

Town of Clifton Park Planning Board
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PLANNING BOARD

ROCCO FERRARO
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igramian

MEMBERS

Emad Andarawis
Denise

Jeffery Jones
Andrew Neubauer
Eric Ophardt
Greg Szczesny

(alternate) Teresa LaSalle

Planning Board Minutes
April 23rd, 2019

Those present at the April 23rd, 2019 Planning Board meeting were:

Planning Board: R. Ferraro, Chairman, E. Andarawis, A. Neubauer, E. Ophardt, G. Szczesny
T. LaSalle – Alternate Member

Those absent were: D. Bagramian, J. Jones

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

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

Minutes Approval:

Mr. Ophardt moved, seconded by Mr. Neubauer, approval of the minutes of the March 26^h, 2019 Planning Board meeting as written. The motion was unanimously carried.

Mr. Szczesny moved, seconded by Mr. Neubauer, approval of the minutes of the April 9th, 2019 Planning Board meeting as written. The motion was unanimously carried.

Public Hearings:

2019-016 & 017 267 Sugar Hill Solar Array Site Plan & Special Use Permit (SUP)

Applicant proposes construction of a 6.9 MW ground mounted solar energy generating facility. The facility will cover approximately 21.5 acres, be surrounded by a 7' fence and an associated road will cover an additional .9 acres. The property currently contains a closed apple orchard. Project also includes 276.2-26.12, 267 Sugar Hill Rd, Zoned: CR, Status: PB Prelim Review - Poss. Determination SBL: 276.-2-22.1

Mr. Szczesny moved, second by Mr. Ophardt, to establish the Planning Board as Lead Agency for this application, a Solar Array Site Plan and SUP action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Consultant/Applicant Presentation:

Lindsay MacEntire– Borrego Solar – proposing community distributed generated site which means the public can access this power and Clifton Park residents will have the first opportunity to participate. Ms. MacEntire provided screening examples prepared by Saratoga Associates to visually display what the applicant is proposing as seen from the public ROW and adjacent properties. The site is on a closed apple orchard, because of the costs of keeping the orchard open. She stated the family originally wanted to pursue a residential subdivision but decided to go with the solar array option. Ms. MacEntire explained the visual simulations and existing conditions shown to the board and public. She stated that in the past, the company has used arborvitae planted at 8 feet tall and on average they will grow 3 feet per year. Ms. MacEntire stated that they would use a local vendor for the purchase. Mr. Smith stated that they are hearty and don't have to be replaced and they are full from base to top and keep foliage year round. If they happen to need replacing, Mr. Smith stated that Borrego would replace them.

Dean Smith – Borrego Solar – Mr. Smith stated the project is to construct a 6.9 dc solar array over 21.5 acres with a 7 foot chain link fence around it sitting 6 inches off the ground, and a locked gate at all times. Mr. Smith stated there will be minimal ground disturbance, only having 2 array systems with screw mountings going into the ground. Each of the two inverters will have concrete pads mounted on gravel. There will also be a gravel driveway for access. Mr. Smith said there will be a 500+ foot setback from Sugarhill Road with the apple trees in the front of the property remaining; there are visual renderings from Sugar Hill Road and there is no wetlands will be impacted.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 04/11/2019 stating:

1. A road running North-South through the middle of the entire array will be required for access to all points of the array.
2. All the access roads are required to support a 75,000 lb vehicle and have turnarounds meeting the fire code. Not sure "previous" roads can meet these requirements and the road width is required to be 26'.
3. Stormwater comments shall be provided by Scott Reese

Sheryl Reed, Chief of the Bureau of Fire Prevention:

No Comments

Scott Reese, Stormwater Management Technician issued a memo dated 04/22/19 with the following comments:

1. Per the New York State Departmental Conservation Memorandum regarding Solar Panel Construction Stormwater Permitting /SWPPP Guidance, dated April 6, 2018. Scenario 1 item #3 – States “For solar panels constructed on slopes, the individual rows of solar panels are generally installed along the contour so rain water sheet flows down the slope.” The plans submitted show the solar panels running perpendicular to the slope and thus not creating a sheet flow runoff situation.
2. The access road runs directly down slope and ends with a hammerhead turnaround along the property line. Concern will be when there are tire ruts that will direct runoff at an accelerated velocity directly off site prior to any attenuation or dispersion for runoff to the neighboring property. Additional concerns shown on the Gravel Access Road Detail on sheet C-5.0 show the gravel access excavates 8” down and places a woven geotextile on compacted subgrade per note #2. Will this compaction eliminate any infiltration into the soil? Will the gravel road act like channel to direct runoff directly off site?
3. The proposed silt fence is located at the bottom of the slope of the property. Per the New York State Standards and Specifications for Erosion and Sediment Control, November 2016, - Standard and Specifications for Silt Fence (page 5.54) have a maximum slope length of 125 feet, where the proposed slope length is close to 1,000 feet.
4. Submit the Notice of Intent (NOI) for review.

