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PLANNING BOARD

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Michael Hale
Joel Koval
Eric Ophardt
Kim Paulsen
Tom Werner
(alternate) Eric Prescott

Planning Board Meeting Minutes
February 25, 2014

Those present at the February 25, 2014 Planning Board Meeting were:

Planning Board: R. Ferraro, Chairman, E. Andarawis, M. Hale, J. Koval, E. Ophardt,
E. Prescott – Alternate Member

Those absent were: K. Paulsen, T. Werner

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 called the meeting to order at 7:03pm. All in attendance stood for the pledge of allegiance. Mr. Ferraro noted for the record that Eric Prescott will be a designated voting member in place of Kim Paulsen for this meeting. The chairman stated that the Fairchild II project previously listed under old business has been postponed until 3/25/2014 at the earliest at the request of the applicant. The chairman also noted that an email notifying planning board members of the March 10, 2014 Ethics Training session was forwarded to Planning Board members and they should let the secretary know if they are attending.

Minutes Approval

Mr. Ophardt moved, seconded by Mr. Prescott, to approve the minutes of the meeting on January 28, 2014 as written. Ayes: Ophardt, Prescott, Koval, Hale, Werner. Noes: None.

Public Hearings

2014-005 Syrotinski Estate

Proposed (2) lot subdivision, Zoned:CR, 266 Sugar Hill Road, Preliminary public hearing and subdivision review with possible determination.

SBL(s):276.-1-33

Mr. Ophardt moved, seconded by Mr. Hale, to establish the Planning Board as Lead Agency for this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

The secretary read the public hearing notice as it was published on February 18, 2014 in the Daily Gazette.

The project was presented by: Duane Rabideau of Vanguilder and Associates. Mr. Rabideau mentioned that he was representing the applicant Gail Barber. Mr. Rabideau showed the subdivision plan on the map and it remains much as it was last seen on January 28, 2014 with each home designed to have individual well and septic systems. Mr. Rabideau noted that the applicant was granted variances from the zoning board of appeals and he added that all comments by town staff and the town-designated engineer have been addressed.

Environmental Conservation Commission had no further comments.

Sheryl Reed 911 addresses have been issued and should be shown on the plan
Steve Myers no further comments

John Scavo - per comment letter dated 2/18/2014

A Parkland fee will be collected prior to the final stamping of the final plan.

Prior to final stamping the final subdivision map should display assigned 911 addresses for each lot.

Please be aware that pursuant to Town Law 276(7)(c) a conditional final subdivision plat expires 180 days following the date of the resolution of approval unless all conditions are satisfied. The Planning Board may extend for periods of ninety days each, the time in which a conditionally approved plat must be submitted for signature if, in the Planning Board's opinion, such extension is warranted by the particular circumstances. As such, the applicant is required to request an extension in writing to Planning Board, within 30 days, of each aforementioned expiration.

Joel Bianchi of MJ Engineering offered the following comments from a letter dated 2/21/2014

State Environmental Quality Review

No additional comments

Short Environmental Assessment Form

No additional comments.

Subdivision Plans

As noted in Comment 5 of our January 27, 2014 review, it was suggested that percolation tests and deep test holes be performed prior to final subdivision approval to ensure that on-site septic systems are feasible at the locations indicated. Due to weather conditions it is

not suitable to conduct such testing. Notation provided on the plat indicates that such testing must be completed as part of the building permit process. We would take no exception to this approach.

As noted in Comment 8 of our January 27, 2014 review, 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.

As noted in Comment 11 of our January 27, 2014 review, the Tax Map ID for the existing parcel should be added to the plat.6. As noted in Comment 12 of our January 27, 2014 review, prior to 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

Dan Hartnett, of the Trails Subcommittee, asked if a large enough right-of-way existed for widened shoulders and it was determined that there was enough room but Mr. Rabideau stated that he thought the tree-line would interfere with an actual path and it should be more likely that one would be built on the eastern side of the road in this case as that is clear of trees already. Mr. Hartnett stated the recommendation was for widened shoulders in this location. Discussion ensued and it was agreed that there was enough room for widened shoulders.

Mr. Ferraro moved, seconded by Mr. Hale to close the public hearing at: 7:18 pm. Ayes: all, Noes: none. The motion was unanimously carried.

Planning Board Discussion

Mr. Koval remarked that the parcel to the south has a septic system on it that looks on the plan to be less than 100 feet from the new well. Mr. Rabideau verified that the 11x17" plans given to planning board members was not to scale and that the distance was, in fact, more than 100' as required.

