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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
November 12, 2014

Those present at the November 12, 2014 Planning Board meeting were:

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

Those absent were: E. Andarawis, K. Paulsen

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

Mr. Ferraro, Chairman, called the meeting to order at 7:00p.m. All in attendance stood for recitation of the Pledge of Allegiance.

Mr. Ferraro announced that Mr. Prescott would be sitting as a full voting member of the Board in the absence of Mr. Andarawis and Ms. Paulsen.

Minutes Approval:

Mr. Ophardt moved, seconded by Mr. Koval, approval of the minutes of the October 15, 2014 Planning Board meeting as written. Ayes: Ophardt, Prescott, Hale, Koval, Werner, Ferraro. Noes: None.

Public Hearings:

[2014-034] **Riverview Construction Associates** - Proposed (2) lot subdivision, 302 Vischer Ferry Road – Conceptual review. SBL: 271.4-3-72.2

Mr. Ferraro explained the review process to those present, stating that the Board was required to render a determination pursuant to SEQRA (State Environmental Quality Review Act) prior to conducting a public hearing on this application. He explained that the Planning Board would assume Lead Agency status for the project and issue a negative declaration which neither granted nor implied approval of this application. Should it be determined that additional environmental review is required based on input received at the public hearing, SEQRA discussions will be reopened and a decision rendered when deemed appropriate.

Mr. Koval 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.

Mr. Ferraro, Chairman, called the public hearing to order at 7:06p.m. The Secretary read the public notice as published in the Daily Gazette on November 3, 2014.

Mr. Nick Costa, consultant for the applicant, presented this application that remains generally as presented at the August 12, 2014 Planning Board meeting. The plan calls for the subdivision of a 6.06 acre parcel of land located on the northwesterly quadrant of the Vischer Ferry Road – Grooms Road intersection into lots of 4.75 acres and 1.31 acres, respectively. The parcel, with significant frontage on both Vischer Ferry Road and Grooms Road lies within a B3 (Neighborhood Business) zoning district. The smaller lot contains an existing single family residence, wood frame garage, and wood-frame sheds: there is no proposed change to this use. The applicant assured the Board that proposed uses for the larger lot conform to those permitted in the B3 zone. The subdivision has been designed to comply with all B3 zoning setbacks and other requirements. Connections will be made to the Clifton Park Water Authority and municipal sewer service lines. The NYSDEC identified N-11 wetland was delineated and boundaries validated by that agency on January 27, 2014. In addition to the NYSDEC wetlands, a perennial stream bisects the site from east to west. Wetland limits and the 100' adjacent area have been illustrated on the plan.

Mr. Scavo stated that comments prepared by the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee have been forwarded to all Planning Board members.

Mr. Scavo reported that the ECC offered no comment on this application.

Mr. Scavo reported that Mr. Myers, Director of Building and Development, offered the following comments on this application in a memo dated October 23, 2014. Mr. Myers noted that the wetland buffer delineated on the subdivision plan encompasses the existing residence. Any exterior changes to the home will require NYSDEC and ECC approvals. He noted that “wetlands significantly impact” Lot #2.

Mr. Scavo offered the following Planning Department comments. He reported that both the Saratoga County Sewer District and the Clifton Park Water Authority have provided correspondence stating that they have “no issue with a 15’ easement to the Town” to provide for the future installation of a multi-use pathway within existing utility easements. It was noted, however, that the Town would be responsible for the repair of any damage to the pathway resulting from maintenance and/or repair work to either utility line: CPWA and SCSD will assume no responsibility for future multi-use pathway repairs. The CPWA also requested that the future pathway be constructed of asphalt rather than concrete. Mr. Scavo recommended that the Planning Board waive the \$1,250.00 park land fee in lieu of the 15’ easement for future pathway development. He reported that all previous comments issued by the Planning Department have been adequately addressed.

Mr. Bianchi reported that, after review of the final subdivision plans presented by the applicant, M J Engineering and Lands Surveying, P.C. found that all technical comments issued in the August 11, 2014 letter have been satisfactorily addressed.

Mr. Dan Hartnett, Chairman of the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee, in a memo dated November 12, 2014, expressed his thanks to the applicant for working with the committee, the Clifton Park Water Authority, and Saratoga County to secure the 15’ right-of-way easement necessary for installation of a future multi-use trail and/or utility realignment along the entire roadway frontage on both Grooms and Vischer Ferry Roads.

