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PLANNING BOARD

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

Planning Board Minutes

April 22, 2014

Those present at the April 22, 2014 Planning Board Meeting were:

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

Those absent were: None

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

The chairman, Mr. Ferraro, called the meeting to order at 7:01pm. All stood for the Pledge of Allegiance

Mr. Hale moved, seconded by Mr. Andarawis to approve the minutes of April 8, 2014 as written. Ayes: Ophardt, Andarawis, Koval, Hale, Ferraro, Paulsen. Noes: None. Abstain: Werner

II Public Hearings - start at 7:00 pm - NONE

III Old Business

2014-007 Sitterly Road Medical Offices

Proposed 35,000 SF medical offices, Zoned:B-4, Sitterly Road, final site plan review with possible determination.

The project was presented by Gavin Vuillaume of Environmental Design Partnership. Mr.

Ferraro noted that the project had received both SEQR approval and preliminary site plan approval. Mr. Vuillaume stated that Rich Rosen was also in attendance and they would be available to address the revisions on behalf of Columbia Development. The consultant stated that at this point, they were focused on addressing issues of traffic, parking, storm water and pedestrian access at the site. The consultant also stated that the proposed tenant would be New York Oncology/Hematology.

Mr. Vuillaume noted that an additional 15' deeded right-of-way along Sitterly Road would be granted to the Town of Clifton Park, which could allow for a turning lane and possibly even a pedestrian path at some point in the future if the town decides to create those improvements.

Mr. Vuillaume also discussed a few changes in the SWPPP. The consultant noted that added infiltration basins were shown on the site plan as well as bioretention areas and gravel infiltration trenches to speed up infiltration to the grass areas. Mr. Vuillaume explained that the applicant had provided improvements to the existing trail which would become a full 8' multi-use pathway. Mr. Rosen showed facade renderings of the proposed medical facility.

Staff Comments

ECC

1. The ECC requests that the applicant clarify the type of fuel that will be used for the emergency power generator and whether any fuel storage is required.
2. The applicant should clarify the size and type of gravel that will be used for the infiltration trench (see gravel diaphragm detail).
3. The applicant should clarify the pre-cast concrete drywell to indicate whether this structure will be utilized with the dumpster pad area. The ECC is concerned about waste leaching into the groundwater.
4. Due to the potential liquid wastes leaking from the on-site dumpster(s) into a storm water catch basin and/or surface water body, the ECC recommends the applicant enclose the area (i.e. roof) on an impervious surface with a berm surrounding the dumpster(s) that accept food and liquid wastes. If necessary, the Applicant will need to periodically pump out the accumulated wastes within the bermed area to avoid any overflow.

Sheryl Reed – no comments.

Steve Myers – from a memo dated 4/16/2014 was received and will be held on record, but it was noted that subsequent to the memo being issued, all comments were addressed with the town-designated engineer.

John Scavo

March 11, 2014 – A conditional negative declaration was issued pursuant to SEQR and Preliminary Approval was granted with final approval conditioned, “upon the applicant returning to satisfy outstanding transportation concerns and technical comments as outlined by the review letters of the Planning Director and town designated engineer.”

Specifically, the proposed signal improvements and supported design must be submitted to the Town for approval. Planning Staff will defer to the TDE for comments specific to the proposed traffic mitigation associated with this project. Also, consistent with the recommendation from the ECC, the applicant should clarify the size and type of gravel that will be used for the infiltration trench (see gravel diaphragm detail).

MJ Engineering from a review letter dated 4/18/2014

State Environmental Quality Review

1. No additional comments.

Short Environmental Assessment Form

2. No additional comments.

Site Plans

3. The plans show the reconstruction of the existing sidewalk along Crossings Boulevard with a new 8-foot wide asphalt path. The Town needs to confirm that this is acceptable both in dimensional width and extent of reconstruction.

Stormwater Pollution Prevention Plan

4. The area proposed to serve as a conservation of natural areas as a green infrastructure technique appears to also include the easement to be conveyed to the Town along Sitterly Road. It is recommended that this is revised such that the area being claimed for conservation of natural areas excludes any areas within the easement conveyed to the Town. The conservation of natural areas would then need to be recalculate as part of this green infrastructure technique.
5. Pursuant to Comment 24, of our March 10, 2014 review, it was requested that the area being considered for conservation of natural areas be located within an acceptable conservation easement instrument that ensures perpetual protection of the proposed area pursuant to Section 5.3.1 of the NYSSMDM. The response provided indicated that the wetlands are protected by law and an easement would not be necessary. While it is agreed this is true, there is nothing that would prohibit someone from requesting a wetland disturbance permit for activities within the wetland boundaries (temporary or permanent). The purpose of the easement is to provide protection in perpetuity from any such activities that would alter its current state and therefore is necessary.

Traffic Impact Study

6. The proposed signal improvements and support design shall be submitted for review by the Town. The Town may choose to require such submission and/or approval of the signal upgrades prior to some future approval / permit.

Public Comments

Dan Hartnett asked if the sidewalk would connect to the front door. Mr. Hartnett also asked for striped crosswalks. The applicant agreed to do the striping.

Planning Board Comments

Mr. Ferraro asked about creation of a “floating easement” to accommodate a future trail along Sitterly Road as had been suggested at an earlier meeting. Mr. Scavo stated that with this plan, the easement as shown was a permanent one. Mr. Vuillaume stated that the

drainage along Sitterly did not allow for much flexibility and that was the reason for eliminating the “floating” aspect. Mr. Pelagalli asked for a draft of the easement to be sent to him and Mr. Rosen agreed to try to draft something.

