

Town of Clifton Park Planning Board
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PLANNING BOARD

ROCCO FERRARO
Chairman

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

(alternate) Teresa LaSalle

Planning Board Minutes
May 29, 2019

Those present at the May 29, 2019 Planning Board meeting were:

Planning Board: R. Ferraro, Chairman, E. Andarawis, D. Bagramian, J. Jones, E. Ophardt,
G. Szczesny
T. LaSalle – Alternate Member Designated as voting member due to
Absence of Planning Board Member A. Neubauer

Those absent were: A. Neubauer

Those also present were: J. Scavo, Director of Planning
W. Lippmann, M J Engineering and Land Surveying, P.C.
A. Morelli, Counsel
C. Scavo, Secretary Pro Tempore

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

Mr. Ferraro announced that Terresa LaSalle would be a full voting member this evening in absence of Mr. Neubauer. Mr. Ferraro also noted that Cynthia Scavo would be assisting with taking minutes this evening in absence of Paula Cooper, Planning Board Secretary.

Minutes Approval:

Mr. Szczesny moved, seconded by Mrs. Bagramian, approval of the minutes of the May 14, 2019 Planning Board meeting as amended in the draft document before the Planning Board

this evening. Ayes: Andarawis, LaSalle, Jones, Ophardt, Ferraro. Noes: None. Abstained: Bagramian.

Old Business:

2018-052 Wall Street Office Building

Applicant proposes construction of a 11,790 +/- square foot 2 story commercial office building which will be an ancillary building to the 39 unit apartment building fronting Clifton Park Center Road as the management office for the apartment building will be located in the office building. Provisions for stormwater will be made on site. Connections to municipal water and sewer will be made, Clifton Park Center Rd, Zoned: TC2, Status: PB Preliminary Review w/ Possible Determination. SBL: 271.-3-76.1

Mr. Peter Murray, Esq., provided a summary of the proposed site plan application and highlighted the review process to date with the Town Center Advisory Committee and Town Staff. Mr. Murray commended the process and noted that the form-based code and intent of each district is articulated in a way that makes following the process towards approvals with new projects predictable in terms of wants and desires to achieve the Town Center vision with new projects.

Mr. John Hitchcock of ABD Engineering noted the building is bordered on the north by Wall Street, on the east and west by lands of the Capital District YMCA, and on the south by ACOE wetlands and a stream. The applicant is proposed to develop a 2- story, 10,940 gross square foot office building, associated parking, utilities, and stormwater management area for water quality treatment utilizing green infrastructure techniques.

Mr. Hitchcock noted the bulk tables for the Town Center Zoning have been updated and were added to the site plan to note what is required and what is provided by the applicant. He noted a waiver for the required number of parking spaces is requested for the site. The applicant is confident that additional parking will not be required, based on the intended use. Mr. Hitchcock also noted a front waiver setback is required since the parcel has a curved frontage line and the building has been designed with a step-back jog to best achieve compliance with the requirement. Mr. Hitchcock noted the applicant is here to seek final approvals this evening and is willing to answer any additional questions the board or staff may have.

Chairman Ferraro asked Mr. Scavo to provide staff comments. Mr. Scavo noted that Mr. Neubauer provided written comments regarding the review of this project since he was unable to attend the meeting this evening. Mr. Scavo noted Mr. Neubauer was instrumental with working as a Technical Advisory Committee Member to develop the current site layout and building form with the applicant. Mr. Scavo read the following comments offered by Mr. Neubauer:

1. I believe the proposed design is in general conformance with the Form-Based Code's form and architectural standards.
2. There's a requirement under 6.4.A.1 for extended roof edges that I've cited on some other projects but given that this design has a fairly articulated

sunscreen/canopy across two-thirds of the facade, I think the intent of the code is satisfied.

3. It appears that the materials are mostly brick & cement board siding – which is in conformance with code required façade materials – but I wouldn't mind seeing an elevation drawing clarifying the materials. Specifically, the north-west corner of the building: is it stack-bond brick?

Mr. Murray noted the building material to the north-west corner is a stacked-bond brick and was shown with a differed contrast due to a shadowing effect for artistical illustrative purposes. The material type will match the other building elevations.

Mr. Scavo, then offered the following comments from the Town's Environmental Conservation Commission (ECC):

1. While there is an existing sidewalk along the project frontage, the town requires concrete surfaces. There may be a need to upgrade the existing asphalt to concrete to conform with the perimeter street requirements from the edge of pavement of 9 feet. This would also provide opportunity to provide street trees between the pavement edge and sidewalk.
2. The ECC strongly recommends that the 6' asphalt path be widened to 8' to conform to Town Code.
3. The Guideline for Green Space in the TC2 goal is 15% minimum. The applicant shall explain how they are achieving this green space goal.

Mr. Scavo noted Steve Myers, Director of Building and Development offered the following comments:

1. It appears green space credit is being taken for this building for what really is a totally separate site off Clifton Park Center because it is one parcel.
2. Waivers from planning or variances are needed from several of the TC-2 requirements (Building placement, building type, allowed frontage, allowed use). The planning board is authorized to modify dimensional standards, but it appears the project will require a use variance due to non-residential use on second floor.
3. It appears the only access to the site is over a significant drainage easement. If repairs were required to the pipes below, the site does not appear to have an alternate access.
4. Stormwater comments will be provided by Scott Reese.
5. If the building installs a sprinkler system, all requirements including a hydrant within 100' of the fire department building connection is required.

Mr. Scavo offered the following comments from Scott Reese, Town Stormwater Management Technician:

1. The Stormwater Pollution Prevention Plan for Clifton Park Apartments shall be amended to include the proposed office building.
2. Provide deep test hole and percolation data at stormwater management areas.
3. Provide information on the pre-treatment requirement for the water quality volume.

Mr. Scavo offered the following comments from Roy Casper, on behalf of the Trails Opens Space Subcommittee:

The Trails Subcommittee has the following comments regarding this commercial office building proposal:

1. The proposed 6 ft. asphalt multi-use path, with high anticipated use by pedestrians and cyclists, should receive residual lighting from the parking lot pole lights making evening use safer. The existing YMCA parking lot pole lighting should also provide additional path lighting.

Mr. Scavo then read his comment letter and noted the following:

1. Add the following note to the site plan:

Refuse Collection Prohibitions

Pursuant to §165 of the Town Code titled, “Refuse Collection Activities” - It shall be unlawful for any person to operate a refuse-collecting vehicle for the purpose of refuse-collecting activities in a residential district within the Town, or in any other district in the Town within 500 feet of a residence, during the hours of 7:00 p.m. to 7:00 a.m. daily.

Penalties for offenses

Any person, firm, association or corporation who violates any provision of Chapter 165 of the Town Code, shall be guilty of an offense punishable by a fine of not more than \$250 and/or by imprisonment for not more than 15 days. Each violation of this chapter shall be a separate offense.

2. Concerns have been raised by adjacent property owners that No Easement has been granted from their land to allow for any construction activities to occur on their property for this project. It is noted by the Planning Board that a property owner cannot encroach on your private property. However, such issue is not a matter for the Town; it is a civil matter.

To help mitigate this concern since the site grading limits and construction are directly adjacent to neighboring properties, the applicant shall be required to install orange construction fencing along the property’s side boundary line and install signs that state, “No Construction Beyond This Point” to be installed approximately every 40’ on center.

3. Add a note to the Final Site Plan that states, “Storage of Construction Materials Throughout Construction of the Site Plan - The Property Owner agrees that storage of construction materials, equipment and vehicles shall occur only on the site. Wall Street and the existing sidewalk/multiuse pathways shall not be utilized for construction equipment storage or vehicle parking by contractors.”
4. Add a note to the Final Plan that states, “Any utility work or construction within the Town Road Right-Of-Way requires the property owner to obtain a highway work permit from the Clifton Park Highway Department, whether it is for construction or installation of facilities, or for repairs and maintenance.”
5. Pursuant to §208-21(3) of the Town Zoning Code, titled, “Planning Board authority to modify dimensional standards”, the applicant has requested certain dimensional waivers for consideration by the Planning Board. The required information has been placed in a table format which lists all setbacks; percent of lot coverage, broken out between building, pavement, and landscape coverage; number of buildings; total amount of square feet; and any other applicable zoning information necessary for the proper review of the site plan within the TC-2 Edge Zoning District.”

