

Town of Clifton Park Planning Board
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PLANNING BOARD

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Chairman

ANTHONY MORELLI
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PAULA COOPER
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MEMBERS

Emad Andarawis
Eric Ophardt
Ram Lalukota
Andrew Neubauer
Denise Bagramian
Greg Szczesny

Planning Board Minutes
August 11th, 2020

Those present at the August 11th, 2020 Planning Board meeting were:

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

Those absent were: 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. 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 informed all in attendance that there is a full agenda tonight; if an application is not able to be seen; per Town of Clifton Park guidelines the meeting will be closed for consideration of any new agenda items after 12:00 am; any application not considered before the midnight deadline will be heard first at the next scheduled Planning Board meeting to be held on September 9th, 2020.

Minutes Approval:

Mr. Ophardt moved, seconded by Mr. Szczesny, approval of the minutes of the July 14th, 2020 Planning Board meeting as written. The motion was unanimously carried.

Public Hearings:

2020-020 DCG Ushers Rd 3 lot Subdivision

Applicant proposes to subdivide the 33.6 acre parcel. Three of the lots will be utilized for zoning compliant site developments and one lot will be merged with an adjacent parcel under common ownership. A 60 ft wide private road ingress/egress and utility easement will be established for use by all 3 parcels. Stormwater management will be provided for the new impervious areas, 279 Ushers Rd, Zoned: L 2, Status: PB Preliminary Review w/possible determination SBL: 259.-2-74.3 To be reviewed by: MJE Consultant: EDP
Applicant: DCG **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.

Mr. Lalukota moved, second by Mr. Neubauer, to establish the Planning Board as Lead Agency for this application, an Unlisted Action, and that per GEIS determination no other SEQR determination is necessary and the application is in conformance with the original findings statement for the Wood Road GEIS.

Mr. Ferraro, Chairman, called the public hearing to order at 7:15 p.m. The Secretary read the public notice as published in the Daily Gazette on August 1st, 2020.

Consultant/Applicant Presentation:

Joe Dannible – EDP – Mr. Dannible showed the map on the screen of the application for all in attendance via zoom video conference to see. He stated that the area shown is off of Exit 10 of I-

87. Mr. Dannible stated that this is a 3 lot subdivision, and is considered a 3 lot subdivision because only 3 lots out of the 4 total are buildable. He stated that lots 1, 3, and 4 are the buildable lots and lot 2 would be the roadway for the others and include storm water management improvements for the private roadway. Mr. Dannible stated that a lot line adjustment is also a part of this application with additional donations to be made to adjacent land owned by applicant. Mr. Dannible said that there will be an HOA document for the care and maintenance of lot 2 including the roadway and the stormwater management site. Mr. Dannible stated that back in 2008/2009 a trail easement was agreed to when the original project was brought to the Planning Board, at that time the property was deemed shovel ready with endangered species study report done. Mr. Dannible indicated on the map shown to the meeting the easement that was given in 2008 that is being honored by the applicant today. Mr. Dannible showed the drainage plan for the site and stated the project will need DOT approval for the curb cuts and the application it has been submitted.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 8/7/20 stating:

- The cover letter to John Scavo says three lot subdivision. The letter to Rocky Ferraro says four lot subdivision
- The planning agenda said three lots but it is apparently four lots. The lot configurations are different than originally proposed
- Most of my comments have no response from the engineers
- What is now called parcel 4 and parcel 2 are landlocked since there is no discussion as to the ownership of the road
- All signage is required to be applied for through the Building Department. Sign easement has been removed
- Water line shown to Nortrax lot only on Nortrax proposal. No water line shown otherwise.
- Economics appear to be the only reason more green infrastructure is not being proposed. Not using green practices due to economics is not allowed per NYSSWDM. More comments from Scott Reese are expected

Sheryl Reed, Chief of the Bureau of Fire Prevention:

1. Postal verification

Scott Reese, Stormwater Management Technician issued a memo dated 8/11/20 with the following comments:

1. The project is proposing one new infiltration basin. Infiltration practices are sufficient to address 100% of the Runoff Reduction Volume Capacity. To address Runoff Reduction Volume criteria is that the practices must be designed to capture runoff near the source. The practices must be localized systems that are installed throughout the site at each runoff source, thereby minimizing the use of traditional “end-of-pipe” treatment systems.
2. In Section 2.1 of the Stormwater Management Narrative refers to Test Pits and Infiltration Tests, please provide location and data on the Project Plans.
3. Review of Stormwater Management Narrative and Stormwater Pollution Prevention Plan appear complete.

The Environmental Conservation Commission held a meeting on 8/6/20 and issued a memo recommending:

1. The ECC requests that the proposed trail right of way be retained and completed connecting Ushers Road to Wood Road. If the route through the complex is considered it should be improved and widened to accommodate pedestrian and bike traffic without interfering with anticipated commercial traffic.

Jennifer Viggiani, Open Space Coordinator and the Open Space, Trails& Riverfront Committee:

This offers the opportunity to create the publicly desired bike route access to the Zim Smith Trail -- via a public trail access easement, if the landowner is willing. A route has been sought to connect Ushers Road to Wood Road (please see the 2012 Trails Concept Plan Map), to provide a safer route to the Zim Smith Trail access in the Village of Round Lake (via Wood Road, via Herlihy Road). This is an opportunity for a route connection for the Planning Board's consideration.

Trail maps were provided to the Board for review

John Scavo, Director of Planning issued a letter dated 7/30/20 with recommendations he made:

1. As a condition to final approval, demonstrate comments offered by Don Austin, Clifton Park Water Authority, have been adequately addressed. Based on his most recent comments it appears a keyhole lot configuration is suggested to provide the necessary frontage to a public ROW for the proposed Nortrax Parcel.
2. The proposed project is located within the limits of the Wood Road Corridor GEIS Study Area. As such, if the proposed project is deemed consistent with the findings of the GEIS, no additional SEQR action will be required.

3. To assist with demonstrating compliance with the GEIS findings Statement, the applicant has provided the Town with a:
 - a. NYS OPRHP Letter of “No Effect” for historical and archaeological resources;
 - b. A Habitat Assessment for presence of Blue Karner Butterfly and Frost Elfin.
4. Add the attached CADD Town Subdivision Signature Stamp Block to the final print.
5. Assigned 911 addresses provided by Sheryl Reed, Chief of the Fire Bureau shall be added to the final plan.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 8/5/20 had the following comments:

SUBDIVISION

1. It is recommended that at a minimum a sight distance analysis, be provided to ensure the proposed driveway location is acceptable.
2. A full SWPPP shall be prepared and submitted for review.
3. A curb ramp shall be installed on both sides of the proposed driveway.
4. Consider the installation of the proposed forcemain to be flat or with continuous uphill slope. Low points in the vertical alignment should be avoided. A cleanout structure shall be installed at the low point for cleaning and/or draining.

Public Comments:

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche asked for the elevations for the trail easement. Mr. Dannible stated he is unsure of the elevation but it is less than the recommendation from the town and the easement is 10 feet wide. Mr. Ferraro stated that he would like to see the easement for the trail to be clearly identified on the final plans.