The Environmental Conservation Commission held a meeting on 04/16/2019 and issued a memo recommending:

1. ECC recommends that the applicant supply a Conservation Design Layout as required in the Town Code 208-16E(13). The applicant should develop “an existing resources and site analysis plan of the natural, cultural, and scenic features.” For example, a significant portion of the towns water supply is sourced from wells that are under the influence of surface water. Given the use of heavy metals in these solar panel arrays and the potential for degradation during the useful life of this equipment, the ground waters aquifers and/or recharge areas should be mapped for the planning board review.
2. The ECC has concerns with the use of pesticides and herbicides and their impacts to surface and ground water.
3. The ECC recommends that the Planning Board require the Applicant to conduct soil testing for pesticides because the property was a former orchard, and the intended use is may result in exposure of occupants or visitors to chemicals associated with potential health risks.

Roy Casper of the Trails Subcommittee submitted the following comments for the Planning Board to consider in its decision making:

- Ideally, a flagstone footpath should be designed and installed along the Sugar Hill Rd. property boundary to enhance the Grooms Rd. Tavern hamlet and rural character of the area.
- Otherwise, a 10 ft. wide easement should be dedicated to the Town of Clifton Park for a future footpath along the Sugar Hill property boundary.

Jennifer Viggiani, Open Space Coordinator:

No comments

John Scavo, Director of Planning issued a letter dated 04/16/2019 with recommendations he made:

1. A legal description of the area for the solar improvements is needed by the Town Attorney to prepare the PILOT Agreement for 164 Sugar Hill Road.
2. The transmittal letter for this submittal noted that a draft decommission plan and cost estimate has been provided with the current submission. However, I did not find such document included with the information provided. Please provide the decommission plan for review by the Planning Board and staff.
3. Please provide the Planning Board with the photo simulations from specific control points, that were discussed at the previous March 26th Planning Board Meeting. I did not see this information within the current submittal package.

Proof of the 500' mailings to adjacent property owners has been provided by the applicant in the form of U.S. Postal Service – Certified Mail Receipts.

Professional Comments:

Joel Bianchi, P.E. of MJ Engineering in a letter dated 04/19/2019 had the following comments:

State Environmental Quality Review

1. The applicant has submitted Part 1 of the Full Environmental Assessment Form (FEAF). Based upon our review of the submitted Part 1 FEAF, the following comments are offered: a. Part E.1.o.i does not list the Karner Blue Butterfly which has been identified on the USFW Ipac database search. There needs to be indication of there are any suitable habitat for this species and/or if incidental takings will occur as a result of the project.

Phase 1 Environmental Site Assessment

4. Section 1.2 of the report notes that the site has operated as an orchard since the 1900s. Has there been any evaluation of the potential historic use of pesticides as part of this former operation and whether it has impacted site soils in any way?

Site Plans

5. Detail 8 on Sheet C5.0 shall note that a Knox Box shall be provided with the gate

6. Detail 1 on Sheet C5.0, confirm the filter fabric being proposed beneath the gravel has flow through capabilities such that it will not trap runoff.

SWPPP Narrative

7. The narrative generally provides data and correspondence that suggest the project requires a SWPPP that only needs to address construction phase erosion and sediment controls. We agree with the general approach being considered with the following noted:

- a. The roadway being proposed of a uniformly graded gravel is considered a permeable surface. However, if the roadway is constructed by boxing out subgrade, and the subsoil lacks any substantive infiltration rate, the excavated area will form a barrier that will redirect and

concentrate surface flows. Therefore, the roadway, we believe would have to be constructed starting at grade and filled. This would allow surface runoff to flow through. There needs to be confirmation through site soil testing whether in-situ soils have any ability to infiltrate soils. Further, the Town requires the access roads to meet the IFC in regard to imposed load support. The gravel material being proposed cannot be compacted and therefore, likely cannot support the necessary loads. This matter needs to be resolved prior to considering the gravel road surface as being suitable.

b. There is no mention of what the equipment area surface treatment will be. If it is too gravel, then only the concern with the subsoil and how the gravel is placed would need to be reconciled. This area is constructed of compacted gravel (Type 2), then this is considered an impermeable surface and requires quality controls.

