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PLANNING BOARD

ROCCO FERRARO
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Secretary



MEMBERS

Emad Andarawis

Michael Hale

Joel Koval

Eric Ophardt

Kim Paulsen

Tom Werner

(alternate) Eric Prescott

Planning Board Meeting Minutes

January 28, 2014

Those present at the January 28, 2014 Planning Board Meeting were:

Planning Board: R. Ferraro, Chairman, M. Hale, J. Koval, E. Ophardt, T. Werner, K. Paulsen
E. Prescott – Alternate Member

Those absent were: E. Andarawis

Those also present were: J. Scavo, Director of Planning
J. Bianchi, M J Engineering and Land Surveying, P.C.
P. Pelagalli, Counsel
M. Springli, Secretary

Mr. Ferraro, Chairman, called the meeting to order at 7:02pm. All in attendance stood for the Pledge of Allegiance. Mr. Ferraro announced that Mr. Prescott would be a full voting member of the Board in the absence of Mr. Andarawis. The chairman then remarked that if anyone was in attendance for the Brooks Grooms Subdivision since it was rescheduled for the next planning board meeting to be held on February 11, 2014.

Minutes Approval

Mr. Werner moved, seconded by Mr. Ophardt, to approve the minutes of the meeting on January 14, 2014 as written. Ayes: Ophardt, Prescott, Koval, Hale, Werner. Noes: None. Abstain: Paulsen

Public Hearings:

2010-038 Windhover Farms

Proposed 25-lot subdivision, Zoned: CR, Grooms Road, Preliminary review and possible determination SBL(s):276.-1-15.21, 276.-1-27.111, 276.-1-77, 276.-1-9

Mr. Ferraro also explained that this public hearing would not be the only public hearing prior to granting final approval for the project, adding that there were further concerns relating to SEQR that need to be addressed. The Chairman then called the public hearing to order at 7:07p.m. The Secretary read the public notice as published in the Daily Gazette on January 21, 2014.

Consultant/Applicant Presentation:

Kevin Dailey presented this application, by first showing the project parcels on a map. Mr. Dailey gave a brief overview to remind planning board members of the history and ownership of this project. The speaker noted that public sewer and water was planned for this location. Mr. Dailey noted that there is one parcel that at one point in time was contiguous to the remaining acreage but was separated when Niagara Mohawk had taken a portion of the land but granted an access easement to the owner. Therefore the parcel which is under the same ownership should be able to be counted towards the acreage used in the density calculations. Mr. Ferraro asked to clarify if this could be considered a contiguous lot vis-a-vis the deeded access easement. Mr. Dailey replied that he thought that was accurate and further maintained that if the power line had never been built the remote lot would still be a part of the larger parcel.

Next, Mr. Dailey noted that the subdivision is split between two distinct fire districts adding that some of the lots are situated in both districts. The consultant stated that it would require fire district public hearings and a redrawing of their district lines prior to the Planning Board being able to grant approval. Next, Mr. Dailey then reviewed the method used to arrive at 25+ lots for the subdivision. Mr. Dailey stated that they are requesting the option to round up to arrive at 26 lots with one existing residence to remain.

Mr. Dailey stated that the open space is intended to be kept in private ownership. Mr. Dailey also stated that a prior non-conforming existing special use permit exists for this property. Mr. Dailey then commented that it would be intended to eventually donate the open space with some of it being used for trails adding that when the town adopted CR (conservation residential) zoning in 2005, he stated that the GEIS study mentioned the desire to set up a nature preserve in this area. Mr. Ferraro asked where the intention to donate the property lay. Mr. Dailey that it was the projects intention to donate the land and said that there was a not-for-profit organization that was interested in obtaining the land and making costly repairs and improvements prior to any donation being accepted by the Town. Mr. Ferraro then asked if a portion of the land could be designated for the town as passive use and for another portion to be designated to an outside entity as active use. Mr. Dailey replied that that was a possibility or the whole thing could go to the town. The speaker then added that the land has been appraised and that it is very valuable, although he stated that with the present zoning it can't be used for residential development. Next, Mr. Dailey maintained that with the pre-existing special use permit in place, it could be a great asset to the community.

Staff Comments:

Environmental Conservation Commission

The ECC held a meeting on January 21, 2014 to discuss the project and issued a letter stating that they had no new comments to be addressed.

Fire Prevention

Sheryl Reed issued a memo dated January 22, 2014 with the following question(s) and comment(s):

- 1) Once the Planning Board has agreed to a final layout of the proposed subdivision it then needs to be sent to the Rexford and Vischer Ferry Fire Districts for a district line adjustment prior to any final approvals of the project.
- 2) Will the proposal have Town Roads?
- 3) Will the proposed access road be privately owned or Town owned? Who will maintain it?
- 4) Will the access road be for Fire Department use only? Will it be gated?
- 5) Will the project have Town water?

Building and Development

Steve Myers issued a memo dated January 13, 2014 with the following comment(s):

- If parcel 276.-1-77 is a "separate legal entity", then I do not believe it should be included in the density calculations.
- 24.58 lots is 24 lots not 25.
- Do not see how any plan can be approved until the fire district lines are agreed to since the current "concept" shows the district boundary going through houses and lots which is not practical. They can use this plan to determine where the line will be but their decision may require reconfiguration.
- If SWPPP is not current and requires modification, it must be re-submitted in its proposed final form, -not being reviewed at this time.

Planning

John Scavo offered the following:

The Planning Director stated that his comments from 11/26/2013 had been adequately addressed and he was in agreement with the comments that the town designated engineer would be offering into the record this evening. Mr Scavo acknowledged that documentation demonstrating the existence of an easement to allow all parcels to be considered as contiguous for purposes of this project have been provided by the applicant and will be made part of the project record. Mr. Scavo also clarified the issue raised by Steve Meyers re: the permitted number of lots stating based upon review of the regulations as it relates to this proposal, he agreed that the number of lots proposed by the applicant is correct.

Professional Comment:

Joel Bianchi, MJ Engineering issued a letter on 1/27/2014 with the following comment(s):

MJ Engineering and Land Surveying (MJ) has reviewed the latest submission for the above referenced project. Documents received for our review included the following:

- Map entitled, “Subdivision Plan - Windhover Farms” as prepared by Infinigy Engineering, last revised January 6, 2014;
- Map entitled, “Unconstrained Lands – Windhover Farms” as prepared by Infinigy Engineering, dated December 17, 2013;
- Project Narrative as prepared by Infinigy Engineering, dated January 6, 2014;
- Memorandum addressing staff comments as prepared by Infinigy Engineering, dated January 6, 2014, and;
- Full Environmental Assessment Form, dated January 6, 2014.

Based upon our review of the above documents, we offer the following comments for consideration.