The Planning Board is therefore authorized to modify the dimensional standards set forth to the extent necessary and appropriate to accommodate existing limitations with a super-majority vote (majority plus one), provided all of the following findings are made by the Planning Board in rendering it's decision that such modification:

- a. Is necessary to reasonably accommodate existing site constraints or development limitations; and
- b. Does not create an undue adverse effect on abutting properties or uses; and
- c. Does not increase the number of stories of a building; and
- d. Does not conflict with the intent of the standard being waived or modified; and
- e. Allows for an improvement that will add to the overall vitality of the Town Center area and advances the purposes of this chapter of the Town Code.

Mr. Walter Lippman, then noted that MJ Engineering and Land Surveying (MJ) has reviewed the submission for the project proposed within the Town of Clifton Park. Documents received for our review included the following:

- Plan set entitled, “2 Story Office Building 5 Wall Street”, five sheets in total as prepared by ABD Engineers, LLP and dated March 8, 2019;
- Stormwater Management Report as prepared by ABD Engineers, LLP and dated March 8, 2019;
- Short Environmental Assessment Form, dated March 8, 2019, and;
- Response to comments as prepared by ABD Engineers, LLP and dated March 8, 2019.

Based upon our review of the above documents, we offer the following comments for consideration.

General Comments

1. As noted in Comment 1 of our September 21, 2018 review, the total disturbance for this project was reported as being less than 1-acre and only a stormwater management analysis would be required. Since that time, the southern portion of the project site has been developed under a separate application. When considering both applications on the same parcel, this would then be considered “part of a larger common plan of development”. Therefore, this application, while having a disturbance less than 1-acre now requires a stormwater pollution prevention plan and is subject to the NYSDEC Stormwater Regulations and GP-0-15-002.

2. As noted in Comment 4 of our September 21, 2018 review, it was noted that a traffic study may need to be completed to assess the level of service of the Clifton Park Center Road and Clifton Country Road intersection considered the number of developments approved and/or considered in this perform such an analysis. MJ’s recommendation for some level of analysis is based upon the cumulative impact of all of the development (planned and/or approved) that has occurred in the immediate vicinity of this project. If the Planning Board does not feel that a traffic analysis is warranted, then at a minimum, there needs to be a more substantive narrative as to how the peak hour vehicle trip data provided was developed with reference to the ITE Manual for the land use codes utilized. Our initial assessment is that the peak hour vehicle trips may be low, but absent the LUC, there are no means to validate the data.

State Environmental Quality Review

3. No additional comments.

Short Environmental Assessment Form

4. Under Part 1.2: add the NYSDEC since the project is now subject to GP-0-15-002.

Site Plans

5. Based upon the current submission, the following waivers from the FBC need to be considered by the Planning Board:

- a. Building façade to build to zone (side); 30% minimum preferred, 11.3% provided.
- b. Allowed frontage types, shopfront, forecourt, porch, gallery. Office space proposed.
- c. Allowed user types in upper floors of residential. Office space proposed.

6. As noted in Comment 12 of our September 21, 2018 review, Wall Street is defined as a perimeter street in the Future Streets Map found in Section 208-23 of the Town Zoning. 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 current submission notes that the existing Cobra head fixture in front of the property shall remain and a new fixture matching the existing shall be provided. Further discussion is warranted as the existing Cobra fixtures are prohibited in the FBC pursuant to 208-26(6)(G) of the Town Zoning.
 - b. While there is an existing asphalt sidewalk along the project frontage, for projects within the FBC area, the Planning Board has consistently required upgrades of the pedestrian facilities as part of incremental improvements. It is further noted that the submitted plans suggest the existing sidewalk provides a grassed buffer to the street edge of approximately 5 to 6-feet. The measured distance in the field is only about 3-feet. This minimal grass buffer is marginal when compared to the required buffer of 9-feet. It continues to be our recommendation that the sidewalk be upgraded, placing it at the appropriate distance from the road edge which will allow for placement of the trees and light fixtures.
7. The plan shows 42 parking spaces, 2 less than what is required pursuant to Section 208-26, Table 7-1 of the Town Zoning. The Planning Board has the authority to waive the minimum number of parking spaces when appropriate justification is provided.
 8. Pursuant to Section 208-26(3) of the Town Zoning, Internal parking rows should provide landscaped islands at either end of the rows. The islands shall be equal in length to the rows and at least nine feet wide, or of equivalent size if an irregular shape is necessary. Islands shall include at least two trees with shrubs, flowers, grass or other plantings so that not more than 50% of the ground cover is mulch or gravel. The two internal islands are asphalt and should be modified to comply with Section 208-26(3) of the Town Code.
 9. In reviewing the proposed exterior lighting plan in comparison to Section 208-26(6) of the Town Zoning the following comments are offered:
 - a. BL#3 is a building mounted fixture however it only appears to illuminate the side access road. This fixture is within 50-feet of the property line and therefore is limited to a 15-foot height per 208-26(6)(B)(2) of the Town Code.
 - b. Show how the average foot-candle values are achieved for each condition (parking lot, building mounted, pedestrian walkways).
 10. As noted in Comment 20 of our September 21, 2018 review, provide information and/or summary of the pedestrian amenities that are to be provided consistent with Section 208-26(7) of the Town Zoning. The proposal is for a bike rack and picnic area. The Planning Board shall determine whether the applicant's proposal is sufficient to meet the standards of the FBC for pedestrian amenities.
 11. As noted in Comment 22 of our September 21, 2018 review, it was requested that it be confirmed 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 response provided is that it is not required. Because the building is being provided with an automatic sprinkler and if it

complies with NFPA / IFC then the noted provision of the IFC, we believe applies. The applicant shall coordinate with the Town's code enforcement official on a final determination.

12. It is unclear from the plans how the subsurface infiltration unit is manifolded together on the northern end. There are several drainage lines connecting to it at the north end, but it is not clear how they will physically connect.

13. Pursuant to Section 3.5 of the New York State Stormwater Management Design Manual (NYSSMDM), the proposed stormwater practices need 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 for any modified new stormwater facilities. This would be applicable to both this site and the adjoining 93 Highview Road project.

14. Section 6.3.1 of the NYSSMDM requires the bottom of the infiltration facility to be separated by at least three feet vertically from the seasonally high-water table or bedrock layer, as documented by on-site soil testing (four feet in sole source aquifers). In-situ soil testing is required to confirm the noted minimum separation to seasonal high groundwater is being provided.

15. Section 6.3.5 of the NYSSMDM requires that 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 4 shall provide notation indicating the above requirement.

Stormwater Management Report

16. The section entitled "General Site Development" needs to reference that the project is part of a larger common plan of development and is subject to General Permit GP 0-15-002 and does require a SWPPP addressing water quality and quantity controls, regardless of the size of disturbance.

17. The section entitled "Soil Types" briefly mentions existing site soil conditions. This section shall summarize the in-situ soil testing completed including infiltration tests and test pits with the results provided as an appendix pursuant to Part III.B.2.d and e of GP 0-15-002.

18. The "Analysis" section should provide/list the 24-hour rainfall intensities utilized in the analysis of the 1-year, 10-year and 100-year storm events as well as identify the source of the data (NYSDEC Manual or Northeast Regional Climate Center's Extreme Precipitation tables).

19. The SWPPP shall mention soil restoration. Pursuant to Section 5.1.6 of the NYSSMDM, soil restoration is a required practice applied across areas of a development site where soils have been disturbed and will be vegetated in order to recover the original properties and porosity of the soil. The required soil restoration is a function of the underlying soils where the disturbance is to occur pursuant to Table 5.3 found in Section 5.1.6 of the NYSSMDM.