8. Once the technical items are resolved and it is determined a basic SWPPP is required, then the appropriate document shall be prepared and submitted meeting the requirements of Part III.B.1.d of the General Permit.

Public Comments:

Tom McClain – 266 Sugarhill Road – Mr. McClain asked a question about contaminating groundwater. The response was that no chemicals will be used so it should not be an issue. Mr. Bianchi agreed with Mr. Scavo and stated they were speaking to the fact that the employees constructing the array may be exposed to prior chemicals used for the orchard when the ground is disturbed to place the posts. Mr. McClain asked Ms. MacEntire what the lifespan of the solar array is, and she answered it would be 25 years, Mr. Ferraro stated at that time there would be a deconstruction plan for this. Mr. Ferraro also read from his documents that Borrego stated that there would be little impact on the ground; they will be using a flower seed mix that will require no pesticides or herbicides. Mr. Smith stated that when the solar panels need to be cleaned, it will be done with clean water only.

Cecillia McClain – 266 Sugarhill Road – Ms. McClain asked what her views would be from across the street and from her upstairs and her downstairs. She is concerned about the future impact on reselling her home. Ms. MacEntire showed to her the pictures presented to the board. She indicated that the house from the orchard blocks the view; only the access road can be seen. Ms. McCain asked if something can be done for the access road and/or the fencing. Mr. Smith stated they can put inserts into the gate to help hide the panels. Ms. McCain also asked about a hum she has read about coming from the converting stations. Mr. Smith explained that the hum is low and at 120 feet away, the hum is not able to be heard.

Patricia Lawrence – 247 Sugarhill Road – Ms. Lawrence wanted reassurance that the 11 rows of apple trees would remain. Mr. Ferraro and Mr. Scavo both stated that if in the future the Lindsay family wanted to remove any of the trees they would have to come back to the board and get approval. Ms. Lawrence also stated she would be happy to recommend foliage to hide the panels and as she had a tree farm, she would be willing to donate trees from her farm to the site.

Mr. Ferraro moved, second by Ms. LaSalle to close the public hearing.

The motion was unanimously carried.

Planning Board Review:

Mr. Andarawis asked about expansion on the system to the third parcel of land and if they plan on expanding. Ms. MacEntire explained that the land is an easement and that they have no intentions to develop on that site. Mr. Andarawis asked about another company coming to develop, not Borrego. Mr. Dwayne Lindsay stated that he and his family also own the parcel and that the family has no intention to sell any part of the property in question. Mr. Andarawis would like to see that parcel on the north and the rows of apple trees shown to the west if it is sold come to the board for approval. Mr. Scavo stated it would have to come back to the board since the plan stated the trees are and will be remaining so any further development would have to come back to the board.

Mr. Ferraro stated he would like for the condition of approval to state that if the trees remaining in the 11 rows need to be replaced that they be replaced with plantings that achieve the same objective of providing a visual barrier. Mr. Ferraro also stated that the storm water comments need to be addressed and reconciled with the town.

Mr. Szczesny offered Resolution No. 8 of 2019, seconded by Mr. Neubauer to waive the final hearing for this application and to grant preliminary and final approval of the special use permit, conditioned upon satisfaction of all comments, provided by the Planning Department, Town Designated Engineer, including submitting the landscaping plan for approval to the Planning Department prior to the stamping of the Special Use Permit.

Conditions:

Visual Screening as per Site Plan; Vinyl Slats along Sugar Hill Road Driveway in Fence. Apple trees shown to remain are to do so and are not to be removed without additional review by the Planning Board. No chemicals & pesticides are to be used. Stormwater to be signed off on by Town Staff prior to stamping the Site Plan.

Roll Call:

D. Bagramian - absent
 E. Andarawis - yes
 E. Ophardt - yes
 J. Jones - absent
 A. Neubauer - yes
 G. Szczesny - yes
 R Ferraro- yes
 T. LaSalle - yes

Ayes 6(six)

Noes: 0 (zero)

The resolution is carried.

Mr. Ophardt offered Resolution No. 8 of 2019, seconded by Mr. Andarawis to waive the final hearing for this application for the site plan review of the Sugarhill Road Solar Array approval, and to grant preliminary and final site plan approval conditioned upon satisfaction of all comments, provided by the

Planning Department, Town Designated Engineer, and all items listed in the final comment letter issued by the Planning Department.