Mr. Werner asked for clarification on traffic issues and suggested that the northern most entrance should be full access rather than right in/ right out only. The planning director and other planning board members appeared to agree that with stacking issues on Crossing Boulevard, it would be better to make it a full service access.

Mr. Werner then asked for clarification of table 4.1 of the traffic study. Mr. Scavo stated that the intersections are potentially going to be improved through the addition of radio frequency signal coordination.

Mr. Hale asked why the sidewalk along the front didn't extend a little further. Mr. Rosen explained that there were traffic concerns with drive-up conflicts.

Mr. Koval moved, seconded by Mr. Ophardt to grant final site plan approval to this application conditioned upon satisfaction of all items listed in the final review letter to be issued by the Planning department. The motion was unanimously carried.

2013-024 Lapp Rd., # 246

Proposed (7) lot subdivision, Zoned:R-1, 246 Lapp Road, Revised conceptual subdivision review

Reviewed by: MJE Consultant: Green Applicant: Zhang

[SBL\(s\):278.-1-31](#)

Presentation

Rebecca Calvin with Richard Green, PEPC close spacing with line below-presented this plan which was last seen in August of 2013 and has been revised to be a (7) lot subdivision on a town road with public water and sewer.

Staff Comments

ECC

1. The ECC recommends that this project be carried out in keeping with the goals of tree preservation as stated in the Town Comprehensive Plan, to the greatest extent practicable.

Sheryl Reed

Postal verification addresses will have to be shown on the plan.

Steve Myers

- Full SWPPP will be required.

- Need approval from sewer district accepting flow application should be resubmitted to clarify conflicts.

John Scavo

Based on aerial views of the contiguous town-owned land I would recommend the project not be required to offer public park land in accordance with §179-27 of the Town Code and the parkland mitigation fee be applied.

Based on a review of the revised concept plan the project appears to meet the applicable R-1 zoning.

As plans progress to a preliminary submittal review additional comments will likely follow based on that review.

A revised application and EAF have been submitted which clarified that the proposed project will connect to public sewer.

A state owned group home is within 500' of proposed project and the Saratoga County Planning Board will be contacted for review

MJ Engineering comment letter issued on 3/24/2014

General Comments

1. As noted in Comment 1 of our August 5, 2013 review, the project meets the criteria of being classified as a realty subdivision. Therefore, the project will require NYSDOH Realty Subdivision approval. The previous submission proposed on-lot septic system and the current submission has conflicting information relative to the proposed method of sewage disposal (SEQRA form indicates public sewer and subdivision application indicates on-lot septic). There needs to be clarification as to what the method of sewage disposal is as it dictates jurisdictional involvement (NYSDOH for septic systems and SCSD No. 1/NYSDEC for public sewers).

2. As noted in Comment 2 of our August 5, 2013 review, it remains unclear from the submitted plans the total area of land disturbance expected at full project build-out, however, the Full Environmental Assessment Form (FEAF) indicates 2.5 acres. If the project disturbs more than 1 acre, but less than 5 acres, a SWPPP addressing construction phase erosion and sediment control is required. Should more than 5 acres of land be disturbed than a full SWPPP will be required addressing water quality, water quantity and green infrastructure. It should be noted that when calculating disturbances, it shall include utility extensions servicing the project, not just those within the project boundaries.

3. Should it be determined that more than 1 acre but less than 5 is disturbed, there should still be some level of analysis relative to stormwater management to ensure the change in land cover and associated runoff generated will not have an adverse impact on adjacent properties or infrastructure.

4. As noted in Comment 3 of our August 5, 2013 review, the project proposes to service each new lot with public water 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.

State Environmental Quality Review

5. As noted in Comment 4 of our August 5, 2013 review, the application is considered a realty subdivision under Environmental Conservation Law (ECL) Part 74. In accordance with 10 NYCRR Part 97 in the NYSDOH regulation implementing SEQRA (Article 8 of the ECL), Section 97.14(b)(2)(ii) requires that a realty subdivision be classified as a Type I action.

6. Assuming the Planning Board is going to seek Lead Agency status for this Type I action, involved / interested agencies to be engaged under the required coordinated review may include, but is not necessarily limited to the following:

- a. Clifton Park Water Authority – public water supply plan approval.
- b. Saratoga County Sewer District - potentially plan approval for extension of public sewers (if this is the selected method of sewage disposal),
- c. NYS Dept of Health – realty subdivision approval, plan approval for the extension of public water mains and potentially the review of on-lot septic system approval (if this is the selected method of sewage disposal).
- d. NYS Dept of Environmental Conservation – permit coverage under stormwater SPDES if more than 1-acre of land is planned for disturbance at full build-out, identification of threatened and endangered species if determined to be subject to the NYSDEC Phase 2 Stormwater Regulations, potentially taking of additional water and potentially plan approval for extension of public sewers (if this is the selected method of sewage disposal),
- e. NYS Office of Parks, Recreation and Historic Preservation – identification of cultural or historic resources if determined to be subject to the NYSDEC Phase 2 Stormwater Regulations. Additional involved/interested agencies may be defined as the project proceeds through the Town's regulatory review.

Full Environmental Assessment Form

7. Under Section B, additional regulatory agencies will be involved including the NYSDOH for realty subdivision approval and extension of public water mains, and either the NYSDOH or SCSD No. 1/NYSDEC for sewage disposal, depending on the method proposed.

8. Under Section D.1.f, it identifies 6 lots being proposed, where Section D.1.d.iii indicates 7. Please explain the difference in the two responses.

9. Under Section D.2.d.iii, the response indicates the name of the sewer district as Clifton Park Sewer District No. 1. Please confirm this as it is believed the area of the project is within the SCSD No. 1 service area and not part of a Town sewer district.