20. The SWPPP shall include documentation that the project is eligible for permit coverage pursuant to Part I.F.4 of GP 0-15-002 with respect to threatened and endangered species. This includes both listed state and federal species.
21. The SWPPP shall include documentation that the project is eligible for permit coverage pursuant to Part I.F.8 of GP 0-15-002 with respect to historic properties. This includes archeological and cultural resources.
22. The SWPPP shall include the operation and maintenance required of the installed stormwater management facilities pursuant to Part III.B.2.f of GP 0-15-002. It shall also cover the post construction O&M requirements associated with soil restoration pursuant to Section 5.1.6 of the NYSSMDM.
23. Provide calculations showing that the infiltration practices will fully dewater within 48 hours after a storm event pursuant to Section 6.3.2 of the NYSSMDM.
24. Section 6.3.3 of the NYSSMDM requires a specified percentage of the WQv to be pretreated prior to entry into the infiltration facilities based upon the in-situ infiltration rate of the soils.
25. At the 100-year storm event, the combined underground chambers and open basin will reach a flood elevation 309.57, just a few inches below the top of berm and edge of parking lot. There should be 12-inches of freeboard between the top of berm and flood elevation as a factor of safety.
26. A Notice of Intent (NOI) needs to be provided for review.

Chairman Ferraro, then asked if anyone from the public had any comments or questions regarding the application currently before the board for consideration.

Mr. Anthony LeFleche, 21 Wheeler Drive questioned the material type for the proposed sidewalk and asked for clarification from the application as to the offset from the edge of pavement.

The applicant noted the existing pathway was asphalt approximately 6' in width and it was set approximately 3' from the edge of pavement.

Mr. Andarawis questioned the existing width's ability to accommodate bike use at 6' and noted 8' would provide access for cyclist. Mr. Ferraro agreed with this observation and noted the issue of concrete or asphalt is still outstanding to determine appropriate material types for these pathways within the Town Center.

Mr. Ferraro noted Town Staff, representatives from the Open Space Trails Subcommittee and Planning Board will meet in the near future to have a discussion on appropriate material types in various areas within the Town Center.

Mr. Jones noted that since this existing segment was already asphalt and it would remain asphalt adjacent to the project, he didn't see the need to rip up existing materials to add to the waste stream to replace a segment with concrete.

Mr. Murray noted that as the applicant they would be willing to place a note on the plan that binds the property owner to improving the trail segment along the contiguous frontage with Wall Street and his property to concrete and 8' wide when such improvements are made to the system as a whole.

The Planning Board and staff agreed with this concession offered by the applicant. Upon further discussion amongst the Planning Board it was noted there were no issues with the requested waivers as shown on the site plan.

Mr. Ferraro asked Mr. Hitchcock to provide some clarification regarding the stormwater design specific to landscaped islands. Mr. Hitchcock noted no landscaped islands are proposed since they are problematic for snow plowing purposes are narrow sites and per the Form Based Code such islands are required only if more than 12 spots are provided in a linear row. The applicant did not exceed this threshold.

Mrs. Bagramian asked where snow storage would occur during excessive winter snow fall events. The applicant noted if snow was over 4' in height the owner will make provisions to take the additional snow off-site.

Mrs. Bagramian also asked if a traffic analysis was conducted. Mr. Lippman on behalf of MJ Engineering noted using ITE Standards for traffic generation the office building would have a minimum effect on increased traffic to Wall Street.

Mr. Jones noted he was comfortable with the answers provided by the applicant this evening and the site plan as presented and therefore offered a motion to approve the site plan with the 3-waivers documented on the site plan and conditioned the approval on satisfaction of all outstanding comments offered this evening by Town Staff and as to be noted in the final review letter prepared by the Planning Director. Mr. Andarawis seconded the motion. The Chairman called the motion vote which carried with 7 votes in the affirmative and 0 votes in the Negative (Ayes: 7 No: 0).

New Business:

2019-024 Neet Automotive Site Plan

Applicant proposes construction of a 12,500 SF building for use as a body shop to replace the shop that burned down. New footprint has additional SF, 2043 Rt 9, Zoned: L 2, Status: PB Concept Review.

Mr. Ferraro noted the first item under new business is the construction of a new 12,500 sq.ft. auto body shop on a lot that had the prior autobody shop destroyed by fire in March of 2019.

Mr. Tim Neet, owner of the body shop owner and property owner for the applicant noted that in addition to the site plan he is seeking a lot line adjustment with the Town to provide additional land area to this parcel. He explained he is the owner of the adjacent residential parcel to the north and the lot line adjustment will allow for the larger body shop to be constructed on this parcel while still meeting the bulk requirements for the light industrial zoning district. Mr. Neet noted he owned and operated the prior autobody shop destroyed by fire and was seeking approvals for an addition to that building. Since that building was destroyed by fire, he is looking to replace the building with a larger structure to accommodate his business. Mr. Neet noted he is anxious to get under construction and back in business and welcomes the opportunity to answer any questions the board may have.

Mr. Ferraro thanked the applicant for his presentation and then asked Mr. Scavo to read staff comments.

Mr. Scavo provided the following comments on behalf of the ECC:

The ECC Recommends the following:

1. The ECC requests the applicant to supply a detail operation report on the planned activities the business will have. The ECC is concerned with the location of floor drains and where it will drain to. What type of materials will be stored inside and outside the proposed structure should be listed in the operations report.
2. The Applicant should indicate all other environmental permits / registrations that may be required for the activities that are proposed under the planned use of the site.
3. The Applicant shall comply with the Town's Hazardous Materials Policy, which can be obtained from the Town of Clifton Park Stormwater Management Officer.
4. The ECC notes that the project includes the installation of storage tanks that may be regulated under the state petroleum or chemical storage regulations. The ECC recommends that the Planning Board require the applicant to provide evidence of registration of these tanks prior to placing in service.
5. If hazardous materials will be stored on this site, the Applicant must submit a plan for approval addressing handling and storage and spill response to the Town of Clifton Park Stormwater Management Officer before such materials are stored.
6. The floor drain should not connect to the sanitary septic system.
7. The applicant shall describe the holding tanks purpose on the plan.

Mr. Scavo noted that Steve Myers offered the following comments:

1. Applicant proposes to rebuild the previous body shop that was destroyed by fire in an LI-2 zone. Proposal is an allowed use in the zone. Proposed building is larger than previous building.
2. Site plan requires several improvements including: 1. Will NYSDOT allow another curb cut as close as proposed, wetlands should be delineated. 2. New and old property lines need to be shown (will lot line adjustment require a separate action prior to approval). 3. Setbacks for all structures (shed and holding tank). 4. Holding tank for what. 5. Outline of 40% required greenspace. 6. More readable print. 7. Where are notes on site plan applicable. 8. Should not be an “approximate” property line move.
3. Existing variances should have descriptions of what they were for and if this proposal affects them.

Mr. Scavo noted the following comments were offered by Scott Reese:

1. The NYSDEC EAF Mapper for this site has it marked “yes” for the following:
 - a. In or adjacent to an area designated as sensitive for archaeological site inventory (Question 12b).
 - b. In or adjacent to wetlands or other waterbodies regulated by a federal, state or local agency (Question 13a).
 - c. Contain species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered (Question 15).
 - d. The site or an adjoining property been the subject of remediation for hazardous waste (Question 20).
2. For the next submittal show location of existing drainage swale along southern property line, existing culvert location, and proposed roof gutters. Discussion of possible easement drainage conveyances should be discussed.

Mr. Scavo noted that Roy Casper, Open Space Trails Subcommittee Representative had the following comments:

1. A 5 ft. wide sidewalk should be constructed from the proposed building’s front entrance to the Route 9 road frontage for pedestrian access.

Mr. Scavo then read his review letter which offered the following comments:

1. The proposed project is subject to Section 239 of General Municipal Law and has been referred to the Saratoga Co. Planning Board for a recommendation at their June 20th meeting.
2. The application fails to identify the Tax Map Section-Block-and Lot # which for the record is 259.-2-14.2.
3. The application lists the current zoning as commercial. This is incorrect and for the record the zoning for the project is LI-2, Light Industrial.