Old Business:

2019-010 Aqueduct Animal Hospital (2) - Site Plan

The existing medical facility will remain and the interior will be modified for an animal hospital. The facility will utilize the existing 84 parking spaces for the change in use. Access to the site will remain at the existing site entrance along Riverview Road. The building will utilize the existing water and sanitary sewer services from CPWA and Old Knott Farm Sewer District, 896 Riverview Rd, Zoned: HM, Status: PB Prelim Review - Poss. Determination
SBL: 269.19-1-44.1

Consultant/Applicant Presentation:

Scott Lansing – of Lansing Engineers noted, the existing medical facility will remain with only a few modifications that include, the addition of a back fenced area and limited clearing for the dog play facility. Everything will remain, but thinning of vegetation at the front of the site will take place. Mr. Lansing also stated there will be internal modifications to the building as well. Mr. Lansing stated that Mr. Scavo, Mr. Ferraro and Ms. LaSalle met on the property, walked the site with the applicant; they were able to see where the applicant wants to remove limited vegetation as well as dead vegetation adjacent to the ROW on Riverview Road. They do not intend to disrupt any wetlands.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 04/11/2019 stating:

No comments

Sheryl Reed, Chief of the Bureau of Fire Prevention:

No comments

Scott Reese, Stormwater Management Technician issued a memo dated 04/22/19 with the following comments:

1. No further stormwater comments

The Environmental Conservation Commission held a meeting on 04/16/2019 and issued a memo recommending:

The ECC has no comments.

Roy Casper of the Trails Subcommittee submitted the following comments for the Planning Board to consider in its decision making:

- As previously recommended by the Trails Subcommittee, the revised site plan (dated 4/1/19) shows a 15 ft. wide easement to be dedicated to the Town of Clifton Park for Trail Extension/Utility Improvements.
- The site plan should show a direct sidewalk connection from the building's front entrance and the sidewalk shown on the plan to the public frontage along Riverview Road. Crosswalk(s) should be provided where this sidewalk crosses the parking lot or driveways. A sidewalk from the existing sidewalk at northeast corner of the building to Riverview Rd. would be the shortest distance to accomplish this. The recommended sidewalk should also taper to the shoulder along Riverview Rd.

Jennifer Viggiani, Open Space Coordinator:

No comments

John Scavo, Director of Planning issued a letter dated 04/16/2019 with recommendations he made:

1. Pursuant to §208-7 of the Town Code, "Animal-Care Facilities" are defined as, "Veterinary offices and commercial boarding/kennel facilities."
2. The site is zoned Hamlet Mixed Use pursuant to Chapter 208 of the Clifton Park Town Code. Permitted uses within the HM District per §208.43-2 of the Town Code includes, "Animal-care facilities - provided that any structure or area used for such purposes, including pens or exercise runs, shall be at least 100 feet distant from any residential district."
3. Based on comments 1 & 2 the use is permitted with the outdoor play.
4. Where dead trees are proposed to be removed, it is the applicant's responsibility to establish if a need for state and federal wetlands disturbance permits are required, and if so, obtain such approvals.
5. Add the following note to the site plan, to reinforce the noise requirement for barking dogs within the Clifton Park Town Code:

§ 92-8 Prohibitions.

Notwithstanding any other provision of local law, it shall be unlawful for any owner of any dog, or person responsible for such dog, to permit or allow such dog, in the Town of Clifton Park, to:

- A. Be at large.
 - B. Engage in habitual loud howling or barking so as to habitually annoy any person. Barking at an intrusion or a disturbance shall not constitute a violation of this article. For purposes of this Subsection B, "habitual" shall be defined as occurring continuously for a period of 15 minutes or longer.
6. The section of Riverview Road adjacent to this property is part of County Highway Route 91. Add a note to the plan that states, "Any utility work or construction within the County

Highway Right-Of-Way requires the property owner to obtain a Highway Work Permit from the Saratoga County Department of Public Works, whether it is for construction or installation of facilities, or for repairs and maintenance.”

Professional Comments:

Joel Bianchi, P.E. of MJ Engineering in a letter dated 04/19/2019 had the following comments:

No additional comments.

Public Comments:

Suzanne Clayburke – 17 McClain Street – Ms. Clayburke is concerned about barking and if the intent of the facility is to treat animals or to board them and if the animals would be left to bark for extended periods of time. Mr. Lansing explained that they will be doing both, and dogs will be attended to by staff. Mr. Lansing stated the sound should not be an issue since the distance from the play area to the Clayburke home is approximately 400 feet.