10. Under Section D.2.m, the response indicates there will be no increase in existing ambient noise levels during construction. It is believed that vehicles expected to be present on-site during construction will increase ambient noise levels above current levels. While this would be a short term and expected impact, it is believed the response should be yes.

11. Under Section E.3.e, no response is provided and is required.

Subdivision Plan

12. The project is located within the Town's Residential I District (R-1). The proposal for single family homes is a permitted principal use within the R-1 District as noted in Section 208-10(B)(2) of the Town's Zoning. Based upon a review of the proposed lot configurations, all appear to meet the minimum bulk lot requirements, if it is proposed to

provide public sewers. However, if on-lot septic systems are proposed, Lots 2, 4, 6 and 7 are below the 30,000 s.f. minimum lot size. Until such time the method of sewage disposal is clarified, it cannot be determined if the conceptual layout meets the minimum bulk lot requirements of the zoning district.

13. The bulk lot summary suggests that the project will be providing park land and open spaces, however no such areas appear designated within the submitted plans. Clarification on this matter is required.

14. As noted in Comment 21, of our August 5, 2013 review, the plans note the existence of wetlands within the project boundaries that are not planned for disturbance. Future plans shall include who delineated the wetlands and when they were delineated.

15. There needs to be an analysis of what the existing site distance is at the proposed intersection with Lapp Road. There is an existing vertical curve within Lapp Road to the north and it may result in limited sight distance, requiring the proposed intersection to be modified. AASHTO standards shall be used in determining minimum required sight distances and it may be likely that the 95 percentile traveling speed be used, rather than the posted speed limit.

16. As noted in Comment 25, of our August 5, 2013 review, subsequent plan submissions, should the application advance, shall include construction details that describe erosion and sediment control measures, water services, sewage system components, and roadway construction. Upon receipt of this information, additional comments will be provided.

Public Comments

Dan Hartnett, asked for 25' of right-of-way along Lapp Road, which is more than the usual 15' in order to maintain the existing tree canopy. Mr. Hartnett also requested that a note be added to the plan that the right-of-way would be designated as a potential future multi-use trail along Lapp Road. The consultant stated that she did not believe that would be a problem since the required setback along Lapp Road was 100' from the centerline of the road.

Planning Board

Mr. Koval stated that the drive way as shown on lot 3 should be less than 150' in order to conform to fire/safety code. Mr. Ferraro stated that he preferred the current layout over the original submittal. The chairman asked for clarification of the disturbance line in the area of lot 3 where the existing home is to remain. Mr. Ferraro asked if there was any intended use for the adjoining town owned land. Mr. Scavo stated that there was no active use planned for that property at this time.

Board members appeared to find the revised concept generally acceptable.

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, Preliminary site plan review with possible determination. SBL(s): [portion of 272.-1-49 TBD](#) Last seen on: 2/25/2014

Presentation

Chuck Marshall, presented the application on behalf of Stewart's. The plan will have 6 gas pumps with 14 fueling stations (2 of the pumps will each have an additional diesel

dispenser). Mr. Marshall explained that the dedicated Sitterly Road curb-cut has been eliminated with this proposal and Stewart's now proposes to share the existing entrance with Ellis Medicine. Mr. Marshall showed a landscape plan and handed out some paperwork showing sight lines which need to be cleared according to the CME traffic study. Mr. Marshall then addressed some issues that were brought up in the comment letter sent out by MJ Engineering. Mr. Ferraro asked if some of the natural trees could remain on the site. Mr. Hale recommended trying to identify some that might be significant trees which could be left as a specimen or two on the property. Mr. Marshall stated that an inventory was done and that if Mr. Hale would meet with him on site, they could identify some to be saved and marked as such.

Staff Comments

ECC

1. The ECC requests clarification of the existing structure shown on the site plan adjacent to the Ellis property.
2. The ECC notes that the project includes the installation of storage tanks that may be regulated under the state petroleum or chemical storage regulations. The ECC notes that an aquifer recharge area may be present within the project limits. The Applicant must provide evidence that an aquifer is not present on this site prior to project approval. The ECC requests that the dumpster area be completely enclosed by a berm in order to prevent leakage of liquid wastes.
3. The ECC recommends that the Planning Board require the Applicant to incorporate sediment traps and oil water separators with appropriate capacity to limit the migration of vehicular contaminants into the environment.
4. The ECC recommends that the applicant incorporate multi-use trails/walkways that encourage pedestrian traffic on the parcel, including Clifton Park Center Road, and interconnects the proposed project with existing and contemplated trail or pedestrian networks within the adjacent Clifton Park Center complex.

Mr. Marshall stated that the applicant will keep the Ellis Emergent Care sidewalk and will create a temporary asphalt trail along Clifton Country Road, Further, Mr. Marshall stated that Stewart's would be willing to offer a voluntary contribution to be used at the discretion of the town for improvements in the Sitterly Road area.

Sheryl Reed

1. It appears that both access roads on the north side as well as the south side of the parcel is not part of the Stewarts parcel. Is an easement required? Who will maintain both access points for general maintenance and snow removal?
2. Proposed location of existing and new fire hydrants.
3. Postal verification.
4. 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.

Steve Myers

- Is the second existing wood frame house to be removed? Not noted.
- Appears to be combining SBL#272.00-1-37 with a portion of SBL#272.00-1-14.11.
- All signage (front of building, freestanding, canopy) to be permitted through the Building Department separately from this submission.
- Access road on north side of parcel is not within Stewart's property. Is there an easement? Who will maintain this road?
- Access road on south side of parcel is through property owned by Ellis. Again is there an easement and who will maintain it?
- Clarification on the number of pumps still required.
- Landscape buffer along sidelines is not complete.
- Enlarged (readable) grading plan required for full evaluation of drainage.
- Results of infiltration test required to ensure stormwater report is valid.
- Maintenance agreement with the town is required for privately maintained stormwater system.

