

Town of Clifton Park Planning Board
One Town Hall Plaza
Clifton Park, New York 12065
(518) 371-6054 FAX (518)371-1136

PLANNING BOARD

ROCCO FERRARO
Chairman

ANTHONY MORELLI
Attorney

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Secretary



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Emad Andarawis
Eric Ophardt
Jason Beach
Andrew Neubauer
Denise Bagramian
Greg Szczesny

(alternate) Ram Lalukota

Planning Board Minutes
March 24th, 2020

Those present at the March 24th, 2020 Planning Board meeting were:

Planning Board: R. Ferraro, Chairman, E. Andarawis, D. Bagramian, J. Beach, A. Neubauer, E. Ophardt, G. Szczesny
R. Lalukota – Alternate Member

Those absent were:

Those also present were: J. Scavo, Director of Planning
W. Lippmann, 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. Mr. Ferraro, stated that the Planning Board Meeting for tonight is being held remotely due to the current health crisis and inability to hold large gatherings in one place.

Minutes Approval:

Mr. Ophardt moved, seconded by Mr. Beach, approval of the minutes of the March 11th, 2020 Planning Board meeting as written. The motion was unanimously carried, with Mr. Neubauer abstaining from the motion.

Public Hearings:

2020-006 Crescent Woods 77 Lot Subdivision

Applicant proposes to amend two prior approved projects, (project 2019-043 1573 Crescent Road 4 Lot Subdivision and 2012-030 Crescent Woods - 62 lots Subdivision) as well as multiple Lot Line Adjustments, to include 11 additional lots for a total of 77 lots (75 new and 2 existing) while also providing additional infrastructure revisions and design benefit to the Town of Clifton Park, 1573 Crescent Rd, Zoned: R-1, Status: PB Preliminary Review w/ possible determination

SBL: 283.-2-9

To be reviewed by: MJE Consultant: Lansing Applicant: Beverwyck Dev Corp **Last Seen on: 2-11-20**

Mr. Ferraro stated that the Public Hearing for tonight was postponed due to the current health crisis and inability to hold large gatherings in one place, but would be rescheduled for a later date once the logistical details are worked out on conducting a public hearing via audio & videoconference technology.

Old Business:

2019-052 Plank Road Apartments

Applicant proposes combining parcels located at 632,634,and 636 Plank Road in order to construct a 34 Unit 4 story Apartment Complex with a 8,650 sf footprint. Each existing parcel contains a 2 story office building with access from curb cuts at 632 and 636 Plank Road. Access to parcel 634 is through via ingress/egress easements on 632 & 634. The apartment building will be west of the existing office buildings. Applicant proposes to revitalize the frontage on Plank Road with landscaping, lighting, multi- use path and 223 parking spaces along with a cross-lot connection to the existing "Shoppers World" Plaza. Also involves parcel 271.-3-19.113 & 114, 636 Plank Rd, Zoned: TC5, Status: PB Preliminary review w/ Poss. Determination

SBL: 271.-3-19.112

To be reviewed by: MJE Consultant: ABD Applicant: Plank Road LLC **Last Seen on: Seen by TAC**

Consultant/Applicant Presentation:

John Hitchcock - ABD – Mr. Hitchcock stated that the proposal for a 4 story 8,650 square foot apartment complex building with commercial space on a portion of the first floor and 34

apartment units located on Plank Road; the proposal is in the TC5 Zone. He stated that the project is on three parcels of land that will be combined into a single parcel, and will function as one parcel. The existing lots will have 2 story buildings on each and will utilize the existing parking lot. Mr. Hitchcock stated that there will be another parallel parking along Plank Road in conformance with the Form Based Code Requirements. He also stated there will be a three foot pedestrian path off the parallel parking and green space, and an 8 foot concrete multi-use path as well. Mr. Hitchcock said there will be street trees and lighting adjacent to the path along Plank Road per Town Code. The trees will be on the west side of the sidewalk as there is sewer between the two paths on that section of the property and trees cannot go there. Mr. Hitchcock also stated that there will be trees in common areas to the north and south side of the building and the first floor commercial area will have outdoor dining. Mr. Hitchcock stated bike racks are proposed and EV parking areas indicated on the map will remain. He also stated that there will be a proposed private roadway connection to Shoppers World Plaza. He stated the on-site parking accommodations would be staggered per town code. Mr. Hitchcock stated the commercial parking is 192 spaces for all 3 existing buildings during peak hours, which is 8am-6pm; apartments would require 26 for the same peak hours. Bringing the total spaces to 218 required, and 223 are being proposed. Mr. Hitchcock stated porous pavement will be utilized. He also stated variances were necessary for apartments within a portion of the first floor, also the building frontage is not met, it calls for 80% frontage but to make up the difference a specific black iron fencing would like to be used. He noted that the new building would be 4 stories, has parking in the rear that is underneath the second floor, and there are provisions for emergency vehicles to access the site with the necessary lane width requirements being met.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 3/18/20 stating:

- Soil borings required none provided
- All drainage eventually feeds to the stormwater retention area behind 10 Maxwell Drive. The effect of this project on that area needs to be addressed in the SWPPP
- Aerial access will be required on the east and west side of the buildings. A result of this is no overhead wires will be allowed in these areas and the pavement must be certified to support a 75,000 lb vehicle which may be an issue on porous pavement.
- The main entrance at 634 Plank will exit upon a drive lane rather than a parking area. Physical barriers to prevent pedestrians from stepping into this lane may be required.
- Four story building allowed by Planning Board waiver in the TC-5 zone. Stairs to the roof will be required.

Sheryl Reed, Chief of the Bureau of Fire Prevention:

1. Postal verification
2. Emergency Vehicle Aerial Access will be required on all sides of the building. No overhead wires are allowed where the emergency services will need to cross them. All areas will be required to support 75,000 lbs. for emergency vehicles
3. Provide an adequate turn around for emergency vehicles at the end of the parking lot near 636 Plank Road per Appendix D International Fire Code.
4. Indicate location of all existing fire hydrants and proposed new hydrants

Scott Reese, Stormwater Management Technician issued a memo dated 3/20/20 with the following comments:

1. A Stormwater Management Report was submitted for review. A Full SWPPP will need to be submitted for review.
2. Stormwater Management Report Review
 - a. Have test pits and percolation tests been performed at the locations of the proposed porous pavement locations?
 - b. It appears Post-Development Subcatchment 5S – Post-1A-2 should have some post development water quality practices applied for the proposed impervious areas.
 - c. How is the proposed roof top drainage being directed? Will there be downspouts directed onto the porous pavement? How will the roof runoff in Subcatchment Post 1A2 be treated?
3. Suggest diversifying the planting plan instead of just one plant species.

The Environmental Conservation Commission held a meeting on 3/17/20 and issued a memo recommending:

1. It appears that the commercial space is only on the first-floor corners of the structure. Per the TC5 Neighborhood Zone Overview (208-22.1), “3 story mixed use buildings are permitted, with residential dwelling units only (emphasis added) allowed above commercial spaces.” It would appear that this proposed design requires a variance.
2. Per the TC5 Neighborhood Zone Overview (208-22.1), “This zone also allows buildings up to 4 or 5 stories in height in return for providing structured parking which is available to the public.” The applicant should identify the location of the structured public parking that justifies a 4-story building. Otherwise, it would appear that this proposed design requires a variance.
3. It appears that the proposed 4 story design will dwarf the existing 2 story office buildings and is out of character of the surrounding existing structures.

John Scavo, Director of Planning issued a letter dated 3/9/20 with recommendations he made:

1. The applicant should evaluate if the existing water and sewer laterals servicing buildings 632, 634, and 636 Plank Road will be negatively impacted by potentially placing the 4-story apartment building above them.

2. While the Planning Board can waive the minimum required fire lane width of 26' for Town Code purposes, the Planning Board does not have the authority to waive any NYS Building and Fire Code requirements. The applicant should verify with Sheryl Reed and Steve Myers that the fire access shown for the proposed structure and existing buildings is acceptable.

3. All my prior comments raised during a series of reviews by the Town Center Technical Advisory Committee's with the applicant have been adequately addressed.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 3/20/20 had the following comments:

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) Town of Clifton Park Planning Board: site plan approval
 - b) Saratoga County Sewer District #1: sewer connection
 - c) Clifton Park Water Authority: water connection
 - d) NYS Department of Environmental Conservation: permit coverage under stormwater SPDES
 - e) NY State Historic Preservation Office: correspondence with SHPO to ensure no archeologically sensitive resources on project site.

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

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:

2. Part I.3b – The response indicates that the proposed project will disturb more than one acre of land, however the applicant has provided a stormwater management plan in accordance with Article 17, Titles 7, 8 and Article 70 of the Environmental Conservation Law.

