

Town of Clifton Park Planning Board
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PLANNING BOARD

ROCCO FERRARO
Chairman

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Emad Andarawis
Eric Ophardt
Ram Lalukota
Andrew Neubauer
Denise Bagramian
Keith Martin

(alternate) Jennyfer Gleason

Planning Board Minutes
November 9th, 2021

Those present at the November 9th, 2021 Planning Board meeting were:

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

Those absent were: D. Bagramian

Those also present were: J. Scavo, Director of Planning
W. Lippmann, M J Engineering and Land Surveying, P.C.
R. Wilcox, Counsel
P. Cooper, Secretary

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

Mr. Ferraro stated that in the absence of Ms. Bagramian, Ms. Gleason would be a voting member for tonight's meeting.

Minutes Approval:

Mr. Andarawis moved, seconded by Mr. Lalukota, approval of the minutes of the October 26th, 2021 Planning Board meeting as written. The motion was unanimously carried.

Public Hearings:

None

Old Business:

2021-042 Exit 9 Self-Storage Phase 2

Applicant proposes a 3 story 12,000 sf climate controlled self-storage building located at the northwest corner of Sitterly Road and Crossing Blvd, 101 Sitterly Rd, Zoned: TC5, Status: PB Preliminary Review

SBL: 272.-1-52.1 To be rev by: MJE Consultant: Lansing Eng. Applicant: Exit 9 Self Storage Inc. **Last Seen on: 7-13-21**

Mr. Ferraro stated that this applicant has been to the TAC Advisory Committee on 8/19/21 and 10/15/21 before coming to the Board tonight.

Consultant/Applicant Presentation:

Paul Goldman, Esq. – Mr. Goldman stated that he is here tonight for a new building for the Exit 9 Storage. Mr. Goldman stated that the building was considered with the original approval for the site and that Exit 9 storage is now looking to expand. Mr. Goldman stated that they have met with the TAC and that any questions tonight are welcome and that he feels that this application can satisfy the Town's concerns

Mr. Norman Ward - Lansing Engineering – Mr. Ward stated that in response to MJ Engineering that he agrees with all comments except for 4, 5, 7, and 12. Mr. Ward stated that there is no new lighting being proposed, or a garbage collection area, it was all completed as part of phase 1. He stated that there is no snow storage proposed on-site. Snow will be removed from the site, and that the IFC code is a building regulation and will be addressed with the Building Department. Mr. Ferraro stated that the Planning Board reviews all of this and is aware of everything needed for the application. Mr. Scavo stated that the turning template was provided for the review and that no additional lights or storage areas for waste area should be noted on the plan.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 10/28/21 stating:

- Additional hydrant may be required due to access restrictions
- Fully illustrate fencing on property
- Ensure vehicle access to all sides of building including required turning radius
- Vehicle storage will require additional fire protection features

Wade Schoenborn, Chief of the Bureau of Fire Prevention:

1. Provide a complete fire apparatus access plan that complies with the FCNYS
2. Postal verification

Scott Reese, Stormwater Management Technician issued a memo dated 11/5/21 with the following comments:

1. Subcatchment 2A now consist of impervious material, please add to plans and stormwater report.
2. Stabilized construction entrance is place on existing asphalt at entrance of active self-storage business, another location or practice should be provided
3. Provide detail of inlet protection. Standard perimeter protection may not be convenient in access drive to existing storage facility, inset protection may be needed.

The Environmental Conservation Commission held a meeting on 11/3/21 and issued a memo recommending:

1. No comment

John Scavo, Director of Planning issued a letter dated 9/8/21 with recommendations he made:

1. The current submittal reflects all outstanding comments I have previously offered during the Technical Advisory Committee Meetings.
2. No construction activities are to occur until a final site plan is stamped.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 11/9/21 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: Plan approval

b. Saratoga County Planning Board: 239m referral
SHORT ENVIRONMENTAL ASSESSMENT FORM

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 – The response indicates that the project site is located within or adjacent to an area designated as sensitive for archeological sites on the NY State Historic Preservation Office (SHPO) archeological site inventory. The applicant has no affect letter issued by SHPO dated January 30, 2019.
2. Part I.17 – The response indicates that the proposed action will create stormwater discharge. A Stormwater Pollution Prevention Plan was conducted by applicant.
3. No further comments at this time.

