

Town of Clifton Park

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PLANNING BOARD

Rocco Ferraro
Chairman

PAUL PELAGALLI
Attorney

Margaret Springli
Secretary



MEMBERS

Michael Hale
Joel Koval
Eric Ophardt
Sandra Pace
Kim Paulsen
Tom Werner

(alternate) Emad Andarawis

Those present at the March 22, 2011 Planning Board meeting were:

Planning Board: R. Ferraro, Chairman, M. Hale, E. Ophardt, K. Paulsen, J. Koval, S. Pace, E. Andarawis – Alternate Member

Those absent were: T. Werner

Those also present were: J. Scavo, Director of Planning
J. Grasso, CHA Companies
P. Pelagalli, Counsel
M. Springli, Secretary

Mr. Rocco Ferraro, Chairman of the Planning Board, called the meeting to order at 7:04 pm and asked everyone to stand for the Pledge of Allegiance.

Mr. Ferraro mentioned that a committee has reviewed the REI for the Town Center and two consultants were interviewed and Behan Planning and Design has been selected as the final consultant for the project.

Mr. Scavo indicated that the new solar panel legislation has been approved by the Town Board, granting Planning Board review requirements if installations fit within the guidelines (larger than 325 SF) stated in the Town Code, otherwise it will be reviewed by the Planning Director for potential Planning Board review depending on parameters of each site and installation.

I. Public Hearings

7:00 [2011-002] **Affordable Modular Homes** – Proposed modular display home on a parcel zoned B3, 1796 Route 9. Special Use Permit. Preliminary public hearing with site plan review and possible determination. SBL: 266.3-1-2

Mr. Scavo presented the application. The applicant asked Steve Myers, Building and Zoning Director for a permit to erect a “sample” modular home on the site. It was determined that a temporary home requires site plan review per special use permit. It will need to be renewed annually.

Mr. Ferraro opened the public hearing at 7:08 pm. The Planning Board Secretary read the public hearing notice as it was published in The Daily Gazette.

Staff Comments

- a. Building and Zoning Director Comments as read by the Planning Director
 - Handicapped accessibility and restrooms required.
 - Permit for temporary structure with yearly renewal required.
 - Inspections for electrical and plumbing required.
 - Must comply with Building Code requirements for modular homes.
- b. Planning Director's comments
 - It should be noted that the applicant will have to comply with all ADA Guidelines for handicapped accessability in order to receive a Certificate of Occupancy for the site. No conditional CO shall be granted for outstanding ADA issues.
 - Is any lighting proposed for the exterior of the Modual Unit?
 - Proof of mailing the 500' notifications to adjoining property owners has been received and placed in the file for the record.
 - The site plan submitted for stamping if approved should make note of , "the modual home, non-permanent structure was permitted by a Special Use permit issued on xx/xx/xxxx by the Town of Clifton Park Planning Board." If any conditions are attached to the approval they should also be listed under the notes on the site plan submitted for final stamping.
- c. CHA Comments

The proposed project appears to be an unlisted action pursuant to SEQRA and as such coordinated review is optional. Involved agencies are anticipated to include the following:

 - Clifton Park Planning Board – Special Use Permit
 - Saratoga County Planning Board – Section 239 referral
 - It appears from the application materials that the proposed non-permanent display home will require a special use permit. Consideration of granting a special use permit requires the planning Board to consider the standards of Section 208-79 of the code prior to making a determination.
 - The proposed uses of the existing masonry buildings should be identified. A required parking calculation based upon the uses should be provided on the plan.
 - Spot elevations along the proposed ramps should be provided. Details of the ramps in conformance with ADA Guidelines should be provided.
 - Any proposed lighting or signage should be depicted on the plan.
 - The plan should indicate if the proposed handicap striping and signage is existing or proposed.
- d. ECC Comment

No comments

Public

No comments

Mr. Koval moved that we close the public hearing at 7:19 pm. Seconded by Mrs. Pace. All in favor, none opposed. The motion was unanimous.

