

**Town of Clifton Park Planning Board**  
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PLANNING BOARD

DENISE BAGRAMIAN  
Chairwoman

ROBERT WILCOX  
Attorney

PAULA COOPER  
Secretary



MEMBERS

Emad Andarawis  
Eric Ophardt  
Heather Fariello  
Andrew Neubauer  
Jennyfer Gleason  
Keith Martin

(alternate) Lisa Westrick

**Planning Board Minutes**  
**September 13<sup>th</sup>, 2022**

Those present at the September 13<sup>th</sup>, 2022 Planning Board meeting were:

Planning Board: D. Bagramian, Chairwoman, H. Fariello, A. Neubauer, E. Ophardt, K Martin, J. Gleason, L. Westrick

Those absent were: E. Andarawis

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

Ms. Bagramian, Chairwoman called the meeting to order at 7:00 p.m. All in attendance stood for recitation of the Pledge of Allegiance.

Ms. Bagramian stated that in the absence of Mr. Andarawis, Ms. Westrick would be a voting member tonight.

**Minutes Approval:**

Mr. Ophardt moved, seconded by Ms. Bagramian, approval of the minutes of the August 8<sup>th</sup>, 2022 Planning Board meeting as written. The motion was unanimously carried.

**Public Hearing:****2022-031 28 Bridgewater Court (Woodworth) In-Law Apartment – Special Use Permit**

SBL: 277.5-5-1

Applicant is proposing an in-law apartment with no external changes.

28 Bridgewater CT, Zoned: R1 - Residential, Status: Concept w/possible determination

Citizenserve File Number: 22-000017, Application Number: SUP22-000002

Applicant: Evan Woodworth Consultant: N/A

Ms. Bagramian 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. She 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 imply approval of the subdivision application. Should it be determined that additional environmental review is required, SEQRA discussions will be reopened and a decision rendered when deemed appropriate.

Ms. Fariello 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.

Ms. Bagramian called the public hearing to order at 7:02 p.m. The Secretary read the public notice as published in the Daily Gazette on September 3<sup>rd</sup>, 2022.

**Consultant/Applicant Presentation:**

Evan Woodward – resident – Mr. Woodward stated that this application is for a finished basement on the ground floor. He stated that his daughter and son-in-law bought their home and they would like to add a kitchen so that he and his wife as parents can live there. He stated that there will be no changes to the exterior of the home.

**Staff Comments:**

**The Environmental Conservation Commission held a meeting on 9/7/22 and issued a memo recommending:**

1. No comments.

**Wade Schoenborn, Chief of the Bureau of Fire Prevention:**

**Scott Reese, Zoning Administrator, issued a memo dated 9/9/22 stating:**

1. Applicant requests a Special Use Permit (SUP) approval per Town Code Section 208-10B.(10)(a)[7][a] for an In-law apartment in a Residential 1 (R-1) Zone.

**Scott Reese, Stormwater Management Technician issued a memo dated 9/9/22 with the following comments:**

1. No stormwater comments

**John Scavo, Director of Planning issued a letter dated 9/9/22 with recommendations he made:**

- The applicant is responsible for obtaining any necessary building permits required to demonstrate compliance with NYS Building and Fire Codes
- Under Clifton Park Town Code, an in-law apartment is any room or suite of rooms comprising one complete housekeeping unit with its own cooking and its own bathing and toilet facilities wholly within the sub-room, or suite of rooms, occupied by an in-law or family member(s) constituting a kinship of first degree, second degree, or third degree of the residing owners of the principal dwelling unit. The granting of a Special Use Permit for an in-law apartment does not mean a two-family dwelling.
- Approval of the proposed Special Use Permit constitutes an Unlisted Action subject to SEQR, and the Planning Board is the only involved agency.

**Professional Comments:**

No professional comments.

**Public Comments:**

No public comment.

There being no additional public comment, Mr. Ophardt moved, second by Ms. Gleason, to close the public hearing at 7:07 p.m. The motion was unanimously carried.