Mr. Ophardt asked about the status of the existing home. Mr. Rabideau said that it is not clear yet if it can be saved but the applicant would like to do so, if they can. Mr. Andarawis stated that the Historic Preservation has identified the structure as being of interest and hoped that the challenges can be worked with if at all possible.

There being no further comment, the chairman asked for Resolution #4 of 2014 to waive the final hearing and grant preliminary and final approval of the (2) lot subdivision conditioned upon satisfaction of any outstanding comments in the final comment letter to be issued by the Planning Director.

Mr. Hale offered Resolution #4 of 2014, seconded by Mr. Ophardt, to waive the final hearing for this application for the (2) lot subdivision of the Lands of Syrotinski, and to

grant preliminary and final subdivision approval condition upon satisfaction of all comments provided by the Planning Department, Town Designated Engineer, and all items listed in the final comment letter issued by the Planning Department. Ayes: Mr. Andarawis, Mr. Prescott, Mr. Ophardt, Mr. Hale, Mr. Koval, Mr. Ferraro. Noes: None.

III Old Business

2013-032 Fairchild II

Proposed construction of 15,100 sf, Zoned L-1, Ushers Road Rear, Preliminary review with possible determination.

~~SBL: 259-2-84.1~~ POSTPONED UNTIL LATER DATE AT REQUEST OF APPLICANT

2013-041 Clifton Park Center Mall Homewood Suites

Proposed construction of a new (4) story, 100 unit hotel, Zoned: B-4, 22 Clifton Country Road, Preliminary site plan review with possible determination

SBL(s): 272.-1-45

The project was presented by: Joe Dannible of Environmental Design Partnership on behalf of the applicant, DCG Development. The project was last seen on December 10, 2013. Mr. Donald Macelroy of DCG Development was also present. Mr. Dannible used a PowerPoint presentation with aerial views and facade renderings to show the orientation of the proposed project, a 100-unit suite style hotel. The presentation showed modifications to the plan in response to the last planning board meeting. The consultant explained that the building has been reoriented in the parcel to be farther away from the Clifton Park Action Park and the parking and landscaped areas have been redesigned and is no longer proposed to be subdivided. The consultant then reviewed the history of the mall from 2006 when DCG Development acquired the mall and started its redevelopment which has created the new layout of the shopping center with separated strips of buildings and shared parking. Mr. Dannible also described the overall site transformation as the foot print was reduced and stated that the allowance for maximum square footage would not exceed the maximum buildout amount that had been approved for the original Clifton Country Mall and “banked” for future use within the outlying pad sites of the current Clifton Park Center Mall. Mr. Dannible then described the progress of the mall projects as it has been refurbished in various planning board reviews since then to date.

Mr. Dannible then explained how the trip generations were calculated based on prior approvals and trips generated by each of those uses. The consultant stated that as uses and configurations have varied from retail use to a mix of retail, restaurant, and hotel, the traffic calculations have been adjusted as well and that the overall mall is still 374 trips under the threshold that was originally approved for the maximum buildout of the mall.

In regard to the 4-way stop at Clifton Country Road, the consultant showed renderings that were slightly different from those submitted to the planning board in response to the comments from staff and/or town-designated engineer. Next, Mr. Dannible displayed a series of photographs of each of the street views with current conditions in winter when the building would be most visible and “after” renderings which included embedded images of the different facades inlaid with those same street views.

The last slide showed the variety of the ridge line of the roof with 3 different elevations and parapets. Mr. Dannible noted that the colors currently being considered are in the brown and green tones with a brick facade at the lower level and pier footings. Mr. Dannible added that the applicant would like a portion of the parking along Clifton Park Center Road to be land-banked and seeded at this time, although the spaces had been included in total calculations of impervious surfaces for stormwater purposes.

Mr. Dannible stated that the mall as it was configured in 2006 was about 12% green space and that each application since then has been increasing green space. The consultant stated that Homewood Suites project will increase green space as currently the site is entirely parking lot and the landscaping as proposed will add to the overall green space of the Clifton Park Center Mall.

Sheryl Reed no comments

Mr. Ferraro asked how this project would fit with proposed form-based code and the Planning Director replied that in its current proposal, the project would appear to comply with the draft of the Town Center Code that was currently being reviewed.

Mr. Ferraro then asked for clarification about the location of electrical systems and Mr. Dannible indicated on the map where they would be installed with screening for visual and noise dampening.

Joel Bianchi of MJ Engineering offered the following comments from a letter dated 2/21/2014

State Environmental Quality Review
No additional comments.

Short Environmental Assessment Form

An updated SEAF was not provided with the latest submission to verify whether or not comments 9 through 12 of our December 9, 2013 review have been adequately addressed.

Site Plans

The Removals Plan should note the defined ingress/egress point for construction vehicles and it should be limited to one point from the public right of way onto the property.