There being no public comment on this application, Mr. Ophardt moved, seconded by Mr. Koval, to close the public hearing at 7:12p.m. The motion was unanimously carried.

Mr. Koval advised the applicant that any future development proposed for the larger lot must conform to all B3 zoning regulations, specifically noting that the required setbacks from residential properties must be respected. Mr. Ferraro echoed Mr. Koval’s concern and noted that the applicant should be aware that environmental constraints may limit the parcel’s development potential. He thanked the applicant for providing the 15’ easement for future trail development.

Mr. Hale offered Resolution #22 of 2014, seconded by Mr. Werner, to waive the final hearing for this application and to waive the applicable parkland fee in lieu of the 15’ easement for future pathway development and to grant preliminary and final subdivision approval conditioned upon satisfaction of all items listed in the final comment letter prepared by the Planning Department. Ayes: Ophardt, Prescott, Hale, Werner, Koval, Ferraro. Noes: None.

Old Business:

There were no items of old business scheduled for review at this evening’s meeting.

New Business:

[2014-047] **St. Edward’s Church Addition**- Proposed 14,224 SF addition and parking lot amendment, 569 Clifton Park Center Road – Conceptual site plan review. SBL: 271.-4-40

Mr. Sean Reilly, representative of Kerns Group Architects and consultant for the applicant, unveiled plans for a 14,224 SF addition to the existing church located on a 31.64 acre parcel on the northerly side of Clifton Park Center Road across from its intersection with Hemlock Drive. The site lies within the PIR (Public, Institutional, and Recreational) zoning district. The proposed addition is to be built to the south of the existing church: parking lot improvements will be made throughout the site. Mr. Reilly provided a brief history of the church's development, explaining that the original church was constructed in 1967. It was renovated and enlarged in the 1980's and again in the 1990's to accommodate its growing population. The proposed expansion is necessary since the church now includes a "number of ministries" that serve not only the local community but also Saratoga County and the surrounding region. The construction of new worship space and renovation of the existing building are designed to create a "more spiritual feeling" and "free up" space for church-sponsored programs and activities. A "Powerpoint" presentation visually illustrated current site conditions, tree-lined entranceway from Clifton Park Center Road, existing façade, location and façade renderings of the proposed worship space, and reconfigured and additional parking areas. Mr. Reilly explained that the plan has been revised since its original submission: parking areas originally situated beyond required setbacks have been relocated: no setback variances for parking will be required. The church itself will be a one-story structure designed to accommodate the several tall stained glass windows salvaged from a defunct parish. The building will rise to a height of 60 feet "at the mid-point of the cupola." A cross will be erected atop the cupola.

Mr. Reilly introduced Mr. Tom Field, representative of Ryan, Biggs, Clark, Davis Engineering and Surveying, who provided information regarding site development. Mr. Field explained that the existing "community garden" will remain. The speaker noted that the proposal will include new identification signage and expanded parking areas to the east, west, and north of the church. An additional seven (7) parking spaces will be added to the site for a total of 454 spaces, 10 of which will be handicapped accessible. He explained that the elevated portion of the site between the two parking lots located in the northeasterly corner of the site will provide an opportunity to utilize green infrastructure stormwater methods for managing some site drainage. Describing the consultants as "sensitive" to stormwater management concerns, he explained that management plans may include the installation of dry wells and/or rain gardens. Mr. Field explained that the table provided on drawing C-105 included with the plan set clearly illustrates how the proposal meets zoning code requirements.

Mr. Scavo reported that Mr. Myers, Director of Building and Development, offered the following comments regarding this application in a memo dated October 23, 2014. The parking lot located to the north of the site will require a setback variance. The new structure will require a height variance since it exceeds that 35' height limitation. Mr. Scavo noted that the comment regarding the parking setback variance has been addressed.

Mr. Scavo reported that the ECC issued the following comments regarding this application. Since this project has the potential to change the skyline and visual character of the project area, the ECC recommends that the applicant be required to conduct and submit a visual impact assessment for Planning Board and ECC review. The limits of the federally jurisdictional

wetlands shall be identified on the plot plan. Mr. Scavo commented that he will forward a copy of the ECC recommendations to the Zoning Board of Appeals since that Board will review the height variance application.

