

Town of Clifton Park Planning Board
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PLANNING BOARD

ROCCO FERRARO
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Emad Andarawis
Denise Bagramian
Jeffery Jones
Andrew Neubauer
Eric Ophardt
Greg Szczesny

(alternate) Teresa LaSalle

Planning Board Minutes
September 25, 2018

Those present at the September 25, 2018 Planning Board meeting were:

Planning Board: R. Ferraro, Chairman, D. Bagramian, J. Jones, A. Neubauer, E. Ophardt,
G. Szczesny
T. LaSalle – Alternate Member

Those absent were: E. Andarawis

Those also present were: J. Scavo, Director of Planning
J. Bianchi, M J Engineering and Land Surveying, P.C.
A. Morelli, 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 offered a brief tribute to Mr. Tom Andress, P.E. who passed away on Friday, September 21, 2018. Mr. Andress was a long-time engineering consultant for many applicants appearing before the Planning Board as a representative of ABD Engineers and Surveyors, P.C. of Schenectady, New York. Mr. Ferraro cited Mr. Andress' ability to work amicably with the Board to achieve mutually beneficial development goals as one of his great strengths. A moment of silence was observed in his memory.

Mr. Ferraro announced that Ms. LaSalle would be sitting as a full voting member of the Board at this evening's meeting in Mr. Andarawis' absence.

Minutes Approval:

Mr. Jones moved, seconded by Mr. Ophardt, approval of the minutes of the September 12, 2018 Planning Board meeting as written. Ayes: Neubauer, LaSalle, Bagramian, Szczesny, Jones, Ophardt, Ferraro. Noes: None.

Public Hearings:

[2018-032] **Vistas West Subdivision Amendment 1** – Proposed lot line adjustment and amended subdivision plan – Preliminary public hearing and possible determination. SBL: 270.-2-3.2

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 the required public hearing on this application. He explained that although the Planning Board would pronounce the application complete, assume Lead Agency status, and issue a negative declaration, these actions would neither grant nor imply approval of the subdivision application. Should it be determined that additional environmental review is warranted based on input received at the public hearing, SEQRA discussions will be reopened and a decision rendered when deemed appropriate.

Mr. Neubauer moved, seconded by Mr. Jones, to establish the Town of Clifton Park 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 7:05p.m. The Secretary read the public notice as published in the Daily Gazette on September 15, 2018.

Mr. Joe Dannible, consultant for the applicant, explained that the updated plans for this project show the lot line adjustments that will be made administratively, the area of the recently-acquired parcel that will be conveyed to the Vistas West Homeowners' Association prohibiting any future access to Route 146 from the newly-created parcel, the 10' wide easement along Route 146 for future roadway improvements and/or trail construction, the 17,221 SF parcel along Tanner Road for future roadway improvements including the possible realignment of the Tanner Road – Route 146 intersection, and enhanced landscaping to mitigate visible impacts of the development from Route 146. A "natural surface foot path," with a woodchip surface will be installed around the two ponds located to the rear of the northerly lots. The path will connect to Vista Court on parcels adjacent to Lot #30 Vista Court to the east and Lot #52 Vista Court to the west.

Mr. Scavo reported that all comments prepared by Mr. Myers, Director of Building and Development, Ms. Reed, Chief of the Bureau of Fire Prevention, the ECC, Mr. Reese, Stormwater Management Technician, Mr. Dahn Bull, Highway Superintendent, M J Engineering and Land Surveying, P.C., and the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee for items on this evening's agenda have been forwarded to Board members for their consideration.

Mr. Scavo reported that Mr. Myers, Director of Building and Development, provided the following comments in a memo dated September 13, 2018. The applicant requests a lot line adjustment due to the recent purchase of a contiguous parcel in an approved subdivision within the HM (Hamlet Mixed-Use) zoning district. The property will now front on both Vista Court and Route 146. Mr. Myers recommends that access be limited to Vista Court since approval from NYSDOT would be required for access onto Route 146. It appears that the newly acquired parcel will be turned over to the homeowner's association. The applicant should clarify whether or not Lots #14 and 15 will be combined into one parcel.

Mr. Scavo explained that the ECC offered the following two comments after review of this application at its September 18, 2018 meeting. There is an increase in the overall density of the project. The ECC recommends that the Planning Board and the applicant agree to an increased amenity. The ECC recommends that the existing curb cut onto NYS Route 146 be removed in compliance with the existing plan.

Mr. Scavo reported that Mr. Reese, Stormwater Management Technician, provided the following comment in a memo dated September 21, 2018. The rear of the proposed two lots shall receive the same water quality treatment as the rest of the previously approved lots along Route 146.

Mr. Scavo read the comment prepared by the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee that requested the establishment of a 10' easement for a future multi-use path along Route 146 be extended to the newly acquired parcel. Mr. Dannible agreed that the easement would be provided.

Mr. Scavo explained that the Planning Department issued the following comments regarding this application. The applicant is asked to add a note to the plan that states the following:

Lots #14 and 15 will be combined into one lot as shown with the elimination of the former lot lines to the rear of Lots #47 and 45 Vista Court.

In lieu of the parkland fee of \$1,500.00 to be assessed for each new lot of a residential subdivision, the applicant should consider a continuation of the 10' wide easement granted to the Town of Clifton Park for a future trail, across the rear of the parcel to be consolidated with Lots #14 and 15.

Mr. Bianchi reported that all previously-issued comments from M J Engineering and Land Surveying, P.C. have been adequately addressed.

Mr. Anthony LaFleche, 21 Wheeler Drive, questioned whether or not the applicant had provided an easement along the property's frontage on Route 146 for possible future roadway improvements or trail construction and along its Tanner Road frontage for possible future improvements to the Tanner Road – Route 146 intersection. Mr. Dannible explained that an easement will be provided along the property's frontage on Route 146. Mr. Ferraro noted that the property adjoining Tanner Road will be conveyed to the town for future realignment of the intersection.

There being no additional public comment regarding this application, Mr. Ferraro moved, seconded by Mr. Jones, to close the public hearing at 7:25p.m. The motion was unanimously carried.

Mr. Ophardt requested clarification of the label on the plan that identifies Lot #16 as “Lands to be Dedicated to the Town of Clifton Park for Future Stormwater Management.” Mr. Dannible explained that the area in front of the two ponds located in the northern portion of the development site will be used for stormwater management and that there is no encroachment on wetlands in the area. In response to Mr. Ferraro’s question regarding the lot line adjustments proposed for the northerly side of the proposed roadway, Mr. Dannible explained that the purchase of the additional lands made it possible to redesign the project plan to provide more equitable frontages for properties on either side of Vista Court. Mr. Ferraro stated his preference for the developer’s use of varying housing designs within the subdivision to create a more visually appealing development.

Mr. Ophardt offered Resolution #17 of 2018, seconded by Ms. Bagramian, to waive the final hearing for this application and to grant preliminary and final subdivision approval conditioned upon the developer’s use of a diversity of architectural designs throughout the project, the establishment of a 10’ easement along Route 146 for future roadway improvements or trail construction, and satisfaction of all items listed in the final comment letter issued by the Planning Department. Ayes: Neubauer, LaSalle, Bagramian, Szczesny, Jones, Ophardt, Ferraro. Noes: None.

Old Business:

[2017-049] **Earl Route 146 PDD** – Proposed Planned Development District development of fourteen (14) single-family condominium buildings, five (5) two-unit condominium buildings, twenty-seven (27) four-unit condominium buildings, clubhouse, and associated parking, Route 146 – Preliminary site plan review. SBL: 271.-1-1.2; 271.00.-1-13; 271.-1-16

Mr. Scott Lansing, consultant for the applicant, explained that this application represents the preliminary site plan submission for the Park West Planned Development District that was approved by the Town Board at its August 20, 2018 meeting, noting that the plans illustrate the site development and the configuration of major design elements. The site to be developed is located approximately at the intersection of Route 146 and Route 146A with one main entrance located on the easterly side of Route 146A approximately 950’ north of the Route 146 – Route 146A intersection. Tax map parcels, totaling 27.69 acres, identified as 271.-1-1.2, 271.00.-1-13, and 271.-1-16 will be consolidated into a single parcel. Development plans call for the construction of twenty-seven (27) 4-unit buildings, five (5) 2-unit buildings, and fourteen (14) single-family detached units for a total of one hundred thirty-two (132) condominium units. The plan includes a potential 3,000 SF clubhouse that could be utilized by the residents as a central gathering place. Approximately 1.84 acres of USACOE regulated wetlands have been delineated on the property. No NYSDEC wetlands are located on site or within nearby adjacent properties. A wetland disturbance permit will be required for approximately 4,000 SF of proposed wetland disturbance. All units will include a private driveway and garage. The target market for the residential units will be young professionals, retirees, and “empty nesters” who are looking for

