

Town of Clifton Park

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PLANNING BOARD

Rocco Ferraro
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Margaret Springli
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MEMBERS
Michael Hale
Joel Koval
Eric Ophardt
Sandra Pace
Kim Paulsen
Tom Werner

(alternate) Emad Andarawis

Planning Board

April 12, 2011

Those present at the April 12, 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. Ferraro called the meeting to order at 7:04 pm. He announced that the applicant for Prestige Motor Co. had requested their review be pulled from tonight's agenda and be placed on the agenda for the next meeting. The chairman also stated that Emad Andarawis would be a voting member in the absence of Tom Werner.

Mr. Ferraro next stated that on June 15, 2011 8:30-3:00, the CDRPC would be hosting an all day Planning workshop at HVCC on stormwater management and green infrastructure. The chairman said that any planning board members attending could earn planning credits and information will be sent out to everyone when it is available

I. Public Hearings

None

II. Old Business

- A. ~~[2008-010] Prestige Motor Co. Proposed amendment to stamped plan for parking lot modification, 1928 Rt. 9. Preliminary site plan review and possible determination. SBL: 259.-2-30.111~~ **Rescheduled at request of applicant for 4/26/2011**

III. New Business

- B. **[2011-003] Sushi Tei Restaurant**- Proposed modification to an existing restaurant. 1218 Rt 146. Conceptual site plan review. [SBL:270.-2-24](#)

Lucian Nyeu and Tony D'Adamo presented the project which consisted of converting the former Mama's Pizza Restaurant to a Japanese restaurant and 2 small additions, one on the front and one on the back. Ms. Nyeu stated that there had been variances obtained by former owners and they would utilize the same footprint as approved in the variance. In addition, the new owner would modify the site a bit for some garden and parking restructure. The speaker stated that they would keep same capacity of 60 seats and 30 parking spaces.

Next, Mr. D'Adamo introduced the site improvements, pointing out the changes in the entrances, landscaping and parking lot. The speaker also noted that the plan was to eliminate one entrance along Rt. 146 and use the deeded access easement through the North Country Commons. Mr. D'Adamo stated that the applicant would like to make building renovations first and get the restaurant opened and then in a second phase they would like to make the parking lot modifications and complete the landscaping plan. Next, the speaker addressed the various handicapped parking and safety of pedestrian paths into the new entrance.

Mr. Scavo read a letter from CPWA

- Due to problems with the long service line that currently supplies water to the building, the CPWA will require that the building be tied into the water main on Route 146, and that the existing line be abandoned. The Water Authority will provide a new tap and water line under Route 146 to the property, but it will be the responsibility of the owner to make the connection between the existing service and the new service line.
- The proposed use of the property requires a double check valve backflow prevention device to be installed on the service entering the building.

These comments are based on the plans previously submitted. Any future submissions may generate additional comments from this office.

Mr. Scavo read comments from S. Myers, Building Director and asked that preapproved variances be noted on the final plan.

- Removal of exit lane may require deeded agreement for access to North Country Commons.
- Unknown if any variances for setbacks will be required for expansion.
- Building review may require further modifications such as sprinklers due to second story. Handicapped accessibility for second story may also be required. Exiting is also changing.

Ms. Nyeu responded that the owner intended to use the second story for storage and not patron seating, but that might change depending on cost estimates. Mr. Ferraro asked for clarification of sprinkler requirements depending on usage.

Mr. Scavo asked for specific clarification of what is take part during each phase and with the elimination of an exit and triggers for each phase of the project that the applicant can be held accountable for in order to obtain permits and/or c.o.'s.

Mr. Ferraro questioned the concept of phasing and would like to see two separate plans depicting each phase rather than consolidated in one to simplify board review and approval. Mr. Romano remarked that the board would have to be comfortable with each phase being acceptable if the second one does not occur.

The Board questioned the easement and the necessity of approvals from the owner. Mr. D'Adamo stated that he has contacted the representative for North Country Commons but has yet to receive a response regarding the parking lot connection. Mr. Pelagalli noted that by right the deed states that the easement exists and it carried with the land and obstruction on either party would be in breach of contract. Mr. D'Adamo responded that they would like to work it out with North Country Commons before the plan is finalized. It was agreed that the easement was in place per the deed as filed at the County and the Board should proceed under that assumption.