The Removals Plan notes the existing salt storage is to be removed and relocated. Where ever this is to be relocated, it shall be covered and be provided appropriate protection to prevent migration of salt into the site stormwater system.

The Removal Plan notes an existing exterior light to be removed and relocated. Please confirm that this fixture is similar to others proposed within this project.

The storm sewers noted as being removed in the vicinity of the proposed building on the Removals Plan still appear on subsequent proposed conditions plans and should be removed to eliminate confusion.

The Layout Plan suggests 138 spaces being proposed with an additional 83 being banked for future construction. Please confirm these numbers and show the exact numbers on the Layout Plan. Further, please delineate where the shared spaces with the Center as listed in the Site Statistics are located.

The Layout Plan show 3 accessible parking spaces. Based upon the number of total spaces initially proposed of 138, there needs to be 5 accessible spaces pursuant to Table 1106.1 of the Building Code of New York State (BCNYS). Further, if the banked parking is ever constructed, 2 additional accessible spaces will be required and it may be appropriate to plan for such spaces with the current configuration.

One of the accessible spaces appears to have an access isle less than the 8-foot minimum as required by Section 1106.1.1 of the BCNYS.

The proposed locations for the on-site hydrants need to be reviewed by the responding fire agency.

Please note the location of the Knox Box and fire department connect or provide notation on the plans that the location of these items will be determined by the Town during the building permit process.

The sanitary sewer extension across Clifton Park Center Road and Kings Court will require a work permit from the Town of Clifton Park.

For the open cut of Kings Court for the installation of the sanitary sewer, provide a maintenance and protection of traffic plan ensure the road will remain open at all times.

For each of the I-2 stormwater practices, in-situ soil testing is required. The minimum geotechnical testing is one test hole per 5000 sf, with a minimum of two borings per facility pursuant to Section 6.3.1 of the New York State Stormwater Management Design Manual (NYSSMDM).

Provide notation on the Erosion and Sediment Control Plan that all upstream construction shall be completed and stabilized before connecting to the downstream infiltration practice(s) pursuant to Section 6.3.5 of the NYSSMDM.

Provide notation on the Erosion and Sediment Control Plan that the infiltration practice(s) shall not be used as sediment control device during site construction phase pursuant to Section 6.3.6 of the NYSSMDM.

The Erosion and Sediment Control Plan needs to identify how site runoff will be diverted away from the infiltration practices during construction.

The Erosion and Sediment Control Plan needs to indicate locations for temporary sediment traps to be used during construction.

A site illumination plan needs to be furnished for review.

Provide a detail for the 36-inch x 36-inch stone filter that is proposed along the edge of pavement throughout portions of the project.

Each of the proposed stormwater practices needs to have a sign posted in the immediate vicinity of the practice. The sign shall be not less than 18 inches by 24 inches and shall contain the information outlined in Section 3.5 of the NYSSMDM.

The SWPPP indicates tree plantings are one of the green infrastructure practices to be employed. Sheet 9 of 12 needs to identify which specific trees/species are intended to satisfy this requirement to ensure that the replacement meets the requirements of Section 5.3.4 of the NYSSMDM.

Detail 10/C notes that maximum depth of water in the rain garden of 12-inches, where Figure 5.42 in the NYSSMDM notes 6-inches, maximum.

Detail 10/C references a planting table for the species to be planted. No table could be found and the plantings shown on Sheet 9 are all on the periphery of the rain garden. Plantings within the rain garden need to be selected from Table 5.11 of the NYSSMDM and shown on the plans

The plan sheets note a rain garden drain; however Detail 10/C does not show the drain per Figure 5.42 of the NYSSMDM.

Provide a detail of the proposed dumpster enclosure.

The proposed onsite sanitary sewer and potable water system layout and details have not been reviewed as they are under the purview of other authorities having jurisdiction. Any comments provided by these agencies shall be furnished to the Town for their records.

Colored renderings of the proposed building have been furnished. It is recommended that the applicant provide a listing of materials of construction for review by the Planning Board.

Stormwater Pollution Prevention Plan

#29-42(Stormwater was reviewed with applicant so he stated that he would not read them)

Traffic Assessment

The submitted assessment appears to provide anticipated peak vehicle trips based upon a 100-room extended stay. There needs to be confirmation that the hotel will not include ancillary functions such as conference and/or meeting rooms that may add to the peak vehicle trips stated.