**Planning Board Review:**

Mr. Ophardt asked if there is access to the basement. Mr. Woodward stated that there is a staircase up to the main floor and the basement walkout door to the pool area.

Mr. Neubauer offered Resolution No. 10 of 2022, seconded by Mr. Martin to waive the final hearing for this application for the 28 Bridgewater Court (Woodworth) In-Law Apartment – Special Use Permit approval, and to grant preliminary and final subdivision approval condition upon satisfaction of all comments, provided by the Planning Department, Town Designated Engineer, and all items listed in the final comment letter issued by the Planning Department.

**Roll Call:**

D. Bagramian - Yes  
 E. Andarawis - Absent  
 E. Ophardt - Yes  
 H. Fariello - Yes  
 A. Neubauer - Yes  
 K. Martin – Yes  
 J. Gleason – Yes  
 L. Westrick (alternate) - Yes

Ayes 7

Noes: 0

The resolution is carried.

**Old Business:****2022-021 Starpoint Church Parking Expansion – Site Plan**

SBL: 277.16-2-1

Applicant is proposing an additional 53 parking spaces.

14 Jarose PL, Zoned: R1 - Residential, Status: Revised Preliminary w/possible determination

Citizenserve File Number: 22-000018, Application Number: SPR22-000009

Applicant: Northstar Church Inc. Consultant: ABD Engineers Surveyors

Last Seen On: 6-14-22

**Consultant/Applicant Presentation:**

Luigi Palleschi – ABD – Mr. Palleschi stated that he is here tonight for a parking lot expansion to the southwest and the north of the site. He stated that they have been here before for a building expansion as well as parking. He stated that patrons are currently parking on the road, so parking is needed at the site. Mr. Palleschi stated that he has reviewed resident concerns, Town, and Planning Board comments. He stated that the stormwater ponding along the neighbor's property should be rectified with an update that has been done. He stated that he has met with Stormwater Management Officer as well as MJE and they have gone over the design which now shows infiltration with installation of dry wells, help with frozen ground infiltration. He stated that new parking will have some porous pavement to allow water to infiltrate into the ground and there is less than 1 acre of disturbance but it was combined with last year's application, so a full SWPPP has been done, that complies with NYS DEC Regulations. Mr. Palleschi stated that they are adding street trees along Jarose Place, pines along the north side of the parking lot, and five

cedar trees to the east for the landscaping. He stated that they will not be cutting within the 25-foot buffer to the west and that all MJE comments have been addressed and SWPPP additions would be added to the language.

**Staff Comments:**

**The Environmental Conservation Commission held a meeting on 9/7/22 and issued a memo recommending:**

1. The ECC notes that a church was initially approved as a Special Use under Town Code 208-79. However, the applicant's website indicates that a daycare and elementary school are currently in operation in this facility. It appears that neither of these uses are permitted special uses under 208-8B.(a). The ECC requests that the Town Attorney review the original Special Use approval to ascertain whether these uses are permissible.
2. Per 208-10 Residential-1 districts, "Are primarily for suburban residence uses and to accommodate relatively dense residential development at densities appropriate with environmental restrictions and which transition between the primary commercial development districts and lower density districts both in density and allowable land uses." The size and scale of this project appears to be in conflict and out of character with the prevailing residential nature.
3. ECC is concerned about the expansion of the parking as proposed and the impact on the community and the quality of life for the neighbors. The concerns of traffic on the weekends, the character of the neighborhood.
4. The ECC notes that the proposed parking area straddles two properties.

**Wade Schoenborn, Chief of the Bureau of Fire Prevention:**

No Comments

**Scott Reese, Zoning Administrator, issued a memo dated 9/9/22 stating:**

1. The applicant shall be aware that the existing house on the combined lot shall be used only for church related uses and shall not be rented out.

**Scott Reese, Stormwater Management Technician issued a memo dated 9/9/22 with the following comments:**

1. The Town Designated Engineer, ABD Engineering representing the applicant and myself discussed the technical stormwater concerns for this project on August 31st, 2022. The following items were discussed:
  - a. Using a conservative factor of safety of half the infiltration rate of the proposed infiltration basins. Basins will be resized accordingly. This storage area shall be known prior to project approval.
  - b. Installing dry wells in the infiltration basins to address frozen ground conditions. The inlets of the drywells will be placed higher than the water quality elevation.
  - c. Any other concern by the Town's Designated Engineer.