Mr. Koval asked if Phase I would be able to stand alone for approvals without the changes in Phase II. The Planning Board asked for clarification of the variances before proceeding to ensure that further ZBA hearings are not required.

Mr. Romano read comments from CHA.

1. The plan appears to depict replacing the existing outdoor patio area with a two story enclosed dining area. The plan should provide additional clarification regarding the proposed limits of the addition. The Planning Board should review the impact of the large addition in such close proximity to NYS Route 146, and consider the existing appreciable setbacks of the adjoining Gold's Gym and Pioneer Savings Bank.
2. We are concerned with the location of the relocated building entrance and the potential conflicts with vehicles entering the parking lot. The proposed layout directs pedestrians entering and exiting the building to the drive aisle for vehicles entering the site at a point where the vehicles are making a sharp left turn and may have limited visibility. Consideration should be given to revising the building layout and entrance or the sidewalk location to avoid the potential conflicts.
3. The plan depicts the removal of the existing exit drive and utilization of a connection to North Country Commons. While we support the proposed access management and elimination of a curb cut along Route 146, it should be verified that an access easement is in place with the adjacent landowner. We would prefer the connection to the adjacent parcel be made opposite the drive aisle of the Pioneer Savings Bank. This would allow

for vehicles exiting the site more direct access to Route 146, thereby discouraging vehicles from using the one-way in entrance drive to exit the site.

4. The plan should list all previously approved variances for the site. It should be verified that existing variances will not require modification.
5. The application form indicates 60 parking spaces to be provided while the plan depicts 31 proposed spaces. It appears the application form should be revised.
6. 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 – Site Plan Review
 - Saratoga County Planning Board – Section 239 referral
 - NYSDOT- Curb cut modification permit
7. Future submissions should include the following:
 - Existing conditions plan with a boundary and topographic survey
 - Detailed site layout, grading and utility plans
 - Proposed lighting plan
 - Detailed landscaping plan
 - Existing and proposed building setbacks and greenspace
 - Site construction details

Mr. Romano discussed the easement being closer to the Bank might be better rather than all the way back by the North County Commons. There was general agreement by the Planning Board that that could be explored. The consultant stated that grading might be an issue with the access point closer to Rt. 146.

Mr. D'Adamo addressed questions regarding the plan with windows and views facing the West and entrance hallways. The speaker also noted that they are trying to work with what exists while making improvements to walkways, waiting areas and kitchen access.

Mr. Montague read comments from ECC :

After review of the data presented, the ECC made the following recommendations:

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 on an impervious surface with a berm surrounding the dumpster that accepts 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.

Mr. D'Adamo stated that the dumpster could be drained into the grease trap.

Mr. Koval asked for clarification of seating arrangements since capacity is remaining the same but the footprint is changing. Ms. Nyeu noted that it would be a Japanese type of dining room with increased square footage per person. Mr. Ophardt asked if the applicant had reviewed the existing parking agreement with the current Gold's Gym that had been established when it was Starburst Roller rink. The consultant said they felt it was too inconvenient. Mrs. Paulsen asked about the waiting area for diners and it was pointed out on the plan. Mr. D'Adamo also commented that plans showed 10 more parking spaces than was required for the current seating capacity. Mr. Ophardt asked if the handicap and pedestrian crosswalk areas could be shown differently on the next plan. The consultants replied that adjustments would definitely be made as the plans were advanced while dealing with existing conditions. Mr. Hale suggested a speed table might be beneficial to both pedestrians and plows while acting as a traffic calming measure. The planning board also asked the consultants to consider other alternatives for 'one way' parking in the parking lot as well as signage to indicate the traffic pattern. Mr. Koval and Mrs. Paulsen noted that they felt that this plan shows general improvements to a difficult lot that has been an institution in Clifton Park for decades.

The board found the plan generally acceptable and Mr. Ferraro asked the applicant to submit at the next stage ready to answer the questions about variances, phasing and traffic patterns for both cars and pedestrians.

IV. Minutes Approval

Mr. Hale moved, seconded by Mr. Andarawis to accept the meeting of the planning board meeting held on March 22, 2011. All in favor, the motion was unanimously carried.

V. Discussion Items

None

Mr. Andarawis moved, seconded by Mr. Koval to close the meeting at 8:59 pm. All in favor, the motion was unanimously carried.