Mr. Scavo provided comments prepared by the Planning Department. He explained that members of the planning staff met with church representatives prior to the submission of the conceptual site plan and that it appears that the applicant has adequately addressed comments provided during those consultations. Mr. Scavo recommended that the Planning Board issue a positive recommendation regarding the height variance necessary to provide for the height of the cupola and within the PIR zoning district since the church is situated on a 31.64 acre site and is surrounded by mature trees that will serve to mitigate its visual impact.

Mr. Bianchi reported that M J Engineering and Land Surveying, P. C. reviewed the site plan and accompanying documents related to this application and offered the following comments and recommendations. Based upon 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 are not necessarily limited to the following: Saratoga County Sewer District No. 1 – for sanitary sewer service connection; Clifton Park Water Authority - for potable water service connection; NYSDEC – permit coverage under stormwater SPDES and identification of threatened and endangered species; NYS Office of Parks, Recreation and Historic Preservation – identification of cultural or historic resources. Additional involved/interested agencies may be defined as the project proceeds through the Town’s regulatory review. The submitted short Environmental Assessment Form is outdated. The applicant is asked to submit the most current version which may be obtained the following web address http://www.dec.ny.gov/docs/permits_ej_operations_pdf/seafpartone.pdf. Once an updated SEQRA form is submitted, additional comments may result. The site plan application indicates the project is proposing to service the new building from the Clifton Park Water Authority (CPWA). It is recommended that the Town be furnished with documentation that the CPWA is willing and capable of providing potable water to the project. The site plan application indicates the project is proposing to service the new building by way of an existing connection to the Saratoga County Sewer District No. 1 sewer system. It is recommended that the Town be furnished with documentation that the SCSD is willing and capable of servicing this project. The project appears to result in disturbances in excess of one acre and, therefore, is subject to the NYSDEC Phase 2 Stormwater Regulations and General Permit GP-0-10-001. A fully conforming Stormwater Pollution Prevention Plan (SWPPP) will be required that addresses stormwater quality, quantity, and green infrastructure elements. This plan must be submitted as part of subsequent plan submissions to the Town. There may be a need to prepare a project specific traffic study to examine the volume of peak hour vehicle trips generated if the proposal contemplates increased membership or the addition of programs not currently offered at the site. The project resides within the Town’s PIR, Public/Institutional/Recreational District. The proposed use is permitted as of right pursuant to Section 208-58(A)(17) of the Town’s Zoning Code. A review of the building elevations suggest that the overall height will be in excess of 35 feet. Pursuant to Section 208-59(B), the maximum height for any structure shall be 35 feet. If the building is to have a height in excess of 35 feet, a variance may be necessary. Subsequent

plans must illustrate how stormwater runoff will be managed within the site boundaries. A site specific illumination plan should be prepared for the modifications to the existing parking areas. The applicant is asked to indicate whether the proposed building will be equipped with automatic sprinklers. If sprinklers will be installed within the building, the fire department connection should be noted on the plans or notation furnished indicating that the final locations shall be determined as part of the building permit process. Considering the plan submitted is conceptual in nature, M J Engineering and Land Surveying, P.C. will reserve further comments until more detailed plans and reports are submitted.

Mr. Hartnett, Chairman of the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee, reported that the subcommittee recommends that the applicant provide a bike rack “with design specifics, location, and installation details for verification by inspectors.” The applicant is also asked the applicant to provide a sidewalk or blacktopped trail separate from the entrance roadway to link the church buildings to Clifton Park Center Road and a multi-use trail along Clifton Park Center Road with a crosswalk to Hemlock Drive “to allow residents from Clifton Knolls to safely walk to this community center.”

Mr. Jim Trainor, describing himself as a resident of Clifton Park and “long-time parishioner of St. Edward’s,” spoke in support of the proposed expansion. Citing the church’s recent “interfaith initiatives,” he stated that the impact of the expanded worship space and renovated program areas on the community can only be viewed positively.

Mr. Bill White commented on the private drive that currently provides access to the church, stating that it is often difficult for traffic to move smoothly from the easterly and westerly parking lots when churchgoers are exiting the property after services.