“maintenance free living.” The entranceway from Route 146A will include an “aesthetically pleasing landscaped boulevard.” An emergency access drive is proposed at the southern portion of the community which will connect to NYS Route 146 via the driveway access for the Ravenswood Restaurant. The layout consists of interconnected streets and sidewalks providing a streetscape that will include trees and ornamental lighting. The sidewalks will connect the individual residences to one another as well as to the centrally-located mailbox kiosk. The access road is proposed to be a private road that will be maintained and operated by the condominium association. Open space will total 19.3 acres, or 69.9% of the total site. A 100’ buffer will be provided to separate the proposed development from the adjoining Sherwood Forest neighborhood to the south and a vegetated buffer to the rear of the single family detached units will provide an adequate buffer to the existing single family homes to the north. Water will be provided by connection to an existing system located along the easterly side of Route 146A and sanitary sewer service will be provided by connection to the existing Saratoga County Sewer District sewer line that traverses the property. Stormwater will be managed on site through the use of multiple green infrastructure run-off reduction practices. A Stormwater Pollution Prevention Plan will be provided. A negative declaration pursuant to SEQRA was issued by the Town Board on August 20, 2018 in Resolution No. 199 of 2018.

Mr. Scavo read the comments issued by Mr. Myers, Director of Building and Development, in a memo dated September 13, 2018. Mr. Myers notes that the PDD consisting of one hundred thirty-two (132) dwelling units was approved by the Town Board on August 20, 2018. Per Section D106.1 of the NYSFC, “projects with over 100 dwelling units shall be equipped with two separate and approved fire apparatus access roads.” All roads within this project are considered to be “fire apparatus access roads and shall meet this requirement. Per Section 507.5.1, hydrants shall be spaced 400’ apart as measured along an approved fire apparatus access road. This can be increased to 600’ if all the buildings are sprinklered. The multi-unit buildings are all required to be sprinklered per the fire code. It is unknown if the single family homes will have sprinklers. The hydrant spacing proposed does not meet those requirements. Access to the project from the south (Ravenswood) shall require an electronically operated gate in place of manually removable bollards. Roads H and I exceed the dead-end roadway limit and will be required to have a turnaround complying with Appendix D of the NYSFC. Approval from the Clifton Park Water Authority will be required for the unusual configuration of the main and services. The main does not follow all portions of the roads and, as a result, long service lines are present which cross the roadways multiple times in proximity of proposed Buildings #30, 31, and 32. The water mains will be required to be extended along several roads to meet the hydrant spacing requirements. Both sides of proposed road D which accesses Route 146A – assuming that this entrance is separated by a raised median – will be required to meet the 26’ wide requirements of a fire apparatus access road. A maintenance agreement with the town will be required for onsite stormwater facilities.

Mr. Scavo reported that Ms. Reed, Chief of the Bureau of Fire Prevention, issued a number of comments regarding this application. Ms. Reed asked if a traffic study for the area had been completed since there are a number of safety concerns regarding traffic flow, stacking, and sight distance that intensify during peak travel times which should be addressed. The applicant should clarify whether or not a raised curve is proposed for the boulevard entranceway off Route 146A since such a design would not allow the minimum width of 26’ for a Fire Apparatus Access Road and the proper turning radius. It is suggested that the pavement be painted rather than raised to

assure that the required width could be met. Two (2) Fire Apparatus Access Roads are required throughout the proposed project with a minimum width of 26'. These access roads shall extend to all portions of the structures per Section 503.1 of the IFC. The proposed Fire Apparatus Access Road which leads to Route 146 currently shows bollards to prevent traffic flow. Per Section 503.5 of the IFC, a gated roadway should be provided. Ms. Reed has requested comments from the Jonesville Fire Chief. Both sides of the Fire Apparatus Access Road off Route 146 are required to have "No Parking – Fire Lane" signs. Such signs must also be posted on both sides of the gate per Section D103.6 of the IFC. "No Parking – Fire Lane" signs should also be posted throughout the proposed project per Section 503.3 of the IFC. The roadways are proposed to be "private roads." The 911 system does NOT assign addresses to these roadways, causing problems for addressing. The Post Office will not deliver to private roadways so community post office boxes will be required. Town roads should be considered. The proposed hydrant placement does not meet the required spacing of 400' per Section 507.5.1 of the IFC.

Mr. Scavo explained that, after review of this application at its September 18, 2018 meeting, the ECC offered a number of comments. The ECC is concerned with the impacts that the proposed project will have on the existing traffic conditions in the immediate vicinity. According to the most current data per the NYSDOT, the accident rate at the intersection of NY 146 and 146A is 62% higher than the expected rate for similar types of roads/intersections in New York State. The peak traffic volume for the project adds 75 trips per peak hour which is 26% of the proposed parking spaces. The ECC recommends that the Town Engineer and the Town's Highway Safety Committee validate the Traffic Study estimates. The ECC is concerned with the amount of the proposed impervious surfaces for this PDD. In order to reduce the impervious area, the ECC suggests that the pavement be reduced and that alternate driveway surfaces such as porous pavement or pavers that allow infiltration be considered. The ECC recommends that the PDD utilize green infrastructure practices. The ECC is concerned with the proximity of the proposed structures 9, 10, and 28 to the steep slopes that drain to the Dwaas Kill. The ECC is concerned with safety of the proposed Route 146 access road's proximity to the on ramp to NYS Route 146A. The ECC is concerned with the proposed wetland disturbance and the lack of details on the proposed plans. The proposed retaining walls along Road B, station 9+00, appear to block drainage flow from the west: natural drainage flow should not be impeded. The proposed plans should include complete details of the proposed retaining walls and the wetland alterations prior to Planning Board approval. The ECC requests a right-of-way trail and trail improvement plan for the Dwaas Kill ravine to connect to existing trails and sewer service dirt roads to the north of the ravine.

Mr. Scavo noted that Mr. Reese, Stormwater Management Technician, issued numerous comments after review of the application documents submitted. The proposed discharge to the Dwaas Kill is concentrated to an 18" HDPE pipe from Stormwater Management Basin #2. The outlet of the 18" pipe is showing 15 feet of riprap for dispersion of the outflow. The concern is that after the edge of the rip-rap there is a 33% incline to the ravine into an existing wetland and into the Dwaas Kill. The concentrated flow may cause severe erosion down the slope and into the wetlands. A drainage easement should be required to extend the slope protection. Stormwater Management Basin #2 has an embankment that exceeds 10 feet of fill. The applicant is asked to verify whether or not a dam permit is required. The Embankment Fill Notes on Sheet DT-6 should add Note #5 stating the following:

The embankment construction will require inspections, testing, and a construction report by a licensed engineer that the construction work complies with the plans, specifications, and meets standards of good workmanship.

Stormwater Basin #2 is described under 6.3 Proposed Water Quality and Quantity Controls – Stormwater Management Basin #2 – page 24 of 51, is described as an Infiltration Basin (I-2). The details on DT-6 show an impermeable liner and micro-pool with permanent wet pool. If Basin #2 is an I-2 the bottom of the basin floor area will need to be calculated and sized as shown per 6.3.4 of the New York State Stormwater Management Design Manual (SMDM). On sheet DT-6 detail Basin #2 Outlet Structure (OCS2) shows the 18” HDPE pipe invert at 312.00 with the weir elevation at 313.00: this appears to be a conflict. The applicant is asked to show the detail to scale of how this will be achieved so there is no interference between the orifices and the walls of the structure. Stormwater Management Basin #1 is located at the main entrance to this project. Consideration should be given to expanding the planting plan to be a visual amenity to complement the designer’s intent of providing an aesthetically pleasing landscaped boulevard. Test Pit #1 appears to have a seasonal high-water elevation at 339.50. The Stormwater Management Basin #1 is designed to have a micro-pool at 338.00 with a 2.5” vertical orifice at the same elevation. The design should address how the basin will handle the constant recharge during seasonal high-water time periods. The stormwater calculations should include the modeling of the forebay of Basin #2 to show that the forebay is designed with non-erosive outlet conditions, given design exit velocities. The forebay bottom of Basin #2 should have the grading plan reflect the ability to be constructed with standard construction equipment. During heavy rain events stormwater may bypass the catch-basins along Road B and collect at the low point at station 10+00. The overflow has the ability to flow down Building 10’s driveway and down the fill slope (12 feet of fill) and has the potential for major erosion: the design should evaluate this situation and provide a solution. The grading plans show a created depression behind structures #6, 7, 11, and 28. Plans should indicate whether or not this is the intent or if there should be a culvert installed to allow surface runoff to drain. To consider the runoff from the roofs from Buildings #8-14 to be pre-treated with a filter strip the conditions outlined on Table 5.8 of the SMDM need to be met. The applicant is asked to clarify whether or not the tree clearing and grubbing will follow the anticipated phasing plan or if the site will be cleared at one time and then tree stumps will be removed per the phasing plan. The applicant is asked to clarify whether or not the temporary drainage swales will be included in the first phase to direct flow to the temporary sediment basins. The anticipated amount of fill for this project should be provided with an indication of the number of truck trips that will be entering and exiting the site during construction. The operation and maintenance of the construction entrance will be vital. In Section 5.0 NYS Green Infrastructure Five Step Approach – Reduction of Impervious Cover – the design intent of providing a traditional neighborhood layout with interconnected streets with sidewalks and rear entry driveways off alleyways generated additional impervious area. The applicant is asked to evaluate how low traffic areas may be replaced with porous pavement or permeable pavers. Though the Stormwater Pollution Prevention Plan is preliminary, the applicant is asked to complete the NOI, include the Maintenance Inspection Checklist for Infiltration Basins and Trenches, and add full details for the concrete washout areas. Under the Runoff Reduction Technique Evaluation – page 18 of 51, under Tree Planting/Tree Pit the applicant is asked to consider removing the last sentence. The project directly discharges into the Dwaas Kill a 303(d) waterbody. A qualified inspector shall conduct at least two site inspections every seven calendar days. Plans should indicate how snow removal be done and where will it be stored.