State Environmental Quality Review

1. No additional comments.

Full Environmental Assessment Form

2. A full environmental assessment form has been submitted, but on the out dated form. Please submit the recently revised EAF form for review.
3. Under Part A.6 and 7 the responses indicate that the site does not contain nor is it contiguous to historical or culturally significant areas. By correspondence, the NYS Office of Parks, Recreation and Historic Preservation has commented on the project. However, it is unclear if the correspondence covers all off-site utility routes currently being contemplated.
4. Under Part A.9, the response indicates that project is not located over a primary, principal or sole source qualifier. In our review of the record information, it appears that the project may be located over or in close proximity to the Schenectady – Niskayuna Sole Source Aquifer, which extends into the southern portions of the Town of Clifton Park.
5. Under Part B.16.c the applicant has indicated that the Town of Clifton Park land fill as the local landfill to receive solid waste from the development. The Town’s landfill is a transfer station and does not accept bulk solid waste from local commercial haulers and therefore the response provided is likely not appropriate.

General Comments

6. As noted in Comment 3 of our November 22, 2013 review, the applicant shall provide the Town documentation of the CPWA’s ability and willingness to service the project with potable water.
7. As noted in Comment 5 of our November 22, 2013 review, the applicant shall provide the Town documentation of the SCSD’s ability and willingness to service the project with public sewers.

Subdivision Plan

8. As noted in Comment 11 of our November 22, 2013 review, portions of the proposed dedicated open space are on a parcel that is not contiguous to the project (Tax ID 276.-1-9). The applicant has presented information supporting this area's inclusion as open space. We would defer to the Town on this matter.
9. As noted in Comment 12 of our November 22, 2013 review, the project proposes permanent open space and the applicant needs to indicate the form of ownership, whether it be retained as private (common or uncommon), semi-public under a land conservancy or public to the Town.
10. As noted in Comment 15 of our November 22, 2013 review, subsequent plan submissions need to define the locations for off-site connections for both public water and sewer with associated layout and design provided for review.
11. As noted in Comment 17 of our November 22, 2013 review, the project proposed a secondary emergency access road which needs to be reviewed by the Town's emergency responding agencies. The applicant has indicated that this road will be built to Town standards and will be offered to the Town up to the first intersection with the internal roads with the remaining sections that extend into the property to be under private ownership. The applicant's response results in various questions as follows:
 - a. It does not appear that the adequate right of way is being provided that is required of Town roads pursuant to Section 86-6 (B)(1) of the Town Code of the Town Code.
 - b. The horizontal geometry of the road at its mid point where there is a reverse curve does not appear to meet Town standards with respect to the center line radius of the road of 300 feet pursuant to Section 86-6 (C)(1) of the Town Code.
 - c. There needs to be indication who will own the remaining sections of the road north of the first internal intersection.
12. As noted in Comment 18 of our November 22, 2013 review, there appears to be encroaching private driveway on Tax ID 276.-1-77 that may provide access to 316 Miller Road which needs to be resolved as part of this subdivision application.
13. As noted in Comment 20 of our November 22, 2013 review, there needs to be an assessment of the sight distance at each proposed intersection to ensure there are clear lines of sight entering and exiting the project.

Mr. Dailey responded that the applicant would resubmit a full EAF on the new form. Mr. Dailey then replied that the applicant had a signoff letter from SHPO and that the area of disturbance is greatly reduced from the prior submittal. The consultant then stated that the applicant planned to bore a sanitary sewer line underneath the wetlands and back field to a pump station in Settler's Hill to avoid disturbing sensitive areas and digging in the wetlands. Mr. Bianchi added that might be a good approach but that the project needs to show that it would meet the standards for SHPO. Mr. Dailey stated that there is capacity for sewage and water according to the water authority and sewer district. Mr. Ferraro asked if that could be verified.

Next, Mr. Dailey stated that he believed that this site was near the escarpment on bedrock and not the Niskayuna/Schenectady aquifer but that it will be verified. Mr. Hale said it can be mapped and determined very quickly. Mr. Dailey stated that the applicant would speak with the water authority and that there might be an opportunity for the applicant to contribute toward improving the water line access on Grooms Road where a gap currently exists to loop the system perhaps with some of the other projects the Water Authority is considering.

Mr. Dailey next responded that the shared driveway agreement for the lot could be submitted to the Planning files for the record to avoid any issue of encroachment noted in Comment 12 above. Next, Mr. Dailey stated that a traffic study had been completed and would be submitted soon for review.

Public Comment:

Anthony LaFleche, a resident at 21 Wheeler Drive and member of the Trails Subcommittee of the Open Space, Trails and Riverfront Committee, asked if there was any space for a trail along the north side of Grooms Road. Mr. Dailey stated there is a 15' ROW shown on the plan for a potential future path. Mr. LaFleche asked how large the lots are as planned and the response was that they were 1/2 acre and larger. Mr. LaFleche then asked if it made sense that nearest fire department (Vischer Ferry) would be designated as fire district. Mr. Dailey stated that it would be likely that the district lines will be modified slightly to match the proposed lots based on the existing boundaries.

Chuck Eells, of King Crest Farm on 831 Grooms Road stated that this was the 3rd proposal by the applicant for this property. Mr. Eells showed on the map that the proposed project abuts 3 sides of King Crest Farms. Mr. Eells stated that he applauded the applicant for scaling down from the prior project, clustering the homes and adding the open space but that they would like to ensure that King Crest Farms' security and stormwater runoff would be maintained. Historically, hundreds of trucks of fill had been added for polo fields, raising the fields above the level of King Crest Farm and that caused some runoff in the speaker's fields. Mr. Eells stated that the problem has been mitigated over time but that he is still concerned that any new building will cause further runoff issues. Mr. Eells also noted that it is known that that new residents will want to trespass on their farm fields and his family would like to have some kind of physical barrier on the border of their farm added to detract from that temptation. Mr. Eells also stated that new homeowners may object to farm activity and Mr. Eells would like it made clear that there is the right-to-farm in town and it may include odors, noise and other activities which are consistent with farming. Mr. Eells added that the Town owns King Crest's development rights as of 2007 so they have a great interest in what happens in this area. Mr. Eells gave a copy of correspondence from John Hamilton of Saratoga County Soil & Water Conservation District dated 10/10/2003 which was added to the file and emailed to planning board members for the record.

Mr. Ferraro noted that there are much more stringent stormwater requirements and regulations in place currently and that stormwater must be controlled entirely on the project site. The chairman then added that a barrier near the homes to be constructed on the border to the

farm would be considered as well.

Mr. Dailey thanked Mr. Eells and showed where the stormwater management area was on the project and noted that 3 lots back up to King Crest Farm adjacent to the Eells' son's residence and that some screening could be maintained or increased .

Dick Harlow, resident on 838 Grooms Road, suggested the speed limit be reduced to 40 mph in the area because the road has become extremely noisy and busy and that this project will only aggravate the situation. Mr. Werner stated that highway safety committee could look into that suggestion. Mr. Werner added that the addition of exit 8A and with upcoming improvements to the Rexford Bridge, the traffic in the Grooms Road corridor will only increase in the future. Mr. Scavo added that the Highway Safety Committee can submit a recommendation to the County Board of Supervisors who have the ultimate decision since it is a county road.