There is no analysis of existing/proposed levels of service on the adjoining roadway intersections. While this distinct use may not warrant a full traffic analysis pursuant to the NYSDOT standards and the increase in traffic from this project may only be incremental, there has been continued development in the area and more proposed. Therefore, absent

any such analysis, there has been no examination of cumulative impacts on the adjacent intersections and what even the smallest increase will do. Specific concern is for the intersection of Sitterly Road and the site's northeast ingress/egress, which is believed to have a substandard level of service, which this proposed use and associated vehicle trips may exacerbate. The decision to require a full traffic analysis is to the discretion of the Town.

Mr. Bianchi then asked if there had been checks and balances applied throughout the buildout of the various projects at the site to check whether the levels of service which might have been identified still existed and whether any mitigations had been applied in the past. The town-designated engineer stated that those issues needed to be identified and discussed in the traffic analysis.

Next, Mr. Dannible addressed questions on lighting. The consultant stated that the applicant was proposing to reuse 2 existing light poles to keep lighting similar to rest of mall parking lots. Mr. Dannible explained that some of the heads of lights will be removed which would reduce the light foot-candles. Then he stated that accent lighting will be added near sidewalks and no additional wall-pack lightings other than those placed over egress doors will be used. Discussion ensued regarding potential energy savings .

Mr. Dannible stated that directional drilling for the sewer line will be done under Clifton Country Road, but that Kings Court will require opening the man-hole and they will coordinate that with the Highway Department at that time for traffic control. The consultant then stated that there were shared parking agreements through cross-access easements throughout the entire mall.

Mr. Ferraro noted that he felt that some of the handicapped parking should be located as close as possible to the hotel entrances regardless of the shared parking lot agreements. Mr. Hale stated that it should be seen how many would be required for a stand-alone 100-room hotel and that should be what is shown for this location as well.

Public Comment

Pam Marshall, a town resident, stated that she felt the handicapped spaces should be near two different entrances to hotel so there were options.

Dan Hartnett of the Trails subcommittee, stated that they would like to see the following incorporated to the plan:

Sidewalk or markings for a pedestrian lane from the movie theater entrance over to the Boscov's entrance

a sign at the 3-way stop intersection indicating that "incoming traffic does not stop"
a pedestrian connection to the Zaika Restaurant

Per 9/15/2010 planning board minutes, future development should include multi-use trail along Clifton Park Center Road from Sitterly to Clifton Country Road within the right-of-way per the Master Trails Plan.

Mr. Ferraro stated that he felt good internal circulation was being proposed with the project and was questioning where the responsibilities lay for all the connectivity. Mr. Ophardt asked if this area was included as part of The Trails Master Plan. Mr. Hartnett

stated that it was on The Trails Master Plan and that it had been discussed in 2010 Planning Board Minutes when the mall renovation was reviewed and that the committee was told that it would be more appropriate when this corner of the mall parcel was developed rather than at that time. Mr. Hartnett also noted that a short trail across from Clifton Garden Road into the mall parcel existed and that he thought it would be logical to continue that connection the sidewalk of the hotel and that it was a critical location for pedestrian access identified in the Clifton Park town center plan.

Mr. MacElroy of DCG Development stated that he and Mr. Dannible will take that into consideration and look at the overall plan. Mr. Scavo stated that looking at the aerial GIS map, it would be approximately 1550 ft of trail if it were to extend from Clifton Country Road to Sitterly Road. Mr. Koval stated that he understood that there was a financial consideration but that sidewalks were at the start of the town center plan and that what we see now near Moe Road would be what is envisioned. Mr. Hartnett stated that a trunk trail would link into the sidewalks within the property. Mr. Ferraro stated that maybe it could be started with this project in phases proportionate to the area of the hotel. Mr. MacElroy said that the mall is interested in seeing pedestrian access improve and will study it.

Mr. Koval then asked for a site plan that is cleaned up without the old non-existing sidewalk areas showing on it so it would be easier to analyze the actual existing conditions.

Mr. Ophardt asked if there was going to be a bar or restaurant or banquet facility. Mr. MacElroy stated that they have a breakfast buffet and hospitality hour but not a bar or sit-down restaurant per se.

Mr. Ophardt asked if there would be a problem with parking particularly during peak shopping times. Mr. MacElroy stated that even when it seems busy, there are different peak hours for different uses, so the shared parking has worked so far. The applicant also stated that they don't think they will need the land-banked parking but that it lends a level of comfort and will use it if needed.

Mr. Ferraro asked if the berm on the south side of the project site would remain as it is. Mr. MacElroy explained that they intended for it to remain and were not planning to add any supplemental plantings unless the planning board felt there was a particular area of concern. Mr. Hale suggested that the scotch pine should be gradually culled and that the owner should begin replacing them with a different species over time. Mr. Hale then asked if the proposed rain garden was to be functional or merely decorative and Mr. Dannible stated that there would be day-lighted pipes from the roof to the garden and that approximately 25% of the roof would drain here. Mr. Bianchi said that with re-development of an existing site there was no requirement for the applicant to institute green practices, but that the proposal has done a nice job of including them. Board members stated that they appreciated the facade changes and that they thought it looked a little less institutional than the initial renderings.

