardt 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. Neubauer moved, second by Ms. Bagramian, to waive the final hearing for this application for the site plan review of The Plank Road Apartments, and to grant preliminary and final site

plan approval conditioned upon satisfaction of all comments provided by the Planning Department, Town Designated Engineer, and all items listed in the final comment letter issued by the Planning Department.

Conditions:

1. Provide documentation of an executed agreement to construct the private roadway into Shoppers World Plaza before building permit is issued.
2. Extend the sidewalk connection to the adjacent driveway to the north for pedestrian access.
3. Provide Line-Of-Sight Profile for the apartment building rooftop mechanical units. Modify window lintel features to comply with the Form Based Code Requirements.

New Business:

2020-026 132/134 Lapp Road Site Plan

Applicant proposes to build two, 2- family residential dwellings with separate driveways that will access to Lapp Road. Parcel has previously been approved for two 3.750 square foot office buildings in 2007 via site plan and use variance. 132 Lapp Rd, Zoned: R-1, Status: PB Concept Review

SBL: 284.13-1-19/284.13-1-18

To be reviewed by: MJE Consultant: EDP Applicant: A. Massaroni

2020-027 132/134 Lapp Road SUP

Applicant proposes to build two, 2- family residential dwellings with separate driveways that will access to Lapp Road, Parcel has previously been approved for two 3.750 square foot office buildings in 2007 via site plan and use variance. 132 Lapp Rd, Zoned: R-1, Status: PB Concept Review

SBL: 284.13-1-19/284.13-1-18

To be reviewed by: MJE Consultant: EDP Applicant: A. Massaroni

Consultant/Applicant Presentation:

Owen Speulstra – EDP – Mr. Speulstra stated the application is for a project located at 132 and 134 Lapp Road. He stated this land is currently vacant and is at the intersection of Lapp Road and Crescent Road. Mr. Speulstra stated that there is an Ace Hardware Store across the street and the land is zoned R-1. Mr. Speulstra showed to the meeting the previously approved plans from 2007 showing two approved office buildings with area variances and a use variance that were granted, and stated that the area is a transition from commercial to residential at the intersection.

He stated that the current application is to have 2 separate 2 family homes on two existing lots adjacent to one another, each with access to Lapp Road, with under an acre of disturbance to the land and .035 acres of impervious surfaces. Mr. Speulstra stated that the site would still need area variances for the current application on both lots. He stated he is here tonight for comments and possible recommendation to the ZBA for variances.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 6/10/20:

- Stormwater management is not depicted on the proposal. There are known drainage issues at the north end of the site.
- The driveway for 132 Lapp may be too close to the intersection with Crescent Road.
- Entrance to the Sunoco closest to Crescent Road no longer exists. Map is not current.

Sheryl Reed, Chief of the Bureau of Fire Prevention:

No comments

Scott Reese, Stormwater Management Technician issued a memo dated 6/18/20 with the following comments:

1. Once plans progress, show grading extents and disturbance areas.

The Environmental Conservation Commission held a meeting on 6/16/20 and issued a memo recommending:

1. The ECC has concerns about the placement of the two-family residential dwelling on an undersized lot. The net loss for both lots will be 13,900 square feet on a highly traveled road. This is a 17% increase in density.
2. The adjacent properties are single family residences and this project is not in character with the surrounding neighborhood.
3. In keeping with the recommendations and goals of the Town Comprehensive Plan, the Applicant should retain existing vegetation to the maximum extent practical and/or the use landscaping and grading to provide visual and auditory buffering between the project and adjacent roadways or other properties.

Mike Hartnett on behalf of the Clifton Park Open Space, Trails and Riverfront Committee, submitted the following comments for the Planning Board to consider in its decision making:

1. Consider installation of a public sidewalk along the Lapp road frontage – possibility for connection on south end to the two crosswalks on Lapp/Crescent allowing safe pedestrian access to the existing road crossings on Lapp/Crescent intersection, and allowing connection to the existing path on the southern side of Crescent Rd. Applicant should

show the actual existing conditions for the intersection crosswalk which connects to the Crescent Road Trail (Crescent Road Trail crosses crescent road from the south side and north side at this location (parcel 284.13-1-19).

Jennifer Viggiani, Open Space Coordinator:

No comments

John Scavo, Director of Planning issued a letter dated 6/17/20 with recommendations he made:

1. Per the variance note on the conceptual site plan, once the information requested from the building department is received by the applicant and available for review on the plans by the Planning Board, the applicability of any additional area variances can be evaluated. The applicant should note all area variances previously granted on the site plan.
2. Per §208-11, Note B of the Clifton Park Town Code, the minimum frontage width for “special road” (Lapp Road) included within §208-98 of the Town Code is 200’. The previous variances shall be reviewed once provided to determine if this requirement was granted relief based on the previous Office Building Site Plan.
3. With .90 acres of disturbance proposed, a basic SWPPP will be required. This project will result in much less tree clearing and disturbances that were required with a Full SWPPP for the Office Buildings Site Plan. That prior approved site plan included soil disturbances for the construction of a Stormwater Detention Pond. A detailed grading plan with the preliminary site plan submittal shall confirm the amount of disturbance proposed.
4. Add to the site statistics table the percentage of lot coverage by impervious surfaces on each lot. This information is important for the Planning Board to consider when determining the orientation and layout for the duplex structures.
5. The applicant should review and be familiar with the criteria prescribed by §208-79(E) of the Town Code, which outlines the standards for consideration by the Planning Board when reviewing a request for a Special Use Permit (SUP).
6. Provide elevations of the duplexes being considered. An important criteria that the Planning Board has always considered when considering a SUP Application is, “That the character of the existing uses and approved future development in the district will not be adversely affected by the location of the proposed special use in the proposed location.”
7. The following notes shall be added to the preliminary site plan:
 - a. Prior to any digging, drilling, or blasting associated with the project, the

property owner shall contact the Underground Facilities Protective Organization at 811, at 1-800-962-7962 or at www.digsafelynewyork.com at least two full working days prior to any work.

b. This parcel is in an area where aviation activity occurs. Such activity may include, but is not limited to periodic noise, vibration, hours or operation, and other associated activities. A study describing this impact in detail is available for inspection in the offices of the Albany International Airport.”