Walt Switkowski 38 Droms Road noted that he was also concerned with traffic on Grooms Road based on this project as well as the Brooks-Grooms Road subdivision which he felt will have a real impact. Mr. Switkowski also remarked that he doubted the validity of traffic studies, adding that drivers consistently try to exceed limits and pass in an unsafe manner.

Mr. Ferraro noted that there would be an additional public hearing relative to SEQR.

There being no additional public comment, Mr. Ophardt moved, seconded by Mr. Koval, to close this public hearing at 7:55p.m. The motion was unanimously carried.

Planning Board Review:

Mr. Koval asked if there were any plans at all to develop a roadway on the Miller Road parcel. Mr. Dailey stated that it was extremely wet and is only intended to gain access for water/sewer lines.

Mr. Dailey noted that the main entrance to the old Windhover Park Fields would now be used as the secondary access point with a 30' wide road up to town specifications but no utilities on either side, but there is a deficit of approximately 14+'. Mr. Dailey stated that this was already approved as an access point with the special use permit in 1984. Next, the speaker stated that he felt there was a precedence in Wishing Well for a road with a smaller than 60' wide right of way. Mr. Dailey noted that it could be called an emergency access point left open to access to the Open Space but would prefer that it be a town road. Mr. Dailey noted that the road jogs because of the lot configurations and would welcome suggestions. Mr. Ferraro asked if there was a safety issue from the fire personnel. Mr. Scavo stated they were most concerned with road pavement width and being able to accommodate the weight of the trucks. The Planning Director added that from a planning perspective the reason for the 60 foot width would be to allow for development expansion and connectivity and Mr. Kukuk, the highway superintendent would have to address whether the extra width was required for town vehicles but that one would still

be able to have two full lanes with a 30 foot roadway. Mr. Ferraro stated that not knowing what the open space would consist of, it would be hard to judge but that if it were to be more active, more traffic would be generated.

Mr. Ophardt asked if 30' would be sufficient onto Grooms Road and questioned if there would be space for a left turn lane. Mr. Dailey said it might work but the whole width would be taken up by road at that point. Then Mr. Ophardt asked if the applicant was still considering a shared use pathway at the outer edge of the road back into the open space site. Mr. Dailey said that the town should look into the future for expansion of use in the back. Mr. Ophardt asked if constraints now might be too limiting for future expansion. Mr. Ferraro added that it would be important to plan a trail back to that space to plan for the future use of the space. Mr. Dailey suggested that in the future, adjacent landowners could redirect their driveways onto the new road and that might allow for some additional right of way. Mr. Hale pointed out that there was a second road in the neighborhood to exit onto Grooms Road.

Mr. Dailey said that the development will be marketed as larger single family homes and the developer would possibly install a wooden fence along the back property line of those homes adjacent to the fields. Mr. Ophardt asked how long it might take to actually begin building. Mr. Dailey stated if approval was granted this spring, it would be conceivable that this summer the entities could begin working on the fields and that teams could play on it by 2015. Mr. Dailey stated that improvements would be done before the town took ownership of those fields as the town does not want the responsibility to build them. Mr. Ophardt asked about who would obtain any additional needed land for widening the road and Mr. Dailey stated that was not his intention of pursuing but just mentioned as a future option to consider as the consultant felt that the proposed road would be adequate.

Mr. Ferraro asked that something on the plan indicate that future trails and fields may be built so that any homeowners would know that at the time of purchase that there might be both passive and active uses. Mr. Ferraro also asked that the applicant add the standard airport activity note.

Mr. Koval asked that standard notes for farm activities be noted on the plan as well. Mr. Scavo stated that he would get those to the consultant for next submittal.

Old Business - NONE

New Business

2014-003 Stewart's Shop Crescent Road Addition, *Proposed 292+/- SF Addition.*
Zoned: B-3, 1543 Crescent Road, Conceptual site plan review

SBL(s): 284.-1-25

Chuck Marshall, real estate representative for Stewart's Shops, presented the project, an addition to improve the existing cooler space, add what he called a beer cave, and expand the counter layout to a shop in a B-3 zoning district. The speaker noted that the door would also be relocated. Mr. Marshall displayed a proposed floor plan and addressed two comments regarding

the dumpster location which had originally been installed with a brick enclosure when it was constructed, noting that the applicant would demolish it and install on a new location within the property boundaries. Mr. Marshall next stated that the stormwater will continue to be daylighted to the existing green space and there is no other onsite stormwater handling.

Staff Comments:

Environmental Conservation Commission

The ECC held a meeting on January 21, 2014 to discuss the project and issued a comment letter on stating that.

1. ECC proposes that the applicant indicate on the proposed plan where the potential multi-use pathway would be built.

2. ECC recommends that the building department confirm the adequacy of the proposed cooling system from the standpoint of capacity, maintenance of hazardous materials, and preplanned emergency response.

Fire Prevention

Sheryl Reed had no comments

Building and Development

Steve Myers issued a memo with the following comment(s):

- Variance (or revision of existing variance if applicable) required for addition. Building currently not within required setbacks. Expansion will require even further setback relief. Mr. Scavo clarified that Mr. Myers prepared his comments prior to the area variance research performed by the Planning Department and based on previous variances granted it appears the plan meets the setbacks established under those variances.
- Dumpster enclosure appears to be on 2 lots.
- Site statistics show other variances may be required (lot area, lot width, front setback, side setback, rear setback, greenspace).

Planning

John Scavo offered the following:

1. Place a note on the plan which states, "Area Variance for 21.7% green space was granted relief from the 35% Green Space Requirement. Area Variance is noted on the original site plan approved for Stewart's Shops on March 14, 1995 and stamped May 1, 1995."
2. The following notes should be added to the plan:
Area variances granted on January 17, 2005- Permit #80004:
 - a. Area Variance from Town Code, 11 parking spaces provided, relief from required 31 parking spaces.
 - b. Area Variance from Town Code, 35% greenspace requirement, relief granted to allow for 21.7% greenspace.
 - c. Area Variance granted for 8' rear yard setback.

- d. Area Variance granted for 7' side yard setback.

Professional Comment:

Joel Bianchi, MJ Engineering issued a letter on 1/27/2014 with the following comment(s):

MJ Engineering and Land Surveying (MJ) has reviewed the first submission for the above referenced site plan application within the Town of Clifton Park. Documents received for our review included the following:

- Site plans entitled, “Existing Stewart’s Shop 1543 Crescent Road Road” as prepared by Larry Rutland, PE, dated December 20, 2013;
- Town of Clifton Park Planning Board Application for Site Plan Review, and;
- Short Environmental Assessment Form, dated December 23, 2013.