**John Scavo, Director of Planning issued a letter dated 9/9/22 with recommendations he made:**

- The Saratoga County Planning Board recommended to the Clifton Park Planning Board that the project would have “no significant county-wide or inter-community impact.”
- The applicant should provide a projected construction timeline that includes planting additional street trees, arborvitae, and relocating five spruce trees. The tree plantings should occur within a parallel timeframe as the parking lot expansion.
- The Planning Board must complete the SEQR review process before considering the applicant’s request for site plan approval. Town Staff recommends that the Planning Board classify the project as an “Unlisted action” and issue a negative declaration based upon the findings from completing the Short Environmental Assessment Form Part II.
- Staging and storing construction equipment and materials for the parking expansion project shall occur outside the Town’s public right-of-way.
- Consider a more deer resistant species to supplement where the Arborvitae are proposed. Such supplemental species includes Eastern Red Cedar.
- All written public comments received by Planning Staff and by email at [Planning@cliftonpark.org](mailto:Planning@cliftonpark.org) have been forwarded to the Planning Board Members for their consideration

**Professional Comments:**

**Walter Lippmann, P.E. of MJ Engineering in a letter dated 9/9/22 had the following comments:**

**SHORT ENVIRONMENTAL ASSESSMENT FORM**

1. No further comments at this time.

**SITE PLANS**

The applicant had a meeting with the Town and MJ to discuss the proposed stormwater management areas.

2. It was recommended to utilize drywells in the infiltration basins as a means to operate during wintertime conditions in lieu of the proposed underdrain.

**STORMWATER MANAGEMENT REPORT**

3. The applicant shall complete the Notice of Intent (NOI) Form.
4. It is noted that the infiltration rate in the vicinity of Basin 1C was established at 1” per 10 minutes based on in situ testing. For design, it is recommended that a factor of safety of 2 be utilized to account for long term degradation of the underlying soil and its ability to continually infiltrate at the measured rate.
5. The SWPPP shall include documentation that the project is eligible for permit coverage pursuant to Part I.F.4 of GP 0-20-001 with respect to threatened and endangered species. This includes both listed state and federal species.
6. The SWPPP shall include documentation that the project is eligible for permit coverage pursuant to Part I.F.8 of GP-0-20-001 with respect to historic properties. This includes archeological and cultural resources and appropriate correspondence from CRIS.

7. The SWPPP shall include sample weekly inspection forms.

**Public Comments:**

Ms. Bagramian stated that tonight is not a public hearing but she is willing to have a spokesperson for the residents speak as she is aware they have similar concerns.

Wayne Rubien – Grooms Road – Mr. Rubien stated that his home backs up to this property and he is negatively affected by the church already. He stated that when the snow melts in the spring his yard gets flooded from the runoff from the parking lot that is there now to his shed. He stated that he also sees an empty parking lot 6 days a week.

Rose Sopot – Jarose Place– Ms. Sopot stated that she feels the biggest problem is the congestion on the road and the crossing guard, that makes it confusing for traffic flow. She stated that the events that the church holds infringes on the privacy of the residents and that she was told in the past that more trees and foliage would be planted but it has not happened yet. She stated that there are people in the middle of the road trying to direct traffic and feels that the church will continue to grow and that is not a bad thing but it affects the privacy of those who live there. Ms. Sopot stated that the church is packed once a week but the blue sign is always on and blaring. She stated that she would like to see the arborvitaes planted that were promised in Phase I.

Lauren Gay – 17 Jarose Place – Ms. Gay stated that she agrees with the application confusion and multiple applications for this site. She stated that the applicant was asked previously in 2021 by the Planning Board to eliminate pavement. She stated that since day one the members of the church have been parking on the street, even parking the volunteers on the street to allow for the patrons to park in the lot. Ms., Gay stated that growth isn't always a good thing.