- c. No utilities shall be installed beneath the proposed driveways.
- d. Any work required within Lapp Road Right-Of-Way shall be subject to permitting from the Clifton Park Highway Department.
- e. Any work required within the Crescent Road Right-Of-Way (CR-92) shall be subject to permitting from the Saratoga County Department of Public Works.
- f. The properties shall be included in the Stony Creek #1 Park District.

8. Provide documentation from both the CPWA and Clifton Park Sewer District that each has capacity and are willing to service to the project.
9. There may be a need to provide a drainage culvert by the new driveways to support existing drainage along Lapp Road. The applicant will need to coordinate with the Town’s Highway Department for any such improvements. If required, the location, size, and materials of construction shall be shown on the preliminary site plan.
10. Information must be provided on the plans to indicate how potential sump pump laterals may be positioned which shall be in conformance with §86-7(A)(6) of the Town Code.
11. Modified 911 Addresses shall be added to the site plan once modified by the Town’s Fire Marshall for the proposed duplex structures.
12. A referral to the Saratoga Co. Planning Board (SCPB) is required once preliminary plans are received by the Town. The Planning Board will schedule the project for a

preliminary determination only after a recommendation is received from the SCPB. This requirement is in accordance with GML §239(m)&(n).

Professional Comments:

No professional comments.

Public Comments:

No public comments.

Planning Board Review:

Ms. Bagramian stated she has concerns with required variances, and that the reduction is a large percentage of area needed to accommodate duplex units on each lot. Mr. Ferraro agrees with Ms. Bagramian comment however, the site is unique due to the granted of a prior use variance on both parcels for commercial office use. Mr. Ferraro stated that the Planning Board has not been asked by the ZBA for a recommendation on the requested variances and therefore will not offer one. Mr. Scavo stated that the meeting minutes would be given to Mr. Myers for review and reminded everyone that the variances previously granted in 2004 carries over as it is attached to the land and the office building can still be constructed. Mr. Scavo stated that he feels this is a less intense use for the property than two 3,750 sq.ft. office buildings previously approved and noted that the property just north of these parcels is mixed-use with both a residential dwelling and dental office within the same structure.

Mr. Ferraro stated he does think that duplexes at this location are a good transition from the commercial to residential area.

Mr. Ophardt stated he does not feel this is a good fit for the transition area and would prefer to see a commercial office use at the corner. Mr. Ophardt also asked if the previous variances granted would carry over from commercial to residential use and if it would apply to a duplex that requires a SUP. Mr. Scavo stated the area variance is carried over with the land and would apply but the commercial use variance is only applicable to the commercial use.

Mr. Ferraro asked what type of feedback was provided from the public when the first application to build offices was reviewed in 2007. Mr. Scavo stated that the public voiced unhappiness about a commercial uses being so close to and within the residential zoning district, as well as concern for the site disturbance required for water quality and quantity.

Mr. Andarawis stated he does share similar concerns as Ms. Bagramian. Mr. Andarawis stated that the duplexes are not within code without first obtaining an SUP. He then asked if the applicant has considered lot line adjustment for the corner lot to meet the 40,000 sq.ft. lot requirement for a duplex and one single family home on the second lot to the north, thus eliminating the need for any additional variances. Mr. Speulstra stated this has not been looked at yet but he will speak to the applicant about the suggestion.

Mr. Neubauer stated that he feels that a duplex would be a good fit for the transition area if commercial is no longer being looked at. He stated he does not feel that two curb cuts are a desirable layout for the project, but suggested one curb cut. He stated he would like to see the application look more like the Grooms Road duplexes where the garages do not face the public right of way and the asphalt can be decreased, and this design had one curb cut with a shared driveway for both buildings.

Mr. Neubauer asked if there could be a public walkway along Crescent Road and Lapp Road, and if this could be made a requirement. Mr. Scavo stated there is a possibility for a future trail along Lapp Road, but currently on the east or west side is unknown, but a 10ft easement has already been given for this. Mr. Ferraro asked Mr. Scavo what the master plans for trails in the town are. Mr. Scavo stated there is no plan in place to make a sidewalk connection from Okte School to Lapp Road at this time beyond the trail network recently constructed.

Mr. Ferraro stated that if the applicant goes to the ZBA for variances and comes back to the Planning Board, he would also like to see a single curb cut entrance with the garages facing the sides and not the road front. Mr. Ferraro also stated that with more than one acre of disturbance a SWPP will be needed, so if the land disturbance could keep under as it is now it would be more beneficial. He also supported a sidewalk connection along Vischer Ferry-Crescent Road.

Mr. Ophardt stated he would like to see the duplexes with one curb cut and the front of the homes facing each other as previously seen on Grooms Road.

Discussion Items:

None

Mr. Szczesny moved, seconded by Mr. Lalukota, adjournment of the meeting at 9:09 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on July 14th, 2020. The meeting will be held remotely but may be subject to change due to the ongoing changes from Governor Cuomo's executive orders.

Respectfully submitted,

Paula Cooper

Paula Cooper, Secretary