Planning Board Discussion

Mr. Ferraro asked if there was any danger in having a structure without a fixed foundation. Mr. Pelagalli stated that once it was approved, it would be inspected by the Building department. The applicant will be using the smaller structure as an office for the modular home business. The other site is currently unoccupied but may be leased in the future. Mr. Ferraro asked if the debris could be cleaned up on the site. Mr. Scavo stated that could be mandated as a condition of approval. Mr. Ferraro would like conditions to be explicit. The board was in agreement with that plan. Mr. Scavo stated that the applicant has a lease agreement with Mr. Chuck Hoffman pending this approval and that the owner could be brought into the conditional approval as well.

Mrs. Paulsen moved, seconded by Mr. Hale to establish the Planning Board of the Town of Clifton Park as Lead Agency for this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA for Special Use Permit. All in favor, none opposed. The motion was unanimously carried.

Mr. Koval moved, seconded by Mrs. Pace to grant the Special Use Permit. The motion was unanimously carried.

Mr. Hale moved, seconded by Mrs. Pace to establish the Planning Board of the Town of Clifton Park as Lead Agency for this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA for Site Plan Review. All in favor, none opposed. The motion was unanimously carried.

Mr. Andarawis moved, seconded by Mr. Ophardt to waive final review and grant site plan approval conditioned upon satisfaction of the comments offered by the Planning Board, Planning Department, and CHA Companies. All in favor, none opposed. The motion was unanimously carried.

Mr. Ferraro stated, for the record that the applicant will receive a Final Review Letter from Town Staff to note any remaining outstanding items for this application that must be satisfied prior to final stamping of the approved site plan.

II. Old Business

A. **[2010-043] Ellis Hospital Extension** – Proposed construction of 39,000 sq/ft Satellite Emergency Clinic, 103 Sitterly Road. Preliminary site plan review and possible determination. SBL: 272.-1-40.1

Gavin Vuillaume, EDP, presented the plan which was last seen on February 22, 2011. The site plan tonight is a revised plan to update the Planning Board.

Mr. Vuillaume stated that the plan depicts visual buffers and a modified planting plan along the Northway which allows some screening but also high visibility from the Northway. The speaker noted that low shrubbery and strategically placed trees would be used. The northern edge of parking lot shows some evergreens as well as the dumpster enclosure which will be masonry as is the building. Mr. Vuillaume stated that the proposed project will adhere to new stormwater guidelines implemented in March 2011 adding that the northern edge of the property will be decompacted and soils and drainage improved. Mr. Vuillaume also stated that green space will be increased to 45% and some parking will be landbanked for future use if needed. Next, the stormwater basins were discussed as depicted on the plan and dry swales were also pointed out. The consultant remarked that detailed profiles for sewer and water and photometric plans were also submitted and the traffic report as studied by Creighton Manning was submitted to CHA for review. Mr. Vuillaume said some improvements will be made both on Sitterly and Clifton Park Center Road with right hand turn lanes,

restriping, left turn lanes, and widening of roadways as depicted on an aerial plan submitted at the meeting entitled Intersection Improvement Concept Plan.

Mr. Vuillaume stated that the applicant will be tabling final determination tonight. The speaker stated that the applicant is trying to work out easement agreements with Belmonte Builders and adjacent landowners and will be bringing that plan in the future for final submittal.

A representative from Creighton Manning discussed the traffic study analysis and spoke about the queuing for left hand turns after studying the timing of the traffic signals and calculations of queue lanes. Mr. Scavo indicated that it is a town signal and Planning Board would have the ability to make recommendations for changes to timing optimization. The speaker noted that the refuge lane could be used for traffic exiting the site and attempting to merge with Sitterly Road.

Mr. Vuillaume stated that pushing the sidewalk closer to Sitterly would make it a Town sidewalk to be maintained by the Town rather than a private sidewalk maintained by Ellis. The Planning Board expressed an interest in improving pedestrian connections in this area.