There being no additional public comment, Mr. Ophardt moved, second by Mr. Szczesny, to close the public hearing at 7:45 p.m. The motion was unanimously carried.

Planning Board Review:

Mr. Ophardt asked if a 10 foot easement would be wide enough for an 8 foot trail. Mr. Dannible stated that if the Town needed additional land for grading that a temporary easement could be made available for grading.

Mr. Ferraro stated a correction needs to be made for the map plan. The stormwater easement and roadway will be on lot 2 and it is actually an easement and that development notes on the plan will need to state lots 1, 3, and 4 are the building lots.

Mr. Ferraro stated that the CPWA has concerns about water access and asked if their concerns have been reconciled. Mr. Dannible stated that the concerns with CPWA are related to the Nortrax project and there are no changes or improvements to the water with the subdivision proposal. Mr. Ferraro stated that if there are any changes to the Nortrax site plan then the subdivision may need to be revisited to accurately reflect utility extensions or potential necessary frontage for parcels along Ushers Road.

Mr. Dannible then proceeded to address some of the staff comments. Mr. Dannible stated that Mr. Myers noted that the layouts were different; Mr. Dannible stated that the plans are nearly identical. Mr. Dannible stated Mr. Reese asked for test pits to be added to the plan; Mr. Dannible stated that they are on the plans currently on page 2 of 7.

Mr. Ferraro asked what the effect would be on the applicant if it were not approved tonight due to CPWA comments. Mr. Donald MacElroy – representing DCG - stated that timing is everything due to the access roadway needing to be constructed in time for the proposed start of the Nortrax project to move forward.

Ms. Bagramian offered Resolution No. 11 of 2020, seconded by Mr. Ophardt to waive the final hearing for this application for the DCG 3 Lot 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:

1. If subdivision changes are made due to site plan application 2020-021 the application must come back to the Planning Board.
2. All CPWA comments are fulfilled or addressed
3. Easement for trail is to be noted on the plan.
4. Lot #2 is to be labeled “unbuildable, only for roadway and stormwater management” on final plan submitted.

Roll Call:

D. Bagramian - Yes
 E. Andarawis - Absent
 E. Ophardt - Yes
 A. Neubauer - Yes
 G. Szczesny - Yes
 R Ferraro - Yes
 R. Lalukota – Yes

Ayes 6

Noes: 0

The resolution is carried.

Old Business:**2020-021 Nortrax Site Plan**

Applicant proposes to construct a 26,000 sf building with 70 parking spaces, outdoor storage area, and equipment testing area. The facility will be for sales and service of heavy machinery. The property will be accessed from a private road sharing access with other property within the future commercial light industrial park, 279 Ushers Rd, Zoned: L 2, Status: PB Preliminary Review w/possible determination

SBL: 259.-2-74.3 To be reviewed by: MJE Consultant: EDP Applicant: Nortrax, Inc.

Last Seen on: 4-28-20

Consultant/Applicant Presentation:

Joe Dannible – EDP – Mr. Dannible stated that the application is for the site closest to I-87 in the subdivision that was just approved. He indicated on the site plan, the location of the proposed improvements for the proposal. Mr. Dannible stated that access to the site will be via private roadway that was also just approved. He highlighted on the shared screen the main site and sales service area as well as a non-climate controlled building on the site as well as the parking area and the trailer ramp. Mr. Dannible stated that the stormwater plan and the SWPPP have been designed with provisions to treat what NYS DEC classifies as hot spot areas indicated on the map. Mr. Dannible stated there is a gate around the rear of the property to restrict vehicular access. Mr. Dannible showed on the screen the utility plan with swales and filtration basins as

well as water and sewer connections. Mr. Dannible stated the plans state there is to be a concrete display pad along the frontage on the Northway, he stated it has been changed to a display area that will be landscaped and maintained. He also indicated on a map that shows color elevations of the building and materials in all four directions. Mr. Dannible stated the applicant would be looking for a waiver for the front parking maneuverability due to the front yard needing a 60 foot setback. Green space is consistent with other approvals that the stormwater management area will be maintained and considered green space. Mr. Dannible showed on the screen what the site buildings would look like upon completion. Mr. Dannible also showed the Northway with the natural grading from the DOT right of way. He stated that there is natural grading set back about 15-20 feet giving good coverage from the Northway. He stated that the applicant is only looking for the same approvals that were granted to the northern neighbor that has a sign up on the Northway as well. Mr. Dannible said that this application will maintain a 25 foot buffer from the Northway right of way except for the piece of the parcel that the display area. The applicant is looking to change out the display vehicles throughout the year. Mr. Dannible stated that the storage of petroleum on the site will be above ground and will need a DEC permit and a town building permit.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 8/7/20 stating:

- This was considered as one project with the DCG subdivision previously
- Offsite signage proposed
- Parcel is landlocked, does not have access to public road
- “Display Area” should require NYSDOT approval. Very specific tree clearing limits should be determined as well as long term maintenance of vegetation to be left in place
- As with the DCG proposal, economic feasibility appears to be the excuse for the lack of green infrastructure. This proposal would appear to create a “hot spot” for contaminated runoff due to its use. Further comments expected from Scott Reese
- Water service appears to come from Wood Road. Easements and approvals from CPWA will be required. Building sprinklers and more hydrants will be required

Sheryl Reed, Chief of the Bureau of Fire Prevention:

1. Postal verification
2. Place additional fire hydrants around the building

Scott Reese, Stormwater Management Technician issued a memo dated 8/11/20 with the following comments:

1. Catch Basin #1 appears to be placed on a ridge and will receive minimal runoff, relocation of the CB may be favorable to collect more runoff as intended.

2. In Section 2.1 of the Stormwater Management Narrative refers to Test Pits and Infiltration Tests, please provide location and data on the Project Plans.
3. The proposed project has areas that are considered hotspots. Runoff from hotspots cannot be allowed to infiltrate untreated into groundwater. The project is proposing two lined forebays to prevent infiltration then discharging into another forebay for redundant WQv treatment. Per the NYS Stormwater Management Design Manual Section 6.3.1 “To protect groundwater from possible contamination, runoff from designated hotspot land uses or activities must not be directed to a formal infiltration facility. In cases where this goal is impossible, redundant pretreatment must be provided by applying two of the practices listed in Table 5.1 in series, both of which are sized to treat the entire WQv” (Water Quality Volume). Table 5.1 Practices include Preservation of Undisturbed Areas, Preservation of Buffers, Reduction of Clearing and Grading, Locating Development in Less Sensitive Areas, Open Space Design, and Soil Restoration. This item can be discussed further, as filtration may be a better method to treat hydrocarbons for water quality.
4. The discharge point of SMA #1 (located at northwest corner) outlets towards Peak Environmental. During frozen ground conditions, and early spring melt will the outlet affect their property or structure?
5. How much soil material will need to be imported / extracted from the site and how that will be addressed to meet New York State requirements.

