

**Town of Clifton Park Planning Board**  
One Town Hall Plaza  
Clifton Park, New York 12065  
(518) 371-6054 FAX (518)371-1136

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PLANNING BOARD

DENISE BAGRAMIAN  
Chairwoman

ROBERT WILCOX  
Attorney

PAULA COOPER  
Secretary



MEMBERS

Emad Andarawis  
Eric Ophardt  
Heather Fariello

Mario Fantini  
Jennyfer Gleason

Keith Martin  
(alternate) Lisa Westrick

**Planning Board Minutes**  
**August 8th, 2023**

Those present at the August 8th, 2023 Planning Board meeting were:

Planning Board: D. Bagramian, Chairwoman, H. Fariello, E. Ophardt,  
K. Martin, M. Fantini, L. Westrick

Those absent were: E. Andarawis, J. Gleason

Those also present were: J. Scavo, Director of Planning  
R. Wilcox, Counsel  
P. Cooper, Secretary

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

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

Ms. Bagramian stated that Ms. Gleason has stepped down from the Planning Board due to purchasing a home in the Town of Halfmoon.

**Minutes Approval:**

Mr. Ophardt moved, seconded by Ms. Fariello, approval of the minutes of the July 11th, 2023 Planning Board meeting as written. The motion was unanimously carried. Mr. Martin abstained.

**Public Hearings:**

None

**Old Business:**

#2022-032 Van Patten Drive (Concord Development) Subdivision SBL: 265.-1-6.111 20 Lot Subdivision, 19 residential dwellings w/home office, Van Patten DR Zoned: B2 - Business Non Retail 2, Status: Revised Preliminary Citizenserve File Number: 22-000020, Application Number: SUB23-000018 Applicant: Concord Development - Chris Myers Consultant: Brett L. Steenburgh, P.E. PLLC Last Seen On: 04/25/2023

**Consultant/Applicant Presentation:**

Brett Steenburgh stated that this application was last seen in April for concept review. He stated that he has spoken to staff and has come back with the preferred layout by the applicant for this project. Mr. Steenburgh stated that MJ Engineering and sewer comments have been addressed and a full SWPPP has been submitted. He stated that soil tests have been done and found the ground to be sandy with fast absorption rates. Mr. Steenburgh stated that the storm water management system has been put together and that actual areas of clearing have been identified. He stated that the plans were submitted for review last month and that the applicant is looking to move forward with the plans as 19 building lots, with 10 curb cuts, and 9 shared driveways. Mr. Steenburgh stated that he feels like the applicant can move forward and is requesting approval consideration.

**Staff Comments:**

**The Environmental Conservation Commission and issued a memo recommending:**

- The applicant shall provide the Planning Board all test pit data and test pit location information related to the examination of past disposal practices on the proposed project

site. If the applicant believes that it has satisfied DEC soil and water quality standards it should provide that information as well.

- Given the business nature of this project, the Planning Board should ensure that the signage and hours of operation are appropriate for the residential nature of the surrounding community.

**Scott Reese, Zoning Administrator issued a memo stating:**

- Future plans and/or narrative shall describe how the project will meet Town Code Section 208-34 B. Architecture. Within the narrative provide possible minimum / maximum percentages of office space to residential building area.
- Show the existing property boundary between tax map parcels 265.-1-81.1 & 265.-1-72.11. It appears that a lot line adjustment will be needed for tax map parcel 265.-1-11 for Lot 19. The proposed structure on Lot 19 shall remain out of the current LI Zone.
- Label or provide a legend for the building setback lines and other preliminary plat required items.
- For a Preliminary Subdivision Submission: Per Town Code Chapter 179-11 A (1) All existing and proposed property lines, present zoning and building setback lines, easement and right-of-way lines with dimensions, azimuths or angle data and curve data.
- Any proposed signage will require the property owner to apply for a sign permit with the Town of Clifton Park

**Scott Reese, Stormwater Management Technician issued a memo stating:**

- The stormwater drainage calculations do not take in consideration of off-site runoff from the development to the north. The proposed Infiltration Basin #2 will be impacted by this runoff and the additional flow should be included in this report.
- If the Infiltration Basin #2 remains in the flow of off-site runoff, the graded entrance into the basin should be reinforced.
- Provide maintenance access all the way down to Infiltration Basin #3
- Provide permanent slope stabilization to the proposed drainage between proposed lots 17 and 18 that drain to the proposed Infiltration Basin #3.
- Provide the Grass Channel (Vegetated Swale) Worksheets to show the pretreatment volumes.
- Test Pit #1 is at the depth of the bottom of Infiltration Basin #1. The depth of the test pit should reach 3 feet below the bottom of the infiltration basin to verify there is no groundwater present.
- For the HydroCAD modeling, the time span should increase till the inflow depth equals out.
- Provide the required sediment trap storage volume that should be provided for every acre of contributing drainage and that the vegetated swales are large enough in volume to handle that requirement.
- Label the post-development sub-catchments on the Proposed Drainage Map.