Mr. Scavo explained that the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee offered a number of comments regarding this application. Commenting on the proposed sidewalk design, the Committee found that “overall, the proposal has a good system of internal sidewalks on both sides of the main roadways.” It was recommended that the sidewalk shown on the roadway that connects the PDD lands to Route 146 extend south the entire length of this roadway since this would provide an important connection to Route 146 and the commercial area. The Committee addressed the issue of crosswalks, recommending that a request be made to NYSDOT to install a crosswalk across NYS Route 146 on the east side of the Route 146 - 146A intersection in conjunction with the current NYSDOT project design for this intersection. This is important since residents will most likely be crossing Route 146 from the project’s southern entrance roadway to the Market 32 Plaza area. A request should also be made to NYSDOT to install a crosswalk across NYS Route 146A on the north side of the Route 146 - 146A intersection in conjunction with the NYSDOT project design for this intersection. This crosswalk will provide pedestrian access to the existing multi-use path on the west side of Route 146A. The Committee issued two comments related to the roadway layout, requesting that the applicant consider a project redesign that reduces the roadways and overall impervious surface by eliminating the alleys, thereby freeing the proposed alley space for greenspace for the condo residents and “enabling condo front door entrances along the main roadways” and improving residential access to the internal sidewalk system. An additional comment encouraged the preparation of a Trail Right-of-Way and Trail Improvement Plan for the adjacent Dwaas Kill Ravine Trail System that connects existing trails.

Mr. Scavo reported that the following comments were issued by the Planning Department. The applicant is asked to add a note to the plan that states the following:

The proposed private roadway system shall not be dedicated to the Town of Clifton Park now or in the future, also any future maintenance or capital investment requirements of the private roadway and culverts are the sole responsibility of the private land owner(s).

The applicant is asked to provide documentation that the cluster mailbox design detail and location on the site plan have been approved by the Clifton Park Postmaster. The following note should be added to the plan stating:

All private owners within the condominium association are collectively responsible for maintaining on-site stormwater management systems.

The applicant is asked to include documentation within the condominium association offering documents that calls out the maintenance responsibilities and practices required to maintain the on-site stormwater management systems. Reference to the filed Stormwater Pollution Prevention Plan and Stormwater Maintenance Agreement may accomplish this task if such management guidelines are called out within the SWPPP. A meeting with Town Staff and the applicant should be scheduled to address the building code requirements for the proposed private roadway network. A referral to the Saratoga County Planning Board for the site plan will be made in accordance with GML §239(m) and (n).

Mr. Bianchi reported that, after review of all PDD site plans and accompanying documents for this application, M J Engineering and Land Surveying, P.C. issued fifty-seven comments regarding the project plans. The project is a Planned Development District (PDD) with site

specific zoning that defines among other topics, uses, density, and bulk lot requirements. This was approved by the Clifton Park Town Board by way of Local Law No. 5 of 2018. It is noted that review of the site plans submitted is primarily for conformance with the approved PDD and other applicable design standards. As part of the PDD process, the applicant is providing a public benefit in the amount of \$3,800 per unit, equating to \$501,600 which is provided to the Town of Clifton Park as units are constructed. This has been defined as an unrestricted community benefit to the Town. The Planning Board should be cognizant of this unrestricted public benefit being provided by the applicant as they deliberate on the application. The project proposes to service each new unit with public water from the Clifton Park Water Authority via extending a new public water main throughout the project. The applicant shall provide the Town documentation of the CPWA's ability and willingness to service the project with potable water. Any action on the application should be conditioned upon receipt of plan approval from the CPWA. The extension of public water mains to the project is subject to NYSDOH plan approval and potentially the NYSDEC for the taking of additional water. As part of the project's regulatory review, the applicant will have to apply for the referenced plan approvals. Any action on the application should be conditioned upon receipt of plan approval from the NYSDOH and/or NYSDEC for the additional taking of water. The project proposes to service each new unit with public sewer from the Saratoga County Sewer District via extending a new public sewer main throughout the project. The applicant shall provide the Town documentation of the SCSD's ability and willingness to service the project with public sewer. Any action on the application should be conditioned upon receipt of plan approval from the SCSD. The extension of public sewer mains to the project is subject to NYSDEC plan approval. As part of the project's regulatory review, the applicant will have to apply for the referenced plan approvals. Any action on the application should be conditioned upon receipt of plan approval from the NYSDEC. The SEQRA review was completed for this application as part of the PDD review process with the Town Board issuing its findings and a negative declaration. The Clifton Park Planning Board served as an involved agency during that review. Under the presumption that the detailed site plans submitted proposes improvements that are consistent with the Town's findings, no further SEQRA action is necessary. Review of the plans submitted indicates that the Town Board's SEQRA findings have not been upset and no additional SEQRA review is warranted on this application.

Several comments related to the proposed site plan. The project is located within a specific zoning district created through the PDD process. The uses and density are consistent with the PDD for the parcel. In reviewing the project arrangement, the setbacks established within the PDD are being satisfied. On COV-1, Parking Space Note 2 needs to be modified to reflect the requirement of Section 1106.1.1 of the 2017 Uniform Code Supplement as amended by New York State which requires all accessible access aisles to be at least 8 feet in width. On COV-1, Parking Space Note 13 shall clarify that the accessible symbol shall be the New York State mobile accessible symbol. Sheet ECR-1 shows proposed impacts to regulated waters of the U.S. The Town shall be provided with correspondence with and permits obtained from the US Army Corps of Engineers for the noted wetland impacts. Sheet ECR-1 shows the removal of an existing sanitary sewer line that extended into regulated waters of the U.S. The applicant is asked to confirm whether this work also requires wetland impact permitting. On Sheet LMG-2, the "2" sign is shown in front of the 6-stall parking space just north of Building 3 and appears to be misplaced as it would restrict use of a stall. On Sheet LMG-2, the applicant is asked to confirm

the orientation of the fire hydrant at the intersection of Road B and C. It should face the intersection and not the parking stall to provide clear access. The sidewalk shown along the emergency access, near the intersection of Road B and continuing south appears to show a cross slope in excess of 2%. Grading must be adjusted as necessary so not to exceed ADA standards. Sheet LMG-2 shows the only open parking spaces available, totaling 29 spaces which includes one accessible space: pursuant to Table 1106.1 of the IBC, two accessible spaces are required for the number of spaces proposed. The location of each retaining wall shall be reviewed to determine if there is a need for a barrier fence at the top for safety. If any of the homes require foundation or sump pump drains, their point of connection to a defined drainage system shall be shown. In reviewing the project layout in comparison to the International Fire Code (IFC) it appears revisions may be warranted. The applicant shall meet with the Fire Code Official and Town's emergency services personnel to review the project layout. Initial comments on the fire service features are as follows:

- a. Section 503.1.1 of the IFC requires an approved fire apparatus access road that shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. The Fire Code Official is authorized to increase the dimension of 150 feet under certain conditions. In reviewing the layout, it appears that Buildings 8, 9, 10, 11, 12, 13 and 14 may not have adequate access as noted in Section 503.1.1 of the IFC.
- b. Section 503.2.1 of the IFC requires fire apparatus roads to have an unobstructed width of 20 feet. In reviewing the plans, Roads, E, F and G are approximately 17 feet in width. In order for the rear of adjacent units to have the required access pursuant to Section 503.1.1 of the IFC, each of these roads appears to serve as an apparatus access and, therefore, would need to be increased to 20 feet in width.
- c. Road G has a fire hydrant located between Buildings 4 and 5. Pursuant to Appendix D, Section D103.1 where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet.
- d. Road I, behind Buildings 1 and 2 appears to serve as a fire apparatus access road to comply with Section 503.1.1 of the IFC. Due to its length being greater than 150 feet, it shall be provided with an approved area for turning around pursuant to Section 503.2.5 of the IFC.
- e. The placement of fire hydrants throughout the project should be reviewed with the Town's emergency services' requirements in comparison to Section 507.5.1 of the IFC to confirm their locations and quantity are adequate to respond to an event at the site.