The Environmental Conservation Commission held a meeting on 8/6/20 and issued a memo recommending:

1. The ECC believes that the “display area” is totally out of character with the Northway corridor. This “display area” is a safety distraction and aesthetic affront to established standards applicable to the Northway corridor.
2. Specifically, 208-65 “Space and bulk standards” C. Buffer requires that “there shall be established a minimum 25-foot planted buffer along the rear and side property lines of all parcels” in Light Industrial Districts. The planted buffer shall be continuous and uninterrupted. A 50 x 50 display area contravenes and ignores this requirement. Other heavy equipment suppliers in this district have complied with a planted buffer on their property. The importance of a buffer in the Light Industrial Zone is further reiterated in 208-65.E Setbacks (2). This provision states “Side yards/rear yards. In order to allow for maximum flexibility of design, to preserve as much of the natural environment as possible and to promote the purpose of this article, there is established a twenty-five-foot minimum side and rear yard setback, which shall be considered a buffer area and which shall contain natural or planted vegetation for the purpose of screening uses from adjacent properties. No parking shall be permitted in the buffer area.” (emphasis added).
3. The ECC requests addition design details and total storage capacity of tanks for the Petroleum Bulk Storage Area for review. The ECC believes that the Colonie Channel

Aquifer is present under this property. For this reason, underground petroleum tanks should be prohibited (See 208-66.F Development Standards).

The Trails Subcommittee and Jennifer Viggiani, Open Space Coordinator submitted the following comments for the Planning Board to consider in its decision making:

This offers the opportunity to create the publicly desired bike route access to the Zim Smith Trail -- via a public trail access easement, if the landowner is willing. A route has been sought to connect Ushers Road to Wood Road (please see the 2012 Trails Concept Plan Map), to provide a safer route to the Zim Smith Trail access in the Village of Round Lake (via Wood Road, via Herlihy Road). This is an opportunity for a route connection for the Planning Board's consideration.

John Scavo, Director of Planning issued a letter dated 8/3/20 with recommendations he made:

1. The proposed project is located within the limits of the Wood Road Corridor GEIS Study Area. The Findings Statement concluded that no further SEQRA compliance is required if a subsequent site specific action is carried out in conformance with the conditions and thresholds established in the Findings Statement. The Findings Statement provides that the following must be reviewed by the Planning Board to determine if a subsequent site specific action will be in conformance with the Findings Statement's conditions and thresholds: traffic and transportation, Karner Blue and lupine habitats, wetlands, utility services, fire protection, maintenance of visual buffers, Phase I Environmental Audit, cultural resources and zoning.

A NYS OPRHP "Letter of No Effect" has been included in the project file. The site was previously reviewed by OPRHP through information submitted within a report titled, *Phase I Archeological Investigation, Ushers Road Development, Ushers Road, Town of Clifton Park Saratoga County, New York*, dated August 2010, prepared by Hartgen Archeological Associates, Inc.

A Memo dated May 10, 2020, prepared by Melanie Musarra, Environmental Resource Specialist at Environmental Design Partnership, notes that a field habitat assessment was conducted on May 19, 2020 and concludes the site does not have the potential to support Karner Blue Butterfly and Frosted Elfin. It was further noted that no blue lupine necessary for the survival of the butterflies were observed at the project site.

2. As noted in my prior review letter, pursuant to the Findings Statement for the FGEIS for the Wood Road Corridor, the following issues should be addressed:
 - a. Per Finding No. 34, traffic mitigation fees are required to address cumulative impacts of the proposed development. The applicant's consultant should submit an analysis of the projected trip generation so that the respective mitigation fee can be assessed.
 - b. A mitigation fee is due at the time of stamping the final approved site plan for the original review of the DGEIS in the amount of \$74.28 per acre. Based on a 14.3-acre site, the respective mitigation fee is \$1,062.20.
3. In accordance with Section 239m of GML, a referral of the preliminary site plan has been made to the Saratoga Co. Planning Board for a recommendation. The scheduled meeting of the SCPB is August 20, 2020. The Town Planning Board cannot grant final approval for the site plan until it a recommendation has been received.
4. Demonstrate the outstanding comments offered by the Clifton Park Water Authority (CPWA) have been satisfied and the CPWA is willing to provide service to the project.
5. A photometric plan of the site lighting should be provided and includes light detail specifications, wattage, mounting height, and style that includes both exterior wall mounted and freestanding light poles.
6. It appears there are two accessible parking spaces and one access isle proposed based on Table 1106.01 within Chapter 11 – Accessibility, of the New York State Building Code. However, with the proposed land banked spaces proposed, the required number of accessible spaces increases to 3. The applicant should modify the plan to accommodate the additional accessible parking space, or note on the site plan that, “Land banked spaces shall require additional Town review and approvals prior to construction, to demonstrate the site plan accommodates the required number of accessible spaces.”
7. Sheet 3 of 9 – Traffic & Parking Sign Legend notes, “Refer to sheet 16- C-501 Detail 2 – ADA Parking Signage for Accessible Space Sign information” which does not appear within the plan set submitted. It appears the detail reference should be to Sheet 7 of 9
8. Clifton Park Town Code §208-65(B) Space & Bulk Standards for the LI Districts:

Lot coverage. Buildings, parking areas, including maneuvering areas, stormwater retention areas and other site amenities that are an integral and necessary part of

the use shall not occupy more than 60% of the total lot area. Notwithstanding the requirement in § **208-116A(8)**, the green space requirement for this district is 40%. The stormwater retention area may be included in the green space calculation upon proof that the stormwater retention area will be improved to form an integral part of the landscaping scheme and would enhance the overall aesthetics and thus serve the purpose of the green space requirements of this article.

The applicant should include documentation to address the above section of the code highlighted for emphasis on how the requirement is met. Such requirement can be satisfied with enhanced landscaping considerations that promote an ecological area for aquatic flora & fauna.

9. The applicant should address how stormwater runoff from the edge of the gravel area will be handled and address if a vegetated bioswale would be beneficial along the edge of disturbance to capture any runoff from the gravel area.
10. Provide clarification on the proposed trash enclosure location and a detail for the enclosure area to include screening (i.e. chain link fence, swing gates, with vinyl privacy slats). Also, note if the surface for the enclosure will be on a concrete surface or stone gravel surface.
11. The applicant should note if there are any proposed outdoor ground mounted mechanical systems areas needed for the operations of the buildings (i.e. emergency generator, HVAC). If such areas are needed, display each area on the site plan with appropriate details provided for visual screening and surface material. I am not concerned with such mechanical systems being placed on the building rooftops.
12. A detail for the petroleum storage area should be provided. Vehicle Impact protection in the form of impact bollards or jersey barriers should be discussed to determine if such improvements are warranted.
13. The applicant should provide clarification at the meeting to address if the location of the 7' security fencing and access gates are limited to the paved parking area or if the fence is proposed around the entire gravel parking area.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 8/5/20 had the following comments:

STATE ENVIRONMENTAL QUALITY REVIEW

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:

1. Part I.12b –Provide a copy of the said report for review indicating the Area of Potential Effect (APE) that was part of the study.