SITE PLANS

4. Provide proposed lighting plan showing light fixtures, mounting heights, and illumination plan indicating footcandle levels in accordance with Section 208-26(6) of the Town's Zoning.
5. Show the location of and provide a detail for any exterior refuse areas.
6. Indicate location for water service connection.
7. Provide location(s) for snow removal. The stormwater management area should not be utilized for snow storage.
8. An on-site septic system is proposed. Subsequent submissions shall include the percolation and test pit results.
9. The applicant proposes to service the lot with an on-site septic system. The proposed septic system shall be designed by a New York State licensed professional engineer and conform to the requirements of the New York State Department of Health (Section 208-91) for review and approval by the Town Building Department.
10. Provide proposed fencing details.
11. Show proposed roof leader connections into the on-site storm sewer system.
12. The following comments are relative to the site plan and its conformance to the International Fire Code (IFC). The Town Fire Official shall have final authority on the applicability of these comments to the proposed site layout:
 - a. Determine if a Knox Box is required based upon the building arrangements, occupancy and materials of construction. If one is required, its location is subject to the review and approval of the Fire Chief.
 - b. Provide a turning template analysis for the largest emergency vehicle that may respond to an event at the site.
13. Provide a detail for the proposed in pavement inlet protection.
14. On Sheets DT-3 and DT-4, it appears that some of the stormkeeper details maybe on a hidden layer as leaders are pointing into space.
15. Will a secondary construction entrance be utilized off The Crossing Boulevard to avoid conflict with the operations of the existing facility?

STORMWATER POLLUTION PREVENTION PLAN

16. The following basin elevations indicated in the text should be revised on the details provided in the plan set: a. 1-year storm: Narrative indicates 351.58, detail shoes 351.44, revise accordingly b. 10-year storm: Narrative indicated 352.98, detail shoes 352.90, revise accordingly
17. Provide in the narrative the proposed subsurface storage gallery and how that will function as part of the stormwater design.
18. On page 22 of 34, third paragraph, Narrative indicates 6” and the plan detail indicates 5.7“. Confirm size of orifice in outlet control structure.

Public Comments:

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche asked the applicant if the existing building is not depicted in the plan. Mr. Goldman stated it is not. Mr. LaFleche asked if there is going to be enough room between the buildings for a U-Haul like truck to be able to maneuver. Mr. Goldman stated that there is enough room between the buildings to do so. Mr. LaFleche asked if there is enough room for the application without interfering with the new bridge to go in as there will be pathways and trailways. Mr. Todd Fischer stated that the pathway has been included with Phase I and that they are still committed to the sidewalks in this phase.

Planning Board Review:

Mr. Martin stated that he is pleased with the application and the landscaping on Phase I, he stated that he has been by the site and there are trees on the site along Sitterly Road that are no longer viable or dead and he would like to see them replaced with this phase. Mr. Goldman stated that they would take care of the dead trees and was discussed with the TAC.

Mr. Neubauer stated that he was on the TAC Committee and that since the project had started with Phase I, the Town Center Code has been expanded to include this site. He stated that the TAC meetings went well and that it was a good dialogue and the architect on the project was willing to listen to concerns. He stated that both buildings are conforming to the formed-based code. Mr. Neubauer stated that this rendering of the building is a big improvement from the original. Mr. Scavo stated that ideas for the building, especially the faux glass that the applicant has done makes the building look good. Mr. Neubauer stated that he would like to see down directional lighting on the new building that is also found on the existing building.

Mr. Lalukota stated that if the sidewalk is built and the landscaping is kept up as mentioned in Mr. Neubauer’s and Mr. Martin’s comments, then he is in favor of this application.

Mr. Ferraro stated that the TAC was beneficial for the application and thanked everyone for their time spent on this. Mr. Andarawis stated that the outcome looks great to him and that it was challenging as the location became a part of the Town Center.

Mr. Ferraro stated that connecting public and private space is beneficial in a larger scale for the town and appreciates the work that was done.

Mr. Martin moved, second by Mr. Ophardt, to establish the Planning Board as Lead Agency for this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was carried unanimously.

Mr. Neubauer moved, second by Mr. Lalukota, to waive the final hearing for this application for the site plan review of Exit 9 Self Storage Phase 2, 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 of the items listed in the final comment letter issued by the Planning Department.

Conditions:

1. All technical comments are reconciled.
2. Landscaping plan is to include the replacement of any dead trees that are present adjacent to the road frontage of the site plan.
3. Exterior lighting building accents to match existing building lighting to the greatest extent practicable.