John Scavo

- I did a comparison of Table 3-Level of Service Summary of the Ellis Medicine Traffic Study to the current results found in Table 4.1 of the 2014 Stewart's Study and it appears the Level of Service at the intersection has improved from the pre-build condition of the Ellis Medicine Facility.
- Traffic Study should be reviewed to ensure the recommended improvements are appropriate to maintain the levels of service from the build/no-build scenarios.
- CME should specifically address whether the proposed additional trips traveling north and south on Clifton Park Center Road has met the signal warrant for a left turn lane.

MJ Engineering

State Environmental Quality Review

1. The Planning Board is not in a position to complete its SEQRA review or consider a SEQRA action until an updated Short Environmental Assessment Form (SEAF) is submitted. See also Comment 2.

Short Environmental Assessment Form

2. As noted in Comment 2 of our February 21, 2014 review, 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 and an updated SEAF must be submitted for review.

Site Plans

3. As noted in Comment 7 of our February 21, 2014 review, 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 or are acceptable as proposed.

4. As noted in Comment 8 of our February 21, 2014 review, 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 side line 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.
5. As noted in Comment 9 of our February 21, 2014 review, 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. 4. As noted in Comment 13 of our February 21, 2014 review, 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 pursuant to Section 508.5.1 of the Fire Code of NYS.
6. As noted in Comment 14 of our February 21, 2014 review, 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.
7. As noted in Comment 15 of our February 21, 2014 review, 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.
8. The plans need to provide notation of any cross lot easements, existing or proposed to provide access to the parcel through adjoining parcels from the public roads.
9. The plans should note that only the entrance off of Sitterly Road is permitted for construction access as the SWPPP plan identifies this as the only construction access.
10. Provide a stop bar and stop sign in accordance with MUTCD New York standards at the entrance off of Clifton Park Center Road.
11. A delineated painted crosswalk should be provided from the sidewalk extending from Ellis entrance to the Stewarts building.
12. Additional information is required for the accessible parking and adjacent assessable isle to demonstrate conformance to the 2010 ADA Standards for Accessible Design (ADASAD) and Chapter 11 of the Building Code of New York State (BCNYS) as follows:
 - a. Provide the minimum accessible parking space and access aisle dimensions pursuant to Section 502.2 and 502.3, respectively of the 2010 ADA Standards.
 - b. Appropriate pavement markings and signage at the accessible isle and accessible space in conformance with Section 1106.5 of the BCNYS.

- c. Relocation of accessible parking to be located on the shortest accessible route to travel from the adjacent parking to an accessible building entrance pursuant to Section 1106.6 of the BCNYS.
 - d. Line strip color designation that differentiates from standard parking spaces.
- 13.** Any mitigation measures outlined within the traffic impact statement that require modifications on the site or along the right of way need to be shown on the plans.
 - 14.** The SWPPP Plan needs to identify locations for any required sediment traps to be utilized during construction.
 - 15.** The SWPPP plan needs to show the proposed locations of the stone check dams.
 - 16.** Provide an appropriate detail for inlet protection of in-pavement structures.
 - 17.** Provide a detail of the proposed accessible curb ramp at the northwest corner of the building which must meet the minimum requirements of Section 406 of the 2010 ADA Standards.
 - 18.** Please confirm that the proposed pavement section which has 8-inches of subbase is adequate for the larger vehicles that may access the site. It may be necessary to increase the subbase to 12-inch to support the imposed loads of these larger vehicles.
 - 19.** Details 2/S-7 and 6/S-7 need additional information as follows:
 - a. Frame and grate make and model (not required for 5/S-7)
 - b. Method of grade adjustment
 - c. Minimum internal dimensions of structure and minimum wall, slab thickness
 - d. Minimum concrete strength
 - e. Minimum load conditions (i.e. H20 loading criteria where applicable)
 - f. Subbase material and depth as well as compaction requirements.
 - g. Method of connecting pipes to structure.
 - h. Min/max projection of pipe into structure.
 19. Details 5/S-7 needs additional information as follows:
 - a. Method of grade adjustment
 - b. Minimum internal dimensions of structure and minimum wall, slab thickness
 - c. Minimum concrete strength
 - d. Minimum load conditions (i.e. H20 loading criteria where applicable)
 - e. Subbase material and depth as well as compaction requirements.
 - f. Method of connecting pipes to structure.
 - g. Min/max projection of pipe into structure.

Stormwater Management Report

- 20.** Revise the Project location on the table of contents.
- 21.** Section 2.3 of the Stormwater Management Report (SMR) notes that due to weather, percolation tests could not be conducted. This information needs to be furnished, confirming the design assumptions prior to the applicant submitting an MS4 SWPPP Acceptance Form.
- 22.** Section 4.1 of the SMR suggests that tree plantings/tree boxes are a selected green infrastructure technique however Exhibit B.3 does not appear to be taking

credit and all RRv is being satisfied via standard stormwater practices. Please clarify whether or not tree planters/ tree boxes are being implemented.