SITE PLAN

2. Applicant is seeking relief from the following per Section 208.65E of Town Law:
 - a. Front yards. No parking or maneuvering area shall be allowed in the front yard. No parking or maneuvering area shall be allowed in the front yard unless the Planning Board finds that, in the case of keyhole lots or lots with similar configurations, the intent of this article is better met by allowing construction within the front yard setback.
 - b. Side yards/rear yards. In order to allow for maximum flexibility of design, to preserve as much of the natural environment as possible and to promote the purpose of this article, there is established a twenty-five-foot minimum side and rear yard setback, which shall be considered a buffer area and which shall contain natural or planted vegetation for the purpose of screening uses from adjacent properties. No parking shall be permitted in the buffer area.
3. Per Comment 10 from our April 10, 2020 letter, the created lots appear to be deficient in regard to meeting the minimum standard requirements outlined in Section 208-651 of the Town's Zoning. The noted deficiencies are as follows:
 - a. Section 208-65. B - Buildings, parking areas, including maneuvering areas, stormwater retention areas and other site amenities that are an integral and necessary part of the use shall not occupy more than 60% of the total lot area. The stormwater retention area may be included in the green space calculation upon proof that the stormwater retention area will be improved to form an integral part of the landscaping scheme and would enhance the overall aesthetics and thus

serve the purpose of the green space requirements of this article. If the stormwater management area is not included in this calculation, then green space percentage is not met.

4. Consider revising the grading/parking lot plan to avoid any disturbance within the rear 50' no cut setback.
5. Provide note on plans that the no cut buffer includes underbrush. If dead trees need to be removed, they shall be marked and reviewed by the Town prior to removal.
6. Providing a site-specific illumination plan that shows foot-candle values at pavement level for review.
7. The applicant indicated a full SWPPP would be provide for review in this submission. Once received we will provide our comments.
8. It was previously discussed at the 5/24/20 meeting that the "tee box" would be provided with landscaping. The plans do not reflect this.
9. Provide in-situ percolation tests and test pits in the proposed stormwater locations to demonstrate the location indicated is feasible. Label test locations on plans to ensure an adequate number of tests were performed based on infiltration practice area.
10. Provide detail of dumpster enclosure.
11. The proposed sewer connection for the service area should contain an oil/water separator due to the floor drains being tied into the system.
12. 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. Provide spot elevations at these locations to confirm conformance.
13. The plan shows an area for petroleum storage. Provide a narrative on what this area will contain. Provide tank type (Above or below ground), size and secondary containment for NYSDEC Petroleum Bulk Storage Regulations.
14. Consider placing a storm water oil/water separator between CB#4 near the petroleum storage and SMA#2 with an oil water separator prior to connecting to the storm water system.

15. The applicant is proposing 62 parking spaces in which 21 will be banked. The applicant shall consider the parking lot layout as it pertains to ADA parking spaces. At full built out of 62 spaces a third ADA parking space would be required.
16. 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.
17. 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.
18. Pursuant to 6.3.1 of the NYSSMDM, redundant pretreatment must be provided in series, both of which are sized to treat the entire WQv since part of the project site is a designated hotspot land use. In addition, ensure that the forebay is sized to treat the entire WQv, which is 100% of the calculated WQv.
19. Locations of any hydrants shall be reviewed and approved by the Fire Chief.
20. 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.
21. Provide information on how roof drains will be connected to the proposed storm sewer system.
22. Confirm that adequate site distance will be provided for the access road based on Ushers Road (State Highway 9386) design speed.

Public Comments:

No public comments

Planning Board Review:

Mr. Neubauer stated he has stormwater management concerns in regard to the hotspot filtration basins and if they are allowed, and would like them presented to Mr. Lippmann to evaluate for the need of only one or more basins for lined filtrations. Mr. Lippmann stated that for a hotspot there needs to be redundant pretreatment, so the forebay needs to be lined and filtered twice, first before going into the basin. Mr. Reese was in attendance and stated that if an infiltration basin is

being used at the hotspot that there needs to be redundant treatment. He also stated that there was a discussion with the applicant that a redundant system can be used as an option. Mr. Dannible stated that DEC recommendations are being followed and with possible modifications can be done according to the comments made by Mr. Reese. Mr. Reese stated that Mr. Dannible, Mr. Lippmann, and he will meet and reach an agreement regarding treatment practices. Mr. Ferraro stated he does feel it is important to have that meeting that Mr. Reese suggested.

Mr. Neubauer asked Mr. Reese to clarify the green infrastructure comment that was made in his letter. Mr. Reese stated that the standards state that if the runoff can be treated 100% it is met according to the state, however green infrastructure is meant to strategically build treatment systems that allow runoff to be absorbed by plant material or infiltrate close to the source thereby reducing pollution downstream. Mr. Neubauer clarified that all the water runoff from the site is being collected in one site and that he feels it should be left up to the experts from the town to decide what is acceptable.

Mr. Ophardt asked about the Northway buffer and would like clarification on the size of it. He stated that there is confusion with a 50 foot buffer from the Northway shown based on grading limits, and questions if that limit will be maintained since there has been mention of a 25 foot buffer as well. Mr. Dannible stated there is a 50ft setback if the Northway is considered a front yard. There is no requirement for a 50ft no cut buffer along the Northway but there is discussion for a 25ft no cut buffer for the lot except for where there is the proposed display pad. Mr. Ophardt asked if there would be any underbrush clearing in that 25ft buffer; Mr. Dannible stated there would not be.

Mr. Ophardt stated that he feels the 50' by 50' foot display pad is rather large, larger than the neighbors sign to the north and suggested possibly doing unlit signage like they did. Mr. Dannible stated 50' by 50' is an estimate and the pad could be smaller, he is willing to work with the Board to design a display pad that would meet both sides' opinions. Though still not supportive of either option, Mr. Ferraro stated if he had to make a choice between the two, he would prefer a sign over the equipment, but would like a definitive size to the pad and landscaping before making a decision. Mr. Lalukota stated he would also prefer a sign over a display pad.

Mr. Ferraro stated that the difference with the Peak sign is that the Peak Environmental sign is on an existing meadow area that required no tree cutting and this proposal is to clear an area. Mr. Dannible stated that the Peak sign is right on the right of way and this application is setting back their display pad. Mr. Scavo stated that the Peak sign is right past the right of way and confirmed it was located in a meadow area absent of mature trees.

Mr. Ferraro asked for clarification on the buffer zone for the 50ft setback. Mr. Dannible stated that there was never a 50ft no cut buffer zone on the plan, there is a 50ft setback with a 25ft where the proposed display pad is located. Mr. Ferraro stated he wants the applicant to follow what is on the plan which indicates that except for a limited area along the frontage of the Northway, not including the location of the proposed display area, the limits of the vegetation shown on the submitted plans are along the 50 foot setback from the property line and not 25 feet. Mr. Neubauer stated that he agrees with the plan given to the Board and believes that the grading will help buffer the site. Mr. Neubauer also stated that the Peak sign should not be compared to this application as this needs clearing and the Peak sign was put in an existing meadow. Mr. Neubauer also stated that based on the merits of the existing wooded right of way on this project's unique site he does not support clearing for the display area.