Ayes: 7

Noes: 0

The motions is carried.

New Business:

2021-064 Luna Park Food Truck Site Plan

Applicant proposes developing the site for use by 6 food trucks. Plans include a 600sf restroom/storage building, 6 food truck water/sewer electric hook up stations on permanent pad sites, gravel access roads, 50 parking spaces, outdoor food court with overhead string lighting, stone dust trails, monument sign and landscaping. Site will be serviced by existing CPWA line and sewer main through Old Nott Farm Sewer District. Storm Water will be managed on site, Riverview Rd, Zoned: HM, Status: PB Concept Review

SBL: 269.19-1-43.1 To be reviewed by: MJE Consultant: Lansing Eng.

Applicant: K.Sardella

Consultant/Applicant Presentation:

Norman Ward – Lansing Engineering – Mr. Ward stated that the parcel is located on the corner of Route 146 and Riverview Road. He stated that the lot is vacant and wooded with Army C orp wetlands with a drainage corridor that runs across the site from the golf course across Riverview Road. Mr. Ward stated that this application creates a dining destination for food trucks with pedestrian access. Mr. Ward stated that pedestrian access is at the corner of Riverview Road and

Route 146. Mr. Ward stated that the driveway would come off of Riverview Road from the existing Veterinarian driveway and an apron would be paved for the new driveway to keep the gravel on site. Mr. Ward stated that there would be 50 parking spaces which would be about 8 spaces per food truck and they would be willing to consider banking some parking spots. He stated that the pond for stormwater management has not been sized yet, but water runoff does come from Riverview Road. He stated that public water and sewer will be hooked up but he has not yet contacted those entities or shown the proposed connections.

Mr. Ferraro asked if there were any DEC wetlands on site. Mr. Ward stated that there are no DEC wetlands on the property, only federal. Mr. Ferraro asked for a layer showing wetlands on the property and two-foot topo contours for the next submission.

Mr. Lalukota asked how many people would be able to sit at one time. Mr. Ward stated that there would be selective clearing on the property with ample seating that hasn't been given a final number yet.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 10/28/21 stating:

- 26' drive aisle between parking spaces required and between food trucks and island
- Ensure emergency vehicle turning radius in all areas
- Provide approval for all utility connection
- All roads must be able to support a 75,000 lb vehicle, certified by engineer
- Submit stormwater plans
- All food trucks are required to be inspected per Section 319 of FCNYS

Wade Schoenborn, Chief of the Bureau of Fire Prevention:

1. Provide fire apparatus access plan that complies with the FCNYS
2. Food trucks will be required to be inspected per FCNYS section 319
3. Postal verification

Scott Reese, Stormwater Management Technician issued a memo dated 11/5/21 with the following comments:

1. Show land conservation overlay zone on the plans and any impacts to the LC zone
2. Appears multiple wetland impacts will result with this project. Show areas of future mitigation or provide information on mitigation measure planned for the disturbances. Show proposed limit of soil disturbance on the plans.
3. Provide deep test hole information in vicinity of the proposed stormwater management area when proceeding to stormwater design

Mr. Scavo stated in the meeting that the property is not in an LC zone.

The Environmental Conservation Commission held a meeting on 11/3/21 and issued a memo recommending:

1. The ECC recommends the applicant not use the private grinder pump and provide their own system to connect to the public sewer.
2. The Applicant shall take into account designated Federal Jurisdictional Wetlands shown on the most recent NYSDEC wetlands maps for the Town of Clifton Park and identify their locations on the project plans.
3. Due to the probability of food and liquid wastes leaking from the on-site dumpster(s) into a storm water catch basin and/or surface water body, the ECC recommends the applicant enclose the area (i.e. roof) on an impervious surface with a berm surrounding the dumpster(s) that accept food and liquid wastes. If necessary, the Applicant will need to periodically pump out the accumulated wastes within the bermed area to avoid any overflow.
4. The applicant shall clarify the physical impact to the wetlands indicated within the proposed meadow.
5. It appears that the applicant will be impacting existing wetlands with the construction of the proposed parking lot. Any future plan should indicate where those wetlands will be mitigated.
6. The ECC notes that facilities for the sale and or consumption of farm-and country-related edible and nonedible products at farm markets require a special use permit. If the applicant intends to incorporate these activities on this site, they should apply for this permit.
7. 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 area between the parked food trucks and Riverview Road designated as a meadow should retain maximum existing mature foliage to enhance the park and buffer it from the noise and traffic on Riverview Road.