Staff Comments

- e. Building and Zoning Director Comments as read by the Planning Director
 - A second hydrant on the I-87 side of the building will be required.
 - Transporting stormwater from the NYSDOT ROW to the Town ROW without any treatment as is currently proposed will not be allowed. It should either be redirected back into NYSDOT ROW or put into SWMA #1 for treatment.
 - SWMA #3 appears to overflow to Town ROW. Practice should be sized to prevent this.
 - Fencing required around SMA's due to depth.
 - The overflow weir for SWMA #2 discharges to where?
 - Section 4.2.2 of SW Narrative says SMP's are located to minimize runoff distances. Then why is runoff from along I-87 piped 550'?
 - A maintenance agreement with the Town will be required and records kept for verification during post construction inspections.
- f. Planning Director's comments
 - Proof of mailing the 500' notifications are required to be submitted for the project record (mailing labels requested on 1/20/11 and request satisfied by Town Staff on 1/25/11).
 - The Planning Board needs to recommend the proposed traffic improvements to the Town Board and Town Highway Superintendent for their recommendations and concurrence with the proposed scope of work to occur within the Town's right-of-way.
 - The masonry structure for the dumpster should be high enough to shield the height of any dumpster placed within it. The current plan shows 6' high from the ground to the top of the structure.
 - My prior comments on additional landscaping have been satisfied.
 - Is there currently an access easement in place with the lands to the North owned by Peter Belmonte Sr.? If not an access easement should be provided to allow for a future connection to Clifton Park Center Road.
- g. CHA Comments

We have reviewed the site plan last revised March 2, 2011, the Stormwater Management Report dated March 2011 and the Stormwater Pollution

Prevention Plan dated March 2011 for the above referenced project as prepared by Environmental Design Partnership LLP. Additionally we have reviewed the Traffic Evaluation Impact Study dated February 21, 2011. The following comments from our January 31, 2011 review letter remain to be addressed. *(Additional comments are provided in italics.)* Future submittals should include an item by item response to our comments.

1. A culvert is proposed within the right-of-way of the Northway. NYSDOT approval will be required. Additional detail of the drainage system to be replaced should be provided. The existing end section of the 24" CMP pipe is not depicted on the plan and there is limited topography provided in this area. The plan should indicate the limits of removal of the existing pipe.
2. A water report for the proposed public water extension should be provided for review. The limit of proposed public water main should be identified on the plans. The water main should be kept within the Town right of way to a point past the entrance to the facility.
3. Substantial additional detail of the proposed off-site watermain should be provided. The proposed limit of disturbance and the method of crossing Sitterly Road and Garden Drive should be depicted on the plan. It appears the waterline installation may impact utility poles and roadway signage. *(It remains unclear how the existing features will be impacted by the installation.)*
4. A portion of the proposed off-site sewer line is located within an existing easement. Additional detail regarding the nature of the easement and permitted facilities should be provided to verify a new sewer line is permitted. It does not appear as though there is an existing easement within the land of Peter J. Belmonte Jr. Installation of a force main or gravity sewer is not possible in the area shown without significant risks of impacts to existing sewer facilities that are already situated in the easement. *(A draft sewer easement agreement has been provided. It should be verified that the agreement was executed by all parties and has been filed with the County Clerk's Office. The impacts of the existing sewer facilities remain to be evaluated.)*

We offer the following additional comments:

5. We offer the following comments on the Traffic Impact Study dated February 21, 2011:
 - It appears the sight distance analysis was performed during the winter season during leaf off conditions. However, vegetation exists along the entire property frontage that may impact sight distance during leaf on conditions. The applicant should consider this when determining if signs or other improvements are necessary to meet the minimum guidelines for sight distance. Trees and underbrush should be pruned and removed as necessary to provide an unobstructed line of sight and ensure roadside visibility. Roadside plantings along the frontage that would provide an unobstructed view and/or on-site planting should be considered to mitigate for this loss.
 - The applicant is proposing a back-to-back turn lane to accommodate exclusive left turn lanes on Sitterly Road at the Clifton Park Center Road and Sitterly

Road Site access. The results of the capacity analysis for the 2012 Build PM peak period with improvements do not support the applicant's proposed storage length of 185 feet for the turn lane on Sitterly Road at Clifton Park Center Road; to then also accommodate a back-to-back southbound left turn lane at the site access. The capacity analysis shows that the average queue for the northbound left turn at the Clifton Park Center Road intersection will be approximately 215 feet. Providing less storage than the average queue will result in the northbound through/right turn lane being blocked, additional congestion at the two intersections and inefficient intersection operations. We recommend this lane be provided to accommodate only the northbound left turn movements.