Mr. McElroy (representing DCG) stated that he disagrees with the Planning Board dislike of the clearing and stated that there are a number of buildings visible from I-87 with various grading, and that highway frontage is desirable to many businesses. Mr. McElroy invited the Board to walk the site to see what the visual impact may be. Mr. Ophardt stated that using the U-Haul as an example that the building is higher than the Northway so it seems like it has more frontage. Mr. Ferraro agreed to have members go out to the site and they can have up to 3 members go at any one time.

Mr. Dannible stated that what is shown on the plan as far as vegetation to remain will remain on the site and what Mr. Ferraro is stating is what the applicant can agree to. Mr. Ferraro stated he wants to make sure the plans agreed to are held to the applicant.

Mr. Scavo stated that the application is currently in front of the Saratoga County Planning Board so any final actions cannot be taken tonight. Mr. Ferraro stated he would like to review their feedback as well before making a decision, and he would like to see stormwater comments and other technical issues be addressed as well.

Mr. Ferraro asked about the 50 foot front waiver and if the front yard is an actual front yard. Mr. Ferraro asked why the parking could not be moved to avoid the waiver. Mr. Dannible stated that it can be moved a few more feet but there is a steep embankment to the side of the parking, grading is already happening but moving it further to the north would impact the embankment which is a significant drop. The parking area spoken about is for employees.

Old Business:

2020-030 Motostar Motorcycle Sales Site Plan

Applicant proposes to resurface an existing parking area and use an existing 6,500 sf one story building for a motorcycle sales facility on 1.26 acres with road frontage on Route 9 and Old Route 146, 31 Old Rt 146, Zoned: B-4A, Status: PB Preliminary Review w/possible determination SBL: 272.9-1-37

To be reviewed by: MJE Consultant: EDP Applicant: Motostar, Inc. **Last Seen on: 7-14-20**

Consultant/Applicant Presentation:

Gavin Vuillaume – EDP – Mr. Vuillaume stated that they have received preliminary approvals for this application and acknowledges that some comments still need to be addressed but most have been addressed. Mr. Vuillaume stated that this is for a 2 story building with access from Old Route 146, for sales, and Route 9 for servicing. He said that the first floor would be for a showroom, and the lower floor would hold service work for vehicles. The proposal includes resurfacing the existing gravel and pavement, adding handicapped parking, and a walkway on the eastern side of the existing building. Mr. Vuillaume stated elevations of the building have been submitted and stated that there will be two curb cuts on Route 9 for driveways. Mr. Vuillaume stated that the 2 locust trees in the front of the property along Route 9 will be saved per the Boards request as they are far enough away from the road front. Mr. Vuillaume stated that there will be a grass and paved area for display of motor bike on the Route 9 frontage, but it will be small in nature. He said that there will be a small catch basin for drainage set away from the building. There is a potential for adding an additional handicapped parking space at the service area due to the large slope on the parcel.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 8/7/20 stating:

- Plans received 7/21/20-under review
- Proposal is not just for sales, is already doing service on site
- Building is not one story. Building is two story
- Site plan only shows handicapped parking on the top floor. Handicapped parking needed for lower level
- Vehicles still seen on site, expect service and/or renovations ongoing without approval
- Freestanding sign is not legal
- Display area-no parking allowed within 30' of property line

- The property margins do not meet zoning requirements for plantings. If the planting board has accepted them they should do so in writing
- Soils indicate poor absorption. Further investigation should occur
- The existing parking aisle on the east side is non-conforming for two way traffic and should not be allowed. Note: Has the planning board approved the building exterior?

Sheryl Reed, Chief of the Bureau of Fire Prevention:

No comments

Scott Reese, Stormwater Management Technician issued a memo dated 8/11/12 with the following comments:

1. Will the proposed dumpster be covered?

The Environmental Conservation Commission held a meeting on 8/6/20 and issued a memo recommending:

1. Due to the probability of materials that are associated with this business leaking from the on-site dumpster(s) into a storm water catch basin and/or surface water body, the ECC recommends the applicant enclose the area (i.e. roof) on an impervious surface with a berm surrounding the dumpster(s). If necessary, the Applicant will need to periodically pump out the accumulated wastes within the bermed area to avoid any overflow

The Open Space Trails Committee submitted the following comments for the Planning Board to consider in its decision making:

1. The OSTRC would like to commend the applicant on the re-usability aspects of the proposed plan which incorporates existing buildings, structures, and other assets
2. The OSTRC acknowledges that a public sidewalk and associated easement is not a part of the current submission or plan. However the OSTRC would respectfully submit that a public sidewalk and possible easement along State Route 9 and Old Route 146 are a part of the long term goals of the OSTRC to provide pedestrian walkability throughout the town.

John Scavo, Director of Planning issued a letter dated 8/3/20 with recommendations he made:

1. Based on a review of the current submittal, it appears all my prior comments offered at the July 14th Planning Board Meeting have been adequately addressed.
2. Add the attached CADD Town Site Plan Signature Stamp Block to the final print.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 8/5/20 had the following comments:

STATE ENVIRONMENTAL QUALITY REVIEW

1. No further comments at this time.

SITE PLANS

2. Are floor drains part of the building renovations in the service area? If so, an oil/water separator shall be prior to discharge into the Saratoga County Sewer District system.
3. It is understood that a SWPPP is not required as the project disturbance will be less than 1-acre, however an infiltration practice is being provided to contain runoff. The practice shall be designed per the NYSSWDM by providing pretreatment. Consider making CB#1 a hydrodynamic separator to achieve this pretreatment.
4. The infiltration basin needs to include means to operate during wintertime conditions. This may include the installation of a drywells that penetrate the upper frost layers of the soil, which would permit infiltration even in cold/freezing weather.
5. It is recommended by ASSHTO that a two-way aisle width of 24' be utilized for 90-degree parking. The proposed 18' may be difficult for vehicles (pick-ups) to navigate.
6. The spot elevations provided exceed the surface slope of 2% in all directions specifically the north/south direction. Provide spot elevations at these locations to confirm conformance.

Public Comments:

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche stated he supports an easement or even just a space for an easement for Route 9 or for Old Route 146 for a possible future trail.

Planning Board Review:

Mr. Neubauer stated that he stands by his previous comments made and would like to keep in mind this area is likely to be included within the Town Center Code at some point in the future. He stated that while the applicant is not changing much he is improving the façade of the vacant building and likes that it is a significant visual improvement on what is the existing conditions are.

Mr. Ferraro stated that the frontage on Old Route 146 only has limited windows showing but with the plantings it will be an improvement. Mr. Ferraro asked what color the façade would be. Mr. Greg Gisoti (owner) stated that it would be bluish grey and grey tones.