3. Part I.12b – The SEAF indicates that the project site is located in or adjacent to an area designated as sensitive for archeological sites on the NY State Historic Preservation

Office (SHPO) archeological site inventory. A “no effect” letter will be necessary and shall be provided to the Town.

4. 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 TC5 Neighborhood Zone of the Form Based Code (FBC). The proposal for residential apartments (residential mixed-use multi-family) and commercial does appear to be a permitted principal use within the TC5 District pursuant to Section 208-22.4. A of the Town Zoning.
2. The applicant has met with the TAC independently, to review the conceptual site plan, building architecture and modifications that were required. The applicant has incorporated some of these comments into this submission.
3. On the north side of Building 636 the end-of-row bulb-out should be a minimum of nine feet wide.
4. The project proposes to provide potable water to the buildings via the Clifton Park Water Authority (CPWA). The applicant shall provide the Town documentation indicating the CPWA's ability and willingness to provide potable water to the project. Any approvals offered by the Planning Board should be conditioned on receipt of CPWA’s review and approval.
5. The project proposes to provide sanitary sewer service to the buildings via the Saratoga County Sewer District No. 1 (SCSD). The applicant shall provide the Town documentation indicating SCSD’s ability and willingness to provide sewer capacity to the project. Any approvals offered by the Planning Board should be conditioned on receipt of SCSD’s review and approval.
6. Provide anticipated water and sewer usage information.
7. The plan should show all existing utilities and current building connections. Indicate any proposed relocations due to the project.
8. Show the appropriate handicap parking signage on Sheet 1 of 4.
9. Recommend moving hydrant outside of sidewalk near southeast side of building.
10. The parallel parking along Plank Road are shown as 8’ x 20’. The minimum dimensions should be 8’ x 24’ as shown in Figure 7.3 of the Town Zoning.

11. Show where snow storage is being provided within the project site.
12. If an additional garbage refuse area is required, show its location on the plan.
13. Subsequent plans shall provide additional information to demonstrate conformance with 208-26(3) of the Town Zoning with respect to parking lot landscaping.
14. Subsequent plans shall provide additional information to demonstrate conformance with 208-26(6) of the Town Zoning with respect to site lighting.
15. 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 current plans indicate two bike racks to accommodate two bikes each. Consider additional based on size of project.
16. During detailed design, confirm that the proposed fire department connection will be within 100-feet of a hydrant (existing or proposed) pursuant to Section 912.2 of the IFC.
17. Provide hatching of accessible aisle adjacent to parking spaces west of 634 Plank Road.
18. Provide pedestrian crosswalk connecting sidewalk south of 632 Plank to proposed sidewalk to Northside LLC.
19. At the entrance at Plank Road ensure that there will be appropriate accessible ramps and crosswalks at the existing multi-use path crossings.
20. Accessible parking spaces and access aisles shall be level with surface slopes not exceeding 1:50 (2%) in all directions pursuant to Section 4.6.6 of the ADA 2010 Standards. Provide spot elevations at these locations to confirm conformance.
21. Consider the installation of stop signs at critical on-site intersections.
22. Provide inverts on utility plan.
23. The proposed fire apparatus / aerial apparatus access road proposed along the west side of the apartments shall be reviewed by the responding agencies. The east side which parallels Plank Road would not be considered to have aerial access due to the overhead utilities being present and horizontal distance between the building face and edge of pavement.
24. Indicate on the plans how building roof drainage is being conveyed to the site stormwater management systems.

25. Provide a work zone traffic control plan associated with work within the Clifton Park Center Road right-of-way.
26. Provide ADA ramps at all sidewalk crosswalks.
27. Provide the appropriate water details on plans.
28. If any stockpile areas are proposed, they should be shown on the plans.
29. The project is proposing porous asphalt. It is suggested the detailing and associated specifications be expanded to include the following:
 - a. Use of both a top and binder course conforming to the current NYSDOT specifications for Fiber F3 and F9, respectively (420.50030110 - Top Course Porous Asphalt Pavement with Fiber F3 and 420.70090110 - Binder Course Porous Asphalt Pavement F9).
 - b. Since the proposed porous pavement will be installed with a slope, will impermeable barriers be utilized to ensure the system functions as anticipated.
 - c. Show porous pavement underdrain, discharge and cleanout locations on plans.
 - d. Use of a stabilization course Type 2 stone below the reservoir stone.
 - e. Specify exact thickness of reservoir layer.
 - f. Construction guidelines should be provided on the plans for porous pavement as shown in Section 5.3 of the NYSSMDM.
 - g. Bottom of practice should be in native soils and not in fill sections.
 - h. Defining plant inspection requirements for washing of the aggregate stone.
 - i. Qualifications of the installing contractor and/or inspection by qualified individuals.