Basin #2 as shown on Sheet LMG-1 shows proposed grading extended onto Lands of Surprenant. Confirmation that the adjacent land owner has provided permission to complete the grading work shown which shall include written documentation must be provided to the Town. Basin 2 as shown on Sheet LMG-1 will have portions of the bottom area constructed in fill. There needs to be means to ensure that the constructed fill will be placed so as to provide the design infiltration rate used. The plans shall provide specific information relative to the type of fill and required earthwork operations necessary to achieve the desired infiltration rate. This may also include post installation verification of the in-situ rates to ensure the basin will function as intended. Basin 2 as shown on Sheet LMG-2 shows the emergency spillway and primary discharge with riprap

stabilization. Considering the subsequent steep slopes, riprap alone may be insufficient to prevent erosion and rutting of the natural land slope. Means to prevent erosion of the existing slope shall be provided. The maintenance access to Basin #2 as shown on Sheet LMG-2 shall include a turnaround for maintenance vehicles. The grading of the infiltration basin suggests that infiltration is occurring within the side slopes and not just the bottom area. The applicant is asked to confirm that the sizing of the basin is appropriate to ensure the entire WQv is being infiltrated through the bottom and not the sides. On Sheet ESCP-2, the infiltration basin appears to be utilized as a temporary sediment trap. Pursuant to Section 6.3.6 of the NYSSMDM, infiltration practices shall never serve as a sediment control device during the site construction phase. An appropriate sediment trap for the contributing area to this basin must be provided. Sheets ESCP-2 and ESCP-3 shall clearly show how sediment will be prevented from entering an infiltration facility pursuant to Section 6.3.6 of the NYSSMDM. On Sheets ESCP-2 and ESCP-3 provide notation indicating that the upstream construction shall be completed and stabilized before connection to a downstream infiltration facility. A dense and vigorous vegetative cover shall be established over the contributing pervious drainage areas before runoff can be accepted into the facility. Sheet ESCP-3 needs to define how sediment will be controlled as part of the construction of the emergency access road. Sheets ESCP-1 through ESCP-3 shall show where erosion control mats shall be placed utilizing Detail 5 on Sheet DT-1. On Sheets PP-1 through PP-4, in any location where there is more than 5 feet of fill below the road center line, there should be site specific requirements for fill material and compaction requirements. A notation that defines how these road sections will be constructed which shall include suitable material to be utilized and methods of earthwork operations must be provided on the plans. On Sheet PP-3, Road C Profile, the proposed water main between Station 6+00 and 7+00 is shown at great depths and will make any future repairs problematic. There appears to be an ability to make this water main shallower. There is no soil testing provided in the vicinity of the infiltration trench. The minimum geotechnical testing is one test hole per 5,000 SF, with a minimum of two borings per facility pursuant to Section 6.3.1 of the NYSSMDM. The infiltration practice shall have direct access for maintenance and rehabilitation pursuant to Section 6.3.6 of the NYSSMDM. Plans need to show how the infiltration practice will be dewatered in the event of failure pursuant to Section 6.3.6 of the NYSSMDM. The applicant is asked to show how each infiltration practice will function during frozen ground conditions. It may be necessary to install drywells that extend through the frost depth to ensure operation during all times of the year. Section 6.1.6 of the NYSSMDM requires that, except where local slopes prohibit this design, Basin 1 pond shall have a drain pipe that can completely or partially drain the pond. It appears each basin has limited ability to provide this drain. The operation and maintenance manual shall describe how the pond can be drained for maintenance absent the drains being provided. Section 6.1.6 of the NYSSMDM required warning signs to be posted prohibiting swimming, wading, and skating, warning of possible contamination or pollution of pond water, and indicating maximum depth of pond. The plans shall provide a detail for and show where these signs will be posted for Basin 1. Pursuant to Section 3.5 of the NYSSMDM, the proposed stormwater practice needs to have a conspicuous and legible sign posted. The plans need to provide the standard sign with the applicable language as well as the location. Section 5.3 of the Stormwater Pollution Prevention Plan identifies Conservation of Natural Areas as one of the proposed stormwater practices: it is unclear on the plans where this area resides. All plan sheets shall show the LC district as it may apply to the Dwaas Kill. Section A217-410 of the PDD Local Law indicates that roadways shall be

constructed to Town standards. If the intent of this requirement is to be inclusive of the storm sewer system, the drainage and storm trenching details shown on Sheet DT-2 should be replaced with the Town's standard details for the same. Detail 6 on Sheet DT-2 shall show the bedding material below the CDS unit. Detail sheets DT-3 and DT-4 have not been reviewed as they are under the jurisdiction of Clifton Park Water Authority and Saratoga County Sewer District No. 1. Detail 2 on Sheet DT-5 shall be corrected graphically to show the 2 foot wing gutter on each side of the travel way. Detail 15 on Sheet DT-5 shall be a NYSDOT crosswalk, Type L or LS. On Sheet DT-7, Details 2 and 5 specify different size riprap for the same condition at the overflow weirs: the details should be corrected as necessary.

Mr. Bianchi reported that several comments related to the Stormwater Pollution Prevention Plan. Under Section 1.1, Site Inspector's Responsibilities, Item 2 shall be modified to note the increased frequency of site inspections pursuant to Part IV.C.2.e of the General Permit. Under Section 5.3, Runoff Reduction Technique Evaluation, under the discussion of porous pavement, the NYSDEC is permitting the construction of porous surfaces upon fill areas under controlled conditions. The Town has experience with this. While porous pavement is not being proposed, it would not be prohibited assuming appropriate specifications were developed for the project site. The Conservation of Natural Areas noted in Section 5.3 requires an acceptable conservation easement instrument that ensures perpetual protection of the proposed area pursuant to Section 5.3 of the NYSSMDM. The easement must clearly specify how the natural area vegetation shall be managed and boundaries will be marked. This information should be provided prior to site disturbances or at a time agreeable to the Town. Appendix B is missing the pre- and post-subcatchment maps. Appendix H which included post construction maintenance requirements shall be modified to include the following:

- a. Specify how the natural area vegetation within the Conservation of Natural Areas shall be managed (this would also be part of the required easement).
- b. Post construction maintenance associated with soil restoration.

Appendix J, which included the NOI needs to be completed. Confirmation that the primary outflow from each pond has velocities between 3 and 5 fps must be provided. If the velocities are greater than 5 fps, forms of dissipating this to be within the 3 to 5 fps range shall be provided. Calculations showing that the I-2 practice fully dewateres the entire WQv within 48 hours after the storm event pursuant to Section 6.3.2 of the NYSSMDM must be provided. Section A217-410 of the PDD Local Law indicates that roadways shall be constructed to Town standards. If the intent of this requirement is to be inclusive of the storm sewer system, calculations shall be furnished for the closed drainage system within the road illustrating that it is designed to convey the ten-year design storm pursuant to Section 86-7(A)(1)(a) of the Town Code.

Mr. Bianchi reported that no technical comments regarding the Sewer Report were issued. This document shall be reviewed and approved by the SCSD No. 1 and potentially the NYSDEC for the extension of public sewers to the project. Similarly, no technical comments were issued regarding the Water Report. This document shall be reviewed and approved by the Clifton Park Water Authority and potentially the NYSDOH for the extension of public water mains to the project.