Sam Sopot – Jarose Place – Mr. Sopot stated that he appreciates that they took steps to correct the runoff but feels it is still not 100% comfortable with the plan. He stated that there is not a lot of commercial land between I-87 and Vischer Ferry Road and that the entrance is dangerous due to the high traffic volume. Mr. Sopot stated that the church is greatly changing the character of the neighborhood and they keep asking for more people as per their sign.

Sandy Levpien – 516 Grooms Road – Ms. Levpien stated that they have been flooded when everything overflows. She stated that it has recently overflowed on 4/8/22 onto her property and almost to her pump.

Diviopen Mapza – Jersose Place – Ms. Mapza stated that she has safety concerns as there are children on the street under 6 years old. She stated that the patrons of the church come down the circle and don't use other exits. She stated that there are no trees along their side of the property and trees are cut down or trimmed. She stated that there are many events being held at the church

that add to the business and take away from the privacy of the residents. Pastor Lilly stated that the trees that were trimmed were cut down for safety.

Pat Rosestead – 26 Jarose Place – Ms. Roasestead stated that the lower areas under and between the trees could have some plantings as well to help buffer and add foliage that would not need to be mowed around. She stated that the church has 2 long narrow banners on both sides of the sign that make it harder to see oncoming traffic.

### **Planning Board Review:**

Ms. Fariello stated that Site Plan page 5 stated that there are overall 53 parking spaces but the expansion letter says 60 and asked for clarification. Mr. Luigi stated that 53 are correct and that they will be losing spaces to the expansion but gaining 53 totals. Ms. Fariello stated she would like this correction made to the paperwork submitted.

Mr. Ophardt asked why the porous pavement was limited to one row of parking. Mr. Palleschi stated that regular pavement is partially on the plan so that the runoff will be directed to the area and this is exceeding DEC minimum. Mr. Palleschi stated that that the existing parking needed higher water quality treatment to address what was installed last year. Mr. Ophardt asked if there is a maintenance plan for the runoff. Mr. Palleschi stated that there is per DEC regulations. Mr. Ophardt asked if there could be clarification to the gravel infiltration and if it is up to regulation. Mr. Palleschi stated that 100 year storm overflow would be brought to the basin. Mr. Ophardt asked if the home that the church owns is occupied. Mr. Palleschi stated that it is being occupied by the Pastor, but it cannot be rented.

Mr. Martin asked about porous pavement, he stated that staff had indicated that it desired stabilization course type 2 stone below the reservoir stone, and Mr. Martin asked if this has been resolved to staff's satisfaction. Mr. Lippmann stated it has been. Mr. Martin stated that, within the zone, church uses must be approved by Special Use Permit, and that a Special Use Permit had previously been granted. Mr. Martin then read directly from Code 208-79 G which states, in relevant part, "An amendment or modification to an existing special use is any change in the site or configuration of the structures or appurtenances associated with the facilities constituting the special use." Mr. Martin suggested that this application might be amended to comply with this Town Code requirement, thus triggering the analysis called out in Code 208-79 E. Mr. Palleschi asked if the SUP was for the church or daycare. Mr. Scavo stated he thought both. Mr. Palleschi stated that then the use is staying the same. Mr. Martin responded by observing that he believed that expansion of the subject parking facilities constituted a change in "configuration of the structures or appurtenances" as contemplated by the section of Town Code he had read from earlier. Mr. Martin asked whether the Board should take a step back and follow a different approval process more in alignment with Code 208-79.



Ms. Bagramian stated that the zoning is R-1 and there are residents on one side and stated that she feels that the expansion of the church and the SUP intent is now being lost. She stated that this is the third time that they are asking for more parking and it is still an SUP in a residential zone. She stated that parking may need to be mitigated in a commercial zone and asked the applicant to look into this option as there are 11 resident concerns. She stated that she feels that more parking in a residential area does not fit in, and that 53 parking spots is significant. She stated that she feels that this is manipulation of the system by asking for more little by little. Mr. Palleschi stated that street trees will help soften the look and the lot fits as they are not making it a sea of parking but breaking it up.