Matthew Pike – Owner – He stated the building contains two concrete vault rooms where he would be keeping boarded dogs. No animals will be left out overnight, and all dogs will be supervised at all times. If barking is for an extended period of time the dogs will be brought in from the play area.

Anthony LaFleche – 21 Wheeler Drive – Asked about the easement from the road and drainage concerns. Mr. Lansing stated the removal of debris from the end of the road and the covert to address the catching of the debris. Mr. Lansing also stated that a 15 foot wide easement has been provided.

David Karazard – 930 Riverview Road – voiced concerns about early morning and late night time limits for outdoor use and they would not be normal business hours due to boarding and animal care. Mr. Pike had previously stated each dog in kennels will have a suite, with a separate bathroom area. Hours of operation are not yet established for the proposal. Mr. Pike stated previously that if dogs bark excessively they will be brought inside by hired staff. Mr. Scavo stated that there is a noise ordinance for animals that will help with violations. Code Enforcement will handle those affairs. Mr. Pike stated that the dogs will be kept indoors at night.

Planning Board Review:

Mr. Neubauer asked about the site meeting that was held with the applicant. Ms. LaSalle stated there were a few trees to be cleared due to line of sight on the east side of the sign along Riverview Road. She also stated there will be no stump removal. Mr. Neubauer was asking for clarification of the selective clearing. Mr. Lansing stated that some brush and dead vegetation will be removed but higher mature trees will remain. Mr. Scavo stated that a brush hog will be used to remove the vegetation which will allow for removal of roadside debris from the property as it is getting trapped in overgrowth. Mr. Ferraro requested that Mr. Scavo go to the site during the modifications and keep track of the intended changes.

Mr. Andarawis would like to see some of the 84 parking spaces reclaimed.

Mr. Ferraro asked what type of fencing would be in place. Mr. Pike stated a chain link.

Mr. Ophardt asked about the size of the play areas. Mr. Lansing stated that the two areas are approximately 40 x 40 feet and 30 x 20 feet.

Mr. Neubauer moved, second by Szczesny, to establish the Planning Board as Lead Agency for this application, Aqueduct Animal Hospital action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. Ophardt offered Resolution No. 8 of 2019, seconded by Mr. Andarawis to waive the final hearing for this application for the site plan review of the Animal Hospital, and to grant preliminary and final site plan approval conditioned upon satisfaction of all comments, provided by the Planning Department, Town Designated Engineer, and all items listed in the final comment letter issued by the Planning Department.

Planning Board Conditions are:

Applicant to comply with noise ordinance and barking dog ordinance. Landscape removal limited to the area identified on the site plan to include dead, damaged, or diseased trees and brush hogging of underbrush. Limited brush removal around free standing sign.

Old Business:

2019-001 Paulsen Development Office Building - Site Plan

Applicant proposes construction of a 2 story, 40,000 sf medical office building at 1785 Route 9. The total project area is 4.48 acres with road frontage on Route 9 and site access on a private roadway adjacent to the parcel. The proposed site includes parking for approximately 220 vehicles, a patient drop off area and on-site stormwater management, 1785 Rt 9, Zoned: B-3, Status: PB Prelim Review - Poss. Determination

Mr. Ferraro stated the setback area variance for parking is to be heard at the May 7, 2019 ZBA meeting.

Consultant/Applicant Presentation:

Joe Dannable – Environmental Design Management – stated the applicant is looking to develop a 40,000 square foot office building on Route 9. They will use a shared access road with Oakbrook Commons. Mr. Dannable stated the front of the building will have a canopy drop off, parking for facility around the building with 220 car parking. Mr. Dannable acknowledged that the parking is less than the town requirement, but with the decreased parking the applicant is able to minimize the impact on the site and its natural state. Mr. Dannable stated that a setback variance for parking is required.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 04/11/2019 stating:

- Setback variance for parking has been submitted and will be on ZBA 5/7/19 agenda
- Stormwater comments from Scott Reese will follow.