Mr. Bob Voelker, a 24-year long resident of 10 Stratford Drive, questioned whether or not the proposed clubhouse would be made available for rent by individuals residing outside of the

condo community. Mr. Lansing explained that since the property would belong to the condo association it was unlikely that rentals to outside parties would be permitted. Mr. Ferraro observed that the limited parking at the facility would likely preclude such rentals. Mr. Bianchi noted that the PDD legislation that governs this development authorizes the construction of a clubhouse area to provide a space for “the gathering of residents.” The speaker recommended that the applicant include the redesign of the Route 146 – Route 146A intersection as proposed recently by the NYSDOT since the proposed roundabout may impact area traffic patterns. He believes that the structures proposed for the area directly behind the firehouse are situated too close to the property line.

Mr. Anthony LaFleche, 21 Wheeler Drive, focused on the fact that the developer proposes the construction of a private roadway throughout the development and questioned whether or not “residents can dictate who can walk through the development.” Mr. Morelli explained that “there is no mechanism for limiting access to people” who wish to walk through the development. Mr. LaFleche stated his disdain for private roadways, noting the future costs associated with roadway repair and/or replacement. Finding the project “too dense” and characterizing it as a “fundamental change to the area,” he called for the preservation of existing mature trees and a reduction in proposed number of dwelling units. The speaker recommended elimination of the “hammerhead area” in the northeasterly portion of the property, the relocation of the Route 146A access to the north to provide an increased sight distance as well as its realignment to a 90° angle, and preservation of an existing “informal trail” that meanders through the property providing a connection from Route 146A to the Dwaas Kill ravine walking paths. Mr. Ferraro pointed out that the applicant may consider utilizing a trail around the proposed stormwater management area on the easterly side of the property as an access point for connection to the existing trails.

Mr. Jim Ruhl, 168 Wooddale Drive, spoke to “the entire project area,” asking Board members to consider “a broader perspective than just this project.” Pointing to the town’s encouragement of mixed uses in the town center area, he called for this “high density” plan to incorporate parkland as a “necessary amenity,” noting that the owner/applicant controls a significant parcel of constrained land directly east of the project area. Mr. Ferraro labeled most of the additional lands owned by Mr. Earl as “passive parkland” due to its steep slopes and stream bed. Mr. Ophardt suggested that Mr. Earl might wish to dedicate the adjoining parcel to the town. When questioned about future development on the adjoining property, Mr. Lansing stated that Mr. Earl has not proposed any additional development at this time. Mr. Ferraro pointed out that, although Mr. Earl has no development plans for the lands to the east of the project at this time, those lands do indeed provide access to the existing Dwaas Kill trail system.

Though Mr. Neubauer viewed the proposed project as an example of “new urbanism development,” he expressed concerns with the “critical mass” created at the Route 146 – Route 146A intersection, noting that construction of the recently proposed roundabout by NYSDOT is “a given.” He recommended that a pedestrian connection be provided along the proposed roadway through the Ravenswood property to Route 146. Mr. Ferraro commented that traffic flow to Ravenswood and other businesses must be maintained. Consideration should be given to restricting the project’s southerly access to a one-way south roadway. Board members discussed at length various scenarios for not only ingress and egress to the proposed development. In particular, left hand turning movements onto Route 146A, but also pedestrian accommodations at

the proposed roundabout. Noting the significant number of destination points such as markets, restaurants, and schools within close proximity to the development, Board members focused on the importance of providing pedestrian-friendly accommodations. They called for the incorporation of pedestrian-activated signals at “all legs” of the proposed roundabout, with Ms. LaSalle commenting that crosswalks included in roundabouts throughout the region are a significant element of their designs and she supported the inclusion of crosswalks at this location. Mr. Ferraro supported a “complete street” design utilizing such devices as a hawk lights to allow for safe pedestrian crossings and recommended that NYSDOT consider providing the necessary infrastructure and/or easements to allow for “implementation of amenities,” particularly those for pedestrians and bicyclists, as warranted by development throughout the corridor.

Mr. Neubauer recommended the realignment of the Route 146A connection; however, Mr. Lansing explained that, due to the presence of a small wetland area, the roadway could not be designed as a “T” intersection. In response to Mr. Jones’ question regarding possible connections to the adjoining Sherwood Forest subdivision, Mr. Scavo explained that there were no easements or stub streets that would allow a linkage. Mr. Neubauer asked if it would be possible to create a connection to the existing trails within the Dwaas Kill ravine. Mr. Lansing stated that he would attempt to find a location for such access. Mr. Ophardt called for the elimination of the “center roadways” to “make more walkable areas and areas for congregating away from the roadways.” Overall, he viewed the project as “too dense.” Though Mr. Bianchi noted that the project density was established by the PDD, Mr. Ferraro argued that the legislation allows for the development of “up to 132 dwelling units” and that Planning Board recommendations to the Town Board regarding the PDD approval addressed only a “generalized concept of the PDD and density.” Mr. Neubauer commented that while he appreciated the “new urbanism” concept with primary streets and alleyways reflected in the conceptual design, “proper execution” of the concept was key to its implementation. He called for more details regarding walkways, front entrance ways, and clubhouse access. Mr. Lansing pointed out that the roadways as proposed are necessary due to fire access mandates, that sidewalks are proposed throughout the development, and that the focus for all of the units is on the “primary streetscape.” Mr. Ferraro commented that he “liked the circular design,” though he expressed concern with the developer’s ability to “work with the topography” of the site. Mr. Lansing explained that on site grading would allow for “balancing of the site.” Mr. Ophardt expressed his support of the overall layout; however, he finds one building to be “too close to the top of the slope” which descends to the Dwaas Kill and would like to see a design that provides an “open center.” Mr. Neubauer called for the applicant to consider on-street parking and to provide building elevations that would indicate how the design will “activate the streets.” Mr. Lansing explained that considerations such as maintaining the 26’ roadway width, grading, and drainage issues play a key role in site development. In response to Mr. Jones’ question regarding visibility from the existing roadways, Mr. Lansing stated that the site would be “a bit visible” from Route 146A. Mr. Ferraro supported the request for façade renderings.

New Business:

[2018-052] **Wall Street Office Building (451 Clifton Park Center Road, LLC)** – Proposed 11,790 SF commercial office building, 5 Wall Street – Conceptual site plan review. SBL: 271.-3-76.1

Mr. Peter Murray, legal counsel for the applicant, introduced this application that calls for improvements to a 3.98 acre parcel located on the southerly side of Wall Street, just west of the YMCA daycare facility. The property is situated within the TC-2 zoning district. Project plans call for the construction of an 11,790 SF 2-story commercial office building which will serve as an ancillary building to the 39-unit apartment building which will front on Clifton Park Center Road. The management office for the apartment building will be located within the office building. Connections will be made to existing municipal water and sewer services. Access will be provided by a single full-service curb cut onto Wall Street. Forty-nine (49) parking spaces are proposed. The project has been reviewed by the Technical Advisory Committee and has been found to be in general conformance with TC-2 standards, though a completed TC-2 zoning table was not provided with the submission.

Mr. Scavo read the comments issued by Mr. Myers, Director of Building and Development in a memo dated September 13, 2018. The two story office building proposed within the TC-2 zoning district is an allowed use. The preliminary submission appears to “generally meet the zoning requirements.”

Mr. Scavo explained that Ms. Reed, Chief of the Bureau of Fire Prevention, provided the following comments regarding this application. The applicant is asked to locate the overhead power lines on the site plan. If the building is 30’ in height, aerial access for emergency services will be required and access shall be required per code. All hydrants on and adjacent to the property must be identified on the site plan.

Mr. Scavo read the comments issued by the ECC after review of this application at its September 18, 2018 meeting. 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. In keeping with the recommendations and goals of the Town Comprehensive Plan, the applicant should retain existing vegetation to the maximum extent practical and/or use landscaping and grading to provide visual and auditory buffering between the project and adjacent roadways and other properties. The applicant shall submit a Stormwater Management Plan for review by the Town's Engineer.

Mr. Scavo reported that Mr. Reese, Stormwater Management Technician, noted that the Environmental Assessment Form submitted states that “stormwater discharge will be addressed with on-site stormwater management areas.” As more detailed plans are presented, the stormwater practices and erosion and sediment controls will be reviewed.

Mr. Scavo provided the following comments prepared by the Planning Department. The applicant is asked to complete the TC-2 Checklist for the project and add the information to the site plan as a site statistics table. The applicant should clarify whether or not an exterior refuse collection area is proposed. Refuse pick-up from commercial dumpsters has been problematic near the project site. The Town has received complaints from residents of the Bentley Condominiums that refuse pick-ups occur on adjacent commercial sites often during the very early morning hours and generate negative noise and vibration impacts. Based on the existing horizontal curve of the front property line with the southern right-of-way line of Wall Street, the placement of the proposed office building appears to meet the build-to-zone requirements as existing

conditions allow. Town Code §208-24 and §208-25 should be reviewed by the architect to ensure the required building and architectural form standards are met. Building elevations will be required by the Planning Board for review as plans advance. Town Code §208-26 Site Standards, should be reviewed by the applicant and information should be provided to ensure the parking, landscaping, and outdoor lighting plans are in conformance with the requirements.