Mr. Ophardt asked what a gravel diaphragm is that is noted on the plans. Mr. Vuillaume stated it is a form of pretreatment to filter runoff through gravel. Mr. Ophardt asked if there would be any parking by the service or garage side for the building. Mr. Vuillaume stated that large pickup trucks would not fit through the Old Route 146 entrance and that the lower area is for service.

Mr. Ferraro stated that he would like to see diagonal parking. Mr. Vuillaume stated they can accommodate the request if all board members agree they would like to see it. Other members' agreed they would. Mr. Vuillaume stated it will be changed.

Mr. Ferraro asked if the grass area on Route 9 would be for display. Mr. Vuillaume stated it would be a grass and pavement display area with low plantings around the base of the sign and only one or two motorcycles would fit. Mr. Ferraro stated he would like to limit the motorcycles to two. Mr. Vuillaume stated this can be done.

Mr. Ferraro asked why the dumpster would only be partially covered. Mr. Vuillaume stated that most dumpsters are covered anyway and that he can make sure that the dumpster has a cover and will have fencing on 3 sides of it as well.

Mr. Szczesny moved, second by Ms. Bagramian, to waive the final hearing for this application for the site plan review of Motostar Site Plan, 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. Validate with Mr. Steve Myers that zoning code requirements are met.
2. There is a maximum of 2 vehicles in the display area outside of the building

Ayes: 7 Noes: 0 The motion is carried.

Old Business:**2020-016 Rexford Square Self Storage Site Plan**

Applicant proposes to build multiple Self-Storage structures with associated parking, turn around and stormwater improvements, 8 Daggett Dr, Zoned: HM, Status: PB Preliminary Review w/ possible determination

SBL: 269.-3-2.24 To be reviewed by: MJE Consultant: Empire Eng. Applicant: Guidarelli

Last Seen on: 3-24-20

Consultant/Applicant Presentation:

Christopher Longo – Empire Engineering – Mr. Longo stated the application was last seen in March 2020 with a discussion in May. Mr. Longo stated that the architectural concerns have been addressed in May and that there are now gabled roofs on the two front buildings, there is a decrease in the number of garages seen from 146, and more vegetation has been added for property buffering. He stated that there is no office so no water or septic is needed for the site. Customers will have a key fab entrance for access and a Knox Box will be provided for fire services. He also said there will be no dumpster on site. Mr. Longo stated that there is an existing fire hydrant on Route 146 on Lot 3 that is 500 feet to the center of the buildings and that should be within the requirements of the NYS Building & Fire Code. He said there is one shown on the plan if Mr. Myers or other town officials would feel the need for an additional hydrant. Mr. Longo stated that there is fire access to the rear of the buildings. Mr. Longo stated that the gravel area has been decreased to keep distance from the wetlands. He stated that there were concerns over where the wetlands are, Mr. Longo indicated on the plans where they are. He showed a pocket pond for storm water management and that there are no further concerns with this and runoff as they are above the level of the wetlands and there will be a 4 foot forebay. Mr. Longo stated there will be grading on the site as well.

Staff Comments:**Steve Myers, Director of Building and Development issued a memo dated 8/7/20 stating:**

- There are wetlands shown on the site plan. There was a determination received from ACOE on 9/25/17 stating there were jurisdictional waters of the United States on site. The limits of these wetlands is not shown and it says see note #7 which does not exist
- Sprinklers if required will be addressed when the building plans are submitted

- Hydrants are required every 400-600'. Another hydrant will be required
- As mentioned earlier the wetlands need to be fully delineated because we believe there are conflicts
- SWPPP comments will be provided by the TDE and Scott Reese

Sheryl Reed, Chief of the Bureau of Fire Prevention:

1. Place additional hydrant near building
2. The limits of the wetlands is not shown on the plan but is referenced by note #7 which does not exist

Scott Reese, Stormwater Management Technician issued a memo dated 8/11/20 with the following comments:

1. The NOI page 2/14 Federal Tax ID information provided is a Tax Map ID #.
2. The HydroCAD calculations Time Span should expand past 20 hours so the volume calculations can complete in full.
3. Per the NYS Stormwater Management Design Manual the pre-development sheet flow should be 150 feet maximum in length and the post-development sheet flow should be 100 feet maximum in length.
4. If filter strips are being proposed how will they be delineated and preserved as such? Will deed restrictions or conservation areas be proposed?

The Environmental Conservation Commission held a meeting on 8/6/20 and issued a memo recommending:

1. 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.

The Open Space, Trails Subcommittee submitted the following comments for the Planning Board to consider in its decision making:

No comments

John Scavo, Director of Planning issued a letter dated 8/5/20 with recommendations he made:

1. The Saratoga Co. Planning Board issued a recommendation on March 19, 2020, noting the project will have no significant county-wide or intercommunity impact.
2. As SHPO Letter of "No Effect" issued for the project site dated April 5, 2017 has been included in the project file.

3. Based on a response letter dated July 17, 2020 prepared by Empire Engineering, PLLC, it appears my prior comments offered in March of 2020 have been satisfied.
4. A detail for the proposed building-mounted wall light fixtures for the proposed storage units should be added to the final plan set prior to stamping. It is understood that the proposed lighting is intended to light around the perimeter of the self-storage units. Such lighting shall be directed downward with cut-off shields if necessary, to reduce glare and light spill-over onto adjacent parcels.
5. Add the following note to the Site Plan:
 - a. Landscaping shall be installed and completed prior to the issuance of a Certificate of Occupancy, weather permitting. In periods of adverse weather conditions, an irrevocable letter of credit or security deposit will be accepted for the completion of necessary landscaping. The letter of credit or security deposit is to be equal to one and one-half (1½) times the cost of the landscaping to be completed.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 8/4/20 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) Town of Clifton Park Planning Board: site plan approval
 - b) Saratoga County Planning: 239m referral
 - c) NYS Department of Environmental Conservation: permit coverage under stormwater SPDES
 - d) NY State Historic Preservation Office: correspondence with SHPO to ensure no archeologically sensitive resources on project site.

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

SHORT ENVIRONMENTAL ASSESSMENT FORM

1. No further comments at this time.

SITE PLANS

2. The preliminary plan shows one area set aside for stormwater management P-5 practice. The applicant should be aware that the Town prohibits the use of a P-5 practice and in the event it is determined that the P-5 practice is the only viable option, supporting materials will need to be submitted to the Town for review before it will be deemed acceptable for use. The applicant should meet with the Town's Stormwater Management Officer to review any proposed green infrastructure practices to avoid those that may be deemed undesirable.
3. A SWPPP was not included in the most recent submission for review as indicated in the comment response letter.
4. Provide note on drawing to indicate the Knox box location near entrance gate.

Public Comments:

No public comments.

Planning Board Review:

No Planning Board comments.

Mr. Ophardt moved, second by Ms. Bagramian, to waive the final hearing for this application for the site plan review of Rexford Square Self Storage Site Plan, 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. Reconciliation on stormwater management plan.
2. Fire hydrant need reconciled.
3. No site clearance on adjacent properties

Ayes: 7 Noes: 0 The motion is carried.