Based upon our review of the above documents, we offer the following comments for consideration.

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. Saratoga County Planning Board – 239m referral due to proximity to County Highway 92;

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

Short Environmental Assessment Form

2. No comments.

Site Plans

3. The project is located within the Town’s Neighborhood Business District (B-3). Section 208-37 B of the Town’s Zoning lists convenience food store as a permitted principal within the B-3 District.
4. The parcel has numerous area variances that shall be noted on the plan. Based upon a review of the proposed building expansion as well as area variances of record, it appears the minimum bulk lot requirements as identified in Section 208-38 of the Town’s Zoning are satisfied and none of the previous area variances are being impacted.

5. The plans show what appears to be an encroachment of an existing dumpster onto the adjacent parcel to the west. This encroachment should be resolved as part of this site plan application.
6. The plans need to indicate how rood drainage from the new building expansion will be collected and conveyed to the on-site stormwater management system.

Public Comment: none

Planning Board Review:

The chairman asked for a bike rack. It appeared that the planning board felt the concept was agreeable.

2014-004 Stewart's Shop Grooms Road Addition, Proposed 1,160+/- SF Addition.
Zoned: B-3, 641-645 Grooms Road, Conceptual site plan review, SBL(s): 277.13-4-26

Chuck Marshall, real estate Consultant, with Stewart's Shops presented the project, an addition to an existing Stewart's Shop in a B-3 zoning district. Mr. Marshall stated that traffic is increasing in the Grooms Road area and they have a need to improve the in-store circulation pattern within the store itself to handle the additional customer volume. The speaker noted that LED Lighting will be installed throughout site. Mr Marshall then added that the facade on the north elevation will be redesigned and the existing brick will be used on the eastern face of the addition so that it is uniform across that wall. Mr. Marshall explained that drainage will be adjusted to accommodate the revisions.

Staff Comments:

Environmental Conservation Commission

The ECC held a meeting on January 21, 2014 to discuss the project and issued a comment letter stating:

1. Due to the probability of food and liquid wastes leaking from the on-site dumpster 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

2. ECC recommends that the building department confirm the adequacy of the proposed cooling system from the standpoint of capacity, maintenance of hazardous materials, and preplanned emergency response.

3. The ECC recommends that the applicant incorporate lighting that is directional and limited.

Fire Prevention

Sheryl Reed had no comments

Building and Development

Steve Myers had no comments

Planning

John Scavo offered the following:

1. A details cut sheet for the LED lights to replace the existing soffit lights should be attached to the preliminary plan set. The Town prefers down directional, shielded lighting.
2. As the plans progress the Planning Board may desire to see a more detailed landscaping plan for the planting beds.
3. The following notes should be added to the plan:
Area variances granted on August 17, 2004 - Permit #80507:
 - a. Area Variance from §208-98 from the required 130 ft. front yard setback from the center line of Grooms Road for Bldg. #1 - approved setback = 105 ft. – variance granted for 25 ft. relief.
 - b. Area Variance from §208-98 from the required 130 ft. front yard setback from the center line of Vischer Ferry Road for Bldg. #3 – approved setback = 97 ft. – variance granted or 33 ft. relief.
 - c. Area Variance from Town Code, required 100 ft. buffer on the western property line from a residential zone. Area Variance granted for buildings to be within 56’ of the property line.
 - d. Area Variance granted from Chapter 171 of the Town Code (sign law) for a second freestanding sign of 105 sq.ft. – granted.

Professional Comment:

Joel Bianchi, MJ Engineering issued a letter on 1/27/2014 with the following comment(s):
MJ Engineering and Land Surveying (MJ) has reviewed the first submission for the above referenced site plan application within the Town of Clifton Park. Documents received for our review included the following:

- Site plans entitled, “Existing Stewart’s Shop Proposed Addition 645 Grooms Road” as prepared by Larry Rutland, PE, dated December 23, 2013;
- Town of Clifton Park Planning Board Application for Site Plan Review, and;
- Short Environmental Assessment Form, dated December 30, 2013.

Based upon our review of the above documents, we offer the following comments for consideration.

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. Saratoga County Planning Board – 239m referral due to proximity to County Highway 90 and 91;
- b. Saratoga County Department of Public Works – proposed utility work within County Highway 90, and;
- c. NYSDEC – potential permit coverage under stormwater SPDES.

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

Short Environmental Assessment Form

2. No comments.

Site Plans

3. The project is located within the Town's Neighborhood Business District (B-3). Section 208-37 B of the Town's Zoning lists convenience food store as a permitted principal within the B-3 District.
4. The parcel has numerous area variances that shall be noted on the plan. Based upon a review of the proposed building expansion as well as area variances of record, it appears the minimum bulk lot requirements as identified in Section 208-38 of the Town's Zoning are satisfied and none of the previous area variances are being impacted.
5. The applicant should add information to the site plan indicating the proposed ADA parking space and associated accessible route meet the most recent requirements of the ADA Standards for Accessible Design. Further, spot elevations will be necessary at all new or revised accessible ramps to demonstrate that ADA standards are being met.
6. The plans need to indicate how roof drainage from the new building expansion will be collected and conveyed to the on-site stormwater management system.
7. The proposed stormwater system proposes a direct discharge to County Route 90 without entering what appears to be an existing on-site stormwater management area. This proposed discharge is subject to the review and approval by the Saratoga County Dept of Public Works. Should this site and prior activities be subject to the NYSDEC Stormwater Regulations, this proposed routing of stormwater may not be permissible (see also Comment 9)
8. The proposed action results in an increase in impervious surface and subsequently will result in an increase in stormwater discharges from the site. The applicant should provide additional information demonstrating how the increase in stormwater runoff will be mitigated on-site and will not adversely impact down-gradient properties.
9. The applicant should indicate whether or not the project site and prior improvements were subject to a NYSDEC SPDES permit associated with stormwater discharges. If the project was subject to General Permit GP-01 or later, this action may be considered part of a larger common plan and therefore an amended or new SWPPP may be necessary for the proposed site improvements.

10. It is proposed to change a substantial portion of the site and exterior building lights. It is recommended that an illumination plan be furnished for review which shall include footcandle valves at pavement levels as well as fixture type.
11. Future submissions shall include detailing and supporting specifications for the following:
 - a. Stormwater system (catch basin, pipe trench and end section)
 - b. Retaining wall
 - c. Sidewalks and accessible ramps
 - d. Landscaping, (species type and location)
 - e. Light poles
 - f. Any other site improvements proposed (excluding the building construction)

Public Comment:

None

Planning Board Review:

Mr. Werner commented that this represented a 50% increase in building size and asked if parking was also increased. Mr. Marshall replied that it was not. Mr. Bianchi and Mr. Scavo noted that if additional seating was to be added, that would require addressing the parking and since this is basically storage space, but that parking should be looked at for the next submittal through analysis of data and looking at the potential for shared parking.