Stormwater Pollution Prevention Plan

23. Section 7.1 of the SWPPP indicates that “the site does not affect listed or eligible for listing on State or National Register of Historic Places...” Please provide the information outlined in Part III.A.8.b of GP-0-10-001 to support the conclusions offered. Please note that the screening outlined in Part III.A.8.b of GP-0-10-001 must also consider areas of archeological sensitivity.
24. Section 7.2 of the SWPPP indicates that “the site does not affect listed, endangered or threatened species based upon the GIS information obtained from the NYSDEC Environmental Resource Map.”, Please provide the GIS output for threatened and endangered species screening within the SWPPP for reference.
25. The Post Construction Stormwater Maintenance Plan needs to include maintenance requirements for soil restoration as outlined in Section 5.1.6 of the NYSSMDM (pg 5-24).

Traffic Impact Statement

26. Was any consideration given to modifying the WB approach to the Clifton Park Center Road/Sitterly Road/McDonough Way intersection with a dedicated left turn lane. This will increase efficiency of this approach while limiting queue lengths that are anticipated to affect LOS on the proposed Clifton Park Center Road driveway.
27. While it can be agreed that courtesy gaps are provided by drivers under existing conditions for vehicles entering and exiting the existing Ellis Medical Center driveway, it is not believed that it can be assumed all or even most of the vehicles leaving Stewart’s will utilize these gaps to exit the proposed Ellis Medical Center Driveway due to the high volume of vehicles turning right from the EB approach to the Clifton Park Center Road/Sitterly Road/McDonough Way intersection. This will most likely result in a further drop in level of service for the Ellis Medical Center Driveway under build conditions. It would be more likely that a small percentage will of exiting vehicles will be able to utilize the courtesy gaps.

Public Comments

Dan Hartnett asked if the design layout could be flipped to move the store closer to the intersection to create a more pedestrian friendly design.

Mr. Marshall noted that the pedestrian friendly design was not required by the town.

Mr. Anthony LaFleche asked if there was enough room for vehicular circulation on the site. Mr. Marshall stated that the edge of canopy and edge of pavement should allow for easy maneuverability and is more than the minimum standard. Mr. Marshall also stated that the largest number of their customer base was from drivers looking for gas and convenience items and that was their primary focus.

Planning Board

Mr. Werner questioned the traffic analysis. Mr. Marshall stated that he felt it would be comparable to the Glenville store, but there was no real statistics collected that would help

the peak hour analysis. Mr. Werner also asked for analysis to be done on whether a right turn lane might be needed on Clifton Park Center Road to Sitterly Road if stacking should occur from vehicles waiting for a green light to go straight so they can enter into the Stewart's with a right-hand turn into the northern entrance.

Mr. Marshall stated that Stewart's would be willing to contribute to a fund for future improvements. Mr. Bianchi stated that if courtesy gaps as noted in the study were excluded, that other issues might need to be addressed.

Mr. Ferraro stated that he felt there was a failure to do a comprehensive analysis of this area and that he had big concerns about the intersection. And he wanted to know when mitigation would become necessary. Board members discussed these issues and Mr. Scavo stated that in the absence of a GEIS agreed to by the Town Board, the planning board could only accept voluntary mitigation fees, not mandatory contributions. Mr. Pelagalli and Mr. Bianchi stated that the Planning Board has the ability to define an area as subject to a site specific EIS under SEQR findings.

Mr. Scavo recommended that a follow-up meeting with the applicant, TDE and CME and Planning staff should take place in order to address the traffic specific issues.

Mr. Hale mentioned that he felt that Euonymus and Barberry plants noted on the landscaping plan should be replaced with native species rather than invasive species.

Board members discussed the concept of moving the store closer to the road as suggested by the Trails subcommittee. Mr. Andarawis agreed and stated that the landscaping would be important as the gateway to the "town center". Mrs. Paulsen questioned the orientation of the building and after much further discussion it appeared that most members were agreed that the proposed layout might actually be the most practical plan. Mr. Marshall then noted that he would like to arrange meetings to discuss traffic issues and landscaping as a next step prior to the next submittal.

IV New Business

2014-012 Independent Towers @ B.P.O.E.

Proposed telecommunications monopole, Zoned: PUD, 695 Macelroy Road, Planned Development District recommendation to the Town Board.

Reviewed by: Wm. Johnson Consultant: Infinigy

Applicant: Independent Towers

SBL(s):258.-2-84.1

Presentation

Jacqueline Phillips-Murray with the Murray Law Firm presented the project on behalf of the applicant, Independent Tower Holdings and AT&T Wireless. Mrs. Phillips-Murray stated that the tower proposed would be a 170' monopole with an equipment cabinet. The monopole would be able to accommodate AT&T and 4 co-locators. At this time, the

Sheryl Reed -

- 1) The correct 911 address for the building is 321A Ushers Road.
- 2) Applicant noted that no additional restrooms will be installed. Code compliant toilet facilities show be provided per the Building Code of New York State and will be determined if they are required at the t time of a code review prior to issuance of a building permit.
- 3) An approved fire apparatus access road shall be provided. The fire apparatus access road shall extend to within 150 feet of all portions of the facility per section 503.1 Fire Code of New York State.
- 4) Exit doors may be required at the rear of the building. Any required exit doors will need to have a sidewalk leading to the parking lot area.

Steve Myers -

- Original building built 1991, addition put on 2002. This is a proposal for a second addition.
- Supplied plan shows both buildings on one parcel. 2002 plan showed 30' access easement not shown on current plan. Current mapping shows this building on a separate parcel. Is access still present?
- Appears to be less than an acre of disturbance but the stormwater retention area appears to be modified with no documentation. At a minimum an erosion and sediment control plan will be required. Runoff on the north and east sides of the building does not appear contained to the site. Stormwater review sheet not complete.
- Although shown as zoned PUD on county mapping it is believed the parcel is actually zoned B-1 due to the rescinding of the PUD in 1970 by the town board.
- B-1 zones require 25' rear setbacks and it is unclear if this is met due to lack of detail on the submission.