- As discussed in item above, the applicant proposes a southbound exclusive left turn lane at the site access to accommodate turning movements into the site. While we concur that a storage area should be provided for the southbound left turning vehicles that doesn't impede the southbound through flow of traffic, we do not recommend that it be back-to-back with the northbound left turn lane at Clifton Park Center Road. Alternative methods to accommodate the southbound approach to the site should be evaluated, including but not limited to providing side-by-side left turn lanes and/or a widened shoulder to accommodate a bypass lane.
 - The Traffic Evaluation discusses the use of a two-way left-turn lane (TWLTL) on the south side of the site access intersection to accommodate left turn movements exiting the site. The applicant should clearly identify the use for this lane, such as a refuge area, acceleration lane, etc. While we concur that providing a refuge for the left turn exiting movements will improve the LOS for this movement, the intent for this lane should be consistent with the proposed improvements shown on the site plans.
 - The proposed widening of Sitterly Road to accommodate vehicular traffic should not preclude its use by pedestrian and bicyclist traffic.
 - As previously recommended and supported by the Planning Board, the sidewalk proposed on Sitterly Road from the Clifton Park Center Road to the site access should be relocated closer to Sitterly Road to provide access to the shoulder which was identified in the study as being used by pedestrians. Moving the sidewalk closer to Sitterly Road would also accommodate any future connection that could continue from the site access southerly. A buffer should be provided between the sidewalk and the travel lanes and be consistent with industry standards.
 - The No-Build and Build capacity analysis of the Sitterly Road and Crossing Boulevard intersection includes the roadway mitigation measures proposed for the Crossing Boulevard Mixed Use project. The improvements include the addition of an exclusive westbound right turn lane and an exclusive southbound right turn lane. The capacity analysis for the Ellis Medical Building project evaluates the use of an overlap for the westbound right turn movement and the southbound right turn movement. However, the Traffic Signal Plans (90% completion submittal) provided for that project do not include the equipment for the overlap. The Traffic Signal Plan for that project will either need to be revised to incorporate this improvement or the capacity analyses should be revised to reflect the proposed operations and results of the analyses.
6. We offer the following comments on the Stormwater Management Report:
- Section 1.0 of the report should indicate onsite stormwater management will be

implemented in accordance with NYS Stormwater Management Manual to accommodate both additional stormwater runoff and to provide water quality treatment according to the new green infrastructure standards.

- According to the narrative, test pits were performed at the stormwater management locations. The specific test pit locations should be depicted on the plans and provide the specific groundwater elevations at each stormwater management basin.
- According to the NYS Stormwater Management Manual (NYS SWM) Chapter 3, the stormwater management approach to green infrastructure should follow the five step process approach to planning and practice selection including the discussion and elimination of each possible option to meet the RRv at the runoff sources. According to the report's Section 4.4.1-Water Quality, the water quality volume appears to have been met through a conventional "end of pipe approach" rather than through a distribution or combination of infiltration type practices at the "runoff source" in the parking lot and building areas. If any of the green infrastructure methods or combinations listed in the NYS SWM are not feasible for this site, the narrative should have a thorough explanation why each cannot be implemented.
- In Section 2.0 Existing Site Conditions and Section 4.3 Storm Water Management Area #3, the narrative discusses the accommodation of runoff attenuation coming from I-87 along Sitterly Road. The following are issues of concern to the stormwater management design:
 - The existing 24 inch RCP along I-87 is not shown. The proposed connection should correspond to the elimination or replacement of this existing pipe. There is an issue with picking up the I-87 flow without crossing the chain link fence at the ROW.
 - The required water quality volume to Stormwater Management Basin #3 outlet area does not take into account the additional drainage area from I-87. The additional of clean water flow will impact the required water quality volume going the same location.
 - The offsite I-87 area should be modeled in HydroCAD since this flow passes through Stormwater Management Basin #3.
- The water quality volume calculations in the report narrative indicate 3.54 acres impervious. The Rv value should be calculated as 0.51. Table 2 shows 0.56. The water quality volume calculation should be verified.
- Stormwater Management Area #2 is called out as (F-5) Bioretention. We have the following concerns with the proposed design:
 - The minimum head required for Bioretention is four feet and requires an underdrain that carries the treated flow to an outlet. The plan does not depict an underdrain.
 - Bioretention basins are designed for treating sheet flow off of impervious areas and must have a pre-treatment barrier such as a pea gravel diaphragm and grass strip. The design depicts a portion of the flow being piped directly into the basin without pretreatment.
 - The basin will be located directly under the area where existing impervious paved area is present. Instructions must be given to remove all subgrade and asphalt material before the basin soil components are installed.
- The volume sizing calculations for the forebays prior to an infiltration practice should be provided. Pretreatment of 100% of the water quality volume is required where infiltration rates are greater than 5 inches per hour.