Mr. Bianchi explained that, after review of all the materials submitted for review, M J Engineering and Land Surveying, P.C. offered the following comments. The submitted SEQRA Short Environmental Assessment Form indicates the total project disturbance will be less than one acre and, therefore, would not be subject to the NYSDEC Stormwater Regulations and GP -0-15-002. The area of disturbance stated shall be substantiated via a detailed site grading plan. Notwithstanding, a stormwater management analysis is warranted to confirm the project will not result in adverse impacts to existing infrastructure and downgradient properties. The project proposes to provide potable water to the buildings from the Clifton Park Water Authority (CPWA). The applicant shall provide the Town documentation indicating 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. The project proposes to provide sanitary sewer service to the buildings from the Town of Clifton Park, by way of the Saratoga County Sewer District No. 1 (SCSD). The applicant shall provide the Town documentation indicating both the Town's and SCSD's ability and willingness to provide sewer capacity to the project. Any approvals offered by the Planning Board should be conditioned on receipt of SCSD's review and approval. It is recommended that a traffic study be completed to assess the level of service of the Clifton Park Center Road and Clifton Country Road intersection considering the number of developments approved and/or considered in this area of Town. This study would include an evaluation of additional traffic generated by the Apartments at Clifton Park Center (2017-045), the Regal Out-Parcel (2017-044) development, Clifton Park Center Road Apartments (2017-009), and Village Plaza Development (2015-042).

Additional comments related to State Environmental Quality Review. Based upon review of Part 617 of NYS Environmental Conservation Law, the project appears to be an "Unlisted" action. Assuming 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: Clifton Park Water Authority: taking of additional water; Clifton Park Sewer District - additional reserve sewer capacity; Saratoga County Sewer District - additional reserve sewer capacity. Additional involved/interested agencies may be defined as the project proceeds through the Town's regulatory review. Two comments related to the Short Environmental Assessment Form. Under Part.I.8, the response indicates the action will not result in traffic substantially above present levels. At a minimum, the type of office space proposed with the corresponding peak hour vehicle trips shall be provided. Depending upon the number of vehicle trips, a formal traffic assessment may be necessary. Under Part 1.9, the applicant is asked to correct the answer to "yes" as all new buildings are required by the International Building Code to meet the state energy code.

Several comments related to the site plan. The project is located within the Town's TC-2 Edge Zone of the Form Based Code (FBC). The proposal for an office is a permitted principal use

within the TC-2 district pursuant to Section 208-22.4.A of the Town Zoning Code. In general, it would appear that the site layout substantially complies with TC2 bulk lot requirements with some substandard conditions. The applicant should prepare the Town's Form Based Development Code Project Review sheet to better understand how the project complies with Section 208-22.1 Zone Overviews and Section 208-24, Form Standards of the Town's Zoning. It is suggested that the applicant meet with the TAC independently, if this has not been done already, to review the site plan, building architecture, and any modifications that may be required. The proposed building is subject to the Architectural Standards outlined in Section 208 -25 of the Zoning Code. No proposed building elevations have been furnished to allow for completion of the required architectural review. Wall Street is defined as a perimeter street in the Future Streets Map found in Section 208 -23 of the Town Code. The following modifications may be necessary and shall be addressed as part of the next submission.

- a. Lighting shall be provided within the 9-foot planter areas. The plans do not appear to show any lighting. This may require updated existing street lighting along Wall Street.
- b. Trees shall be evenly spaced at 40 feet on center. The plan provides no street trees.
- c. While there is an existing sidewalk along the project frontage, the Town has been requiring concrete surfaces.

There may be a need to upgrade the existing asphalt to concrete. This upgrade will permit the appropriate placement of the sidewalk to conform to the Perimeter Street requirements for offset from the edge of pavement of 9 feet. This would also provide opportunity to place the required street trees between the pavement edge and sidewalk. There should be consideration of providing a cross lot easement to the adjacent parcel to the east for a greater level of access management. This is also a requirement of Section 208-26(1)(F) of the Zoning Code. The applicant is asked to show where snow storage is being provided within the project site. If a garbage refuse area is required, its location needs to be shown on the plan. The sidewalk shown along the western property boundary may not be able to be constructed without gaining permission from the adjacent lot owner. The applicant is asked to consider shifting the sidewalk to the east to provide some space between the property line or obtaining permission from the adjacent lot owner for the potential overlap of incidental grading that may occur and extends onto their property. The plan shows 49 parking spaces, 2 more than what is required pursuant to Section 208-26, Table 7-1 of the Town Code. If there is a reduction in spaces by two, there is an opportunity to enlarge the parking islands to allow for the installation of internal landscaping. Subsequent plans shall provide additional information to demonstrate conformance with 208-26(3) of the Town Code with respect to parking lot landscaping. Subsequent plans shall provide additional information to demonstrate conformance with 208-26(6) of the Zoning Code with respect to site lighting. The applicant is asked to provide information and/or a summary of the pedestrian amenities that are to be provided consistent with Section 208-26(7) of the Zoning Code. Plans should indicate whether the proposed buildings will be equipped with automatic sprinklers. This will dictate whether on-site fire hydrants are necessary (per Appendix C, Section C102 and C103 of the IFC) and/or if two approved fire access roads are required (per Appendix D, Section D107 of the IFC). Should on-site hydrants be warranted, the site access roads shall comply with Appendix D, Section D103 of the IFC. During detailed design, the applicant is asked to confirm that the proposed fire department connection will be within 100 feet of a hydrant (existing or proposed) pursuant to Section 912.2 of the IFC. The proposed fire apparatus access road

along the easterly side of the building shall be reviewed by the responding emergency services agency to ensure it is adequate would meet its needs when responding to an event at the site. Notation provided on subsequent plans should indicate that all work proposed within the Wall Street right-of-way are subject to a highway work permit issued by the Town of Clifton Park Highway Department. Subsequent submissions shall include information as outlined in Section 208-115 of the Town Code specific to lighting, site grading, landscaping, erosion control and stormwater management to fully assess the design and its compliance with the applicable standards.

In response to Ms. Bagramian's question regarding the reduction in the size of the approved apartment building, Mr. Murray explained that, due to construction costs, the size of the building was reduced and the planned parking area within the building has been eliminated. The number of units within the building, however, remains at thirty-nine (39). He noted that the decrease in the building's footprint may allow better fire safety access. Mr. Scavo explained that the revisions to the apartment building site plan may reduce the number of waivers originally required for approval. This will be determined following a review by the TAC. He pointed out that the Wall Street project now under consideration is a separate and distinct review from the apartment complex review.

Mr. Ferraro asked that the applicant illustrate both the apartment building and the office building on the same site plan for review purposes and that building elevations be provided. Mr. Murray stated that an architect was preparing architectural plans. In response to Ms. Bagramian's question regarding parking arrangements, Mr. Murray reported that each building will have its own dedicated parking area. Mr. Ferraro observed that the plan included an illustration of the sidewalk that will be constructed along the property's westerly boundary to link the apartment building with Wall Street. Mr. Murray stated that the applicant may install landscaping between the proposed multi-use pathway and the proposed office building in response to Mr. Ophardt's question regarding buffering along the walkway. Mr. Ferraro recommended landscaping within the proposed parking lot. Mr. Neubauer agreed with Mr. Ophardt's contention that there was a need for buffering along the proposed trail. Mr. Jones questioned whether or not the office building would be designed to complement the apartment building. Mr. Murray stated that the applicant may consider similar design themes. Although Mr. Scavo suggested a reduction in the width of the proposed sidewalk to 5', Board members appeared to agree that the 8' width was preferred.

[2018-053] **4 Chelsea Place Refuse Enclosure (Ryans Property, LLC)** – Proposed refuse 169SF refuse container, 4 Chelsea Place – Preliminary site plan review and possible determination. SBL: 272.-1-2-12.5

Mr. John Lyon, consultant for the applicant, presented this application for the Board's consideration. The owner of 4 Chelsea Place, located on the easterly side of Route 9, approximately ½ mile north of the Route 9 – Route 146 intersection, requests approval to construct a 13' x 13' refuse enclosure to serve an existing office building. The proposed structure will consist of a 13' x 13' concrete pad with vinyl fencing and gate surround. The property lies within the B-4A (Highway Business-Restricted Retail) zoning district. Examples of the proposed enclosure design presented for consideration indicated that it would be constructed of opaque, "vinyl lumber," brown in color.