- Fill out the Notice of Intent and include in the SWPPP.
- The soil mapping in the SWPPP will need to be updated to refer to this project.
- On page 6 Section 2.2 in the SWPPP refers to porous pavement, please verify.
- On page 1 Section 1.1 in the SWPPP refers to the disturbance at 5.74 acres, please verify

**Jennifer Viggiani, Open Space Coordinator issued a memo stating:**

- Thank you for the Planning Board’s hard work of deliberating on this Van Patten Drive Subdivision amidst public concerns. I encourage the Planning Board to stay the course with the previous proposal for shared driveways, with ready access to the existing multi-use trail in future residents’ front yards, and for preserving as much of the rear of the site parallel to the railroad tracks as possible, to retain more intact forest habitat and buffer from the railroad. With the Town’s 250-acre Dwaas Kill Nature Preserve on the south side of the rear railroad line, leaving the site as more intact habitat is preferred. The significant environmental impacts and community character impacts of introducing a new roadway in this corridor, are too great. It is unfortunate that the project is not in R-1, as the project could be shown as a cluster subdivision as an option, to conserve more land. Below, I offer a few comments and recommendations on the proposed parallel service road to Van Patten Drive layout for the Planning Board’s kind consideration and ultimate decision-making:
  1. The addition of more impervious surface in the form of this additional roadway creates significant environmental impacts:
    - a. creates more stormwater runoff;
    - b. will cause the removal of more trees onsite beyond the earlier layouts proposed;
    - c. additional asphalt contributes to more heat island effect;
    - d. Less trees onsite mean less carbon removal by trees (they work hard providing ecological services);
    - e. and all the other negatives associated with impervious surfaces.
  2. Economic reality: Has the developer evaluated the cost of a new private service road and what that means for the financials of the proposed 18- home project? Can 18 homes realistically afford to maintain a significant private service road over the long run? Is this a realistic infrastructure cost for the viability of the subject project? The town has seen other project ideas fade when the full costs of infrastructure are taken into actual account.
  3. The additional service road parallel will create significant impact to community character: Will the future homeowners, if this project gets built out, realistically want to live with a town road, a paved multi-use trail, and another private road all visible in their “front yards”? That is a tremendous view of wide swaths of asphalt. The front yard view of all of that asphalt – seems counter to the rest of the community’s residential neighborhood character.
  4. Pedestrians Cut off from Existing Multi-Use Trail: reduction of homeowner access to the multi-use trail: if the proposed parallel service road layout goes forward, how will families/homeowners access the multi-use trail? Will they have to cross the additional roadway, walk across grass, and finally reach the multi-use trail? This means that the future homeowners, of all ages, will be cut off from the ADA accessible multi-use trail, unless they walk on the roadway surface all the way to the end of the service

road and its intersections with Van Patten Drive, and then access the trail. With a prior layout, the access to the multi-use trail would have been immediately from their driveway or front path to the multi-use trail, which would be a much friendlier and more accessible way to invite future neighbors to connect with walking path. The existing multi-use trail is meant to be used for full human mobility: pedestrian transportation and bicyclist transportation. Please kindly seek a layout of infrastructure that supports future, new neighbors having direct access to the existing walking/biking path, please. 5. Potential for Higher Speed Driving on Van Patten Drive with more clearance and more pavement parallel to Van Patten Dr: I anticipate that with a wider swath of asphalt and wide open space with houses set further back with the additional roadway, that drivers on Van Patten Drive may actually drive even faster than if there were 9 driveways along Van Patten Drive. The visual design cues of a wide open corridor experience along Van Patten Drive would predict higher speeds, not lower driving speeds. 6. Are street trees envisioned under any layout proposed? Recommend the installation of a meaningful pattern of street trees, installed as a diversity of species along the way, and to define and help narrow the drivers cues of an open corridor that helps drive speed. Additionally, the street trees would help offer shade along the multi-use trail. Sent Via Email 6-22-2023