Mr. Ophardt asked the developer whether he had plans for any of the nearby pad sites and the consultant stated that they were not included in this application but that the

developer has stated that it was important for the marketability of the hotel that anything that might be built would not detract from the being created and that aesthetics be maintained.

The chairman asked the consultant to consider the pedestrian access improvements.

Mr. Dannible asked the planning board if it would be possible to obtain preliminary approval tonight. Mr. Ferraro stated that SEQR would be required first. Mr. Bianchi stated that he needed the traffic analysis to be quantified. Planning Board members agreed that the applicant should submit with noted modifications and studies before any approvals would be possible.

2014-003 Stewart's Shop Crescent Road Addition

Proposed 292+/- SF Addition. Zoned: B-3, 1543 Crescent Road, Preliminary site plan review with possible determination SBL(s):284.-1-25

The project was presented by: Chuck Marshall

The project remains much as it was presented when last seen on January 28, 2014. Chuck Marshall stated that the store was originally a Bonfare Store without gasoline pumps. Mr. Marshall stated that the final plan will show a dumpster enclosure detail which will include a chain-link fence surround with solid vinyl slats.

ECC- no further comments

Sheryl Reed – no comment

Steve Myers issued a modified review letter on 2/25/2014

Many aspects of building and lot appear to not be in conformance with current zoning regulations. Several permits and variances have been approved since its initial construction in the early 1980's. This proposal does not appear contrary to the previous approvals and as a result requires no new variances.

No discussion regarding additional impervious area and the stormwater effects.

John Scavo – stated that he had no new comments, and all items have been addressed

Joel Bianchi of MJ Engineering offered the following comments from a letter dated 2/21/2014

State Environmental Quality Review

1. No additional comments.

Site Plans

2. The existing dumpster is proposed to be removed and a new one constructed to resolve the encroachment onto the adjacent property. A detail of the dumpster needs to be provided for review.

3. The location of the proposed dumpster should be reviewed by Town staff to verify it is not within any defined minimum setbacks to a property line for an accessory structure.

Public Comment -

Mr. Hartnett asked whether the parking encroached into the setback and Mr. Ferraro stated that Mr. Myers researched it and that it has been addressed. Mr. Hartnett also asked for a bike rack and connections from the sidewalk to the store entrance and perhaps some narrowing of the street entrances to make the crosswalk safer for pedestrians. Mr. Marshall stated that the bike rack was something they would do but that the scope of this project would not merit narrowing the entrances. Mr. Hale then stated that in a future submittal, the asphalt should be reduced along that stretch of Crescent Road.

Mr. Ophardt moved, seconded by Mr. Prescott to establish the Planning Board as Lead Agency for this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. Koval moved, seconded by Mr. Hale to waive the final hearing and grant preliminary and final approval conditioned upon satisfaction of the comments issued by professional staff in a final review letter from the Planning Director. The motion was unanimously carried.

2014-004 Stewart's Shop Grooms Road Addition

Proposed 1,160 sf addition and exterior freezer with parking lot, light poles and landscaping to be redesigned. Zoned: B-3, 641-645 Grooms Road, Preliminary site plan review with possible determination.

SBL(s):277.13-4-26

The project was presented by Chuck Marshall and a slightly modified site plan was handed out to Planning Board members and staff showing some of the changes to landscaping and storm water handling in response to planning board concerns at the last meeting. Mr. Bianchi stated that the applicant needed to confirm with the County whether they needed re-approval from the County Planning Board. Next, Mr. Marshall stated that the dumpster would be enclosed with a chain link fence with vinyl slats. Mr. Marshall said that 1/3 of the addition would add retail space of approximately 600 sf to the retail floor in response to a question that was asked at the last meeting.

ECC had no further comments

Sheryl Reed had no comment

Steve Myers

No discussion of stormwater and additional impervious area. Addition of drywell and direct discharge to county system shown.

Three sanitary manholes shown on plan. Explanation of system should be provided and if addition will affect system in light of recent overflow.

An explanation of what addition is to be used for is required.

John Scavo – issued a comment letter on 1/23/2014

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. As the plans progress the Planning Board may desire to see a more detailed landscaping plan for the planting beds.

The following notes should be added to the plan:

Area variances granted on August 17, 2004 - Permit #80507:

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.

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.

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.