Mr. Scavo reported that Mr. Myers, Director of Building and Development, noted in a memo dated September 13, 2018, that the “location does not appear to be associated with a particular property.” He requested that the applicant ensure that the proposed location is not located within the Chelsea Place right-of-way.

Mr. Scavo offered comments issued by the Planning Department. If the existing picnic tables are displaced by the proposed refuse enclosure, the tables should be relocated on site. The applicant is asked to add the following notes to the site plan:

1. Prior to any digging or drilling that may be associated with the project, the property owner shall contact the Underground Facilities Protective Organization at 811, at 1-800-962-7962 or at www.digsafelynewyork.com at least two full working days prior to any work.
2. This site plan addition is bound by all covenants, restrictions, and conditions of the site plan approval granted by the Planning Board for Project #88-21, titled, “Macrodyne, Inc. – Chelsea Park Lot 4” and shall be incorporated as a site plan addition to that project.

Mr. Scavo explained that, since the project was identified as a Type II action pursuant to SEQRA, no SEQRA review is required. He noted, however, that the applicant has submitted a Short Environmental Assessment Form.

Mr. Lyon explained that the dumpster will not be situated within the existing right-of-way and will be associated with 4 Chelsea Place. Mr. Lyon explained that the dumpster installation will not require the removal of existing trees.

Mr. Ophardt moved, seconded by Mr. Neubauer, to grant preliminary and final site plan approval to this application conditioned upon satisfaction of all the items listed in the final comment letter issued by the Planning Department. The motion was unanimously carried.

[2018-054] **939/943 Route 146** - Proposed (2) lot subdivision, 939/943 Route 146 – Conceptual review. SBL: 271.-2-27

Mr. Joe Dannible, consultant for the applicant, presented this application that calls for the subdivision of an existing office park located at 939 and 943 Route 146 into lots of 11,987.67 SF and 2.23 acres, respectively. The property to be subdivided is situated within the B-1 (Business Non-Retail) zoning district and specifically located on the northerly side of Route 146 approximately one mile west of its intersection with Moe Road. Mr. Dannible explained that each parcel will have frontage on Route 146. Reciprocal easements for ingress/egress, parking, utilities, and stormwater infrastructure will be established. The applicant will dedicate the appropriate water and sewer infrastructure to the Clifton Park Water Authority and Saratoga County Sewer District as required to avoid the creation of a transportation corporation or extend new laterals to the newly subdivided parcel. Easement for the ownership of these mains will be established. The current approved and built project has obtained all appropriate approvals and permits needed. Due to the built environment, many variances will be needed to allow for Planning Board approval of the subdivision.

Mr. Scavo noted that Mr. Myers, Director of Building and Development, simply stated in a memo dated September 13, 2018, that the application requested subdivision of an existing property and that the subdivision would require several variances from the Zoning Board of Appeals. The applicant is scheduled to appear before the ZBA on October 2, 2018 pending review by the Saratoga County Planning Board.

Mr. Scavo reported that the ECC recommended that the applicant indicate the proposed amount of greenspace for each parcel on the subdivision plat.

Mr. Scavo stated that Mr. Reese, Stormwater Management Technician, found the project plan acceptable at this time.

Mr. Scavo read comments issued by the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee. The applicant should construct sidewalks on this property along Route 1465 as called for in the Trails Master Plan. There should also be a sidewalk connection from Route 146 to the proposed office building.

Mr. Scavo read the comments issued by the Planning Department. An area variance application has been filed with the Zoning Board of Appeals and will be considered at their October 2, 2018 meeting. The variances requested are related to the existing building setbacks of 943 Route 146 in relation to the proposed subdivision property boundaries. A referral to the Saratoga County Planning Board from the Clifton Park Planning Board will be made for a recommendation on the proposed subdivision, in accordance with GML §239 (m) and (n). Reciprocal ingress/egress and parking easements will be required between the two properties. A draft of the agreement should be provided to the Planning Board for review and inclusion within the project file.

Mr. Bianchi reported that, after review of the application, M J Engineering and Land Surveying, P.C. offered the following comments. Based upon review of Part 617 of NYS Environmental Conservation Law, the project appears to be an "Unlisted" action. Assuming 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: Clifton Park Water Authority - potential conveyance of infrastructure and/or installation of new service laterals; Saratoga County Planning - 239m referral due to the parcel being within 500 feet of NYS Route 146; Saratoga County Sewer District No. 1 - potential conveyance of infrastructure and/or installation of new service laterals. Additional involved/interested agencies may be identified as the project proceeds through the Town's regulatory review.

Additional comments related specifically to the subdivision plan. The project resides within the Town's B-1 zoning district. The application is for a subdivision of an existing parcel into two parcels with no new uses proposed. The existing uses conform to B -1 zoning district regulations or have received necessary Zoning Board of Appeals' variances. It appears from review of the concept subdivision plan submitted that there are instances where the bulk lot requirements are not satisfying the minimum requirements set forth in Section 208 -33 and 208-35 of the Town's Zoning Code. The potential lot deficiencies identified are as follows:

- a. Section 208-35(C) of the Town Code requires a minimum of area of 40,000 SF. Lot #2 has a lot area of 11,987 SF.
- b. Section 208-35(C) of the Zoning Code requires a minimum lot width of 150 feet at the front building line. Lots #1 and 2 have lot widths at the front building line of 116.25 feet and 120 feet, respectively.
- c. Section 208-35(D)(2) of the Zoning Code requires a minimum side yard setback of 25 feet. Lots #1 and 2 have side yard setbacks of 0.7 feet and 13.15 feet, respectively. It is noted that the bulk lot table identifies the 0.7 feet setback, but the actual plan does not appear to note where this is.
- d. Section 208-35(D)(2) of the Zoning Code requires a minimum rear yard setback of 25 feet. Lot #2 has a rear yard setback of 20.28 feet.
- e. Section 208-35(D)(3) of the Zoning Code requires that parking areas, including maneuvering areas, stormwater retention areas, and other site amenities that are an integral and necessary part of the use shall not occupy more than 50% of the total lot area. Lot 1 is proposing 48%.

It is understood that the applicant is before the Zoning Board of Appeals seeking relief from the above bulk lot deficiencies. Should the relief be granted, the extent of relief, the date relief was granted, and corresponding Zoning Board resolution approving the area variances shall be noted on the final plat. The applicant notes that various cross lot easements will be required including, but not limited to, access and stormwater management. There may be a need to convey certain infrastructure to the Clifton Park Water Authority and/or Saratoga County Sewer District to avoid individual lots being serviced by private systems. The applicant may be required to install limited sections of water and/or sewer infrastructure to avoid the same circumstances. The final plat shall show any required easements being offered to the Clifton Park Water Authority and/or Saratoga County Sewer District No. 1. If any water and/or sewer laterals need to be installed, it may be necessary to prepare a site plan application and apply for regulatory approval from each jurisdiction. The manner to provide individual water and/or sewer laterals to each lot shall be determined prior to approval of the final plat. The final plat shall be signed and sealed by a surveyor licensed to practice in the State of New York.

Mr. Anthony LaFleche, 21 Wheeler Drive, supports the Trails Subcommittee's request for the installation of sidewalks. Mr. Dannible stated that the applicant has not considered the installation of sidewalks though easements for their future construction will be provided. Mr. Ferraro explained that, since the buildings are existing and the request is only for a lot split with no on-site improvements, the applicant should not be required to construct sidewalks. In response to Mr. Ferraro's question regarding the need for additional parking, Mr. Dannible stated that no additional parking spaces were needed. The subdivision plan will return for Planning Board review if and when the required variances are granted by the Zoning Board of Appeals. The applicant is scheduled to appear before that Board on October 2, 2018.

Discussion Items:

[2018-056] **Waite Meadows – (34) Lot Subdivision** – Proposed revision of an approved (33) lot subdivision, Waite Road. SBL: 270.-1 thru 20, 99, and 270.-1-19.11

Mr. Joe Dannible, consultant for the applicant, explained that Mr. Belmonte, owner/applicant of this project, would like to amend approved subdivision plans. The approved plans included thirty-three (33) building lots, a wide boulevard, and extensive paving. A 2017 delineation of the wetlands on the parcels concluded that there was a reduction in identified wetlands and the project was redesigned to include an additional building lot. The updated plan now includes a reduction in the size of the original boulevard, a single wetland crossing, and two cul-de-sacs which will provide for a diversity of housing styles. Existing hedgerows will remain and have been incorporated into the design as indicators of property boundaries. Enumerating the benefits of the revised project, Mr. Dannible noted that the revised plan calls for a reduction of 5,800 linear feet of roadway, a 2½ acre reduction in the amount of pavement, and an increase in the amount of open space from 65 to 71 acres. A looped trail system will be installed to link the proposed residences to the open space area located in the rear of the project. The applicant acknowledges that the number of units on a cul-de-sac exceeds the number permitted by law. Sprinkler systems will be installed in all of the homes in an effort to make the design acceptable to emergency service agencies.