Mr. Scavo stated in the meeting that he believes that this will not require a SUP as there is longevity the tenants and there are hookups for utilities

Mr. Ward stated that the site will have gravel for the roadway, and this would be similar to an RV park such as the vendors may rotate but the facility is permanent.

John Scavo, Director of Planning issued a letter dated 11/8/21 with recommendations he made:

1. It is the applicant's responsibility to ensure they have ingress and egress rights to the adjacent property. Site Plan approval by the Planning Board does not grant such agreements between private property owners.
2. The following notes shall be added to the site plan:
 - a. Vendors shall keep the area free from paper, peelings, oil and grease spills and refuse of any kind generated from the operation of their food trucks.

- b. The applicant is responsible for following all applicable state and county health codes.
3. The applicant should provide a waste disposal plan for all trash, water, grease, and other materials to Town Staff for review and consideration.
4. The applicant should note if propane tanks will be stored on-site beyond the confines of on-site food trucks.
5. Since electrical hook-ups are proposed for each food vendor pad site the applicant should note if generators will be allowed and if so, noise mitigation should be considered.
6. Trash receptacles should be placed in various locations to ensure the site is maintained in a clean fashion from debris.
7. It is imperative that stormwater management measures ensure runoff is maintained on-site during and post construction to avoid negative impacts to adjacent properties and the Mohawk River.
8. Plans shall be forwarded by Town Staff to the NYS DOT as an involved agency pursuant to SERQ for the pedestrian connection at Riverview Road and Rt. 146 and the elevated bridge structure over a drainage ditch that appears to collect water runoff from Rt. 146.
9. The applicant should ensure fire extinguishers are maintained within each food truck pad site.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 11/5/21 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 is required due to the parcel’s proximity to NYS Route 146
 - c. NYSDEC: Stormwater permit approval
 - d. Clifton Park Water Authority (CPWA): Connection to municipal water
 - e. Saratoga County Sewer District #1: Connection to public wastewater infrastructure
 - f. NYS Department of Environmental Conservation: permit coverage under stormwater SPDES

- g. 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

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:

2. Part I.5 – The response indicates N/A for permitted use under the zoning regulations. The response should be changed to yes.
3. Part I.9 – The response indicates “Not applicable, proposed action does not include structures required to meet state energy code requirements“however, the proposed 600 sf restroom/storage building should still meet or exceed the state energy code requirements.
4. Part I.12 – The response indicates that the project site is located within or adjacent to an area designated as sensitive for archeological sites on the NY State Historic Preservation Office (SHPO) archeological site inventory. The applicant should provide a correspondence letter from SHPO to confirm the presence or absence of archeologically sensitive resources.
5. Part I.13 – The response indicates that a portion of the site or lands adjoining the site of the proposed action, contains wetlands or other waterbodies regulated by a federal, state or local agency. The applicant should provide documentation that confirms the presence or absence of federally regulated wetlands adjacent to the project site. Additionally, if NYSDEC wetlands are present, a 100’ wetland buffer should be clearly shown on plan to confirm. Should this change as the project design progresses, additional approvals and permits may be required.
6. Part I.15 – The response indicates that the project site may contain species of animals or associated habitats, listed by the State or Federal government as threatened or endangered, including the Bald Eagle. The applicant will need to provide correspondence from the Permits staff at the NYSDEC Region 5 Office to confirm the presence or absence of the listed species and for any permit considerations. The applicant should also provide correspondence from the NY Natural Heritage Program to confirm the presence or absence of rare plants or animals and significant natural communities as well as the US Fish and Wildlife Service IPaC database.
7. Part I.17 – The response indicates that the proposed action will create stormwater discharge. A stormwater analysis should be conducted to ensure there will be no adverse impacts to adjacent or down gradient properties.
8. No further comments at this time.

SITE PLANS

9. The project is located within the Town’s Hamlet Mixed Use (HM) zoning district. The proposal for a food truck facility should be reviewed by the Town’s Zoning Officer.