**John Scavo, Director of Planning issued a memo stating:**

- Add a note to the plan and HOA offering stating that, "The Town's land use enforcement powers shall be limited to applicable local zoning, site plan, and subdivision ordinances and powers enforceable under the NYS Building and Fire Code in addition to the Notice of Decisions and approved plans for site plan and subdivision associated with this project. "
- Amend the plan to reflect ownership if the 10.84 acre parcel is to be transferred to the HOA.
- Sheet 1 of 13 should be reproduced and labeled site plan with the following notations added: Site Plan Notes 1. Town Staff at the time of building permit shall ensure all building improvements are permitted within the B-2 Zoning District and comply with the minimum setback and space & bulk requirements shown on this plan. 2. Town Staff at the time of building permit for each residential/office structure shall review the building elevation to ensure general conformance with the elevations provided to the Planning Board for meeting the intent of providing residential characteristic style structures pursuant to Section 208-34B-Architecture. 3. If Town Staff deems any building permit request out of conformance with the site plan or subdivision. The request may be remanded to the Planning Board for additional review.

**Professional Comments:**

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

STATE ENVIRONMENTAL QUALITY REVIEW

1. No further comments.

LONG ENVIRONMENTAL ASSESSMENT FORM

2. No further comments at this time.

SUBDIVISION

3. Per Comment 3 from our April 21, 2023 review, the subdivision plat shall provide the metes and bounds for all easements (HOA, sewer, water), property lines and right of ways.
4. Per Comment 9 from our April 21, 2023 review, provide a sewer engineering report with proposed system (materials, sizes, etc.) and anticipated flows for review.
5. The infiltration basin cross sections show overflow weirs, provide stone at these locations on plans to prevent erosion.
6. An erosion and sediment control plan shall be provided showing the construction phasing and sequencing of operations to ensure 5 acres or less will be disturbed at any time.
7. Show how runoff during construction will be diverted away/around the proposed infiltration practice. This will include both sheet flow and piped flow that would need to be diverted / managed until the basin has been fully constructed and adequate cover established within the confinement area.
8. There are several swales that have steep slopes, therefore check dams shall be installed at recommended intervals.

STORMWATER NARRATIVE

9. The infiltration basin needs to include means to operate during wintertime conditions. This may include the installation of a series of drywells that penetrate the upper frost layers of the soil, which would permit infiltration even in cold/freezing weather.
10. Provide a draft NOI for review.
11. Extend hydrograph out to 48 hours to show it can be fully dewatered during that time frame.
12. The predevelopment acreage indicates 30.54 acres however the post development model indicates 24.4 acres. Revise accordingly as these numbers should match.
13. 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.
14. 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.
15. Provide the existing and proposed condition watershed maps with each design point location.

16. The SWPPP shall include the operation and maintenance required of the installed stormwater management facilities pursuant to Part III.B.2.f of GP 0-20-001.
17. Since it appears the on-site stormwater management facilities will be privately owned, this shall be acknowledged in the SWPPP and a maintenance agreement and easement for access executed with the Town of Clifton Park will be required.
18. The applicant shall provide written responses to all technical comments provided by Town staff and consultants as part of the next submission.

### **Public Comments:**

No public comment.

### **Planning Board Review:**

Mr. Fantini stated that he saw a letter from a neighbor that stated that they would be going to appeal the decision that the use is acceptable in the B2 zone with the Zoning Board of Appeals. Mr. Fantini asked for this to be explained. Mr. Scavo stated that the Zoning Officer looks at the B2 permitted uses and Mr. Steve Myers, predecessor to Mr. Scott Reese determined that his interpretation of the Code was that the use is allowable if the office is used for business use only and cannot be converted into residential space. Mr. Scavo stated that the Law states that an appeal of that determination can occur within 30 days by filing an appeal of interpretation request to the Zoning Board of Appeals and that is the issue is outside of the Planning Board's scope. Mr. Fantini asked how a resident would know this and that the time period was long past by now. Mr. Scavo stated that the decision is made when the agenda is published. Mr. Andy Brick, Brick Law Firm, stated that the time frame is set by Article 16 and states 60 days from the determination correcting Mr. Scavo's previous statement and this is when the agenda is made public and that this has been upheld numerous times by courts.

Ms. Bagramian stated that she looked through the HOA and stated that she feels that a 3rd party management is needed and feels that residents cannot understand what needs to be upheld. Mr. Brick stated that there are management companies in the area that manage HOAs and the request is common practice. Mr. Brick stated that he has confirmed with the applicant that this can be done with no objection and that a 3rd party management for the HOA is a good idea.