Sheryl Reed, Chief of the Bureau of Fire Prevention:

No comments

Scott Reese, Stormwater Management Technician issued a memo dated 04/22/19 with the following comments:

1. An additional sheet may be warranted to show how the stormwater will be handled from the existing 60,000 square foot medical building. The adjacent existing site uses the existing stormwater management areas, conveyance piping and outfalls that are planned for modifications and expansion for this project. Leaving the responsibility to the contractor is too great a risk for issues to arise and the potential for illicit discharges from this site.
2. Per the New York State Stormwater Management Design Manual Section 6.3.4 Treatment, a required element is the infiltration practice shall be designed to exfiltrate the entire Water Quality Volume (WQv) through the floor or each practice. The equation for the approximate bottom area of infiltration basins are in Section 6.3.4.
3. The location of the porous pavement along the northern parking lot requires fill and is above an existing slope greater than 15%. The proposed porous pavement area should be relocated to a better suited area.
4. The proposed Sugar Maple located along western property line should be moved so it is not above the storm piping.

The Environmental Conservation Commission held a meeting on 04/16/2019 and issued a memo recommending:

1. The ECC is concerned with the proposed projects parking and stormwater management areas in relation to the steep ravine.
2. The ECC is very concerned with the proposed construction of the steep ravine, future plans shall demonstrate on the protection, stabilization, and erosion prevention of any work on the steep slopes.
3. The ECC supports and endorses the comment by the Planning Director regarding this project.

Roy Casper of the Trails Subcommittee submitted the following comments for the Planning Board to consider in its decision making:

- The office building entranceway concrete sidewalk shown on the site plan should continue west all the way to Route 9 and taper to the roadway shoulder for pedestrian access to the proposed office building. (The concrete sidewalk should be 5 ft. wide and specified on the site plan.) A crosswalk should be provided across the main entrance roadway on Route 9 to provide a safe pedestrian route to the existing sidewalk immediately south along Route 9.
- A sidewalk connection should also be considered for pedestrian access for residents living in Oakbrook Commons. Options for this sidewalk connection include:
 - Continuing the 5 ft wide concrete sidewalk along the main entranceway road to Oakbrook Commons. Crosswalks should also be provided across both office building parking lot entrances.

- (Or) Connecting the sidewalk shown on the site plan at the southeast corner of the office building with a crosswalk to the entrance roadway, a crosswalk across the southeast parking lot entrance and a sidewalk segment along the property boundary at the southeast corner of the property.
- A crosswalk should be provided from the proposed office building sidewalk to the adjacent medical building sidewalk.
- A crosswalk should also be provided between the entranceway sidewalk shown on the site plan and the sidewalk shown at the southwest corner of the proposed office building.

A bicycle rack should be placed in close proximity to the entrance of the office building.

Jennifer Viggiani, Open Space Coordinator:

No comments

John Scavo, Director of Planning issued a letter dated 04/17/2019 with recommendations he made:

1. The site plan is subject to Section 239 of General Municipal Law and has been referred to the Saratoga Co. Planning Board for a recommendation. The Town of Halfmoon has also been notified of the project since it is within 500' of their Town Boundary.
2. As of April 15th, the Town did not have the traffic analysis available for review prior to the April 23rd Planning Board Meeting. Once provided by the applicant, Town Staff and MJ Engineering will review the traffic analysis. Since shared access arrangements are proposed, the applicant should discuss how vehicle circulation patterns between properties (apartment complex, Medical Bldg. #1 & Medical Bldg. #2) are shown.

As previously noted in my January review letter:

A traffic impact study should be provided to identify any potential impacts to traffic within the Route 9 Area as a result of the proposed 40,000 sq.ft. medical office building within the Route 9 Corridor. Specifically, the study should include a section dedicated to:

- a. Determine anticipated future non-site (background) traffic volumes.
- b. Identify other approved projects within the Route 9 Corridor from the Route 146 intersection north to the Kinns Road Intersection.
- c. Evaluate existing traffic patterns and operating conditions from the 60,000 sq. ft. medical office building adjacent to this project to assess cumulative impact of traffic for the construction completion target year.

A photometric plan with proposed exterior light fixture cutsheets should be provided for review.

3. Add the following notes to the plan that state:
 - a. No demolition, clearing, or grading is to occur prior to the stamping of the final site plan. Also, the MS4 Acceptance form must be signed by the Town's Stormwater Management Officer and the NOI needs to be filed with NYS DEC by the applicant for at least five business days prior to disturbance.