Stormwater Management Report

37. The Soils section of the report shall be updated with the site-specific soil investigation required by Section 5.3.11 and Appendix D of the NYSSMDM for the proposed porous pavement practices.
38. The Stormwater Management Plan section of the report shall include the results of the in-situ infiltration rates. The design rates shall apply a factor of safety of 2 to account for long term degradation of the soils and their ability to infiltrate runoff.
39. Provide an analysis of all segments of storm sewer pipe to show that the 10-year, 24-hour design storm freely discharges without backwater conditions occurring pursuant to 86-7(A)(1)(a) of the Town Code. The analysis shall also account for the design requirements outlined in Section 86-7(A)(2) of the Town Code.
40. The design utilizes an infiltration rate of 4 in/hr without any soil testing performed. These calculations will need to be confirmed based upon in-situ soil testing. For modeling and design a factor of safety of 2 shall be utilized.

41. The HydroCAD model indicates the 100-year peak elevation exceeds the top of the porous pavement at grade. This should be reviewed.

Stormwater Pollution Prevention Plan

42. Please provide for review.

Public Comments:

No public comments.

Planning Board Review:

Mr. Ferraro stated that there was a communication from the Clifton Park Water Authority (CPWA). Mr. Ferraro read a letter from Don Austin that stated that the CPWA has concerns with the placement of the sidewalks over or near to the water mains. The CPWA will require documentation that the applicant will accept any future responsibility if in the event the sidewalk needs to be repaired or replaced, and in the event the CPWA needs access to the water main.

Mr. Andarawis asked the applicant to clarify the max building height, per code it is 3 stories but with a parking incentive it can be 4 stories. Mr. Hitchcock stated that 24 spaces are proposed on the west end of the property that will be underneath the second floor, with the second floor overhanging on the parking area. Mr. Andarawis asked if 24 spaces are sufficient for the structure. Mr. Hitchcock stated that the renderings help show that and asked Mr. Scavo to display the image via video conference screen sharing to show Board Members and participants. Mr. Hitchcock indicated on the map the overhang location. Mr. Ferraro asked how that relates to parking not in the overhang area. Mr. Hitchcock stated that the 24 parking spots are completely under the overhang, the dashed line indicates where the overhang comes out to and is displayed in a two dimension format assuming one could see through the top of the proposed building into the first floor.

Mr. Neubauer asked about the 24 spots under the overhang and the comments from the ECC about making an exception for the 4 stories as previously mentioned in exchange a public concession such as the for the parking and overhang. Mr. Hitchcock stated this is true and that the parking would be used for residence primarily and most likely would be used by the residence, but if spaces are free, commercial/office tenants would be able to also utilize the spaces.

Mr. Ferraro asked Mr. Neubauer about some possible feedback on the architectural design. Mr. Neubauer stated that there was a previous meeting that encouraged the communication with him and the architecture, this is ongoing. Mr. Neubauer stated that some examples of the feedback provided to date are about window renderings, site development in keeping to both state and local codes, and the corner placement of the buildings, as there is room for another road being put in and the building would then be considered a corner building. Mr. Neubauer asked if the first floor retail/commercial space could be flipped from the northeast corner to the southeast corner to make the building to code for a corner placement, the architect did respond; Mr. Neubauer stated that the architect stated that the applicant is open to the idea and helps with the look of the building from the street view. Mr. Neubauer stated that one side of the building is blank, whereas the other has a stairwell and the placement and the stairwell should be looked at for frontage. Mr. Neubauer stated that most of these things can be addressed. Mr. Ferraro stated he likes Mr. Neubauer's suggestions to rotate the placement of the retail space on the first floor, but then code needs to be followed from there.

Mr. Ferraro stated he has concerns about the lack of front entrances from Plank Road, and he would like to continue to have the applicant explore avenues to better meet the Form Based Zoning Requirements. He feels the objective is to keep direct access from the sidewalk to the building, as shown in the original plan, and this new plan does not.