4. The prior autobody shop building was destroyed by fire in March of 2019. The proposed site plan will replace the prior building with a square footage larger than the prior shop.
5. The Bulk Regulations of a zoning district govern the size, location, and dimensions of buildings and improvements on a parcel of land. The applicant should list in a table format the LI-2 Bulk Regulations on the Preliminary Site Plan with two columns showing required and provided calculations.
6. Any prior area variances granted for the site carry with the land. Therefore, the applicant should also list on this site plan any prior area variances granted for the property.
7. The applicant should clarify if the handicapped accessible parking space and access isle will be at grade with the proposed structure. If a curb ramp is needed, the running slope of the Handicapped Accessible curb ramp should be shown on the site plan to meet NYS Handicapped Accessibility requirements in relation to the finished sidewalk and asphalt top-coat elevations.
8. Add a detail to the site plan for the striping and signage of the handicapped space and access isle. This detail must conform to the NYS Building Code Requirements, Manual of Uniform and Traffic Control Devices (MUTCD), and the current NYS Supplemental to MUTCD.
9. Approval for an additional curb-cut onto Route 9 for the Residential Dwelling must be obtained from NYS DOT Region 1. The applicant should contact the NYS DOT Saratoga Co. Resident Engineer, Paul Korowajczyk, P.E., at 518-584-3790, to obtain approval for the requested curb cut. Evidence of approval for the curb-cut request must be provided to the Town Planning Board prior to stamping the final plan.
10. Add a note to the preliminary site plan that states, "Any utility work or construction within the State Highway Right-Of-Way requires the property owner to obtain a highway work permit from the NYS Department of Transportation, whether it is for construction or installation of facilities, or for repairs and maintenance."
11. The applicant should note if any exterior mechanical systems are to be located on the exterior of the building or note if such systems will be roof or side wall mounted (i.e. paint spray booth air handling exhaust unit).
12. The applicant should note if an exterior dumpster is to be stored on-site and show such location or note no exterior dumpster on the site plan.
13. The preliminary site plan should show the location of any proposed building down spout and location of discharge to ground surface.
14. The applicant should note if the building will require a sump pump to outlet drainage from the building.

15. As plans advance to detail design, the site plan shall show conformance to §208-66 of the Town Code.

16. Add a note to the preliminary site plan that states, “This site plan shall comply with the Performance Standards of the Light Industrial LI-2 District as prescribed within §208-64(F)[1][2][3][4]&[5] of the Town Code.

Mr. Walter Lippman then noted that MJ Engineering and Land Surveying (MJ) has reviewed the submission for the above referenced automotive building application within the Town of Clifton Park. Documents received for our review included the following:

- Plan entitled, “Concept Site Plan”, as prepared by Eric Holt, PE and dated April 16, 2019;
- Town of Clifton Park Planning Board Application for Site Plan Review, and;
- Short Environmental Assessment Form dated April 17, 2019.

Based upon our review of the above documents, we offer the following comments for consideration.

State Environmental Quality Review

1. Based upon our review of Part 617 of NYS Environmental Conservation Law, the project appears to be an “Unlisted” action. If the Planning Board is to request Lead Agency status under SEQRA, the need to undergo a coordinated review is optional. Under a coordinated review, involved / interested agencies to be engaged may include, but is not necessarily limited to the following:

- a. Saratoga County Planning: 239m referral due to the project's proximity to Route 9.

Additional agencies may be identified by the Town during its review of the project.

2. The applicant has submitted Part 1 of the Short Environmental Assessment Form (SEAF). Based upon our review of the submitted Part 1 SEAF, the following comments are offered:

- a. Part I.3b – The response indicates an area of disturbance of 12,500 square feet. The project description indicates the construction of a new building with a footprint of 12,500 square feet.

Please confirm the acreage to be physically disturbed is no greater than the footprint of the building. Should more than 1 acre of land be disturbed, than a project specific Stormwater Pollution Prevention (SWPPP) will be required.

- b. Part I.8a – The response indicates that the proposed action will not result in a substantial increase in traffic above present levels. At a minimum, provide the expected peak hour vehicle trips for review that may support this statement.

- c. Part I.11 – The response indicates that the proposed action will not connect to existing wastewater utilities. According to the concept plan provided by the applicant, a pre-existing septic system will be utilized for wastewater management. Provide confirmation that the

existing onsite wastewater management system can accommodate the construction of the new 12,500 square foot building and is in good working order.

d. Part I.12b – The applicant indicates that the proposed action is not within or adjacent to an area designated as sensitive for archeological sites. This response is inconsistent with a review

e. Part I.13a – The applicant indicates that no portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by federal, state or a local agency. A review of the DEC EAF Mapper indicates a discrepancy in this response. The applicant should provide documentation to confirm the presence or absence of state or federally regulated wetlands on or adjacent to the project site and modify response accordingly.

f. Part I.14 – No response to question 14 was indicated. The applicant should provide a response indicating the typical habitat types that occur on or are likely to be found on the project site.

g. Part I.15 – The applicant indicates that the site does not contain any species of animal or associated habitats listed by the State or Federal government as threatened or endangered. A review of the DEC EAF Mapper indicates the presence of the Frosted Elfin and the Karner Blue Butterfly on or near the project site. The applicant should provide documentation to confirm the presence of threatened or endangered species. The applicant should also confirm species of plants or animals listed by the federal government as endangered or threatened. The EAF Mapper does not account for federal species and a search of the USFW Ipac database would be necessary.

h. Part I.20 – The applicant indicates that the site of the proposed action or an adjoining property has not been the subject of remediation (ongoing or completed) for hazardous waste. A review of the DEC EAF Mapper indicates a discrepancy in this response. The applicant should consult the Environmental Site Remediation Database Search provided by the DEC located at www.dec.ny.gov/cfm/xtapps/derexternal/index.cfm?pageid=3 and provide documentation that describes the type of hazardous waste that was or is on the site, how large of an area it covered and when it was remediated. If the applicant believes the answer filled out by the EAF Mapper is incorrect, supplemental information should be provided that explains that discrepancy.

i. No further comments at this time. Additional comments may be forthcoming as the project advances Site Plans 3. The project resides within the Town's Business, LI-2 Light Industrial District. The proposal for an automotive garage is a permitted use within the LI-2 district pursuant to Section 208-64(B) of the Town's Zoning.

4. The site plan shall include the existing and proposed bulk lot requirements based upon the zoning district as well as other mapping requirements defined in Section 208-114 of the Town's Zoning.

5. In our review of the concept plan submitted, it appears that there are instances where the bulk lot requirements are not satisfying the minimum requirements set forth in Section 208-65 of the Town's Zoning. The potential lot deficiencies identified are as follows: a. Section 208-65(E) of the Town Zoning indicates in order to allow for maximum flexibility of design, to preserve as much of the natural environment as possible and to promote the purpose of this article, there is established a twenty-five-foot minimum side and rear yard setback, which shall be considered a buffer area and which shall contain natural or planted vegetation for the purpose of screening uses from adjacent properties. No parking shall be permitted in the buffer area. Concept plan as submitted includes parking along the north property line.

6. For clarity, provide a bulk lot table showing existing, require and proposed lot setbacks/coverages as it relates to the zoning district standards.

Mr. Ferraro then asked if anyone from the public had any questions or comments regarding the application.

Mr. Anthony LaFleche, 21 Wheeler Drive, asked about the approximate width of the NYS Route 9 Shoulder and noted the location is part of a NYS designated bike route.

Mr. Ferraro, then opened the discussion amongst the Planning Board Members.

Mrs. Bagramian asked the applicant to clarify the prior building's square footage to the proposed increase and intended use. Mr. Neet responded the prior building was approximately 6,000 square feet and the new building is proposed to be 12,500 square feet of which 2,500 square feet will be utilized for offices and the remaining 10,000 square feet will be used as service bays. This will allow the vehicles previously stored temporary outside the building to remain within the building enclosure.

Mr. Ferraro asked what vehicles, if any, would be stored outside. Mr. Neet responded that the vehicles slated for pick-up on the same day or just dropped-off would be stored outside.

Mr. Andarawis asked if there were new impervious areas than what was previously on the site. Mr. Neet responded in the affirmative and pointed the locations out which appears to be within the previously designated service yard which consisted of compacted dirt and stone.