- b. Site Design - The exterior character, proportion, materials and articulation must be substantially similar to the illustrative elevations shown on the submitted architectural plans.
4. Per the site plan - page 6 of 13, it appears the running slope of the curb ramps are shown to meet ADA requirements in relation to the finished sidewalk and asphalt top coat elevations. The site contractor should be aware that these elevations will be verified for compliance prior to issuance of a certificate of occupancy for the building.
 5. As previously mentioned in my January review letter, due to the proximity of vehicle parking adjacent to a steep slope, a barrier or suitable guide rail should be shown.
 6. The applicant should consider as an aspect of the new construction, accommodations to install the conduit under the pavement to designated parking stalls for preparation of future EV Charging Stations. Such infrastructure accommodations at the time of new construction will further the goals of the 2016, "Capital District Electric Vehicle Charging Station Plan". The costs to run conduit at the time of new construction greatly decreases costs to install EV Charging Stations in the future since pavement within the parking area will not need to be torn-up to run electrical connections.
 7. The applicant, when working with a structural architect for the building design, may want to identify an electrical panel location for convenient PV system inter-connections, and keep space available in the electrical panel for a PV circuit breaker. It is easier and more cost effective to plan at the time of new construction for future green infrastructure accommodations such as PV Systems.

Professional Comments:

Joel Bianchi, P.E. of MJ Engineering in a letter dated 04/20/2019 had the following comments:

State Environmental Quality Review

1. As noted in Comment 2 of our January 18, 2019 review, the proposed medical office building and land use code (LUC) may result in more than 100 peak hour vehicle trips, which may be compounded when considering the development of the southern parcel also as a medical office building. It was recommended that the anticipated peak hour vehicle trips be provided. The applicant's response is that a traffic analysis will be furnished prior to the April 23, 2019 Planning Board meeting.

Site Plans

2. As noted in Comment 8 of our January 18, 2019 review, Section 208-99 of the Town zoning requires 1 parking space for every 150 gross square feet of building. The plan notes 220 spaces are proposed which is deficient by 46 spaces. The Planning Board can amend these requirements based upon local or unique conditions. The applicant has furnished a summary of similar uses with a reduced parking space count that the Planning Board may rely upon as they consider a waiver from the required number of parking spaces. If the Planning Board does consider granting relief, it is recommended that the plan still show a location for the full number of parking spaces in the event they are ever needed.
3. The applicant's response indicates the roof top mechanical units will be screened. It is not clear from the visual simulation or building elevations where these screens will be positioned.

4. On the Site Plan, Sheet 5 of 13, show the turning template for the largest responding emergency vehicle accessing the site up to and through the aerial apparatus access road.
5. On Sheet 5 of 13, provide a designated crosswalk at the western entrance that would connect to the curb ramp on the south side of the road. Provide pedestrian crossing signs along the existing roadway in both the east and west directions. Alternatively, the sidewalk should extend to the west and along the north side of the existing roadway and then provided a designated crosswalk to the sidewalk on the south side of the existing roadway.
6. On Sheet 5 of 13, there is a curb ramp shown on the western most parking lot with a diagonal crossing to the curb ramp at the southwest corner of the building. The curb ramps and/or sidewalk alignment should be modified to eliminate the diagonal crossing. Provide a designated crosswalk once a final alignment is determined.
7. Provide test pit and infiltration test data at the location of the proposed porous pavement.
8. On Sheet 6 of 13, with the steep grades immediately adjacent to portions of the parking area, a guide rail should be provided. This would be limited to the parking areas adjacent to the infiltration basin at the northwest corner of the site and continuing east along the north edge of the north parking area.
9. Section 6.3.6 of the NYSSMDM requires direct access be provided to infiltration practices for maintenance and rehabilitation. The infiltration basin has no defined access and shall be provided to any internal or emergency spillways.
10. On Sheet 7 of 13, show how roof drainage is being collected and conveyed to the site storm sewer system. This will include location of downspouts, size and slope of roof leader connections.
11. Sheet 7 of 13 shows a proposed hydrant at the edge of the southern parking lot. If the 5 ½" nozzle will face the new building, the parking space immediately in front of the hydrant shall be cross hatched so the hydrant is not blocked from use.
12. On Sheet 8 of 12, review and modify either the location and/or species of trees being proposed along the frontage on the existing roadway and near the new site entrances to ensure they will not obstruct sight distance for vehicles exiting the parcel. The analysis should consider full tree canopy and how it may obstruct / limit sight distance.
13. Provide the following notes on the Erosion and Sediment Control Plan consistent with Section 6.3.5 of the NYSSMDM: a. 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.
14. Section 6.3.6 of the NYSSMDM indicates the Erosion and Sediment Control Plan for the site shall clearly indicate how sediment will be prevented from entering the infiltration facility. The Erosion and Sediment Control Plan needs to show means to divert surface away from the infiltration basin during the construction phase.
15. Provide an illumination plan that has foot candle values at pavement levels for review.