Mr. Marshall noted that in response to ECC comments, a wing curb in the dumpster location should prevent leakage and that the likelihood of spilling into the drainage area is very slim. Mr. Marshall also responded that the landscaping plan is vague and that the applicant proposes to "spruce up" landscaping with low lying perennials and grasses. Mr. Ferraro asked about the status of the three trees in the Northwest corner. He also stated that the tree in the front on Grooms Road should be retained and if trees are removed they should be replaced with trees and not just low lying shrubbery. Mr. Marshall replied that the applicant would try to preserve to the extent that it is possible, and attempt to replace what is not preservable.

The planning board seemed to find the project generally acceptable.

2014-005 Barber (formerly Syrotinski) Subdivision, Proposed (2) lot subdivision.
Zoned: CR, 266 Sugar Hill Road, Conceptual subdivision review. SBL(s): 276.-1-33

Duane Rabideau, Consultant, with VanGuilder and Associates, LLC, presented the project, a two-lot residential subdivision totaling 6.5 acres in a conservation residential zoning district. Mr. Rabideau stated that the existing home would retain 3.3 acres and the new home lot would have 3.2 acres. The consultant added that the existing house was in disrepair and it will be saved to the extent possible and a new well will be set for the existing home after abandonment of the existing well.

Staff Comments:

Environmental Conservation Commission

The ECC had no comment after thorough review of the proposal including:

1. The proposal is for a sub-division of the property into two lots
2. There are Army Corps wetlands on the property
3. There is a house on the second lot that may have historical significance
4. There is a proposed septic and well

Fire Prevention

Sheryl Reed asked that the postal verification form be submitted.

Building and Development

Steve Myers issued a memo dated January 15, 2014 with the following comment(s):

- Variances granted for less than 3 acres of unconstrained land per parcel. Minimum 40,000sf per lot required for septic systems is present on each lot.

Planning

John Scavo offered the following:

1. A letter was received from the Town's Historic Preservation Commission and has been forwarded to the Planning Board Members for their consideration. Per the request from the HPC it was recommended by them that a note be added to the subdivision plan which states, "Any future planning for parcel #1 or planned rehabilitation or alterations of the existing structure is subject to review by the Town of Clifton Park Historic Preservation commission."
2. Per the HPC letter, the HPC does not have objection to the demolition of the existing detached garage that will be part of parceled #2.
3. The Federal Wetlands appears from aerial imaging to lie within an area that has mature trees. Based on the proposed limits of disturbance it appears the applicant has minimized the impacts to the existing vegetation for Lot #2.
4. Please show the minimum 100' separation between the proposed well on Lot #2 and proposed septic area (current plan only shows the separation from the proposed septic to the existing well on Lot #1).
5. Add the following note to the plan, "Underground utility connections to a dwelling unit are not allowed to be constructed underneath a private driveway. Such utilities include but are not limited to water laterals, sewer laterals, gas, electric and storm/foundation drains shall not be installed underneath driveways. A Certificate of Occupancy will not be issued without all utilities complying with this requirement"
6. Will existing dirt driveway be eliminated? Access easement will be required if it is to remain.
7. Please locate and show the approximate location of the existing septic system for Lot #1 to ensure it will not be contained within the boundaries of proposed Lot #2.
8. The approximate locations for the well and septic for the adjacent parcel to the south

known as Lands of Reis should be shown to ensure the proposed well and septic for Lot #2 have adequate separation distance from the well and septic area for lands of Reis.

Professional Comment:

Joel Bianchi, MJ Engineering issued a letter on 1/27/2014 with the following comment(s):

MJ Engineering and Land Surveying (MJ) has reviewed the first submission for the above referenced subdivision application within the Town of Clifton Park. Documents received for our review included the following:

- Subdivision Plat entitled, “Subdivision Lands of Syrotynski, Et al.,” as prepared by Gilbert Vanguilder Land Surveyor, PLLC, dated December 17, 2013;
- Town of Clifton Park Planning Board Application for Subdivision Review, and;
- Short Environmental Assessment Form, dated December 19, 2013.

Based upon our review of the above documents, we offer the following comments for consideration.

State Environmental Quality Review

7. 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. It should be noted that in our review, we find no other interested and involved agencies, however, such agencies may be identified by the Town during its review of the project.

Short Environmental Assessment Form

8. No comments.

Subdivision Plans

9. The project is located within the Town’s Conservation Residential (C-R). The proposal for single family homes is a permitted principal use within the C-R District as noted in Section 208-16 D (1) (b) [1] of the Town’s Zoning. Based upon a review of the proposed lot configurations, they appear to meet the minimum bulk lot requirements as identified in Section 208-16 of the Town’s Zoning for the C-R District, with the following exceptions.
 - a. The plan shows a 50 feet front yard setback. Section 208-16 E (8) (b) of the Town Zoning requires a minimum front yard of 75 feet for all other Town roads as it is believed Sugar Hill Road may not be classified as a subdivision road.
10. With respect to proposed Lot 1, it is understood that there is an existing septic system servicing the lot. The location of this system should be added to the plan.

11. Percolation tests and deep test holes should be performed prior to final subdivision approval to ensure that on-site septic systems are feasible at the locations indicated. Percolation testing shall be in accordance with the NYSDOH Residential Onsite Wastewater Treatment Systems Design Handbook.
12. The location of the proposed well for Lot 2 may not meet the horizontal separation requirements established by the New York State Department of Health Part 5, Subpart 5-1 Standards for Water Wells – Appendix 5B, Table 1. It is possible that the neighboring properties to the east, on the opposite side of Sugar Hill Road, may have septic disposal areas that are within 100 feet (or 200 feet, if upgradient and in the direct path of drainage) of the proposed well location. The applicant shall ensure that the required horizontal separation distances for all forms of contamination are provided for the proposed well location.
13. It is believed that if Lot 2 was developed with a new single family home, the total disturbance will be less than 1 acre. It is suggested that the plat be provided with notation indicating the numerical value for the total area of disturbance to verify that it will be less than 1-acre.
14. Should any basement sump pumps or gravity discharges be deemed required for a future home on Lot 2, under the criteria stated in Section 86-7(A)(6) of the Town Code, their end discharge locations need to be noted on the plans or notation provided on the plat indicating this requirement must be met as part of the building permit process.
15. A note shall be added to the plat indicating that no utilities shall be installed under a proposed driveway.
16. It is recommended that the existing dirt driveway be shown as to be removed such that there are no encroachments between the two lots.
17. The Tax Map ID for the existing parcel should be added to the plat.
18. Prior to approval or filing of the subdivision plat with the Saratoga County Clerk, the appropriate 911 emergency response numbers must be obtained for and assigned to each lot created and placed on the filed plat.

Public Comment:

Anthony LaFleche, resident of Clifton Park, stated that he felt a 75' setback was more appropriate. Mr. Rabideau noted that he has updated the plan to show that. Mr. Ferraro felt that to maintain the character of the surrounding neighborhood, he would support the 50' setback and defer to the Historic Preservation Commission on that point. Mr. Bianchi suggested that they defer that to the chief zoning officer on that decision.