Ms. Gleason stated that she echoes Ms. Bagramian's comments and stated that if the church needs additional alterations with more construction then it is probably getting too big for this location.

Ms. Bagramian stated that conformity is noted in the code and this is her concern. She stated that the original application was smaller prior to this one and as it is great that they are growing, there is a lot of resident concerns coming from a small street. Mr. Palleschi stated that they are not changing the building structure, only the parking.

Ms. Fariello asked if there are 2 parcels or 1 involved. Mr. Palleschi stated it is currently 2 parcels but it will become one parcel with one deed. He stated that if the board is willing to grant this then they will make a condition that there will be no parking on the road.

Ms. Westrick asked if signs for no parking would affect the residents negatively and asked if the street parking was filling up before the lot. Mr. Roscoe Lily - Pastor – stated that they came before the Board in 2020 because the prior owner of the building was in foreclosure. He stated that there was also another church before that did not survive at the same location. Pastor Lilly stated that there are 151 parking spots on the plan now and thought they would eventually need 50% more. He stated that now that they are becoming busier and they are 16 cars over capacity as of last weekend and their yearly attendance is up. He stated vehicles parking on the street have one tire on the grass now but in the winter with snow banks this will not be possible. He stated that in 2020 he thought there was enough parking and they now realize there is not.

Mr. Ophardt asked suggested the application be tabled for further SUP research and for the attorney to have time to do homework on the Federal Law. Ms. Bagramian stated she seconds the suggestion. Mr. Scavo stated that they have 62 days from reviewing a complete preliminary site plan application to make a decision and he can add the application to the next meeting for 9/27.

Mr. Martin moved, second by Mr. Ophardt to adjourn the application until the next meeting. The motion was carried unanimously.

**Old Business:****2021-043 North Country Commons Redevelopment – Site Plan**

SBL: 270.-2-55

Applicant proposes building two new buildings for a restaurant and bank.

1208 Rt 146, Zoned: PDD - Planned Development District, Status: Final

Citizenserve File Number: 22-000014, Application Number: SPR22-000008

Applicant: N/A Consultant: Bohler Engineering - Steve Vukas

Last Seen On: 7-12-22

**Consultant/Applicant Presentation:**

Stephanie Dellalo – Ms. Dellalo stated they are here tonight for the 4900sf restraint and bank new development as well as the entire area being revitalized. She stated that all staff comments have been addressed.

**Staff Comments:**

**The Environmental Conservation Commission held a meeting on 9/7/22 and issued a memo recommending:**

1. The ECC, once again reiterates that the trees along Vischer Ferry Road be retained if they are in good condition. Clarification regarding the removal of the trees and cedar row could be done with symbols as the tree removal note only points to two trees on the demolition plan. The applicant should to all degrees practicable maintain mature trees and vegetation while also evaluating maximizing site distances involving vegetation in ingress and egress along Vischer Ferry Road.
2. The ECC recommends that as many of the mature trees, specifically those in the parking islands, between the main building and the proposed two structures be retained as possible to keep in concert with Clifton Park's role as Tree City USA.

**Wade Schoenborn, Chief of the Bureau of Fire Prevention:**

No comments

**Scott Reese, Zoning Administrator, issued a memo dated 9/9/22 stating:**

1. No comments

**Scott Reese, Stormwater Management Technician issued a memo dated 9/9/22 with the following comments:**

1. The LC Zone extends 50 feet from the Dwaas Kill Streambanks please revise accordingly (See Town Code Section A217-294 Establishment of district)