10. Update the site statistics table to account for the special setback requirements from Riverview Road and NYS Route 146 as defined in Section 208.98 of the Town's Zoning. It would appear that the building placement meets the noted setback of Section 208.98.
11. Provide contour lines at two-foot intervals, minimum United States Geological Survey datum.
12. Identify the date and by whom the wetlands shown were delineated. Verify if the wetlands are under the jurisdiction of the USACOE or NYSDEC.
13. While the application material indicates that the project will have less than 1 acre of disturbance, it would appear based on the concept plan that the disturbance will be over 1 acre. As such, it will be subject to the NYSDEC Phase II Stormwater Regulations and General Permit GP-0-20-001. Therefore, a full SWPPP will be required that addressed water quantity and quality controls. As the project proceeds through the town's regulatory review process, a fully conforming SWPPP shall be provided for review.
14. The project proposes to provide potable water to the buildings from the Clifton Park Water Authority's (CPWA). The applicant shall provide the Town documentation indicating CPWA's ability and willingness to provide potable water to the project.
15. The project is proposing to be serviced with public sewer from the Town of Clifton Park Old Nott Farm Sewer District. The applicant shall provide the Town documentation of the sewer districts ability and willingness to service the project with public sewer.
16. Show the existing utilities and the proposed utility connections (water/sanitary sewer) to the site.
17. Based on the correspondence provided by the Animal Hospital, it was mentioned that the proposed sewer connection would be to a private pump station on the adjacent property. It is recommended that the proposed project provide its own means of sewage disposal on their own property.
18. Provide the anticipated water and sewer usage.
19. It is recommended that at a minimum the number of peak hour vehicle trips, including truck trips and sight distance at the project entrance be provided. Analysis shall also incorporate existing animal hospital data.
20. Show the location of proposed snow storage area(s).
21. Section 208-99(B) of the Town Zoning does not provide a parking space requirement for this specific use. The concept plan proposes 50 spaces. Provide a narrative as to how this space count was arrived at. Efforts should be made to reduce the pavement area with the ability to bank spaces for future construction, if deemed necessary.
22. The proposed driveway appears to come off the adjacent property driveway, provide documentation that an ingress/egress easement exists for this use and will not require a curb cut on Riverview Road.
23. The proposed driveway shall comply with the IRC and New York Supplement. Details or description of the proposed drive materials of construction shall be provided, confirming it can support the load of the responding emergency vehicles.
24. Indicate the pipe size and material of any proposed culvert under the entrance driveway. A portion of this culvert would be installed on adjacent property.
25. Consideration should be given to providing an asphalt surface to the proposed entrance driveway that will be located on the adjacent property (say first 30').
26. Provide notation on the plan as follows:

- a. No Utilities shall be installed beneath the proposed driveways.
 - b. Any work required within the County (Riverview Road) right-of-way shall be subject to any permitting from the Saratoga County Highway Department (driveway, culvert, water service, sewer).
27. Subsequent plans should include architectural elevations of the building with a listing of the materials of construction for review by the Planning Board.
28. Considering the plan submitted is conceptual in nature, we will reserve further comments until more detailed plans and reports are submitted. Subsequent submissions shall include information as outlined in Section 208- 115 of the Town zoning specific to site grading, lighting, erosion control and stormwater management to fully assess the design and its compliance to the applicable standards

Public Comments:

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche asked why the applicant would like to have gravel instead of asphalt. Mr. Ward stated that the applicant would like to keep it park like. Mr. LaFleche asked how snow removal would work with gravel. Mr. Ward stated that snow shoes would be on the plows and the gravel would be replaced as needed. Mr. LaFleche asked the applicant to keep as many trees as possible, he asked the applicant about the trail proposed and asked if it would be for pedestrian use only. Mr. Ward stated that it is a bike and pedestrian path that would tie into the existing stub on the corner and there would be a monument sign for the business there as well. Mr. LaFleche asked if the path would be a public right of way and people could access it even if the business is closed. Mr. Ward stated that he feels that there is a future trail connection and there would be access. Mr. LaFleche asked about easement for the access for the property or if there has been a discussion with the neighbor. Mr. Ward stated that he believes there is an access easement.

Brent Shultz – Mr. Shultz asked if the applicant would make the area pet friendly since there is an animal hospital next to the proposal and there would be a public path. Mr. Ward stated that there would be rules and codes needed to be followed but they would be pet friendly.