Mrs. Bagramian asked if there were any new underground storage tanks proposed. Mr. Neet responded there were not, the only underground storage was related to a hold tank for floor drains.

Mr. Jones asked about the proposed building elevations. Mr. Neet stated he would not exceed 16' in height and the elevations would match the prior building destroyed by fire. Mr. Neet noted he would get more detailed building elevations for the board's consideration.

Mrs. Bagramian asked about building signage. Mr. Neet noted the signage would be limited to match the size and type of the prior building.

Mr. Ferraro requested the applicant address the comments presented this evening by staff and planning board members by providing a more detailed site plan than what has been submitted to date.

Mr. Andarawis asked about the proposed landscaping. Mr. Neet noted he has limited frontage due to the width of the NYS DOT right of way line and the landscaping would consist of planters with low lying shrubs similar to what was previously at the location and destroyed by fire. Mr. Scavo noted that Mr. Neet has limited sight distance looking south from this driveway curb-cut so additional plantings should be limited.

Mr. Ferraro pointed out the proposed building has the same front setback location from Route 9 but is wider from 65' to 85'.

Mr. Jones asked if the site plan adds additional parking. Mr. Neet responded in the affirmative.

Mr. Ferraro voiced his opinion that a sidewalk is not necessary at this time along the property's frontage with Route 9. The other Planning Board Members were in agreement with this assessment.

The Board Members reaffirmed the need for the applicant to submit with a complete site plan and building elevations for preliminary consideration. Mr. Neet noted he will address the comments raised this evening and will proceed with a more detailed site plan.

2019-027 Environmental Design Partnership Office Park

Applicant is proposing to construct three (4,800 SF) mixed use office buildings totaling 14,400 SF. The buildings and parking will be placed to the rear of the property. The proposed buildings will be connected to municipal sewer and water supplies. Stormwater will be managed on site, 900 Rt 146, Zoned: B-1.

Mr. Ferraro introduced the next agenda item as summarized on the Planning Board Agenda and Mr. Joseph Dannible, of Environmental Design Partnership gave an overview of the site plan application.

Mr. Dannible noted the applicant has prepared a conceptual site plan to construct 3 new 4,800 square foot buildings and associated parking in conformance with the B-1 zoning requirements. Mr. Dannible then presented a PowerPoint presentation that noted the site's existing conditions, relation to adjacent properties, and proposed conceptual building out. He also noted the project as shown in concept complies with the zoning requirements and does not need any variances.

Mr. Dannible noted the new construction is proposed to be all located behind the existing office building at 900 Route 146 and noted the applicant does not want to disturb the existing tree line to the front of the existing office building for visual screening purposes.

The Planning Board and applicant then discussed the parking space calculation yield in relation to the Town Code requirements and that of future medical uses which require the highest number of parking spaces at 1 parking stall per 150 gross square feet of building space.

Mr. Dannible then noted that the site achieves the 50% greenspace requirement by keeping the existing vegetation within the front of the property. He also noted the soils are well drained and can accommodate infiltration. The stormwater design details will be provided at the time of Preliminary Plan submittal.

Mr. Ferraro then asked Mr. Scavo to present staff comments.

Mr. Scavo noted the ECC proved the following recommendations:

1. The ECC recommends that this project be carried out in keeping with the goals of tree preservation as stated in the Town Comprehensive Plan, to the greatest extent practicable.
2. The ECC notes that there is no dumpster area shown on the plan. If the applicant decides to implement such a facility Due to the probability of food and liquid wastes leaking from the on-site dumpster(s) into a stormwater catch basin and/or surface water body, the ECC recommends the applicant enclose the area (i.e. roof) on an impervious surface with a berm surrounding the dumpster(s) that accept food and liquid wastes. If necessary, the Applicant will need to periodically pump out the accumulated wastes within the bermed area to avoid overflow.
3. The applicant shall label all existing access easements on this property.

Mr. Scavo then offered the following comment from Mr. Steve Myers:

1. Applicant proposes to construct three new 4,800 sf buildings on lot in B-1 zone. Initial building on this property built in 1981 does not conform to current B-1 regulations (7960 sf). In 2017 a variance was granted to expand that building to 9000 sf. The building of 3-4800 sf buildings will bring the total building area on site to 23,400 sf which is 12% of the parcel. The other lot coverage and setback requirements all appear to be met.
2. Emergency access to the entire property will be reviewed in more detail with future submissions.

Mr. Scavo noted that Scott Reese, Town Stormwater Management Technician offered the following comments:

1. The submitted EAF states “Stormwater will be managed on-site”. When the plans progress, the stormwater practices and erosion and sediment controls will be reviewed.

Mr. Scavo then read the following comments provided on behalf of the Trails, Open Space Subcommittee:

1. A 5 ft. wide concrete sidewalk should be provided from the parking area sidewalk shown on the site plan and curve along the entrance driveway to the Sitterly Rd. frontage.

2. A crosswalk should be provided across the roadway entrance on Sitterly Rd.

Mr. Scavo then read his comment review letter and noted the following comments:

1. The proposed project is subject to Section 239 of General Municipal Law and has been referred to the Saratoga Co. Planning Board for a recommendation at their June 20th meeting.

2. The handicapped parking spaces to the rear of the existing building are required for the recent addition to meet NYS Building & Fire Code Requirements.

3. As Plans advance the applicant should demonstrate on the site plan conformance with §208-34 of the Zoning Code which states:

Buffer. There shall be established a minimum ten-foot buffer area, within the minimum side and rear yard setback, along the property lines. The buffer shall be planted for purposes of screening from adjoining properties. The Planning Board shall take into consideration any natural vegetation which exists and serves the intent of this article.

4. Before the exterior lighting plans progress and are shown on the preliminary site plan, it is recommended the applicant pursue energy efficient lighting options that are dark sky friendly (International Dark-Sky Friendly Fixtures can be research at www.darksky.org).

Mr. Walter Lippman then read the following comments provided by MJ Engineering:

MJ Engineering and Land Surveying (MJ) has reviewed the submission for the above referenced office park application within the Town of Clifton Park. Documents received for our review included the following:

- Plan entitled, “Concept Site Plan”, as prepared by EDP and dated May 6, 2019;
- Town of Clifton Park Planning Board Application for Site Plan Review, and;
- Short Environmental Assessment Form dated May 6, 2019.

Based upon our review of the above documents, we offer the following comments for consideration.

State Environmental Quality Review

1. Based upon our review of Part 617 of NYS Environmental Conservation Law, the project appears to be an “Unlisted” action. If the Planning Board is to request Lead Agency status under SEQRA, the need to undergo a coordinated review is optional. Under a coordinated review, involved / interested agencies to be engaged may include, but is not necessarily limited to the following:

- a. Saratoga County Planning: 239m referral due to the project's proximity to Route 146.

- b. Clifton Park Zoning Board of Appeals: Area variance and building permit.
- a. NYS Dept of Environmental Conservation: permit coverage under stormwater SPDES
- b. Clifton Park Water Authority – water service connection
- c. Saratoga County Sewer District #1 – sewer service connection

Additional agencies may be identified by the Town during its review of the project.