7. We offer the following comments on the Stormwater Pollution Prevention Plan:
 - Question #11 of the NOI should be completed with the projected start and end dates of construction.
 - The sequence of major activities is listed as general activities and should be updated to reflect the three phases shown on the ESC Plan sheet C-003. Phased staged construction sequence notes with the total disturbed acreage for each phase should be provided.
 - The boring locations with groundwater elevation data at the infiltration basin sites and the bio retention site should be provided.
 8. The off-site utility plan should indicate the proposed method of sanitary sewer installation. If an open cut is proposed additional detail of the crossing swale wets of the 42" culvert should be provided.
 9. The relocation of the existing access drive will require the removal or relocation of the existing guiderail. Additional plan detail should be provided.
 10. Additional pedestrian crosswalks should be provided at the intersection of Sitterly Road and Clifton Park Center Road.
 11. According to the New York State Standards and Specifications for Erosion and Sediment Control, silt fencing should be placed on contours and should not be aligned downhill through contours. The Erosion and Sediment Control Plan depicts the silt fence line running upslope and down slope of the proposed stormwater management basins. Generally the silt fence should be placed at the top of the slopes to protect the infiltration area of the basins.
 12. If utilized, check dams should be shown in exact intended positions or spaced as indicated. It does not appear to be necessary to place check dams at the bottom of Stormwater Management Area #3.
 13. Phased staged construction sequence notes should be provided on the plan for each of the three stages. These notes should reflect notes in the Sequence of Major Activities section of the SWPPP.
 14. Stormwater management BMP signage should be provided as required in Section 3.5 of the Stormwater Design Manual.
 15. The disturbance limits associated with the 24 inch RCP pipe along I-87 should be depicted on the plan.
- h. ECC Comments
No additional Comments

Public Comment

Dave Leonard, Sonat Road, asked where Sitterly would be widened. Mr. Vuillaume then pointed to the East side near the hospital. He also spoke with Mr. Milton requesting some arbor vitae buffering along the residential side of Sitterly. The consultant stated that the slope would be difficult. Also, planting in the Town right-of-way could be an issue that would need to be addressed. Mr. Vuillaume

stated that some of the existing foliage would be reduced with the widening. The consultant then said that an inventory would be done and possibly something could be planted to improve that entrance.

Pam Marshall, Fairlawn, asked how far cars would queue for the left hand turn. The Consultant remarked that sometimes it does go back beyond the driveway distance which is why the turn lanes are needed. It was stated that the traffic study showed the potential for big back up.

Planning Board Discussion

Mr. Hale asked if a “Do not block driveway” sign could be used. The Creighton Manning consultant stated that with a private drive that could not be regulated anymore. Mr. Koval stated that the left hand turn from Sitterly to Clifton Park Center Road will only get more difficult with the other improvements that are being developed in this area and he felt that traffic is only going to get worse and could be problematic considering people who may feel a sense of urgency to get into the site. Mr. Koval asked if there were another way to get drivers through that intersection. Mr. Koval mentioned that discussion of a roundabout had been previously discussed in this location. Mr. Ferraro asked if there was any chance to channel movement to some kind of access on Clifton Park Center Road to alleviate this problem. Mr. Scavo stated that at this point there is no future development planned on that site so it can not be planned now although, that site would likely end up with similar conclusions through a future traffic study. The planning board asked for some cost analysis to be done to see what benefits might be obtained by adding a roundabout at the intersection.