John Scavo - Applicant should provide information on the level of proposed ground disturbance so the applicability of State Stormwater Regulations can be evaluated.

MJ Engineering insert comments here, letter issued 4/22/2014

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. It is noted that based upon the proposed project, we find no other potential interested and/or involved agencies. However, as the project proceeds through the Town review, involved and interested agencies may be identified.

Short Environmental Assessment Form

2. The short environmental assessment for submitted is on the out dated and needs to be re-submitted on the updated form as issued by t he NYSDEC in October of 2013.

Site Plans

1. The project resides within an existing Planned Unit Development (PUD). While a review of the allowed uses within the PUD was not completed, it is suspected that the expansion of the pre-existing use is a permitted activity. We would defer to the Town's

- zoning officer for a comprehensive review of the permitted uses on the parcel.
2. Based upon a review of the overall project, it encompasses two separate tax parcels. The associated bulk lot requirements should be satisfied for each lot independently, unless directed otherwise by the Town's zoning officer. At this time, it cannot be determined whether or not the proposal meets the minimum bulk lot requirements of the PUD and additional information is warranted.
 3. The existing lot to the rear does not have direct access to or frontage on a public right-of-way. Understanding that this is a pre-existing condition and the proposal does not alter this access, a variance may not be warranted. Notwithstanding, it would be recommended that the Town be provided proof that some form of legal access is provided through the front lot, accessing the rear lot. We would defer to the Town's zoning officer on the need for a variance for the lack of direct access to or frontage on a public right-of-way.
 4. It is unclear from the submitted plans what the expected area of disturbance will be for the proposed expansion. Subsequent plans need to delineate the extent of land disturbances.
 5. Should there be more than 1-acre of land disturbed, a Stormwater Pollution Prevention Plan will be required. If less than 1-acre is going to be disturbed, a stormwater analysis is still warranted to demonstrate that the proposed stormwater facilities are adequate and there will be no adverse impacts to down gradient or adjacent lands.
 6. The emergency response services should review the plans to ensure adequate fire access is provided with the new addition proposed.
 7. 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.

Public Comments

Mr. Hartnett asked that a bike rack be shown on the plan.

Planning Board

Mr. Hale suggested that the EAF mapper would be a good resource for submitting the proper new EAF form. Mr. Koval asked if the two buildings were used by two different users and the owner stated that it was the same business, one more office space and the other was warehouse.

Planning Board members found the plan generally acceptable and suggested a lot merger should be filed with the town assessor.

2014-21 DeCrosta Duplex SUP

Proposed construction of a 2-family dwelling, Zoned:R-1 , 754 Plank Road, Conceptual Special Use Permit and site plan review.

Reviewed by: N/A

Consultant: Frank

Applicant: DeCrosta

[SBL\(s\): 265.19-3-38](#)

Presentation

Aaron Frank with Frank Engineering, represented the proposed site plan and Special Use Permit for a two-family dwelling with water and sewer.

Staff Comments

ECC

1. The ECC requests that the applicant review the adequacy of the drainage culvert with the Planning Department.

Sheryl Reed no comment

Steve Myers

- A minimum of an Erosion and Sediment control plan will be required.
- Separate grinder pumps should be installed in case there is future subdivision of the property.

John Scavo

Mr. Scavo provided §208-79 of the Town Code to board members to remind them of the guidelines for special use permits.

Mr. Scavo also recommended the Planning Board schedule the public hearing for the proposed special use permit.

MJ Engineering - no comments

Public Comments

Dan Hartnett asked for a 15' right-of-way with a standard note that there might be a future trail along Plank Road.

Tricia Coyne, Clifton Park resident asked if anyone within R-1 could build a duplex within any R-1 zone in Clifton Park. Board members stated that duplexes were allowed anywhere within an R-1 zone by approval of a Special Use Permit with special conditions.

Ms. Coyne asked if the project proposed for one owner. It was noted that the two units would have one owner and two rental units. It was not proposed to be subdivided for separate ownership.

Planning Board

Planning board members suggested that they would prefer some side entry garage design with one curb cut but some separation of driveways. Otherwise, the planning board found the plan generally acceptable.

2014-022 Lands of Copps and Reynolds

Proposed reconfiguration of (4) lots currently containing 2 single family residences to (3) lots resulting in one additional buildable lot, Zoned: R-1 , 13 and 15 Laurel Oak Lane, Conceptual site plan review.

Duane Rabideau of Vanguilder and Associates, represented the applicants. A 30' no cut buffer is proposed behind the building envelope of the new construction. A note will be

added to the plan and the deed that no further subdivision will be allowed.

Staff Comments

ECC

1. The ECC supports the restrictive covenant preventing future construction and recommends that it be included as a deed restriction.

Sheryl Reed

Steve Myers -

- Creation of keyhole lot at the Planning Board's discretion.
- Notification to residents affected on Redfield Park may need to be considered.

John Scavo -

A recreation fee shall be assessed to the new dwelling unit which otherwise would not be permitted without subdivision approval of a keyhole lot.

Since Vischer Ferry is a County Road and the project is within 500' of this Road. As a result, a referral to the County Planning Board is required in accordance with GML §239(m)&(n).

MJ Engineering - April 18, 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 overall parcel's proximity Vischer-Ferry Road (County Route 90);
- b. Saratoga County Sewer District: Additional reserve sewer capacity.
- c. Clifton Park Water Authority: Taking of additional potable water. Additional agencies may be identified by the Town during its review of the project.