Planning Board Review:

Mr. Koval asked if it was known where the leech field was located. Mr. Rabideau indicated where it was believed to be and said the existing one was to be abandoned. Mr. Koval

questioned the distance between the well and septic and Mr. Rabideau confirmed that it was more than 100 feet. Mr. Hale also expressed support for the 50' setback for consistency in the neighborhood. Mr. Koval stated that he agreed as well. Then, Mr. Ferraro asked that a standard statement regarding airport noise be added to the plan and then he voiced his opinion that from the exterior the existing home didn't look so bad. Mr. Rabideau said that the interior appeared to be poor and will be thoroughly examined by the builder and with the Historic Preservation Commission. Mr. Ferraro suggested that if the residence was to be torn down, it might be nice to have something in keeping with the design of the traditional home, but it would not be a requirement.

2014-006 Oak Brook Commons, *Proposed new location of 2,000 sf office for existing apartment complex.* Zoned: B-3, US Route 9, Conceptual site plan review. SBL(s): 265.-1-22.22

Andrew Casiba with Charles Hoffman, owner/applicant, presented the project, a 2,000 sf office building with parking on the Halfmoon parcel adjacent to the building on 1.57 acres in a B-3 zoning district. Mr. Casiba stated that stormwater will drain to the same basin which the existing office currently drains into.

Staff Comments:

Environmental Conservation Commission

The ECC held a meeting on January 21, 2014 to discuss the project and issued a comment letter on stating that:

1. ECC requests that the applicant clarify the classification of the existing stream and the distance from the proposed structures.
2. During construction of the retaining wall, the disturbance of the existing vegetation should be minimized to the greatest extent practicable.

Fire Prevention

Sheryl Reed issued a memo asking for the postal verification to be provided for any new building.

Building and Development

Steve Myers issued a memo dated 1/13/2014 with the following comment(s):

- Entire building proposed to be in Clifton Park. All parking will be in Halfmoon. Town lines do not require special consideration for setbacks.
- Building is proposed 10' or less from the top of a steep slope. Retaining walls are proposed in 3 locations as a result. Foundation must be designed to meet the requirements of Section 1805.3 of the Building Code. The total elevation change of the slope is unknown but will be required to determine the minimum required setback of the building from the top of slope. Slope appears to be approximately 1 : 1.5.

Planning

John Scavo offered the following:

1. The project is located within 500' of a municipal board and as such General Municipal Law §239-m will apply. Also since the parking area appears to be within the Town of Halfmoon approval from the Halfmoon Planning Board will also be required.
2. The handicapped sign detail should be modified to show the bottom of the mounted sign is to be placed at least 60 inches above the parking surface. The current detail has the top of the sign mounted at 4' 6".
3. The required "No Parking Anytime" sign for the handicapped access isle should be shown with the proper mounting detail.
4. A cut sheet and detail for any exterior wall mounted lighting should be provided as the plans progress. The Town prefers down directional, shielded lighting.
5. A note should be added to the plan which calls for the raising of the riser and manhole cover for the existing sanitary sewer line so that it is not paved over with the new asphalt area.
6. A detail showing the material type and size for the roof gutter drain system to the catch basin should be shown.
7. The green space coverage, lot building coverage and impervious surface coverage calculations should be shown with a chart labeled "site statistics".
8. Due to the presence of sandy soils on site precautions should be taken during construction to ensure slope stability.

Professional Comment:

Joel Bianchi, MJ Engineering issued a letter on 1/27/2014 with the following comment(s):

MJ Engineering and Land Surveying (MJ) has reviewed the first submission for the above referenced site plan application that is located in both the Town of Clifton Park and Halfmoon. Documents received for our review included the following:

- Site plan entitled, "Office Site Plan – Oak Brook Commons" as prepared by Northeast Land Survey and Land Development Consultants, P.C.; dated November 7, 2013;
- Town of Clifton Park Planning Board Application for Site Plan Review, and;
- Short Environmental Assessment Form, dated December 13, 2013.

Based upon our review of the above documents, we offer the following comments for consideration.

State Environmental Quality Review

1. It is our understanding that the Town of Clifton Park will be taking the lead on the review of the application. 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. Saratoga County Planning Board – 239m referral for proximity to Town of Halfmoon;
- b. Halfmoon Water District – public water supply connection permit
- c. Town of Halfmoon Planning Board – Site plan review / approval
- d. Saratoga County Sewer District #1 – sanitary sewer connection permit
- e. NYSDEC – potential permit coverage under stormwater SPDES, identification of threatened and endangered species, and potentially taking of additional water for public use.
- f. NYS Office of Parks, Recreation and Historic Preservation – identification of cultural or historic resources, if application found to be subject to the NYSDEC Phase 2 Stormwater Regulations.

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

Short Environmental Assessment Form

2. Under Part I.12.b the response indicates the site is not located within an archeological sensitive area. Please provide supporting documentation for this response as an on-line review of the NYSOPRHP database suggests the parcel is within or in close proximity to an archeological sensitive area.

General Comments

3. The SEQRA short form indicates 1.82 acres of land will be disturbed. Therefore, the project appears to be subject to the NYSDEC Phase 2 Stormwater Regulations and General Permit GP-0-10-001. As the project proceeds through the regulatory review process, a fully conforming Stormwater Pollution Prevention Plan (SWPPP) will be required that addresses stormwater quality, quantity and green infrastructure elements and must be submitted as part of a preliminary plan submission to the Town.
4. As a result of being subject to the Stormwater General Permit GP-0-10-001, the applicant will need to seek consultation from the NYS Office of Parks, Recreation and Historic Preservation and the NYSDEC regarding the absence or existence of cultural or historic resources and threatened and endangered species, within the project boundaries in order to demonstrate permit eligibility in accordance with Parts I.D.4, I.D.8 and Part III.A.8 of GP-0-10-001.
5. The site plan indicates the project will be served with public sanitary sewer by way of connection to the Saratoga County Sewer District No. 1 sewer system. It is recommended that the Town be furnished with documentation that the SCSD is willing and capable of servicing this project.
6. The applicant has indicated water service will be provided by the Halfmoon Water District. It is recommended that the Town be furnished with documentation that the Halfmoon Water District is willing and capable to service the project.