2. The applicant has submitted Part 1 of the Short Environmental Assessment Form (SEAF). Based upon our review of the submitted Part 1 SEAF, the following comments are offered:

a. Part I.3a -The response indicates that more than one acre of land will be disturbed from the construction of three 4,800SF mixed-use office buildings. As such, a stormwater pollution prevention plan (SWPPP) addressing water quality, quantity and green infrastructure is required. As a result of being subject to the Stormwater General Permit GP-0-15-002, the applicant will need to seek consultation from the NYS Office of Parks, Recreation and Historic Preservation and the NYSDEC regarding the absence or existence of cultural or historic resources and threatened and endangered species, respectively within the project boundaries if not already completed as part of the prior approvals on the site.

b. Part I.8a – The response indicates that the proposed action will not result in a substantial increase in traffic above present levels. At a minimum, provide the expected peak hour vehicle trips for review that may support this statement.

c. Part I.10 – The response indicates the project will connect to an existing public water supply. The applicant will need to prepare the appropriate technical studies to confirm adequate capacity exists to service the project. It is recommended that the Town be furnished with documentation that the CPWA is willing and capable of service this project.

d. Part I.11 – The response indicates that the project will connect to existing wastewater facilities. The applicant will need to prepare the appropriate technical studies to confirm adequate capacity exists to service the project. It is recommended that the Town be furnished with documentation that the SCSD No 1 is willing and capable of servicing this project.

e. Part I.15 – The response indicates that the site does not contain any species or animal, or associated habitats listed by the State or Federal Government. Please confirm the response provided includes a search of the USFW Ipac database to account for federally protected species.

f. Part I.17 – The response indicates that the proposed action will create stormwater discharge, either from point or non-point source pollution. According to the Concept Site Plan provided by the applicant, stormwater will be managed onsite. A stormwater analysis should be conducted to ensure on-site facilities can accommodate the increased development and there will be no adverse impacts to adjacent or down gradient properties.

g. No further comments at this time. Additional comments may be forthcoming as the project advances.

Site Plans

1. The project is located within the Town's Business Nonretail (B-1) zoning district. The proposal for a mixed-use office park is a permitted use within the B-1 District as noted in Section 208-32 of the Town's Zoning.
2. In our review of the concept plan submitted, it appears 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. The potential lot deficiencies identified are as follows:
 - a. Section 208-33(B) of the Town Zoning indicates that no preexisting building(s) shall be rehabilitated or remodeled or new building(s) constructed on a vacant lot to a size greater than 12% of the lot size, with no single building to have a maximum square footage exceeding 4,800 square feet. With a 4.486-acre parcel, the maximum total square footage is 12% of the lot, or 23,449 SF, which the plan does not exceed (23,400 SF).
 - b. Section 208-35(D)(4) requires a 10-foot buffer area along the side and rear yards for the purpose of screening from adjoining properties. While the concept illustrates buffers greater than what is required, this shall be confirmed as part of the detailed site design and grading. There may be a need to supplement with landscaping to maintain a minimum buffer.
3. The plan shows 101 new parking spaces and 46 existing, 9 less than what is required pursuant to Section 208-99 of the Town Zoning (1 space/150 SF). Applicant should provide narrative on why they cannot meet the parking requirement as a variance may need to be obtained.
4. There needs to be a determination if the proposed building construction and use will warrant automatic sprinklers as prescribed in the Building Code of New York State. This information is needed to determine whether an on-site hydrant is required to satisfy the requirements of Section 508.8 of the FCNYS.
5. If the project proposes any utility improvement work within the State right-of-way, the work will be subject to the review and approval to the NYSDOT. The applicant shall coordinate with the regional office of the NYSDOT and obtain permitting in advance of construction.
6. Should on-site hydrants be warranted, the site access roads shall comply with Appendix D, Section 103 of the Fire Code of New York State (FCNYS).
7. Indicate the proposed maximum building height in the event appropriate aerial fire access is required in accordance with Appendix D, Section 105 of the FCNYS.
8. Determine if a Knox Box is required based upon the building arrangements, occupancy and materials of construction. If one is required, its location is subject to the review and approval of the Fire Chief.
9. Subsequent plans should include architectural elevations of the building with a listing of the materials of construction for review by the Planning Board.

10. Considering the plan submitted is conceptual in nature, we will reserve further comments until more detailed plans and reports are submitted. Subsequent submissions shall include information as outlined in Section 208-115 of the Town zoning specific to site grading, lighting, erosion control and stormwater management to fully assess the design and its compliance to the applicable standards.

Mr. Ferraro then opened the discussion to Planning Board Members.

Mr. Ferraro spoke about additional tree clearing that was conducted behind 900 Route 146. Mr. Dannible provided background information noting that it was not the property owner's desire to clear behind the existing building. However, after the building permit was issued for construction of a building addition previously reviewed and approved by the Planning Board it was required by the building inspector that the property owner provide handicapped access and accessibility to the rear of the building.

Mr. Scavo noted the need for handicap accessibility was not raised during the Planning Board's review which Building Staff had the opportunity to review and only came to light after the permit was issued and the building was under construction. Mr. Scavo noted it was a Town administrative decision and building code interpretation that necessitated the access to the rear of the structure which resulted in additional clearing and grading.

Mr. Jones and Mr. Ferraro noted that there appears to be different interpretations of the state building code based on the municipality in which a project is located within. Both expressed frustration with the lack of consistent and predictable application and interpretations provided under the State Building Code amongst local jurisdictions.

Mrs. Bagramian asked if the proposed building would accommodate retail or restaurant uses. Mr. Dannible noted the building would not be used for such uses and would be office space only.

Mr. Jones asked about the parking shown between the southeast corner of two buildings. Mr. Dannible noted that area is designed to provide direct access storage to an access door of the basements for each of the two buildings. Mr. Dannible noted that as the plans advance a more detailed design for that feature will be provided.

Mrs. Bagramian asked if access or an easement to Moe Road has been explored. Mr. Dannible noted it has not been explored but they will reach out to the adjacent owner. Mr. Dannible noted while it would benefit the proposed office park, he doesn't see what the adjacent owner would realize from such easement which may be problematic.

Mr. Dannible also noted the property owner to the west is concerned about visual impacts and preserving a vegetative buffer between the proposed office complex and adjacent church residence.

Mr. Anthony LaFleche, 21 Wheeler Drive, then asked Mr. Dannible about the grading and clearing that would be required to run a sidewalk from the office complex to Route 146. Mr.

Dannible provided an explanation that discussed the 8' to 10' elevation difference for grades and the tree clearing that would be involved would be extensive.

Mr. Jones requested the applicant explore the east side of the building for additional site access or a sidewalk.

Mr. Dannible thanked the board for their comments and feedback and will work on a submittal of the site plan to advance the plans towards a preliminary design while addressing the comments and concerns expressed this evening.

2019-012 Sitterly Road Exit 9 Self Storage

Applicant proposes to build a climate controlled self-storage facility on the 1.44 acre parcel located at the northwest corner of Sitterly Road and Crossing Blvd. The parcel is currently zoned B-4 Highway Business and the proposed use has been approved pursuant to a Use Variance issued by the ZBA. The parcel is included in a zoning amendment under consideration by the Town for adoption in 2019 that would add into the Town Center District subject to the Form-Based Code as outlined in Article iiiA of the Town Code. The parcel would be zoned TC-5 and the proposed use would be an allowed use, 101 Sitterly Rd, Zoned: B-4, Status: Preliminary Review with Possible Final Determination:

Mr. Ferraro introduced the final item on the agenda for the evening and invited the applicant to the podium to present the site plan application.

Mr. Bianchino of Lansing Engineering presented the application on behalf of the applicant and property owner. He noted the site plan is for the development of a 3-story climate controlled self-storage facility totaling 36,000 square feet. A future phase may include a second building of the same size. Access to the site will be from a curb-cut onto Sitterly Road with a second access through the adjoining self-storage facility also owned and controlled by the applicant. Wastewater will be handled on site with a private system and public water will be provide by the Halfmoon Water District.

Mr. Bianchino noted the applicant has worked with the Town Center Advisory Committee (TAC) over the past several months to develop a site plan and building elevations consistent with the TC-5 requirements which are anticipated to be adopted shortly for this parcel and adjacent lands. Mr. Bianchino noted the applicant has already obtained a use variance for the proposed storage facility.

Mr. Jones questioned why the proposed curb-cut is closer to the Crossings Blvd. and Sitterly Road Intersection than farther away.

Mr. Lippman responded that the traffic study supported the location based on limited sight distance for seeing drivers approaching on Sitterly Road from the east traveling west over the I-87 bridge expanse.

Mr. Scavo then read the following statement provide in writing by Mr. Neubauer who participated in the TAC review of this project:

Regarding site plan review:

As discussed at the TAC review of this project, it should be acknowledged that we're being asked to grant relief from the BTZ (Build-to-Zone) requirement and allow parking in the setback area. These are two major tools that Form Based Code employs to contrast with typical suburban development, in an attempt at "place-making" our town center.