New Business:**2020-034 Park West PDD Amendment 1 Site Plan**

Applicant proposes to amend approved PDD (NOD 3-6-19) to construct 14 single family condominium buildings, 5 two unit condominium buildings (10 Units), 27 four unit condominium buildings (108 units), and overflow parking. The overall PDD size is approximately 23.5 +/- acres and is predominately wooded. Stormwater will be managed on-site in accordance with NYSDEC requirements. The proposed PDD will encompass 23.5 acres. A 4.19 acre parcel is being offered in a dedicated conservation area. Also involves parcel 271.-1-16 and 271.-1-1.2. Original Project: 2017-049 Earl Route 146A PDD (aka Park West), Rt 146 & 146A, Zoned: PUD (comm), Status: PB Concept Review SBL: 271.-1-16 To be reviewed by: MJE

Consultant: Lansing Applicant: S. Earl

Consultant/Applicant Presentation:

Scott Lansing – Lansing Engineering – The Board is familiar with the project and it has prior approval. Tonight the applicant is seeking an amendment to the prior approved site plan. The buildings will all be made condominiums and owner occupied and will be maintenance free. Mr. Lansing went over the buildings as stated in the introduction provided by Mr. Ferraro. Mr. Lansing noted, the distribution has not changed from the original application. All units will have single garages for individual units. Mr. Lansing stated that there is 73% is green space and buffering. Mr. Lansing stated there is street front with lights and trees with a pedestrian pathway. Mr. Lansing stated that the changes are: the alley ways are eliminated, the roadways are now proposed for dedication to the town, the clubhouse has been removed, sidewalks are reduced but are still existing, reduced roadways, green space has increased by about 10%, and due to this the stormwater has been reduced as well on the eastern side.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 8/7/20 stating:

- Driveways moved to the front of all buildings
- Club house and one duplex removed
- Alleys removed and extra parking added along roads
- Depth of stormwater areas will require fencing
- All four duplexes and single family homes are required to be sprinklered

- All roads are required to be 26' wide exclusive of shoulders. 26' including wing curbs appears acceptable
- More comments to follow with more detail

Sheryl Reed, Chief of the Bureau of Fire Prevention:

1. Revise postal verification

Scott Reese, Stormwater Management Technician issued a memo dated 8/11/20 with the following comments:

1. Update Section 3.0 Project Description in the SWPPP.
2. Update last paragraph on page 19 of 52 in the SWPPP for the WQv amount.
3. Update table on page 22 of 51(52) in the SWPPP for the post-development amounts.

The Environmental Conservation Commission held a meeting on 8/6/20 and issued a memo recommending:

1. The ECC has no comments at this time

The Open Space Trails Subcommittee submitted the following comments for the Planning Board to consider in its decision making:

1. The OSTRC would like to commend applicant on the initial submission regarding the overall "walkability" of the plan including sidewalk connections and a trail connection towards the Dwaas Kill. Also the walkability provides a critically important connection on the western side of the site to the existing paths on Route 146A; which ties into the overall trail master plan.
2. A conceptualized trail is located on the site plan. It should be clarified whether there will be public access granted to the trail included in the current plans.
3. The applicant should determine if there is an ability to co-locate any trail easement with the currently existing utility easements along the steep footpath leading to the Dwaas Kill ravine.
4. With respect to the sidewalks, the plan submission should indicate who will maintain responsibility for maintenance of the sidewalks (e.g. landowners, HOA, Town, etc.)
5. The plan should confirm if a public access easement and Right of Way is being granted for the sidewalks. If a public access easement is not being provided, the OSTRC would request that applicant consider granting a public access easement for the sidewalks throughout the submitted plan.

John Scavo, Director of Planning issued a letter dated 8/7/20 with recommendations he made:

1. Per our discussion, please prepare an offer of cession, which said offer should be made at the time that the subdivision is finally approved. The subdivision will separate the public roadway and any associated infrastructure improvements to be maintained by the Town such as Stormwater Management Areas.
2. Please provide a legal mechanism for review by the Town that allows for the use and occupancy of the sidewalk within the public ROW that will be owned and maintained by the private associations within the Park West Development.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 8/5/20 had the following comments:

STATE ENVIRONMENTAL QUALITY REVIEW

1. The SEQRA review was completed for this application as part of the PDD review process with the Town Board issuing its findings and a negative declaration. The Clifton Park Planning Board served as an involved agency during that review. Under the presumption that the detailed site plans submitted proposes improvements that are consistent with the Town's findings, no further SEQRA action is necessary. In our review of the plans, we believe that the Town Board's SEQRA findings have not been upset and no additional SEQRA review is warranted on this application.

SITE PLANS

1. The project is a planned development district (PDD) with site specific zoning that defines among other topics, uses, density and bulk lot requirements. This was approved by the Clifton Park Town Board by way of Local Law No. 5 of 2018. Our review of the site plans submitted is primarily for conformance with the approved PDD and other applicable design standards.
2. As per Resolution No. 200 of 2018, the applicant is providing a public benefit in the amount of \$3,800 per unit up to 132 units, equating to \$501,600 which is provided to the Town of Clifton Park as units are constructed.
3. The project proposes to service each new unit with public water from the Clifton Park Water Authority via extending a new public water main throughout the project. The

CPWA approved the project in June 2019. The revised PDD should not affect the proposed water usage as the same number of units are being proposed.

4. The extension of public water mains to the project is subject to NYSDOH plan approval and potentially the NYSDEC for the taking of additional water. As part of the project's regulatory review, the applicant will have to apply for the referenced plan approvals. Any action on the s application should be conditioned upon receipt of plan approval from the NYSDOH and/or NYSDEC for the additional taking of water.
5. The project proposes to service each new unit with public sewer from the Saratoga County Sewer District via extending a new public sewer main throughout the project. The CPWA approved the project in July 2019. The revised PDD should not affect the proposed water usage as the same number of units are being proposed.
6. The extension of public sewer mains to the project is subject to NYSDEC plan approval. As part of the project's regulatory review, the applicant will have to apply for the referenced plan approvals. Any action on the application should be conditioned upon receipt of plan approval from the NYSDEC.
7. Wetlands are depicted on the plans. The applicant should identify the date and by whom the wetlands shown were delineated. Based on the date of the delineation and/or prior NYSDEC correspondence, the wetlands may require a re-delineation if the validation has expired.
8. All sidewalks at road crossings shall be provided with ADA compliant ramps and detectable strips.
9. On COV-1, General Note 49 shall reference sheet DT-7 not DT-8 regarding construction of stormwater management area 2..
10. On COV-1, Parking Space Note 13 shall clarify that the accessible symbol shall be the New York State mobile accessible symbol.
11. Sheet ECR-1 shows proposed impacts to regulated waters of the U.S. The Town shall be provided with correspondence with and permits obtained from the US Army Corps of Engineers for the noted wetland impacts.
12. On Sheet LMG-2, the fire hydrant in front of Building 20 is in close proximity to the proposed sewer lateral. Consider lateral or hydrant relocation.