Area Variance granted from Chapter 171 of the Town Code (sign law) for a second freestanding sign of 105 sq.ft. – granted.

Joel Bianchi of MJ Engineering offered the following comments from a letter dated 2/21/2014

State Environmental Quality Review

1. No additional comments.

Site Plans

2. As noted in Comment 7 of our January 27, 2014 review, 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. The applicant needs to provide documentation that the proposed discharge into the County right of way has been authorized.

3. As noted in Comment 8 of our January 27, 2014 review, 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.

4. As noted in Comment 9 of our January 27, 2014 review, the applicant should indicate whether or not the project site and prior improvements were subject to a NYSDEC SPDES permit associated with stormwater discharges. No response to this comment has been furnished. 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.

5. There needs to be in-situ testing for the proposed drywell to ensure appropriate separation exists to groundwater and determination of the falling permeability of the soil is.

6. Provide a detail identifying the materials of construction for the proposed dumpster.

7. Provide pipe inverts for the proposed stormwater management system for review.

8. The drywell detail on Sheet S-2 notes 6-inch PVC pipes entering and exiting the structure, where as the plans note 6-inch and 12-inch pipe. The detail needs to be revised

for the site specific conditions.

9. The retaining wall is being constructed immediately adjacent to an existing stormwater basin. Please confirm that under extreme storm events that the under drain for the retaining wall will not see stormwater runoff entering it and potentially compromising the retaining wall structure.

10. The proposed propane exchange area shows bollards for protection. Please confirm that the bollards will be spaced to meet Section 312. Of the Fire Code of New York State, which generally requires the bollards to be no closer to the protected object than the bollard is tall.

Public Comment -

Mr. Hartnett asked for a bike rack and striped crosswalk across each entrance since there were trails in place.

Planning board members indicated that they generally liked the revised plan submitted at to the Planning Board and professional staff. It was noted that most of the questions had been addressed including: elimination of three proposed parking spaces, added landscaping, picnic tables and elimination of the retaining wall.

Mr. Ophardt moved, seconded by Mr. Koval to establish the Planning Board as Lead Agency for this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. Andarawis moved, seconded by Mr. Prescott to waive the final hearing and grant preliminary and final approval conditioned upon satisfaction of the comments issued by professional staff in a final review letter from the Planning Director. The motion was unanimously carried.

IV New Business

2014-011 Stewart's Shop Clifton Park Center Road

Proposed construction of a 3,484 SF retail shop, Zoned: B-4,414-418 Clifton Park Center Rd, Conceptual site plan review.

Chuck Marshall from Stewart's Shops presented this project for the first time. Mr. Marshall stated that Creighton Manning has been contracted for traffic analysis, and that Don McLaughlin who represented Ellis Hospital was also present. Ellis Hospital has purchased the parcel and contingent upon site approval has agreed to sell a portion of that lot to Stewart's for building at this location. Mr. Marshall explained that the new building will have a stucco exterior rather than brick. Next it was stated that a landscaping plan was submitted, two existing residences would be demolished and at this time two buildings would remain. Mr. Marshall stated that a cross access easement agreement will be made with Ellis and that LED lighting will be installed externally and should minimize the impact of the additional lighting on the neighbors.

ECC reaffirmed their prior comment regarding the dumpster.

Sheryl Reed – issued the following comment
Provide location of existing and new fire hydrants.
Postal Verification

Provide a minimum of 3 feet between the underground flammable and combustible tanks to the property line per 3404.2.4.2 Fire Code of New York State.

It appears that both egress/ingress points are not located on the proposed parcel. Is an easement required? Who will maintain both access points for general maintenance and snow removal?

Steve Myers – issued the following comments

Allowed use in a B-4 zone.

As currently shown, property fronts Clifton Park Center Road but not Sitterly. Access to Sitterly is with an easement across property owned by Ellis

Landscape buffer along side lines is not complete.

Access road at north side of parcel appears to be on a separate parcel. Who will maintain the road?

Number of pumps needs to be clarified to determine if proposal is a convenience store with gas or an automobile service station. Appears to be an automobile service station since there are six pumps shown.

No SWPPP provided.

Signage shown on submittal not to be included in planning considerations. All signage goes through the Building Department.