Observing that existing traffic restrictions on the site “are not well regulated,” Mr. Werner recommended that the applicant provide an internal traffic circulation plan that includes not only vehicular traffic patterns but also pedestrian amenities. Board members discussed the apparent problems regarding the site’s current and proposed traffic circulation, parking lot layout, and access drive. Father Patrick Butler explained that the new entrance to the church will be located on the easterly side of the building. In response to Mr. Werner’s question regarding the number of parishioners who walk to church, church representatives were unable to provide an answer. Mr. Hartnett pointed out that the limited width of the existing access road and the traffic volumes and speed of vehicles along Clifton Park Center Road make walking hazardous. Mr. Ferraro found the recommended sidewalk along the access roadway acceptable but, citing pedestrian safety issues, expressed concerns about the mid-block crossing. He recommended that the applicant work with the Trails Committee to develop a workable plan for pedestrian access to the site. Mr. Hale stated his support for a positive recommendation to the Zoning Board of Appeals regarding the required height variance noting that the “mature vegetation” on the site provides some visual mitigation. He also believes that the proposed cupola and cross offer “an important visible cue” for the site. Mr. Ferraro stated that he believes that it is important to encourage “different types of access” to facilities. He supported the applicant’s use of green infrastructure and possible use of rain gardens to manage storm water. Mr. Ferraro supported a positive recommendation to the Zoning Board of Appeals for approval of the necessary height variance.

Mr. Prescott moved, seconded by Mr. Ophardt, to authorize the Chairman of the Planning Board to forward a positive recommendation to the Zoning Board of Appeals regarding the applicant's request for approval of an area variance that would allow for the construction of a cupola and cross that would increase the height of the building beyond the PIR zoning district's 35' height restriction. The motion was unanimously carried.

Planning Board members found this application generally acceptable though the applicant and consultants were asked to prepare an internal traffic circulation plan that incorporated pedestrian accommodations for the Board's consideration. Mr. Reilly agreed to work with the Trails Subcommittee and to prepare the requested plan.

Discussion Items:

2015 Planning Board Calendar

Planning Board members found the proposed meeting dates for 2015 acceptable.

357 Riverview Road

Mr. Scavo explained that he is in receipt of the Certificate of Appropriateness issued by the Historic Preservation Commission for the building located at 357 Riverview Road. The 46 page document will be forwarded via e-mail to all Planning Board members for their consideration in anticipation of site plan review at the Planning Board meeting of November 25, 2014. Site plan approval for this project was discussed at the September 23, 2014 meeting when Board members agreed that the owners should work with the Historic Preservation Commission to "develop restoration plans that would preserve the historical characteristics of the property while meeting current code requirements."

The next meeting of the Planning Board will be held as scheduled on November 25, 2014.

Mr. Koval moved, seconded by Mr. Hale, adjournment of the meeting at 8:03p.m. The motion was unanimously carried.

Respectfully submitted,

Janis Dean,
Secretary

NOTICE OF DECISION

Resolution #22 of 2014

Preliminary and Final Subdivision Approval

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on November 12, 2014, there were:

Present: R. Ferraro, M. Hale, J. Koval, E. Ophardt, T. Werner
E. Prescott – Alternate Member

Absent: E. Andarawis, K. Paulsen

Mr. Hale offered Resolution #22 of 2014, and Mr. Werner seconded, and

Whereas, an application has been made to this Board by Riverview Construction Associates, Inc. for approval of a subdivision entitled Subdivision of the Lands of Riverview Construction Associates, Inc. consisting of (2) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on November 12, 2014;

Whereas, the Planning Board was established as Lead Agency for this application, an unlisted action, and a negative declaration was issued pursuant to SEQRA on November 12, 2014;

Whereas, it appears to be in the best interest of the Town that said application be approved,

Now, therefore, be it resolved that the final hearing for this application is waived and that the applicable park land fee be waived in lieu of the granting of a 15' easement along the property's Vischer Ferry and Grooms Road frontage to allow for future road improvements and/or the installation of a multi-use pathway segment and that the subdivision plat entitled Subdivision of the consisting of (2) lots is granted preliminary and final approval conditioned upon satisfaction of all comments listed in the final comment letter prepared by the Planning Department.

Resolution #22 of 2014 passed 11/12/2014

Ayes: Ophardt, Prescott, Hale, Werner, Koval, Ferraro

Noes: None

Rocco Ferraro, Chairman