Mr. Ferraro also recommended the sidewalk be moved closer to Sitterly Road. Mr. Koval asked for clarification about the landscaping along the Northway being adequate. Mr. Ophardt asked if existing drainage basins were going to be sufficient enough to include landbanked parking if it is needed. Mr. Vuillaume stated that it would be adequate but they might also add a couple rain gardens in the parking. Mr. Hale asked if 100% of runoff reduction requirements was met. Mr. Vuillaume explained that it was and that the pretreatment requirements were met as well. Mr. Ferraro asked about fencing around basins, and Mr. Scavo stated that it would be desirable to install split rail fences with some wire mesh if required per regulations. Mr. Ferraro recommended that a meeting with CHA, consultant and a Planning Department representative be required to work out details with an eye to the aesthetics.

Mr. Ophardt asked if calculations of drainage from I-87 could be shown on the plan. Mr. Vuillaume explained that they will be able to model it once snow is cleared and they are able to find drainage pipes on site.

II. Old Business

- B. **[2009-027] One Fairchild Square** - Proposed parking space amendment to existing site plan approved 5/6/2010, 320 Ushers Road. Amended site plan review and possible determination. SBL:265.-1-15.11

Tom Andress, ABD Engineers and Surveyors, described the area that is being proposed for a parking lot amendment as it was depicted on the prior subdivision plan. The applicant is purchasing some additional land from Mr. Rekucki to allow for additional parking on the One Fairchild Square Space designated for the Ushers Road building which is currently being constructed. No additional lighting is needed other than what is already planned.

Staff Comments

- i. Building and Zoning read by Planning Director
- The rational method of SW runoff calculation is not acceptable.

- SWPPP for the project not provided with submittal.
 - 100 year storm volume per correspondence is 901 cubic feet. Two drywells provide 720 cubic feet of storage. This is not approximately the same as stated, it is 20% less.
 - Drywells are only suited for roof runoff and not appropriate for this use.
- j. Planning Director's comments
- A signoff from the Stormwater Management Officer will be required prior to final approval.
 - A note should be added to the plans noting that this proposal is only a minor parking amendment to the site plan approved on 11/24/2009 by the Town of Clifton Park Planning Board and the terms, conditions and restrictions of that approved site plan other than the parking amendment shall remain in full effect.
- k. CHA Comments
- No additional comments
- l. ECC Comments
- Comments have been addressed

Public comments

Pam Marshall asked how cars would access this parking space based on Ushers Road entrance. Mr. Address stated that non-truck traffic could enter from Ushers Road and that the drive from Van Patten has been repaved. Mr. Scavo stated that this was the one building that was going to use Ushers Road most likely for its access point based on the overall site. Signage is at the main entrance from Van Patten Drive.

Planning Board Discussion

Mr. Koval mentioned that the building as actually built seems closer to Ushers Road than he first envisioned and Mr. Address stated that no landscaping has been done as yet and that when Abele Builders complies with that plan, it will improve the appearance of the site with evergreens and a few deciduous trees and some shrubbery. The Planning Board asked if 5 additional trees could be added in area of the Northern border with Ushers Road for some additional buffering. Mr. Romano stated that erosion control would be a condition of the final site inspection in regard to landscaping.

Mr. Hale moved, seconded by Mr. Andarawis to establish the Planning Board of the Town of Clifton Park as Lead Agency for this application, an unlisted actions, and to issue a negative declaration pursuant to SEQRA. All in favor, none opposed. The motion was unanimous.

Mr. Koval moved, seconded by Mr. Ophardt to waive final review and grant site plan approval conditioned upon satisfaction of the comments offered by the Planning Board, Planning Department, and CHA Companies. All in favor, none opposed. Unanimously carried.

Mr. Ferraro stated, for the record that the applicant will receive a Final Review Letter from Town Staff to note any remaining outstanding items for this application that must be satisfied prior to final stamping of the approved site plan.

III. New Business

None

IV. Minutes Approval

Mr. Hale moved, seconded by Mr. Koval to accept the minutes of March 8, 2011.

Approved by: All

Absent: Werner

Abstained:

V. Discussion Items

Mrs. Paulsen moved, seconded by Mrs. Pace to close the meeting at 8:56 pm. The motion was unanimously carried.

Respectfully submitted,

Meg Springli