Site Plans

7. The portion of the project within the Town of Clifton Park is located within the Neighborhood Business District (B-3). The B-3 District lists business / professional offices as a permitted principal use.
8. Since and overall project boundary is not shown on the site plan nor are there any site statistics provided, it can not be determined if any of the minimum bulk lot requirements are the zoning district are being satisfied. Subsequent plans need to provide a bulk lot summary and property boundaries in order to determine the configuration meets the applicable zoning requirements.
9. The project shows various stormwater improvements without any calculations supporting its design. This information must be furnished (either to Clifton Park or Halfmoon) so to confirm the project will not have an adverse effect on adjacent properties.
10. The plans need to indicate the size and pipe slope of the proposed sanitary sewer lateral.
11. The proposed water service needs to show the required corporation stop if deemed required by the jurisdiction.
12. A site specific illumination plan needs to be provided for review.
13. The building is sited on the flatter sections of the parcel with steep grades adjacent to the exterior walls of the building to the west. The grading plan should be reviewed (and revised accordingly) to ensure the provisions of Chapter 18, Section 1803 of the Building Code of New York State are being considered and satisfied. Given the steep slopes of the site and the building's proximity to the top of slope, a geotechnical investigation may be warranted which will reveal any site specific conditions that need to be considered as part of site development.
14. Should the building require foundation drains or sump pump laterals, their end discharge location(s) need to be shown on the plans.
15. There needs to be indication as to whether or not the building will be provided with an automatic sprinkler as a result of proposed building materials and occupancy type. Depending on whether or not the building is sprinklered will dictate if an on-site hydrant is required.
16. The applicant shall coordinate with the responding fire department for the location of the Knox Box and fire department connection. Notation to that effect shall be added to the plans.
17. Subsequent plans should include a listing of the materials of construction for review by the Planning Board.

18. The plans show various site improvements that appear to be designed by the stamping professional (land surveyor – exempt). It is believed that some of the proposed site elements need to be designed by a licensed engineer and/or landscape architect with the plans sealed by the appropriate design professional. It is suggested that the design professional contact the NYS Department of Education, Office of the Professions to seek further guidance on this matter.

Public Comment: none

Planning Board Review:

Mr. Hale stated that most of his concerns regarding slopes had been stated by the prior comments. Mr. Ferraro asked about coordination of plan with Halfmoon. Mr. Scavo suggested that he would coordinate the stages of the project with consultant so it can receive proper approvals and SEQR etc. from both towns. Mr. Hoffman stated that it was before the Halfmoon Planning Board in February and Mr. Scavo will issue letter prior to that review. The planning board found the project generally acceptable.

2014-007 Sitterly Crossing Medical Office, *Proposed 34,000 sf medical office*. Zoned: B-4, Sitterly Road, Conceptual site plan review. SBL(s): 272.-1-16

Gavin Vuillaum, Environmental Design Partnership and Rich Rosen of Columbia Development, presented the project, a 34,000 new medical office facility on 5.06 acres in a B-4 zoning district.

Mr. Vuillaume showed the concept drawing and reviewed the history of the parcel which had been approved in 2008 for 25,000 sf of commercial/retail buildings but no improvements beyond clearing and grading has been done up to this point. The property has been vacant and for sale. Mr. Vuillaume stated that the proposal was a single story 35,000 sf building. Mr. Vuillaume also showed a conceptual facade rendering adding that green space will be maintained to about 40% and the multi use trail will be repaired and improved along Crossing Blvd. He also stated that water will be connected to the water main at Equinox properties with an outside water user agreement in Halfmoon. The project will also use an SCSD connection and the stormwater management is being reviewed with a full SWPPP to be submitted at a later date. Need to verify ground water as there is evidence of wetlands. Traffic study is being prepared by Creighton Manning. Some modifications and recommendations will be forthcoming with that at the next submittal.

Mr. Werner noted that Halfmoon and Clifton Park have begun an application for a grant for improvements in this area and that the traffic study will be very timely for that.

Landscaping and Parking will be fine tuned.

Rich Rosen stated that he would be happy to answer any questions about the facility or its use.

Staff Comments:

Environmental Conservation Commission

The ECC held a meeting on 1/21/2014 to discuss the project and issued a comment letter stating that.

1. ECC request that future submissions include additional details regarding the potential hazards from the modalities utilized at the facility.

Fire Prevention

Sheryl Reed issued a memo with the following comment(s):

- 1) Add a fire hydrant at the Northwest corner of the site.
- 2) Postal Verification

Building and Development

Steve Myers issued a memo dated 1/17/2014 with the following comment(s):

- Allowed use in a B-4 zone.
- Appears to meet all setback requirements.
- Will require a full SWPPP.
- Section 208-47 -only one entrance/exit allowed. Two proposed.

Mr. Scavo noted that Planning Board has ability to grant second access if it was deemed necessary. Mr. Koval said that it was demanded for the last project approved on this site and Mr. Vuillaume noted that they are in the same locations with this submittal. Mr. Hale stated he felt two were good but that it should be determined after review of the traffic study. The planning board members suggested that it might be desired due to queuing up . Mr. Rosen said that the traffic study will show different flows than for a retail location.

Planning

John Scavo offered the following:

1. The project is located within 500' of a municipal board and as such General Municipal Law §239-m will apply.
2. Planning Staff and met with the applicant who is aware as plans progress for the need to provide the Town with an update traffic study that evaluates the impacts of the proposed project.
3. The existing multi-use pathway along Crossing Boulevard should be shown on the plan. The asphalt surface of the pathway should be re-established.
4. Additional comments in regards to landscaping, site grading, building elevations, lighting, traffic circulation, and truck turning radius will follow as the site plan progress through the review process.
5. Approval from the Halfmoon Water District will be required by the applicant to show the ability to service the site with public water.

Mr. Scavo asked if a certificate of need was filed and Mr. Rosen stated that the consultants do not know who the end user would be but they do not anticipate a certificate of need for this project.

Professional Comment:

Joel Bianchi, MJ Engineering issued a letter on 1/27/2014 with the following comment(s):

MJ Engineering and Land Surveying (MJ) has reviewed the first submission for the above referenced site plan application within the Town of Clifton Park. Documents received for our review included the following:

- Site plan entitled, “Conceptual Site Plan, Proposed Medical Facility at Sitterly Crossing” as prepared by Environmental Design Partnership, LLP, undated;
- Town of Clifton Park Planning Board Application for Site Plan Review, dated January 8, 2014, and;
- Short Environmental Assessment Form, dated January 7, 2014.

Based upon our review of the above documents, we offer the following comments for consideration.

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. Saratoga County Planning Board – 239m referral for proximity to Town of Halfmoon;
 - b. Clifton Park Water Authority (or Halfmoon Water District) – public water supply connection permit
 - c. Saratoga County Sewer District #1 – sanitary sewer connection permit
 - d. NYSDEC – permit coverage under stormwater SPDES, identification of threatened and endangered species, and potentially taking of additional water for public use.
 - e. NYS Office of Parks, Recreation and Historic Preservation – identification of cultural or historic resources

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

Short Environmental Assessment Form

2. Question No. 8 a. indicates the proposed site plan will not result in a substantial increase in traffic above present levels. The applicant should provide additional justification as to how this determination was made. Further, given the continued growth of the area and various proposals within and along Sitterly Road, there should be consideration of

preparing a traffic impact study that not only studies this project but accounts for other planned projects within the corridor.