Ms. Bagramian stated that page 28, 8.08.1, of the HOA has permitted uses for the home office and read them aloud. She stated that she feels that these are busy uses and feels that they are too broad for what she is looking for. Mr. Brick stated that page 29 section 3-f has restrictions for the entry of the dwelling so it will not be utilized actively by customers. Ms. Bagramian stated that she feels that this is still too broad; Mr. Brick stated that they are willing to add more restrictions

such as no customer or client visits to the office as a condition of approval. Ms. Bagramian stated that there are ratios for parking for medical uses that need to be considered here as well.

Ms. Bagramian stated that she feels that 10-20% office use can lead to large offices and can result in ballooning. Mr. Brick stated that they can limit the space to 15% of the total square footage and that only family members that reside in the home are allowable employees. Ms. Bagramian stated that this would be hard to police. Ms. Bagramian asked how many parking spaces would be on the plan. Mr. Brick stated that the homes would be between 2,400 sf and 3,200 sf total footprint which would lead to a good size office space. Ms. Bagramian stated that she does not like medical here at all and she feels it is not fair to others who come before the Town looking for medical space. Mr. Scavo stated that he has had one person come in who would be interested in this as the individual does solely tele-med consults and has zero client visits but due to HIPPA regulations needs a private space to work. Mr. Brick stated that he has worked with an individual in Massachusetts who does tele-counseling, this person does not have anyone in her office, and is looking to expand services to New York. He stated that this is not for a doctor looking to do physicals; but rather, for example, surgeons who consult from computers around the country. Ms. Bagramian stated that she still has concerns about how this will be monitored. Mr. Brick stated that he feels it would be policed the same way as a B2 property owner would have to follow allowable usages.

Ms. Fariello stated that the HOA could be re-worded to state that doctors with tele-med practices only and no in-person visits are allowed. Mr. Ophardt asked if this would go for all practices and business as well such as lawyers. Mr. Brick stated that they can restrict all of them to non-patient contact with no customers or patients on-site.

Ms. Bagramian stated that she feels that people will do different things once they are the owners and that they may feel that one visit would not be harmful. She asked about the statement in the paperwork that talks about incidental sales and asked who decides what this is. Mr. Brick stated that he can take out the section with incidental sales and add in no patients or customers. He stated that these are set up to be telecommunication offices and have no office visits.

Mr. Fantini asked if there is a restriction on how often an office is utilized such as the office being used once a month, 10 hours a week, etc. to ensure the office remains an office. Mr. Brick stated that they are marketing the property as a home with an office with restrictions and that they are subject to the rules of the HOA. Ms. Bagramian stated that you cannot throw out a homeowner so how do you police effectively without penalty or is there a penalty. Mr. Brick stated he is unsure, but the HOA may develop fines, and violations will be covered and enforced by the HOA. Mr. Martin read a letter written by a resident with concerns, Ms. Tiffany Walagora, and stated that the resident has valid concerns with the ability of the HOA to enforce regulations as well. Mr. Brick stated that the B2 zoning does not require an HOA but that the applicant is willing to agree to it.

Mr. Martin stated that he feels that the applicant has made great strides for the application but that he still has concerns with the ambiguity of the application and HOA enforcement. Mr. Brick stated that the applicant has accommodated and met all applicable zoning and subdivision codes and they are willing to meet comments but feels that they are in compliance.

Mr. Fantini asked that applicant to go over the service road versus the curb cut layouts. Mr. Brick stated that the service road would drastically decrease green space, pushes lot building areas back towards the railroad tracks and would increase impervious surfaces, impacts the view shed which the applicant has tried to buffer, as well as other concerns. He stated that that cost would increase as well due to the upkeep of the road and would decrease the home values. Mr. Brick stated that Van Patten Drive is a collector road not an arterial, so it is fine to have properly spaced drives off them like others in the Town. Mr. Fantini asked if this is common to see or is there something specific to this plan that makes it unique for the service road not to be looked at. Mr. Brick stated that there is a huge loss of green space and an increased loss of benefits in general so that is why the applicant decided not to go with the service road.