13. On Sheet DT-2, Detail 7 and on Sheet DT-6, Detail 1 are both typical retaining wall (Redirock details). Consider consolidating. The location of each retaining wall shall be reviewed to determine if there is a need for a barrier fence at the top for safety.
14. The placement of fire hydrants throughout the project should be reviewed with the Town's emergency services in comparison to Section 507.5.1 of the IFC to confirm their locations and quantity are adequate to respond to an event at the site.
15. On Sheet DT-6, Detail 2, indicate location on plans of the proposed trail.
16. Basin 2 as shown on Sheet LMG-1 shows proposed grading extended onto Lands of Santa Marta Realty LLC. Confirm that the adjacent landowner has provided permission to complete the grading work shown which shall include written documentation provided to the Town. Also, the Stormwater easement shall include this piece as well.
17. Provide a note on the plans indicating whether the buildings (and which ones) are provided with automatic sprinklers.
18. On Sheet ESC-1 Phase 1A proposes 9.70 acres and Phase 1B proposed 12.06 acres of disturbance. These phases should be further divided, or a 5-acre waiver will need to be obtained.
19. There is no soil testing provided in the vicinity of the infiltration practice. The minimum geotechnical testing is one test hole per 5000 sf, with a minimum of two borings per facility pursuant to Section 6.3.1 of the NYSSMDM.
20. Section 6.1.6 of the NYSSMDM required that except where local slopes prohibit this design, Basin 1 pond shall have a drain pipe that can completely or partially drain the pond. It appears each basin has limited ability to provide this drain. The operation and maintenance manual shall describe how the pond can be drained for maintenance absent the drains being provided.

STORMWATER POLLUTION PREVENTION PLAN

21. The Conservation of Natural Areas noted in Section 5.3 requires an acceptable conservation easement instrument that ensures perpetual protection of the proposed area pursuant to Section 5.3 of the NYSSMDM. The easement must clearly specify how the

natural area vegetation shall be managed and boundaries will be marked. Subdivision plat shall provide all metes and bounds for the conservation areas.

22. Appendix B is missing the pre and post subcatchment maps.
23. Appendix H which included post construction maintenance requirements shall be modified to include the following:
 - a. Post construction maintenance associated with infiltration basin.
 - b. Only include practices relevant to this project.
24. Confirm that the primary outflow from each pond has velocities between 3 and 5 fps. If the velocities are greater than 5 fps, forms of dissipating this to be within the 3 to 5 fps range shall be provided.

Public Comments:

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche stated he likes the street publicly owned and eliminating the alleys. Mr. LaFleche asked the applicant if the trees on the east side of the property would remain beyond downed trees that were cut last year and if the ravine where the trees are is to be filled or left alone. Mr. Lansing stated they would be removed and stated that some ravine area would be filled in but he would have to look into the exact locations. Mr. LaFleche asked if the existing topography in that area would be changed. Mr. Lansing stated that all the grading from the previous plan is being carried over to this plan. Mr. LaFleche asked if the sidewalks would connect to Route 146. Mr. Lansing stated that they would connect to Route 146 and Route 146A. Mr. LaFleche asked if the driveways would be long enough to hold at least one vehicle and what it would be made of. Mr. Lansing stated that the driveways would probably be asphalt and would hold a vehicle without obstructing an adjacent sidewalk. Mr. LaFleche asked why the clubhouse was removed. Mr. Lansing stated that the applicant felt it would not be utilized by residents or HOA. Mr. LaFleche stated that he would like to see amenities like a picnic table at the end of the hammerhead. Mr. Lansing stated that there are plantings in the plan now and the HOA would keep it up but he can ask the condo association to consider that at a later date. Mr. LaFleche asked about the parking section in the northeast section and if there could be more plantings for the privacy for the residence. Mr. Lansing stated that he can look into possibly doing that.

Planning Board Review:

Ms. Bagramian asked why the applicant decided to change the units. Mr. Lansing stated the distribution and types of units are the same.

Mr. Ferraro stated that there were some buildings eliminated and others added. Mr. Lansing stated that they have been moved around but there is no change in distribution. Mr. Ferraro stated he would like to see the walkways to return to the original layout as they were specifically by 32,26,19,20, and 1, 2, 3, and 4. Mr. Lansing stated he can bring this concern back to the applicant, but those sidewalks were initially provide to meet ADA standards that under the current layout do not require the same connections.

Mr. Neubauer stated that he is not in favor of the new plan and he does like the old layout - better with now-missing features such as the clubhouse and the sidewalks. The new layout also eliminates the alleyways to access vehicle garages and now has wide driveway curb-cuts on the public streets, instead of tree-lined sidewalks with on-street parallel parking. He stated that he feels the factors that made this a walkable “smart growth” neighborhood is now gone, and it now appears to be a more typical suburban town-house style development. Mr. Ophardt agrees with Mr. Neubauer’s comment.

Mr. Neubauer stated the he feels this design is a much different project from the one that was granted approval under the special PDD legislation, and thinks that the same steps taken for approval for the prior site plan should be followed here. Mr. Scavo stated that there can be a public hearing for this application as an option due to the fact that the stormwater, trail, and subdivision and town donation of the roadways are generally criteria for a public hearing and that the Board can get input from the residents of the town.

New Business:

2020-037 Druthers of Clifton Park Site Plan

Applicant proposes developing 5.3 acres with a restaurant/brewery. A 10,000 sf building will house the dining areas, kitchen, bathrooms and brewery. The plans will include outdoor dining areas that will provide opportunities for play area, casual seating, music and private events. Paved parking will be provided for 120 cars with overflow land-banked parking for up to 130 cars. The building will be connected to public sewer and water utilities and storm water will be managed on site., South Side Dr, Zoned: PUD (comm), Status: PB Concept Review

SBL: 271.16-1-6.1 To be reviewed by: MJE Consultant: EDP Applicant: Druthers Brewing Co

RESCHEDULED TO NEXT MEETING ON SEPTEMBER 9TH, 2020 DUE TO TIME CONSTRAINTS ON MEETING TONIGHT. THE APPLICANT HAS AGREED THAT THIS APPLICATION WILL BE SEEN BEFORE SCHEDULED ITEMS ON AGENDA.

Discussion Items:

2019-030 Rexford Square Office Building Site Plan

Applicant is asking for a 1 year extension of the approved 3,760 SF commercial office building with associated parking and septic system, 3 Daggett Dr, Zoned: HM, Status: APPROVED on 8-13-19 SBL: 269.-3-2.22

Mr. Ferraro asked if there were any comments on granting an extension.

There being no concerns or comments Mr. Ophardt moved, second by Mr. Lalukota to grant a one year extension for the Rexford Square Office Building Site Plan.

Mr. Szczesny moved, seconded by Mr. Ophardt, adjournment of the meeting at 11:50 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on September 9th, 2020.

Respectfully submitted,

Paula Cooper

Paula Cooper, Secretary