Mr. Scavo explained that Ms. Reed, Chief of the Bureau of Fire Prevention, noted that a subdivision in excess of eighteen (18) lots does not meet the requirements of Section 86-6F of the Code of the Town of Clifton Park.

Mr. Bianchi reported that M J engineering and Land Surveying, P.C. reviewed this revision to an existing approved subdivision and provided the following comments in a letter dated September 21, 2018. General comments were issued first. The applicant is proposing to make modifications to a previously approved realty subdivision. The major changes being requested include increasing the number of lots from 33 lots to 34 lots, modifications to the individual bulk lot requirements, reduction in length of roadway, revised project layout, as well as an apparent decrease in the project's physical footprint on the site. It is understood that the increase in the number of lots is based upon a recently updated wetland delineation and regulatory review which revealed a decrease in jurisdictional wetlands. The decrease of jurisdictional wetlands has yielded less constrained lands. The prior application received various regulatory approvals, including, but not limited to, the Clifton Park Water Authority, Saratoga County Sewer District No. 1, NYS Department of Health, and NYS Department of Environmental Conservation. Should the updated concept move forward, it is anticipated that the applicant would have to once again seek approval from the same agencies for the various improvements being proposed. Any approval that may be granted by the Planning Board shall be conditioned upon receipt of noted approvals. The concept plan indicates that there are regulated waters of the US within the project boundaries that will be impacted as a result. Any previously approved wetland impact permits received may need to be modified based upon the current concept. The applicant shall provide the Town with all correspondence with the USACOE regarding modifications to wetland impact permits. The previously submitted and approved Stormwater Pollution Prevention Plan (SWPPP) would need to be updated to reflect the current development plan. It is not known which design standards were applied in the development of the recorded SWPPP. Notwithstanding, it is expected the current General Permit and New York State Stormwater Management Design Manual standards would apply to the updated SWPPP prepared if not utilized for the SWPPP of record.

Mr. Bianchi addressed issues related to the State Environmental Quality Review Act. The previously approved subdivision was classified as a Type I action, with the Planning Board issuing a negative declaration. M J Engineering representatives met with Town staff to discuss how this revised plan would be handled, whether a new SEQRA review would be initiated or if the Planning Board could rely upon the prior SEQRA record. The Town Engineer's initial assessment of the current plan is that with an apparent reduced project footprint, it is likely that any impacts previously identified and the magnitude of those impacts may be reduced. The engineering firm will continue to work with Town staff on the most appropriate manner to addressing SEQRA for this application. Notwithstanding how SEQRA is to be handled, an updated Full Environmental Assessment Form shall be submitted for review.

Several comments specifically referenced the subdivision plan. The project is located within the Town's CR (Conservation Residential) zoning district. The proposal for single family homes is a permitted principal use within the CR District as noted in Section 208-16(D)(1)(b) of the Town Code. The maximum permitted base density is calculated in accordance with Section 208-16 (E)(2)(b) of the Town Zoning. Based upon the bulk lot table of the concept plan, the project has a total of 101.81 acres of unconstrained lands. Utilizing the calculation example provided in Section 208-16 (E)(2)(b) of the Town Code, the maximum base density would be 101.81 acres x 0.33 or 33.5 lots or 34 lots (applicants may round down fractional units of 0.5 or less and round up fractional units greater than 0.5.). The applicant is proposing 34 lots which meets the CR zoning requirements. On the site statistics table, the applicant is asked to clarify the percentage of permanent open space dedicated to the Town and unconstrained area within the open space. The proposal calls for a single boulevard entrance off Waite Road. Since receiving approval of the prior application, the State of New York adopted the current version of the International Fire Code (IFC). Pursuant to the IFC, Section D107.1, developments of one or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads. The two fire apparatus access roads shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property area to be served, measured in a straight line between accesses. There are exceptions which include providing an approved automatic sprinkler system for each home. The current proposal does not meet the IFC for fire apparatus access and further revisions are necessary unless each home is going to include automatic sprinklers. The current plan does not show any planned connections to adjacent undeveloped parcels. There should be some level of evaluation of making connections or setting aside a right-of-way to adjacent parcels. The concept plan shows areas set aside for stormwater management. Given the conceptual nature of the plan, the type of practice has not yet been determined. The applicant should be aware that the Town prohibits the use of a P-5 practice and in the event it is determined that the P-5 practice is the only viable option, supporting materials will need to be submitted to the Town for review before it will be deemed acceptable for use. As the project proceeds through the Town's regulatory review process, the applicant is urged to meet with the Town's Stormwater Management Officer to review any proposed green infrastructure practices to avoid those that may be deemed undesirable. 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 each lot created and placed on the filed plat. Considering this plan is conceptual in nature, subsequent comments will be provided with a preliminary plan submission.

Mr. Scavo explained that the original subdivision plan was approved by the Emergency Services Advisory Board because of the proposed boulevard design. He noted that the applicant's commitments to provide sprinklers in all of the proposed residences greatly diminishes fire loss. He supports the reduction in impervious surface area and the attempt to keep the rural character of the area by creating "farmette" lots near the entrance to the subdivision. Mr. Neubauer requested that the original plan be presented with the revised plan so that differences between the two will be made clear. Mr. Ferraro tasked Mr. Scavo with review of the previous approvals to clarify whether or not installation of a trail segment from the subdivision entranceway to Route 146 was a condition of approval. Mr. Neubauer pointed out that it was "probably not feasible to install a trail along Waite Road." Mr. Ferraro stated his support for the reduction of the footprint and paving as well as the protection of natural resources. In response to Mr. Jones' question regarding area's topographical features, Mr. Dannible stated that the applicant would "work with the topography as much as practicable." Mr. Ferraro, citing the preservation of open space to retain the neighborhood character, stated that he found the "more isolated layout" acceptable. Mr. Neubauer and Mr. Jones commented that, particularly in this section of town, trail links between properties would seem more viable than stub streets. Mr. Ferraro asked that the calculations regarding the amounts of dedicated open space, constrained, and unconstrained lands be included on the site statistics table.

Mr. Ferraro thanked Mr. Jones, Mr. Ophardt, and Ms. LaSalle for their contributions to the discussions regarding the roundabout at the Route 146 – Route 146A intersection recently proposed for construction by the NYSDOT. He especially expressed his appreciation to Ms. LaSalle for her research regarding pedestrian accommodations at roundabouts which have been constructed throughout the region. He stated that he was going to write to NYSDOT officials and the Town Board recommending that accommodations for significant pedestrian controls such as hawk lights be included in the design plans.

Mr. Ophardt moved, seconded by Mr. Neubauer adjournment of the meeting at 11:10p.m. The motion was unanimously carried. The next meeting of the Planning Board will be held as scheduled on WEDNESDAY, October 10, 2018.

Respectfully submitted,

Janis Dean, Secretary

NOTICE OF DECISION
Preliminary and Final Subdivision Approval

Resolution #17 of 2018

At a meeting of the Planning Board held at the Town Hall of the Town of Clifton Park, Saratoga County, New York, One Town Hall Plaza on September 25, 2018 there were:

Present: R. Ferraro, Chairman, D. Bagramian, J. Jones, A. Neubauer, E. Ophardt,
 G. Szczesny
 T. LaSalle – Alternate Member
 Absent: E. Andarawis

Mr. Ophardt offered Resolution #17 of 2018, and Ms. Bagramian seconded, and

Whereas, an application has been made to the Planning Board by Vistas West Development, LLC for approval of a subdivision entitled The Vistas West Subdivision consisting of (2) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on September 25, 2018;

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 September 25, 2018;

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 the subdivision plat entitled The Vistas West Subdivision consisting of (2) lots is granted preliminary and final approval conditioned upon the developer's use of a diversity of architectural designs throughout the project, the establishment of a 10' easement along Route 146 for future roadway improvements or trail construction, and the satisfaction of all items listed in the final comment letter prepared by the Planning Department.

Resolution #17 of 2018 passed 9/25/2018

Ayes: Neubauer, Bagramian, LaSalle, Szczesny, Jones, Ophardt, Ferraro.

Noes: None

Rocco Ferraro, Chairman