Short Environmental Assessment Form

2. No comments.

Subdivision Plan

3. Provide notation that no utilities are to be installed beneath the proposed driveway.
4. The positioning of the proposed driveway may require the installation of protective bollards between the existing hydrant and driveway. If bollards are to be placed, they shall be in accordance with the Fire Code of New York State.
5. Notation on the plan indicates a total land disturbance of approximately 17,000 s.f. Please delineate the area of disturbance on the plan for reference.
6. The proposed lot grading shall be such that drainage is directed away from the home

and towards lot lines and ultimately to an approved drainage course as required by Section 86-7(A)(5) of the Town Code. Notation shall be added to the plan reflective of this requirement.

7. Should any basement sump pumps be deemed required 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.

8. 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 the newly created lot and placed on the filed plat.

Public Comments

None

Planning Board

It was noted that the standard for emergency vehicles will be required for any road longer than 150’.

The consultant was reminded to remove the title of “lot line adjustment” from the Subdivision plan since this is not a lot line adjustment per town code.

Board members found the plan acceptable given the merger of the land locked parcels and special circumstances surrounding this parcel.

2014-020 Clifton Park Center – Mixed Use

Proposed construction of 28,000 SF retail/commercial space with drive-thru on vacant pad site, Zoned: B-4, 309 Clifton Park Center Road, Conceptual site plan review.

Joe Dannible, Environmental Design Partnership, represented the applicant, DCG Development, for a project located on lot (3) of the former subdivision project. Mr. Dannible stated that 10,000sf of green space was being added to what was currently a vacant parking lot with this proposal and that the construction would reduce parking from 340 to 125 parking spaces at this site. The consultant explained that the building was oriented to complete pedestrian circulation throughout the mall. Proposed elevations were shown of the building fronts and drive thru. Next, Mr. Dannible showed a conceptual transition to a town center plan with frontage along Clifton Park Center Rd. with sidewalk and angled street parking and the parking lot would then be oriented at the rear of the building. Mr. Macelroy added that this plan also would comply with current lease restrictions. Mr. Dannible also noted that some variances would be required by the ZBA.

Staff Comments

ECC -

1. This project has the potential to change the (i.e., skyline, visual character) of the project area. As such the ECC recommends that the Applicant be required to conduct and submit a visual impact assessment for all views of the building for Planning Board and ECC review.
2. The ECC would like clarification of the location of the site’s salt storage area to verify that it is not being located at this site.

3. The ECC would like clarification of the existing structure that exists on this parcel as it is not shown on the plan.

Sheryl Reed

- Postal verification should be provided

Steve Myers

- It is expected the EAF will be reviewed by planning since it is before the Planning Board prior to the Zoning Board.
- Proposing drive thru lane accessed via the service area does not seem feasible.
- Height restriction bar cannot impede emergency access.
- This parcel was considered parcel #4 when the subdivision variances for the Olive Garden and Hilton were heard (variance #80809). This parcel was not considered at that time since no buildings were proposed for the parcel. It was subdivided out as a separate parcel at that time. The claim on the plans that several variances were granted for this parcel in 2010 is not correct.
- The property lines shown do not accurately reflect the subdivision. The western property line extends to the east side of the islands along the road for the Olive Garden. (i.e. The road is part of this parcel)
- It appears the drive thru lane will be within the county sewer easement. Their approval in writing should be obtained.
- The front of the buildings is the north side of both proposed buildings which will be the rear of the 16,000 sf building and the end of the 12,000 sf building.
- Parking does not meet code requirements. As retail 28,000 sf divided by 200 = 140 spaces, as restaurant parking = 370 spaces. Tenants are not shown so actual parking cannot be determined but either way it is deficient.
- Site statistics on plan do not reflect current regulations and are incorrect as a result.
- Several variances will be required, building and parking setbacks, greenspace buffers.
- Full signage package and SWPPP are required for review. Pylon sign location may need variance.

John Scavo -

I have some concerns in concept with service area for the building being co-located with the drive-thru entrance. It is assumed that the retail spaces will share a common hallway to the rear for service deliveries. Also, the location of a dumpster within that area may be problematic.

The applicant should provide information on how the proposed project is in keeping with the Town Center Plan. Façade renderings and building elevations will be an important aspect to the review process to minimize visual impacts from the public R.O.W.

The applicant should evaluate traffic impacts specific to anticipated trip distributions onto Clifton Park Center Road and the functionality of the intersections at Clifton Country Road and also Sitterly Road.

Confirm if this was the identified location for the relocation of the salt storage facility at the Homewood Inn site. If it was then an alternate spot should be identified.

The existing sidewalk connection between this site and the 99 Restaurant should be relocated and evaluated since it will be in conflict with the proposed drive-thru. Possible relocation of the sidewalk with a crosswalk at the intersection may be appropriate since a sidewalk is present on the north side of Clifton Park Center Road.

MJ Engineering issued a review letter dated 4/18/2014
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 overall parcel’s proximity to Interstate 87;
- b. Saratoga County Sewer District: Additional reserve sewer capacity.
- c. Clifton Park Water Authority: Taking of additional potable water.
- d. NYS Dept of Environmental Conservation –NYSDEC Phase II Stormwater Regulations and identification of threatened and endangered species.
- e. NYS Office of Parks, Recreation and Historic Preservation – If the project is subject to the NYSDEC
- f. 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

2. No comments.

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 be less than one acre. However, notation on the plans suggest that a Stormwater Pollution Prevention Plan will be prepared suspected due to the project being part of a larger common plan. . If a SWPPP is deemed necessary it must include

provisions for water quality, water quantity and green infrastructure elements. Should the redevelopment design criteria as outlined in Chapter 9 of the New York State Stormwater Management Design Manual be considered, appropriate justification must be furnished supporting this approach.