General Comments

3. The project would result in disturbances in excess of 1-acre and therefore is subject to the NYSDEC Phase 2 Stormwater Regulations and General Permit GP-0-10-001. As the project proceeds through the regulatory review process, a fully conforming Stormwater Pollution Prevention Plan (SWPPP) will be required that addresses stormwater quality, quantity and green infrastructure elements and must be submitted as part of a preliminary plan submission to the Town.
4. As a result of being subject to the Stormwater General Permit GP-0-10-001, the applicant will need to seek consultation from the NYS Office of Parks, Recreation and Historic Preservation and the NYSDEC regarding the absence or existence of cultural or historic resources and threatened and endangered species, respectively within the project boundaries if not already completed as part of the prior approvals on the site.
5. The site plan indicates the project will be provided public sanitary sewer by way of connection to the Saratoga County Sewer District No. 1 sewer system. It is recommended that the Town be furnished with documentation that the SCSD is willing and capable of servicing this project.
6. The applicant has indicated water service will be provided by the Clifton Park Water Authority Dist. #1 on the provided Application for Site Plan Review while the site plan indicates public water is being provided by the Halfmoon Water District. The applicant should clarify this discrepancy. Regardless of the water supplier, it is recommended that the Town be furnished with documentation that they are willing and capable to service the project.

Site Plans

7. The project is located within the Town's Highway Business District (B-4). The proposal for a professional medical office is a permitted principal use provided overnight occupancy by patients is not proposed as noted in Section 208-32 A (2) of the Town's Zoning.
8. Based upon a review of the proposed building location, it appears the minimum bulk lot requirements as identified in Section 208-46 of the Town's Zoning with the following exception.
 - a. When abutting a residential zone, a minimum buffer of 100 feet shall be maintained and supplemented as deemed appropriate by the Planning Board per Section 208-46 (G) of the Town Code. Immediately to the east and adjacent to the subject parcel exists a residential zone within the Town of Halfmoon. We would defer to the Town

as to whether the conditions specified in the Town Code apply when the residential district is within an adjoining municipality.

9. Given the nature of wetlands identified on the parcel and the positioning of the proposed stormwater basins in close proximity to the wetlands, there is a likelihood of groundwater being at a shallow depth. This condition may limit the type of stormwater practices that can be used. The Town generally does not permit the use of practices that require the use of groundwater as part of its design (i.e. P-5). As the project progresses through the regulatory review process, appropriate field testing will be required to determine the type of practice that will be required. In the event a P-5 practice is selected, appropriate justification as to why all others are not feasible will be required before the P-5 will be permitted.
10. Future submissions should show the full extents of the proposed force main extension to the SCSD#1 manhole behind the Emergency Services property to the north, and that the applicant has legal rights to access the adjacent property for the proposed utility extension.
11. The proposed site plan provides for 180 parking spaces and 30 future parking spaces (total 210 spaces). The required parking count calculation assumes the "LINAC" portion of the building footprint (2,100 sq. ft.) does not require parking, and therefore the building footprint used for the calculation of spaces was 32,300 sq. ft. (34,400 sq. ft. – 2,100 sq. ft.), resulting in a required parking count of 215 spaces. The applicant should provide justification as to why the LINAC area should not be included in the required parking count. Notwithstanding, the applicant is proposing 5 fewer parking spaces than is required by their calculation.
12. There shall be not more than one entrance and one exit per establishment upon any individual public thoroughfare, and the distance between the entrance and exit center lines, if separated, shall be no less than 100 feet, per Section 208-47 of the Town Code. It appears as though the applicant has proposed two points of ingress/egress and that the distance between their respective center lines is approximately 230 feet. The applicant should revise the ingress/egress proposed for the project to satisfy the Town Code.
13. The property margins at the sides from the front building line to the rear property line shall be planted with trees and shrubs for a width of not less than 15 feet per Section 208-48 of the Town Code. The applicant should demonstrate how this requirement is being met.
14. There needs to be indication as to whether or not the building will be provided with an automatic sprinkler as a result of proposed building materials and occupancy type. Depending on whether or not the building is sprinklered will dictate if an on-site hydrant is required.

15. The applicant shall coordinate with the responding fire department for the location of the Knox Box and fire department connection. Notation to that effect shall be added to the plans.

16. All points of building ingress/egress should be added to the plan.

Subsequent plans should include architectural elevations of the building with a listing of the materials of construction for review by the Planning Board.

Public Comment:

Anthony LaFleche, thanked applicant for proposing to fix trail on west side asked that it be as wide as possible and that he hoped to see improvements there. Mr. LaFleche also said that he appreciated the greenspace along roadways and asked that the applicant remain mindful of potential future improvements in the Woodin Road area.

Planning Board Review:

Mr. Hale asked if the cumulative impacts could be anticipated for mitigations. Mr. Bianchi said a GEIS would be one path to take to assign the fair share, but absent of that the traffic study would present an opportunity to determine some analysis towards suggesting such a proposal. Mr. Koval stated that this is a troublesome road and the board seemed to agree that the recent TIP grant application was an important step to improving this east west connection. He further stated that pedestrian traffic is also key in this area which he considered currently dangerous. Mr. Prescott stated that he has seen a huge increase in traffic since the introduction of exit 8a here.

Mr. Ophardt asked about the handicapped sidewalk and asked if it could continue from the back parking spaces to the front of the building. Mr. Ophardt also asked the applicant to connect the trail to front of building and for installation of a bike rack. Mr. Ferraro asked for an easement for a trail on the southern edge of the parking lot for a future trail. Mr. Scavo described the drainage issues along Sitterly Road and potential for additional turn lanes if needed in the future.

Mr. Bianchi asked if the Board needed to consider other existing projects in the traffic study. Mr. Werner stated he felt it would not be a heavy lift to consider and the board agreed that it should be done that way. Mr. Pelagalli said for fees to be considered as mitigation fees and not impact fees there had to be a basis under SEQRA for the fees and a GEIS might be necessary. Mr. Rosen said data has been collected and that Creighton Manning will provide information about the other projects being done in the area. He stated that the Developer anticipates making a traffic contribution for future improvements knowing there is anticipated growth in the area, whether through land or a fee for some portion of what is collectively needed.

The Planning Board found the plan generally acceptable.

Discussion Items – The Chairman thanked staff and TDE for its efficiency in getting through

this lengthy review.

Mr. Koval moved, seconded by Mrs. Paulsen to adjourn the meeting at 9:56pm. The motion was unanimously carried. The next meeting of the Planning Board will be held as scheduled on February 11, 2014.

Respectfully submitted,

Margaret L. Springli
Secretary

Cc: Planning Board members, Planning Department, Supervisor, Assessor, Zoning Board, Department of Building and Development, Town Clerk, Town Board Members, Highway Superintendent, Town Attorneys, ECC, CPWA