John Scavo – issued a memo on 2/20/2014 with the following comments:

1. I have traffic concerns about the proposed right-in and right-out entrance onto Sitterly Road. The applicant should consider a single shared access with the existing Ellis Urgent Care entrance from Sitterly Road.
2. Due to the odor given off by Bradford Pear Trees I would recommend the applicant supplement the 10 designated plantings with a different flowering tree species such as a Dogwood Tree or Golden Rain Tree.
3. Extend the existing sidewalk at the intersection of Sitterly Road and Clifton Park Center Road in a northerly direction along the frontage of the proposed Stewart's Shop adjacent to Clifton Park Center Road and bring it around the site to the north towards the front door entrance. As properties to the north re-develop the Planning Board will seek opportunities to continue the sidewalk along their property boundaries.
4. The dumpster pad detail should include a 6" asphalt or concrete containment wall (berm) along the pad perimeter to contain any liquid waste runoff.
5. As plans progress to the preliminary phase color façade renderings are desired.
6. A detail for the handicapped parking spaces and access isle compliant with NYS Building Code should be added to the Plan. The detail should include the sign and mounting detail for the "Handicapped Parking" and "No Parking Anytime Sign".

7. Is a propane bottle exchange structure anticipated for the site? If so, I would suggest incorporating it on the site plan so you will not have to come back before the Planning Board, and it can be located in an area that will not negatively affect the proposed sidewalk along the building perimeter.
8. The area to the north is prone to seasonal flooding conditions, as plans develop the applicant should provide information on how stormwater runoff will be contained onsite.

Mr. Marshall stated that there would be an onsite array system for storm water handling and that a SWPPP will be submitted. Next, Mr. Marshall asked if the sidewalk needed to be installed immediately or could it wait and be done at the time that Ellis develops the adjacent land. Mr. Scavo offered that one possibility that could be discussed would be a conditional timeframe to complete the sidewalk regardless of Ellis or forfeiture of a letter of credit to be established at time of stamping the plan. The board seemed to be in agreement that something could be worked out with staff input for language on that requirement.

MJ Letter dated 2/21/2014

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 Interstate 87;
 - b. Saratoga County Sewer District: Additional reserve sewer capacity.
 - c. Clifton Park Water Authority: Taking of additional potable water.
 - d. Saratoga County Planning;
 - e. NYS Dept of Environmental Conservation –NYSDEC Phase II Stormwater Regulations and identification of threatened and endangered species.
 - f. NYS Office of Parks, Recreation and Historic Preservation – If the project is subject to the NYSDEC Phase II Stormwater Regulations then identification of cultural or historic resources. Additional agencies may be identified by the Town during its review of the project.

Short Environmental Assessment Form

1. The submitted Short Environmental Assessment Form (SEAF) lacks the EAF Mapper Summary Report to substantiate many of the questions pertaining to the project's environmental setting. As an example, under Question 12.b, the response provided is that the proposed action is not located within an archeological sensitive area. A review of the NYSOPRHP on-line data base indicates that it is. Please re-submit the SEAF with the request information. Until such time this information is furnished a complete review of the SEAF cannot be conducted.

General Comments

1. The project proposes to provide potable water to the site from the Clifton Park Water Authority (CPWA). The applicant shall provide the Town documentation indicating the CPWA's ability and willingness to provide potable water to the project. Any approvals offered by the Planning Board should be conditioned on receipt of CPWA's review and approval.
2. The project proposes to provide sanitary sewer service to the site from the Saratoga County Sewer District No. 1. The applicant shall provide the Town documentation indicating the SCSD's ability and willingness to provide additional sewer capacity to the project. Any approvals offered by the Planning Board should be conditioned on receipt of SCSD's review and approval.
3. The submitted SEQRA Short Environmental Assessment Form indicates the total project disturbance will exceed one acre. Therefore, a Stormwater Pollution Prevention Plan will be necessary that provides for water quality, water quantity and green infrastructure elements. Further, the proposed use is identified as a stormwater hotspot pursuant to Table 4.3 of the New York State Stormwater Management Design Manual and extra precautions are required in the design of the proposed facilities. This information must be included within the SWPPP.
4. Given the project's proximity to the intersection of Clifton Park Center Road and Sitterly Road and the previously identified poor level of service of this intersection, a site specific traffic study may be necessary to identify project impacts and potential mitigation measures. The analysis needs to examine levels of service, appropriate locations of site access to and from the public roadways as well as interconnects with adjacent properties. It is noted that the Town in concert with the Town of Halfmoon is examining the Sitterly Road corridor, however that analysis does not extend to this project areas. Further, another project within the vicinity completed a traffic impact study that accounted for the vehicle trips from this project. However, it is believed that analysis did not examine the Sitterly Road, Clifton Park Center Road intersection with respect to impacts and associated mitigation.
5. The application notes both a subdivision and site plan are being proposed. As a matter of process, the Town must approve the subdivision prior to the site plan. While each application requires separate actions by the Planning Board, the Board should consider both as part of a singular SEQRA evaluation and findings of significance.