Mr. Ophardt stated that he feels that nothing has changed. He stated that the applicant can do 60' driveways instead of 110' and add a road. He stated that the applicant has never come to the Board as requested with the service road as asked and does not know why. Ms. Bagramian stated that she feels that they have not brought this as requested as well. Mr. Brick stated that they have not come to the Board because they feel it did not work and that the Board has the ability to approve, deny, or approve the application with conditions and not to design and dictate plans beyond code requirements. Mr. Brick stated that the applicant has looked at the alternative as requested and has decided to proceed with the plan design of no service road in compliance with local codes and zoning regulations. Ms. Bagramian stated that Mr. Ophardt is asking while not dictating the plans, she stated that the Board has asked for things from the applicant and they have not been brought. Mr. Chris Myers, applicant, stated that they have designed the layout many times and have given it to staff for review after every meeting. He stated that if the staff distributes it to the Board he does not know why and further requests a vote this evening on the plan layout.

Mr. Ophardt stated that he has a number of traffic safety concerns for the public, residents and pedestrians. Mr. Ophardt asked for his fellow Board members not take any action tonight until alternative service roads are submitted to the Board. Mr. Ophardt read from a letter he wrote stating his feelings on the service roadway layout, including 19 points providing benefits beyond the applicant's proposed layout. He stated that the cost has been brought up but the cost is not a concern of the Board but rather the health and safety of the community. Mr. Ophardt stated that the service road would only add a 0.43% change in the cutting of trees and he does not agree with Ms. Viggiani's comments. He stated that a service road fits the character of the neighborhood and benefits the community more as well.

Mr. Martin stated that both sides can be argued but Section 208-30b of the Town Code states that the purpose of B2 is to have more traditional buildings or parks to maintain a transition between residential and retail areas, there is no real clear cut intent as to what that looks like. Mr. Martin stated that he would like more time to consider the application; Mr. Fantini agreed that he would like more time as well.

Mr. Wilcox stated that by law a decision needs to be made tonight as they are over the 62 days and the applicant is no longer consenting to additional extensions beyond what was already mutually agreeable prior to this evening.

Ms. Fariello asked if this is voted on tonight, and approved, would the applicant agree to do everything that was discussed here tonight. Mr. Brick stated that he agrees to all changes made tonight that were previously stated.

Ms. Bagramian stated that she would like to see that all violations found by the HOA reported to the Town and that a budget of HOA obligations be submitted to the Town as well. Mr. Brick stated he would agree to this.

Mr. Fantini stated that he would like to see fines given by the HOA for violations. Mr. Brick stated that this can be done.

Mr. Martin asked the applicant if he would like the Board to vote tonight or if he would like to reconsider. Mr. Brick stated that he is going by the direction given to him by his client and that he is requesting a vote tonight.

Ms. Fariello offered Resolution No. 11 of 2023, seconded by Mr. Martin to waive the final hearing for this application for the Van Patten Drive (Concord Development) 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, and comments made to the board by the applicant.

**Roll Call:**

D. Bagramian - Yes

E. Andarawis - absent

E. Ophardt – No per his 19 reasons entered into record supporting a private service roadway.

H. Fariello - Yes

K. Martin – No

L. Westrick – No

M. Fantini - No

Vacant (alternate) -

Ayes 2

Noes: 4

The resolution is denied.

**Old Business:**

#2022-044 1739 US-9 Medical Building Site Plan(Alda) SBL: 272.1-2-13.1 A 2-story, 10,500 square-foot medical office building is proposed with 70 parking spaces,1739 Us Rt 9 Zoned: B4A - Highway Business/Restricted Retail, Status: Revised Preliminary Citizenserve File Number: 22-000054, Application Number: SPR23-000019 Applicant: Alda Enterprises of Albany, LLC Consultant: Bohler Engineering Last Seen On: 02/15/2023

**Consultant/Applicant Presentation:**

Caryn Mlodzianowski, Bohler Engineering, stated that the application is on a 1.2 acre parcel in the B4a zone and is currently a vacant site. She stated that the application was for 12,000 sf of medical space with 70 parking spots and they were asking for a parking waiver. Ms. Mlodzianowski stated that the Board has had some concerns with the medical use intensity and parking available so the building was scaled back to 10,500 sf with 70 parking spots provided which now meeting code at 70 spaces required. She stated that a sidewalk was put into the plans as requested by the Board while working around the existing trees on the site. She stated that most comments have been satisfied and have no issue decreasing the drive aisle to 24'.

**Staff Comments:**

**The Environmental Conservation Commission and issued a memo recommending:**

- 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. From the renderings it does not appear that the dumpster area meets these requirements.
- The ECC recommends the applicant to plant additional native tree species in designated open space.