Mr. Ophardt asked why the applicant did not keep all commercial space on the first floor. Mr. Hitchcock stated that this is what the applicant wanted, but he can ask the applicant and get back to the Board. Mr. Ophardt then asked why is there a need for a 4 story building and how will this impact lighting, sound, and the look of the site, because as the property is standing now there are only 30 feet separating the buildings that are currently 2 stories, the separation is close and the building sizes are so different. He feels this will not look appealing. Mr. Neubauer stated that the building will shadow over the smaller one, but he believes that the applicant may be looking to remove the older 2 story buildings at some point, and that this is most likely a phased approach to site redevelopment. Mr. Hitchcock stated that he agrees with Mr. Neubauer's opinion, but he feels that this plan brings a nicer frontage to Plank Road better meeting the goals of the form based code than the existing pre-existing non-conforming structures. Mr. Hitchcock stated he does not know the future plans of the applicant.

Mr. Scavo stated that the 2 story buildings are structurally sound at this point, even though they are dated; he also stated that the separation is the greatest separation that can be achieved to keep within code setback boundaries and provide for all the street amenities required. Mr. Scavo stated that the applicant could explore an option to allow for each of the two first floor units to share a common entrance fronting Plank Road. The common entrance leads to a common foyer/mudroom with stairs on either side leading up to each entrance.

Mr. Ferraro stated that he believes that entrance should uphold the TC5 Zoning code, and feels that this new design is not favorable to him. Mr. Andarawis stated that he agrees with Mr. Ferraro and that more retail space is needed to give people a place to go besides a connection to Shoppers World.

Mr. Ophardt stated that he believes that the numbers of hotels would be a great draw to retail spots that could be utilized in this area.

Ms. Bagramian asked what type of retail would be in the base of the building and would it be an amenity for the building or community based. Mr. Hitchcock stated that it would be a coffee shop.

Mr. Ferraro asked if the applicant has done a commercial marketing study to find out what would be a good commercial fit for the area. Ms. Jackie Murray (applicant) explained that this application is to supplement the retail zone of Shoppers World, and vacancies have always been present within the existing Shoppers World Plaza. She asked the Board to take into consideration the vacancies of Shoppers World and be hopeful that with the residential proposal, this would bring more retail to that area. Ms. Murray stated that all concerns will be addressed at the next meeting and in writing to keep this proposal moving forward.

Mr. Andarawis asked if the needs of parking will be met with the 24 parking. Mr. Hitchcock stated he will verify and get back to the Board.

Mr. Ophardt stated that he feels that the porous pavement seems to be a lot, he would like to make sure that maintenance of this is understood and that Mr. Myers' comment regarding the weight for emergency vehicles are met with this. Mr. Hitchcock stated that they have used this in the past such as in Village Plaza and can provide proof of efficiency to handle heavy vehicles. Mr. Scavo stated that he had attended a meeting recently looking at that very issue and there is a DOT standard now provided that appears to accommodate heavy vehicles. Mr. Hitchcock stated that maintenance is always a concern, but stormwater management is to try not to have any additional runoff into the current basin. He noted all stormwater issues will be addressed in the next submittal.

Mr. Ferraro asked if the applicant would have any rain gardens on the site. Mr. Hitchcock stated no. Mr. Ferraro stated this would be a good idea for a strategy to incorporate in the stormwater management plan. Mr. Ophardt asked if the applicant would be showing any plantings in relation to parking, and tree placement for the stormwater management. Mr. Hitchcock stated that he will go over this with his stormwater tech and the applicant and submit it to the Board.

Mr. Ferraro asked Mr. Hitchcock about an indication to relocate a maple tree; Mr. Ferraro would like Mr. Hitchcock to identify the status of the current 8/9 maple trees that line the front of Plank

Road. Mr. Hitchcock stated he can overlay the plan to the existing maple trees to see which can be relocated and which would need to be replaced to make room for the 8 foot pedestrian path.

Mr. Ferraro asked why the determination was made to have an 8 ft. path instead of a 4 or 5 ft. sidewalk, as this may save some of the existing foliage. Mr. Scavo stated that the 8 ft. was shown on the plan but the Board is able to work with the applicant to deviate from the original plan if that is what the Board would like to save plantings. Mr. Scavo stated that there is an existing 8ft path that would eventually tie into this path so looking into this on either side of this proposal would be up to the Board.