16. The porous pavement detail on sheet 11 of 13 requires additional information as follows: a. Specify / confirm the non-woven fabric has a high flow through capacity such that it is not a limiting factor for infiltration. b. The fabric should extend vertically at the edge of the washed stone excavation to prevent migration of fines into the reservoir stone. c. Specify the washed stone size/gradation.

17. The details provided on Sheet 12 and 13 of 13 for potable water system and sanitary sewer system have not been reviewed and are subject to the utility providers review. Any comments provided by those agencies shall be incorporated into subsequent plan submissions.

Stormwater Pollution Prevention Plan

18. Section II.G of the SWPPP references a pending correspondence from the Heritage Program in regard to State threatened and endangered species. It also notes that the USFW Ipac database identified the Northern long eared bat as potentially being present, but no known habitat. While no specific habitat may be identified on the parcel, the NLEB may be found in virtually any county in New York State. Although this site may fall outside of the currently recognized occupied habitat for this federally-threatened species, the NYSDEC recommends that removal of any trees greater than 3 inches in diameter at breast height take place between November 1 and March 31 each year., if possible, in order to protect potential bat habitat.

19. Under Section VI.1, add that sand and abrasive for de-icing are prohibited.

20. Since the stormwater management area will be privately owned and operated, a Town of Clifton Park Maintenance Agreement will need to be executed and filed.

Stormwater Management Narrative

21. Update the Post Development Watershed mapping such that the porous pavement area on the map matches the legend

22. Provide calculations showing that each of the infiltration practices can fully dewater the entire WQv within 48 hours after the storm event pursuant to Section 6.3.2 of the NYSSMDM. Furnishing the unit hydrograph for each infiltration practice will illustrate this information.

23. Provide calculations that show that the required WQv is being provided prior to entry to the infiltration practices pursuant to Section 6.3.3 of the NYSSMDM. This pretreatment volume may vary based upon reported infiltration rates

Public Comments:

Anthony LaFleche – 21 Wheeler Drive - Mr. LaFleche asked if the building goes into Halfmoon, and asked the applicant to point out the property lines for the easement and snow removal. Mr. Dannable stated that the boarder to Halfmoon is the rear property line, and there is 40 foot frontage with crosswalks from the parking lot and sidewalk.

Planning Board Review:

Mr. Ferraro stated he would like to see sidewalks put in on the north side of the driveway. He would like Ms. Viggiani and Mr. Casper to discuss with the applicant the internal sidewalk system based on the comments provided by the Trails Subcommittee.. Mr. Dannable agreed to speak to Ms. Viggiani and Mr. Casper. Mr. Ferraro stated that once the traffic study is complete and if the variances are granted then the project can move on for further review. Mr. Dannable stated the traffic study will be updated and will be provided to the Board before the next meeting with the photometric distribution, and lighting plan and as well as the bike rack. He will also check on the slope to the Oakbrook Creek and the need for a potential safety barrier.

Mr. Ophardt requested clarification if the adjoining parking lots can be used to meet the requirements for the parking through informal parking arrangements. Mr. Andarawis stated that he would like to know that the parking requirements for this site can be met, not necessarily construct it. Mr. Dannable offered to show the location to meet the required 42 extra spots but the applicant is not yet willing to actually put them into current plan. Mr. Ferraro suggested waiving the recommended parking so if a problem should occur, it is not assumed that the additional (land banked) parking would be allowed since there may be environmental constraints that preclude the ability to provide for additional parking. Mr. Rich Paulsen (Paulsen Development) stated that the building owners will also be the buildings tenants; he spoke on their behalf and stated that he believes that they would rather reduce the building's footprint before adding more spaces. Mr. Andarawis asked for EV charging stations be considered for construction by the applicant..

Mr. Ferraro inquired about different options for paving such as porous pavement to help with the water runoff in certain parts of the parking lot. Mr. Dannable stated that he would work with Mr. Bianchi to try to resolve the issue.

Mr. Neubauer inquired about the exterior materials being used. Mr. Paulsen stated that the materials used in the proposed building will be similar to the recently built building next door.

New Business:

None

Discussion Items:

None

Mr. Neubauer moved, seconded by Mr. Szczesny, adjournment of the meeting at 9:39pm. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on May 14, 2019.

Respectfully submitted,

Paula Cooper

Paula Cooper,
Planning Board Secretary