- The ECC believes that four trees are insufficient for this project.
- The ECC notes that several large mature trees are being removed along the southern boundary. We recommend that they be retained or replaced with similar foliage. The current plan does not show any additional tree plantings along this boundary.
- The applicant has indicated that 43% of the project site will be greenspace. The Planning Board should require the applicant to provide the detailed calculations substantiating the proposed amount of greenspace.

**John DeSimone, Fire Marshall issued a memo stating:**

- Without knowing the Occupancy type additional fire access road modifications may be needed. (Can be determined during our building review)
- Without knowing if the building is sprinklered, additional fire access road modifications may be needed. (Can be determined during our building review)
- If building is sprinklered additional hydrant may be required to meet 100' distance requirement to FDC.
- Existing postal number to remain the same for this project. 1739 Route 9, Clifton Park NY 12065.

**Scott Reese, Zoning Administrator issued a memo stating:**

- This project was granted an Area Variance on October 18, 2022. Area variance from Town Code 208-50.3B from required 30 feet front yard parking setback - actual setback 13.7 feet - variance approved 16.3 feet. Chapter 208-50.3.D from the required 50 feet building rear yard setback - actual setback 22.5 feet - variance approved 27.5 feet.
- Medical Offices are a permitted use in Zone B-4A since all uses in B-3, B-2, and B-1 with the exception of dwellings is permitted in the B-4A Zone.
- On Sheet C-301 on the Zoning Analysis Table - to the right of the parking stall criteria, should the required parking be 70 spaces instead of 85 spaces?

**John Scavo, Director of Planning issued a memo stating:**

- The applicant has reduced the building's total square footage thereby reducing the number of required parking spaces to address a previous concern expressed by the Planning Board that the site was significantly under parked for the use.
- All my prior comments were previously addressed. Planning Staff supports the site plan's development that mitigates an eye sore along the Route 9 corridor since fire destroyed the former building in August 2017 (6-years).
- I recommend the Planning Board issues a Negative Declaration for the Unlisted Action pursuant to SEQRA

**Professional Comments:**

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

## STATE ENVIRONMENTAL QUALITY REVIEW

1. No further comments.

## PROJECT NARRATIVE

2. No comments.

## SITE PLAN

3. Per Comment 4 from our February 9, 2023 review letter, the proposed building is greater than 30 feet high, therefore a twenty-six (26) feet wide aerial apparatus access shall be provided that is between 15 and 30 feet of one entire side of the building in accordance with Appendix D105 of the NYSFC. The aerial apparatus access on the plans indicates 24 feet along the front of the building.

## DRAINAGE REPORT

4. No further comments.

**Public Comments:**

No public comment.

**Planning Board Review:**

Ms. Bagramian thanked the applicant for bringing the parking: building ratio to meet code.

Mr. Ophardt asked if the applicant would be giving an easement to the sidewalk. Ms. Mlodzianowski stated that they would if the code requires it but the intent is to have it for public use. Mr. Ophardt asked if the applicant could bring the stop bar further away from the crosswalk. Ms. Mlodzianowski stated they could move the stop bar so that they would be able to fit one car between it and the crosswalk.

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. The motion was carried unanimously.

Mr. Ophardt moved, second by Mr. Fantini, to waive the final hearing for this application for the site plan review of 1739 US-9 Medical Building Site Plan (Alda), 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.

Ayes:   6                        Noes:   0                        The motion is carried.

**New Business:**

7 Torrey Pines In-law Apartment SUP -Site Plan SBL: 259.17-1-20 Residential home extension, single story extension, 7 Torrey Zoned: R1 - Residential, Status: Concept Citizenserve File Number: 23-001782, Application Number: SUP23-000008 Applicant: Xu Chen Consultant: N/A

Mr. Scavo stated in the meeting that the applicant has decided to table the application and go for a variance first. He stated that the applicant has shifted the addition from the corner to attach it to the existing building to address concerns of a separate dwelling unit. Mr. Scavo stated that applicant will be back at a later time and after seen for variances by the Zoning Board of Appeals.

**Discussion Items:**

Mr. Scavo stated that a save the date for a CDRPC Planning Conference has been sent out to the Board members.

Mr. Scavo asked Ms. Westrick if she would like to complete the term for Ms. Gleason, whom had to step down as a Board member. Ms. Westrick stated that she would. Mr. Scavo stated he would get a resolution allowing such before the Town Board for its consideration.

Ms. Fariello moved, seconded by Mr. Fantini, to the adjournment of the meeting at 8:24 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on September 12th, 2023.

Respectfully submitted,

***Paula Cooper***

Paula Cooper, Secretary