The suggestions I had toward mitigating this have largely been addressed:

- Provide architectural fencing and street trees to accentuate the BTZ edge along Sitterly Road
- Because building construction is not proposed to occupy the triangle-shaped area between the south (street) building face and BTZ, I advocate to provide *something* here – not just a grass area.

However, I'm rather concerned with the storm-water basin located in southeast "dog-leg area" of site plan. This has been added since the TAC review. I understand that this location contains a pre-existing SWMA for the current facility, but it's now being indicated as re-constructed as part of this proposal. This suggests that it will be utilized for the foreseeable future. Intentionally locating a basin along the BTZ line is an affront to the FBC, and short-sighted relative to the incremental smart-growth goals of the Town Center plan. An alternative for storm-water management should be explored and employed.

Regarding architectural review:

The architect performed a fair amount of back-and-forth coordination with me over the past few weeks since the original TAC review of this project.

Most of my comments focus around requirements of Section 6.5.B of TC code for articulation of long facades. Very important here, as this building has a very long, visible face along the Northway which – as discussed in our code narratives – means that this building has the role of presenting a "face" for Clifton Park to passing motorists. The expansion to the Ellis Medicine facility directly across the Northway from this project was subject to similar scrutiny. The massing of Ellis' original proposal was somewhat similar dimensions to this building, and our architectural comments referenced the same code requirements for articulation, for the same reasons. That project was granted approval, but only upon conformance to those requirements.

The efforts spent on articulating this building's architecture have resulted in a compromised design, and it comes *close* to compliance with the requirements of the guidelines. Most significant, is that as a viewer approaches this location from around the Town Center – whether it be from the Northway, or Sitterly Road east-or-west – the emphasis given to the building's corners were the most important factor. I feel that the massing and exterior finishes provided achieve the desired effect.

Mr. Scavo then read the following comments offered by the ECC:

1. The ECC notes that the proposed project is adjacent to (and possibly within) the expanded Clifton Park Town Center Study Area. Consequently, the ECC urges the applicant to plant landscaping that will provide year-round screening along Sitterly Road, especially by the intersection of the Crossing Boulevard.
2. The ECC notes that there is no dumpster area shown on the plan. If the applicant decides to implement such a facility Due to the probability of food and liquid wastes leaking from the on-site dumpster(s) into a storm water catch basin and/or surface water body, the ECC recommends the applicant enclose the area (i.e. roof) on an impervious surface with a berm surrounding the dumpster(s) that accept food and liquid wastes. If necessary, the Applicant will need to periodically pump out the accumulated wastes within the bermed area to avoid any overflow
3. Given the anticipated change to a TC5 the ECC recommends that the design incorporate elements of 208-22, regulating plan concepts 8G(1) as stated in the Code the design should incorporate the highest level of facade transparency.

Mr. Scavo then read the following comments provided by Steve Myers, Director of Building & Development:

1. Proposal to build a 36,000 sf, three story self-storage facility in a B-4 zone. A use variance was approved in 2018 for this parcel since self-storage was not allowed in this zone. A condition of the use variance was that this parcel and SBL#271.-1-15.2 be combined.
2. Based on the building location it appears several variances for setbacks and greenspace are required. Area requirements provided on plans are incorrectly provided for town center zoning therefore not considered.
3. Signage for the building and site are not part of the planning board review.
4. It appears a septic system is proposed for the site. If sewer is available within 500' of the property, it must be connected to.
5. The ability and access for emergency vehicles needs to be reviewed. The ability of vehicles to pass thru the existing facility appears questionable.
6. A 5" STORZ type fire department connection for the sprinkler system will be required on the building and a hydrant within 100' of that connection will also be required.
7. It appears part of the stormwater discharge will be directed to NYSDOT property this shall be reviewed and approved by NYSDOT.
8. It also appears another portion of the discharge will be directed to an existing basin. The ability of this basin to handle the additional volume needs to be proven.
9. Possible conflicts with the Sitterly Road work should be examined.

Mr. Scavo then read the following comments offered by Scott Reese, Town Stormwater Management Technician:

1. Complete the NOI in the SWPPP

2. Depth of impermeable liner in basin 1 may conflict with proposed plantings, adjust accordingly.

3. HydroCAD routing time span should be adjusted to provide accurate inflow depths.

Mr. Scavo noted the following comments were provided by Roy Casper on behalf of the Trails Open Space Subcommittee:

1. A 5 ft. wide concrete sidewalk should be provided from the parking area sidewalk shown on the site plan and curve along the entrance driveway to the Sitterly Rd. frontage.

2. A crosswalk should be provided across the roadway entrance on Sitterly Rd.

3. The proposed 5 ft. wide sidewalk shown on the plan is an important segment in the long-term goal of a complete pathway along Sitterly Rd. from Clifton Park Center Rd. to Lakes Apartments.

Mr. Scavo then read his comments which are as follows:

1. The applicant has provided documentation that the Clifton Park Water Authority has adequate capacity and is willing to service the project. The CPWA noted the applicant is responsible for obtaining the necessary permissions from Nigro Corporation to upsize the service from the privately owned main that currently serves the project site.

2. It should be noted that the final approval and stamping of the final plan is conditioned upon the adoption of the draft form-based code expansion. The Saratoga Co. Planning Board will be considering the draft document at their June meeting to make a recommendation back to the Town Board in accordance with §239 of General Municipal Law. Planning Staff anticipated the Town Board will schedule a public hearing in July on the draft form-based code expansion and modification language. Barring any unforeseen setbacks, the adoption of the final draft is anticipated to occur in August of 2019.

3. The applicant should consider additional deciduous tree plantings between I-87 and the proposed building. The building is a prominent site element. Such tree type as a Columnar Norway Maple will help to visually break up the building façade without detracting from the building exposure.

4. Final approval should be conditioned upon the site plan coming back before this board after the adoption of the form-based code expansion area, to waive any dimensional requirements that cannot be met under the TC-5 Zoning Requirements. The TC-5 Checklist should be displayed on the final plan to clearly display dimensional waivers granted for the site plan.

Mr. Walter Lippman then read the following comments offered by MJ Engineering:

MJ Engineering and Land Surveying (MJ) has reviewed the submission for the above referenced automotive building application within the Town of Clifton Park. Documents received for our review included the following:

- Plan entitled, "Exit 9 Self Storage Site Plan", as prepared by Lansing Engineering and dated May 6, 2019;

- Project Narrative, as prepared by Lansing Engineering and dated May 6, 2019;
- Stormwater Pollution Prevention Plan as prepared by Stewarts and dated May 2019;
- Town of Clifton Park Planning Board Application for Site Plan Review, and;
- Short Environmental Assessment Form dated May 6, 2019.

Based upon our review of the above documents, we offer the following comments for consideration.

Short Environmental Assessment Form

2. The applicant has submitted Part 1 of the Short Environmental Assessment Form (SEAF). Based upon our review of the submitted Part 1 SEAF, the following comments are offered:

- a. Part I.3a -The response indicates that more than one acre of land will be disturbed from the construction of proposed self-storage facility. As a result of being subject to the Stormwater General Permit GP-0-15-002, the applicant will need to seek consultation from the NYS Office of Parks, Recreation and Historic Preservation and the NYSDEC regarding the absence or existence of cultural or historic resources and threatened and endangered species, respectively within the project boundaries if not already completed as part of the prior approvals on the site.

- b. Part I.8a – The response indicates that the proposed action will not result in a substantial increase in traffic above present levels. At a minimum, provide the expected peak hour vehicle trips for review that may support this statement.

- c. Part I.10 – The response indicates that the proposed action will utilize an existing well onsite to supply water. This response is inconsistent with the project narrative in the SEAF which indicates a connection to a public water line. This is also inconsistent with the project narrative in the Site Plan Application which indicates that the proposed project will connect to the Halfmoon Water District. The applicant must provide clarification of water supply and update the SEAF and other documentation for consistency. If the proposed project requires a connection to the Halfmoon Water District, as stated in the Site Plan Application, it is recommended that the Town be furnished with documentation that the Halfmoon Water Department is willing and capable of service for this project.