Site Plans

6. The project resides within the Town's B-4, Highway Business District. In our review of Section 208-45(B) of the Town Zoning, the proposed convenient store/gas station is a permitted principal uses within the B-4 Zoning District. A review of Section 208-46 of the Town Zoning indicates that the proposal meets the minimum bulk lot requirements of the B-4 Zoning District.
7. Section 208-47 of the Town Zoning requires no more than one entrance and one exit per establishment upon any individual public thoroughfare. The proposal has two points of ingress and egress, one onto Sitterly Road and a second onto Clifton Park Center Road. The Planning Board needs to provide direction on this matter as to whether or not one of the entrances needs to be eliminated to conform to Section 208-47 of the Town Zoning.
8. Section 208-48 of the Town Zoning requires 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. Sheet S-5 provides suggested landscaping, however it appears to lack substantial landscaping along the northern sideline to meet the requirements of Section 208-48. It is understood that additional development may occur on the adjacent parcel, however, the Planning Board should provide the applicant direction on this matter.
9. There should be consideration of extending sidewalks along the project frontage, parallel to Clifton Park Center Road and potentially along the northern entrance to the project. This would facilitate future pedestrian linkage from the public road to future development to the north and/or east.
 10. The proposed site access onto Sitterly Road should be reviewed for the following items:
 - a. For necessity as there is already an existing curb cut to the adjacent Ellis facility that this project is also connecting to.
 - b. Whether the entrance should be limited to exit or entry only to prevent unauthorized entry from Sitterly Road from vehicles traveling southeast, which could stack traffic on Sitterly Road.
 - c. Potentially skewing the exit clockwise to limit to the greatest extent practicable possible unauthorized entry from Sitterly Road for vehicles traveling southeast.
 - d. The center island needs to be curbs with the travel lane as narrow as possible.
 11. The site plan notes a significant amount of pavement suspected to support large deliveries and site circulation. Due to the requirements of stormwater management and green infrastructure, there needs to be consideration of balancing operational needs against the overall goals of green infrastructure where impervious surfaces need to be limited. The site planning aspect of the SWPPP need to clearing support the need for the quantity of impervious being proposed.
 12. The concept shows no provisions for on-site stormwater management and needs to be shown to demonstrate feasibility.
 13. 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.
 14. 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.
 15. Conceptual building elevations have been furnished. It is suggested that colored rendering with samples of the materials of construction be provided for review by the Planning Board.
 16. Subsequent submissions shall include information as outlined in Section 208-115 of the Town zoning specific to site grading, erosion control and stormwater management to fully assess the design and its compliance to the applicable standards.

Planning Board Discussion

Mr. Marshall stated that applicant is willing to install more landscaping but that they

were concerned that it may be affected by future development on parcel. Mr. Marshall also stated that the access in Sitterly could be ingress only however, they want to prevent sharing with Ellis as much as possible. Mr. Koval stated that there is concern about drivers heading east on Sitterly Rd. trying to enter that first entrance across stacked traffic. Mr. Ophardt stated that the shared entrance with Ellis is already a good option and that if they miss the first entrance heading east, drivers would use the Ellis entrance anyway; and for drivers heading west who might miss the Ellis entrance it would be easy for them to turn right on Clifton Park Center Road and make the turn into Stewarts there. It was agreed that those were two good options to enter the site. Mr. Ferraro also liked limiting the openings and headlights for the residents across the street on Sitterly Road. Mr. Ophardt stated that the current design created yet another point of conflict on Sitterly Road. Mr. Koval remarked that it was specifically discussed during the Ellis Emergent Care site plan review that this was intended to be a common entrance. The Planning Board generally agreed that the proposed second entrance located off Sitterly should be eliminated and the shared entrance with Ellis was sufficient. Mr. Ferraro commented that he would like for the proposed landscaping plan to incorporate the site's natural features, including the existing trees, in particular along both Sitterly and Clifton Park Center roads.

Public Comment

Dan Hartnett asked for a bike rack.

The Planning Board found the concept generally acceptable while asking the applicant to address concerns mentioned by planning board and staff.

V Discussion Items –

Mr. Marshall explained that Stewart's has an option to purchase property at the corner of Lapp and Crescent Road, on the West side of Lapp Road, but variances are needed. Mr. Scavo mentioned that these two lots have been granted site plan approval and use variances at least four different times for office spaces and they have expired each time. The planning board felt that this might create some concerns for the surrounding residents and that they would need to be addressed at the zoning board level.

Mr. Koval moved, seconded by Mr. Ophardt to close the planning board meeting at: 10:12pm. The motion was unanimously carried.

Next submittal deadline: 3/5/2014

Next Planning Board meeting: 3/11/2014 from items submitted on 2/19/2014

Respectfully submitted,

Margaret Springli