**John Scavo, Director of Planning issued a letter dated 9/8/22 with recommendations he made:**

- The Planning Board granted preliminary site plan approval with final approval conditioned upon the applicant returning before the planning board and demonstrating all outstanding comments provided by the Planning Board, Town Staff, MJ Engineering, and a final review letter are adequately addressed.
- The applicant has provided additional facade renderings and a response letter to the remaining comments.
- The final site plan review by the Planning Board serves to resolve residual issues between the applicant and the Planning Board. This review also ensures that any required modifications from the preliminary phase have been satisfied. The proposal's most substantive and detailed technical review occurred during the preliminary phase. Thus, this final approval phase should be viewed as a check on the tentatively approved preliminary site development plan. The board must determine that the proposal substantially agrees with the previous submission and that all required modifications have been incorporated. New information should be thoroughly reviewed and analyzed to determine its acceptability and compliance with the regulations.
- On July 12th, the Planning Board issued a Negative Declaration for the proposed site plan that was classified as an Unlisted Action under SEQR

**Professional Comments:**

**Walter Lippmann, P.E. of MJ Engineering in a letter dated 9/9/22 had the following comments:**

STATE ENVIRONMENTAL QUALITY REVIEW

1. No further comments.

SITE PLANS

2. No further comments.

STORMWATER POLLUTION PREVENTION PLAN

3. No further comments.

TRAFFIC

4. No further comments.

**Public Comments:**

No public comment.

**Planning Board Review:**

Mr. Martin stated that he liked the buffer with the existing, mature coniferous trees along Vischer Ferry Road currently provide. He believed they should be preserved in place to the greatest extent practicable. Steve Lucas – Bohler – stated that not all of the existing trees would be removed, and that the developer planned on retaining as many of those trees as possible; and the developer would be enhancing the landscaping with low lying vegetation along Cartwheels and that they would try to get as much in as they can while maintaining site distance.

Mr. Neubauer stated that the architectural renderings of the new buildings mesh well with the existing buildings renderings and nothing seems out of the ordinary. Mr. Neubauer stated he has no objections to the application.

Ms. Westrick stated that she doesn't think it fits in with other buildings in the area where there are peak rooflines and she would like to see this incorporated to better fit in with the commercial buildings. She asked if the applicant would consider a few not all of them squared off. Mr. Neubauer stated that that there is only one peak on the building across the road on Vischer Ferry and would like to keep the building as it is proposed tonight.

Ms. Bagramian stated that banks usually give their own architecture and it was submitted in March and it fits in with the plaza. Ms. Dellalo stated that the building fits in with Vent next door. Ms. Bagramian stated that the design and signage are an overall improvement.

Mr. Martin moved, second by Ms. Fariello, to waive the final hearing for this application for the site plan review of and to grant final site plan approval conditioned upon the 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.

### **Old Business:**

#### **2021-049 #2021-049 Route 146 Miller Rd Self Storage/Flex Space – Site Plan**

SBL: 270.-2-3.12

Applicant proposes developing the parcel with Flex Space and Self-Storage buildings. Rt 146 , Zoned: B5 - Corporate Commerce, Status: Revised Preliminary w/ possible determination

Citizenserve File Number: 22-000013, Application Number: SPR22-000007

Applicant: Secure It Self Storage - Mike Satterlee Consultant: Advanced Engineering - Nicholas Costa

Last Seen On: 6-28-22

### **Consultant/Applicant Presentation:**

Nick Costa – Mr. Costa stated that he is here tonight with Mike Satterlee. He stated that the application is on Miller Road and Route 146, it is a B-5 corporate district and all comment that has been made has been addressed. He showed an aerial of the site and stated that it is 45 total acres and they do not plan to disturb ACOE or DEC wetlands or buffers. He showed the site renderings and stated that the longer buildings are cold storage and the smaller ones are warehouse space. Mr. Costa stated that the drainage plan has been improved with moving the buildings around and that they plan to leave existing vegetation for screening on Miller Road. Mr. Costa stated that areas of little vegetation will be supplemented.