- d. Part I.11 – The response indicates that an onsite wastewater disposal system will be installed for the new building. The applicant will need to comply with all local, state, and federal requirements related to an onsite wastewater treatment system.

- e. Part I.17 – The response indicates the project will direct stormwater runoff to established conveyance systems and discharge to adjacent properties. A site-specific drainage analysis shall be prepared to demonstrate the project upon build-out will not adversely impact adjacent properties or down gradient infrastructure/waterbodies.

Site Plans

3. The project currently resides in the Town's B-4 Business Highway; however, the parcel is included within a future FBC area and the review is based upon that future designation. The parcel

will reside within the Town's TC5 Neighborhood Zone of the Form Based Code (FBC) when zoning is adopted. Based upon a review of Table 3-1 of the FBC, self-storage facility is not specifically mentioned however based on TAC discussions this would be a permitted use within the TC5 District.

4. In the review of the bulk lot requirements of the TC5 District, the following deficiencies have been noted:

- a. The building façade shall be a minimum of 80% at build to zone. The plan proposed 0% due to the configuration of the parcel.
- b. Front parking setback of 30-foot minimum within the TC5. The plan shows approximately 20 feet along Sitterly Road.
- c. All buildings must have a primary entrance along the front façade.
- d. Only one Main Building and one Ancillary Building may be built on each lot, plan indicates two main buildings.
- e. Parking drive lane width 24' max, plan shows 30'.

The Planning Board does have the authority to grant waivers from any of the above should they find them acceptable as permitted in Section 208.21 of the FBC. Should the Planning Board grant waivers, they shall be based upon the criteria outlined in Items A through E of the FBC.

5. Sitterly Road is defined as a "Perimeter Street". The street improvements shown along Sitterly Road do not appear to conform to the requirements of a "perimeter Street as follows:

- a. Lighting within the planter area.
6. The lighting plan provides proposed light fixtures and mounting heights. However, the illumination plan indicates foot-candle levels that exceed Section 208-26(6) of the Town's Zoning.
 7. For the proposed building expansion please indicate how roof drainage is being routed to the on-site stormwater system.
 8. Section 503.1.1 of the FCNYS requires a fire apparatus 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. It appears as if the west facing portion of the building to not provided with the appropriate access. Applicant should demonstrate this on the plans.
 9. Show the location of and provide a detail for any exterior refuse areas.
 10. Applicant indicates the parking requirements are not listed in Table 7.1 of the FBC. Applicant should provide information used to derive at the proposed six (6) parking spaces based on similar type facilities.
 11. If the project proposes any curb cuts or utility improvement work within the Town right-of-way the work will be subject to the review and approval to the Town Highway Department.

The applicant shall coordinate with the Town and obtain permitting in advance of construction.

12. The project narrative indicates the proposed building will contain automatic sprinklers. Applicant should confirm whether an on-site hydrant is required to satisfy the requirements of Section 508.8 of the FCNYS.

13. Determine if a Knox Box is required based upon the building arrangements, occupancy and materials of construction. If one is required, its location is subject to the review and approval of the Fire Chief.

14. Subsequent plans should include architectural elevations of the building with a listing of the materials of construction for review by the Planning Board.

15. Considering this application was submitted as conceptual, we will reserve further comments until the preliminary submittal. on site grading, lighting, erosion control and stormwater management to fully assess the design and its compliance to the applicable standards.

Stormwater Pollution Prevention Plan

16. The SWPPP is unclear under which Chapter(s) the proposed project will be following in the NYSSMDM. Based on Section 5.2 both water quality and RRv have been calculated and applied under the Chapter 4 criteria. Please provide clarification as several items if designed per Chapter 4 do not meet the requirements.

17. Provide a complete NOI for review.

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

19. Additional comments may be forthcoming as the project advances.

Mr. Ferraro thanked the staff for their comments and asked if anyone from the public had any questions or comments regarding the site plan.

Mr. Anthony LaFleche, 21 Wheeler Drive asked where the location of the traffic roadway and where specifically the curb cut onto Sitterly Roadway was proposed. Mr. LaFleche also questioned why a sidewalk wasn't shown on Sitterly Road heading west.

Mr. Scavo noted the existing bridge over I-87 is deficient under today's design standards to encourage pedestrian activity within the shoulders. The Town has acquired easements and land on both sides of the bridge structure to make such future connection when NYS DOT replaces the bridge structure in approximately 20 years from now.

Mr. LaFleche also requested the structure be pushed back as far as possible to not impede any future multi-use path and thanked the applicant for bringing a climate-controlled storage facility to the area.

Mrs. Bagramian questioned whether the site work associated with the demolition of the prior structure was done in coordination with the Town. The applicant noted they did apply for and received a demolition permit from the building department.

Mrs. Bagramian felt the tree clearing conducted on the site for the demolition exceeded what needed to be cleared to achieve the demolition of the structure and feels the vegetation removed should be supplemented.

Mr. Jones questioned the applicant on the need to remove three existing mature locust trees on the project site adjacent to Sitterly Road. After a brief discussion the applicant noted they would adjust their grading lines to be mindful of these three trees and will make every effort to keep them viable.

Mr. Jones expressed his frustration with too many applicants just propose to take too many trees down. Mr. Jones asked to see what the structure would look like coming from the south.

A discussion between the board and applicant then took place addressing topography of the site, size of proposed trees and shrubs along the western façade of the building and I-87.

Chairman Ferraro re-enforced Mr. Jones comment that applicants need to do a better job of preserving existing landscapes.

Mr. Jones then asked how the traffic flow through the site was envisioned. The applicant provided information relative to the traffic circulation coming in from Sitterly Road and existing onto Crossings Boulevard with large trucks which should be very limited in use.

Mr. Scavo noted that the use as a very low traffic generator compliments the intersection which experiences high peak hour traffic and will be undergoing a major intersection capital improvement project next year.

A discussion then ensued on the preservation of vegetation at the corner of Sitterly Road and Crossing Boulevard. The applicant noted that the TAC desired the TC-5 build to line be supplemented with locating a decorative fence with plantings in that area. The applicant will explore a water feature (small fountain) behind the decorative fencing within the stormwater management area.

Mr. Andarawis supported the enhancements along Sitterly Road noting a future east-west connection will take place at that location in the future. He did express concern on locating the stormwater management area near the intersection. The applicant responded that the soil borings shows the site is predominantly shale except for that location where they can achieve stormwater infiltration into the soils.

Mr. Szczesny questioned the likeliness of the Zoning Change and if the Town is sure it would be TC-5 at the project location.

Mr. Scavo responded there is always a possibility the zoning won't be amended, or the district may change. However, he is confident it will be passed and noted the applicant is aware the project cannot move forward without such zoning changes or through the granting of area variances.

Mr. Todd Fischer noted as the applicant he is willing to comply with the applicable rules and regulations as noted for the project to move forward.

Mr. Ferraro thanked the applicant for working with the TAC and making modifications to the site as requested during the review sessions. Mr. Fischer noted the TAC process was a great experience to advance a project and should be a model for other communities.

Mr. Szczesny made a motion to grant preliminary approval for the project conditioned upon the following items being met:

- a. Identify on the site plan the existing trees to stay along with other landscaping improvements as noted in staff comments and discussion at the meeting;
- b. Address all outstanding comments as presented this evening and offered in staff review letters;
- c. Note that the potential second self-storage building will require additional TAC and Planning Board Approvals;
- d. Final Approval will be granted once form based code zoning amendments are passed by the Town Board through a Local Law Action.

Mr. Jones seconded the motion which passed unanimously (Ayes: 7, Nos: 0).

Discussion Item:

Mr. Ferraro noted there were no discussion items on the agenda.

Mr. Ophardt moved, seconded by Mrs. Bagramian, adjournment of the meeting at 11:00 p.m. The motion was unanimously carried. The next meeting of the Planning Board will be held as scheduled on June 11, 2019.

Respectfully Submitted,

Cynthia A. Scavo

Cynthia A. Scavo

Planning Board Secretary Pro-Tempore