Matthew Pike – 896 Riverview Road – Mr. Pike stated that he owns the animal hospital next to this application and that he likes the concept of this but has concerns. Mr. Pike stated that he would like to see the applicant have their own sewer hookup and own grinder pump instead of hooking up to his. Mr. Ward stated that he does not yet know where the sewer hookups would be. Mr. Pike stated that he also has concerns about the applicant tying into the entrance as there will be gravel on the site and his entrance is paved. Mr. Pike stated that his business sees a lot of turnarounds daily and stated that this access adds to the concern. He stated he would also like to know how this new project would direct patrons to the proper site and how that would affect his monument sign. Mr. Ward stated that the food trucks would be visible and that signage has not

yet been determined or proposed. Mr. Pike stated that he feels his concerns can be mitigated such as snow removal and driveway upkeep.

Planning Board Review:

Mr. Ferraro asked where the sign for the animal hospital is. Mr. Pike stated it is in the median of the entrance. Mr. Ferraro asked if it was on Luna Park property. Mr. Pike stated it may be but it is where the old sign is and there may be an easement for it and he is not totally against sharing, he stated he would just like to know what the applicant has planned. Mr. Ward stated that at this time the only signage would be near the bike path tie in. Mr. Scavo stated that this Board has no authority over sign approval but they can consider it with the site plan.

Mr. Martin suggested that the applicant and Mr. Pike work together to move the entrance and move it further away from the intersection and moving the signage with an agreement.

Mr. Lalukota asked if the properties sharing an entrance and the signage would be legal. Mr. Pike stated he is unsure as well as the applicant. Mr. Lalukota stated that all concerns are valid but he would like to know what easements are in place. Mr. Ward stated that there is an access easement as well as a drainage easement but he will gather them for the next meeting.

Ms. Sardella – Applicant – stated that she plans to have the food trucks on a seasonal or monthly lease so that there is consistency and they would not be coming or leaving daily. She stated that she wants the public to know who is there and staying. She stated that she was told that there was a shared easement to access the property. Mr. Pike stated that he is willing to work with her. Mr. Ferraro stated that this needs to be a discussion from property owner to property owner since there is an easement and how they can come to a decision. Mr. Ferraro stated that the Board is to determine what is best from an entry standpoint due to the properties are close to the corner of Riverview Road and Route 146 and stated that he prefers a single access that is shared rather than having another access.

Mr. Martin stated that it is ideal for the neighbors to talk to one another and come to an agreement with some of the concerns. He asked why the applicant is proposing dust and gravel over asphalt for the path and told the applicant there can be liabilities with gravel. Mr. Martin asked what the width of the path is. Mr. Ward stated that it is 10', same as existing and 5' when it comes into the site. Mr. Martin asked the applicant to think of security of the property as people would be able to trespass after hours and in the winter months.

Mr. Ophardt asked if the trail is on private property who would be maintaining it as to keep it a year-round access point as it was stated it would be public access. Mr. Ward stated that it is seasonal right now. Mr. Ophardt asked that applicant to think about this as the Town would not

be maintaining it. Mr. Ophardt asked what the hour of operation would be. Ms. Sardella handed out pictures of her vision for the property that showed another food truck site and stated that she will not be having alcohol on the property, be family and pet friendly and plans no operations in the winter and plans to run the business 10am to 10pm but the hours would be based on the tenants.

Mr. Neubauer stated that he likes the concept plan and likes that it is running off of the trail. He stated that another business has come before the Board with a similar outdoor layout so he feels this is an upcoming scene. Mr. Neubauer stated that she should contact the Trails Subcommittee about Town trails connections and possible Town maintenance.

Mr. Lalukota and Mr. Andarawis stated that they like the project and agree with the comments given tonight. Mr. Andarawis asked about daily maintenance of the bathrooms and garbage removal. Ms. Sardella stated that she would be in charge of this and would hire help.

Ms. Gleason stated that she feels that this would be a good addition to this part of town but she also has concerns about the bike trail with gravel as well as the connection to the town and maintenance as she would like this to be an extension of the Towns path and wants it to continue to create a connection.

Mr. Wilcox stated that if both property owners are the only two who are in the easement for access or signage they can agree to cancel the easement and make another.

Mr. Ferraro stated that if the trail is gravel now he feels it should be fine but if it connects to a Town path it should be paved. He stated that with the next submittal he wants to see what trees would be remaining and what would be removed as well as the elevations for the restroom building.

Discussion Items:

None

Mr. Andarawis moved, seconded by Mr. Neubauer, adjournment of the meeting at 8:50 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on November 23rd, 2021.

Respectfully submitted,

Paula Cooper

Paula Cooper, Secretary