**Staff Comments:**

**The Environmental Conservation Commission held a meeting on 9/7/22 and issued a memo recommending:**

1. No comments.

**Wade Schoenborn, Chief of the Bureau of Fire Prevention:**

No comments

**Scott Reese, Zoning Administrator, issued a memo dated 9/9/22 stating:**

1. No comments

**Scott Reese, Stormwater Management Technician issued a memo dated 9/9/22 with the following comments:**

1. No further stormwater comments at this time

**John Scavo, Director of Planning issued a letter dated 9/9/22 with recommendations he made:**

- The applicant should verify the intent shown on the site plan to designate all available parking spaces directly adjacent to the proposed 1,200 sq.ft. office building designated as accessible parking only with access isles.
- The freestanding project sign and any wall-mounted signage require the applicant to file for and obtain a sign permit from the Clifton Park Building Department.

**Professional Comments:**

**Walter Lippmann, P.E. of MJ Engineering in a letter dated 9/9/22 had the following comments:**

FULL ENVIRONMENTAL ASSESSMENT FORM

1. No further comments.

SITE PLANS

2. On Sheet 3 of 14, both ADA accessible aisles shall be provided with a curb ramp to the sidewalk near the office.
3. 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. Pursuant to Section D104 of the IFC, commercial or industrial buildings that are exceeding 62,000 sq. ft. shall be provided with two separate and approved fire apparatus access roads unless equipped with automatic sprinklers (this exemption is permissible up to 124,000 sq. ft. of building area). Indicate if the facilities will be sprinklered or discuss this with Town Fire Code official.

4. The site plan has been revised and currently shows a total of 40 parking spaces. The 40 spaces are 20 less than required for the proposed uses. The Planning Board will need to consider granting a waiver for the reduction in parking.
5. Without knowing the exact uses of each building, additional ADA spaces should be considered at one or two of the warehouse buildings.
6. As noted in Comment 21 of our June 24, 2022 review, the impervious areas have no drainage structures to capture surface runoff and predominately relies upon sheet flow prior to discharge to the site stormwater management areas. It is common practice to limit flow paths over impervious surfaces like parking lots and roadways to approximately 300-400 feet to minimize the extend of shallow concentrated flows.

#### STORMWATER MANAGEMENT REPORT/STORMWATER POLLUTION PREVENTION PLAN

7. No further comments.

#### TRAFFIC

8. For the Miller Road intersection approach, the Town understands the current situation at this intersection (Route 146, Miller Road/Tanner Road) and has recently received state funding to study improvements at this location.

#### **Public Comments:**

Liz Delgrosso – 698 Tanner Road – Ms. Delgrosso asked if the plan allows for space if a rotary is needed at the corner of Miller Road and Route 146. Mr. Costa stated it allows room for this without modifying the site plan.

#### **Planning Board Review:**

Mr. Ophardt asked if the warehouse space would be used for light manufacturing. Mr. Costa stated that it would not be, but utilized more like contractor that keeps their materials in this site. Mr. Satterlee stated that everything behind the gate would need access.

Ms. Bagramian asked if the warehouses will have interior walls when built for dividing lease spaces. Mr. Satterlee stated that they would. Ms. Bagramian stated that the proposal looks better now and she feels it was originally too dense. Ms. Bagramian asked how thick the existing vegetation was. Mr. Costa stated its 10-100' thick across the street from the residential homes and that there are protected wetlands areas as well.

Mr. Ophardt stated that this layout is a big improvement.

Mr. Neubauer asked if the buildings are similar to his location in Halfmoon. Mr. Satterlee stated they are and that he took Mr. Neubauer's recommendations for the renderings. Mr. Neubauer stated that the property is sunk in where the site is and that the buildings may not be visible from Miller Road.

Ms. Bagramian stated that she likes the flex space at its new location and it looks nice.

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

Mr. Ophardt moved, second by Mr. Neubauer, to waive the final hearing for this application for the site plan review of Route 146 Miller Rd Self Storage/Flex Space, and to grant preliminary and final site plan approval conditioned upon satisfaction of all comments provided by the Planning Department, Town Designated Engineer, and all items listed in the final comment letter issued by the Planning Department.

**New Business:**

None

**Discussion Items:**

None

Ms. Fariello moved, seconded by Mr. Neubauer, adjournment of the meeting at 9:07 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on September 27<sup>th</sup>, 2022.

Respectfully submitted,

*Paula Cooper*

Paula Cooper, Secretary