4. Please provide the estimate peak hour vehicles trips expected for the project based upon building uses.

Site Plans

5. 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 proposal for commercial uses is generally permitted. However until such time users are defined it cannot be fully determined if they will be permitted by zoning.

6. Notation on the map indicates variances have already been granted. However, upon review of the current plan against Section 208-46 of the Town Zoning the proposal does not meet the minimum bulk lot requirements as follows and additional relief would need to be requested as follows:

- a. Section 208-46(B) requires a minimum front yard setback of 80-feet into which space there shall be no encroachment of structures other than a fence, a wall or a sign not larger than 20 square feet and no encroachment of commercial usage other than parking space. The proposed 16,000 s.f. building appears to be within the stated setback.
- b. Section 208-46(C) requires that no building shall be placed closer to a side property line than 30 feet. The 12,000 s.f. building appears to be within the stated setback.

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 seven points of ingress and egress to adjoining roadways, none of which are directly onto a Town highway. The Planning Board needs to provide direction on this matter as to whether or not any of the entrances needs to be eliminated to conform to Section 208-47 of the Town Zoning.

8. There are multiple curb cuts onto the road to the south. The Planning Board may consider requesting the reduction in the number to mimic the southern street edge and to limit the amount of vehicles entering the roadway.

9. The combined service entrance and drive thru entrance may be problematic with multiple vehicle types having to use this area. Service and delivery vehicle may limit or block the drive thru, potentially queuing traffic out into the adjacent roadways.

10. The location of the service entrance may result in larger delivery vehicles having to back up along the adjacent roadways and into the site. There needs to be indication as to what size delivery vehicles are expected to gauge the potential vehicles conflicts that may occur.

11. The positioning of both buildings suggests that the rear elevations will generally face the public right of way. The positioning of these buildings may require enhanced architectural features for the elevations facing the right of way.

12. Indicate where any required dumpster enclosures may be located.

13. The proposed crosswalks to the south will require modifications to the stop bars to prevent vehicles from stopping within the crosswalk.

14. The concept shows no provisions for on-site stormwater management and needs to be

shown to demonstrate feasibility.

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. Conceptual building elevations along with colored rendering with samples of the materials of construction should be provided for review by the Planning Board.

18. 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.

Public Comments

Dan Hartnett, remarked that he felt that since this was opportunity site #1 as identified by the Town Center plan, sidewalks should continue out to all the corners and possible sidewalk along Clifton Park Center Road.

Anthony LaFleche noted that he felt there should be pedestrian access all the way around the entire block and suggested some minor traffic flow changes to eliminate some conflicts.

Mr. Dannible noted that the applicant was concerned with pedestrian connections along the storefronts and that a sidewalk along Clifton Country Road would be planned with future redevelopment and adaptation to Town Center zoning.

Planning Board

Mr. Hale stated that he liked the potential for transforming the form and use of the building. Mr. Macelroy stated that the proposal was intended to have some flexibility to be able to adapt with the town center while fitting the needs of today as a community arriving by individual vehicles. Mr. Hale asked if buildings would be built with structures that could be adapted and Mr. Macelroy stated that was the intention rather than total tear-down and rebuild. Mr. Ferraro asked if the sidewalk along the Western border should connect to the northern border with a crosswalk at that intersection to Clifton Country Road.

Mr. Koval remarked that a crosswalk to the parking lot to the east might be good because of shared parking issues at this site. Mr. Dannible stated that four way cross walks could be added at the two main intersections on the site. The chairman then stated that traffic analysis was still essential to any growth in this area. Board members discussed the merits of the plan and its adaptability. The planning board found the plan generally acceptable.

2014-017 Seton Health at Schuyler Ridge

*Proposed amendment to an existing PUD, Zoned: PUD, Commercial, 1 Abele Blvd.,
Planned Development District recommendation to Town Board*

David Wendth and Chris Urbano and Amy Haight represented the project. Mr. Wendth showed the location of the project and the footprint of the additions to the site plan as proposed. Chris Urbano explained the enhancements to the stormwater plan and the added parking.

Staff Comments

ECC

The ECC requests that stormwater impacts be evaluated in order to assess thermal impact to the Bear Brook, a native brook trout spawning stream.

Sheryl Reed no comment

Steve Myers no comment

John Scavo

The planning director asked if any soil testing had been done to date, and if the applicant had considered how parking arrangements and construction staging could minimize impact to the existing parking. Mr. Wendth suggested that they might utilize park n ride for staff.

Public Comments

Dan Hartnett suggested a right-of-way could be considered along Abele Blvd. for a future sidewalk to Plank Road. Mr. Wendth suggested that with this population it might be desirable to keep it quiet but the Abele Blvd. is a town road so right of way already exists.

Planning Board

Mr. Ferraro questioned the possibility of expanding the parking area nearest to Maxwell Road and the applicant stated that might not be happening due to slopes and constraints. Mr. Ophardt asked about establishing parking space calculations given that it is not regulated with this use. Mr. Wendth said that they are using guidelines within the town code for similar uses within various zones in town.

Board members indicated that they would recommend the amendment

Hale moved, seconded by Mr. Werner to make a recommendation to the Town Board to allow the applicant to amend the commercial planned development. The motion was unanimously carried.

V Discussion Items – NONE

There being no further comment, Mr. Koval moved, seconded by Mr. Ophardt to close the

planning board meeting at: 11:30pm. The motion was unanimously carried.

Respectfully submitted,

Margaret Springli