Old Business:

2020-002 DeForest Horse Barn

Applicant proposes to construct a 60'x160' (9,600 sf) Horse Barn and a 80'x200' (16,000 sf) indoor riding stable on a lot located at 753 Grooms Road. The existing lot consists of grass fields, wetlands and a cellular communications tower. Also, the lot has been previously approved for a 10,344.360 kW DC STC Rated Solar array, 753/765 (solar) Grooms Rd, Zoned: R-1, Status: PB Prelim Review - Poss. Determination

SBL: 276.-2-30.1

To be reviewed by: MJE Consultant: ABD Applicant: DeForest **Last Seen on: 2-25-20**

Consultant/Applicant Presentation:

John Hitchcock – ABD - Mr. Hitchcock stated that changes to the plan have been made based on the Board's feedback. He stated that the wells have been relocated to the southeast end of the barn, and is now 110ft. away from it and may possibly be moved further away. Mr. Hitchcock stated that that the paddock area is defined on the map and is 3.7 acres, and a note added to the plan was made to notate that it cannot be in the vicinity of the septic absorption field. Mr. Hitchcock stated that the manure management plan has been attached as well. The applicant is looking for approval tonight.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 3/18/20 stating:

- The NYSDOS has confirmed the horse barn is agricultural exempt. According to the NYSDOS the riding stable is not exempt and therefore must meet the requirements of the NYSBC. I have been informed by the applicant they will be pursuing a variance from the

NYSDOS. Further considerations for building separation, handicapped accessibility and other requirements will be completed prior to issuance of a building permit for the stable.

Sheryl Reed, Chief of the Bureau of Fire Prevention:

1. Clarify the use of the Indoor Riding Stable. Based on NYSDOS the riding stable is not exempt from the IBC and is required to meet the requires of the code

Scott Reese, Stormwater Management Technician issued a memo dated 3/20/20 with the following comments:

1. Per the Town's Designated Engineer March 20th review letter, it appears that this project is not considered an agricultural exempt use. Therefore, if the project is disturbing more than one acre, a Full SWPPP will be required for review and acceptance.

The Environmental Conservation Commission held a meeting on 3/17/20 and issued a memo recommending:

1. Due to the of horse manure in an onsite dumpster and the potential for leaking during wet weather, the ECC recommends the applicant enclose the area (i.e. roof) on an impervious surface with a berm surrounding the dumpster that will store the excrement.

John Scavo, Director of Planning issued a letter dated 3/9/20 with recommendations he made:

1. The applicant has met with Town Planning and Building Department Staff to address outstanding technical comments previously raised by each.

Mr. Scavo stated that there has been contact with Borrego Solar, and buffering mitigation is being initiated to address concerns brought up at the prior meeting.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 3/20/20 had the following comments:

State Environmental Quality Review

1. No further comments.

Site Plans

2. The project indicates that more than one acre of land will be disturbance. As such, a stormwater pollution prevention plan (SWPPP) addressing water quality, quantity and green infrastructure is required. Even though the applicant is seeking an agricultural building definition under the Department of State, each regulatory agency defines an agricultural building differently. According to NYSDEC's definition this project is not classified as an agricultural building, therefore a full SWPPP is required.

3. Regarding the barn structure, NYSDOH Part 5, Subpart 5-1 Standards for Water Wells – Appendix 5B, Table 1 also includes “Barnyard, silo, barn gutters and animal pens” that may apply in this situation. The minimum standard distance is 100 ft. to the well. Footnote 1 requires 50% increased separation distance if water enters the well at less than 50 ft. below grade. This note should be added to plans as well location may need to be revised when depth of well is determined.
4. Once the applicant receives a determination from the Department of State on the classification, if it is determined that the building will be considered an agricultural building, accessibility and fire code do not apply.
5. Consider bollards or some type of protection around the proposed well due to its close proximity to the driveway.
6. Verify that two proposed tree plantings will be installed outside the NYSDEC 100’ Buffer and LC zone.

Public Comments:

No public comments.

Planning Board Review:

Mr. Szczesny asked what the ruling on the variance for the barn was and what entailed the decision making. Mr. Scavo stated that the barn has been deemed exempt by agriculture/market law and the applicant can move forward, however there is size limitation but this application is well below the limit. Mr. Scavo also stated that the in-door riding area is not exempt per Department of State (DOS), it does support farming and agriculture but the building is not exempt from NYS Building Code Requirements. The applicant has the right to ask for a state waiver from DOS; which they are doing; but in this case Mr. Myers will not be issuing a building permit for the riding arena until after the variance is proven or compliance with NYS Building & Fire Code Requirements are met.

Ms. Bagramian asked if the barn will be open to the public. Mr. Scavo stated that it will be but it falls under the agriculture laws which mean that it is still permit-able for a portion of the barn to be rented.

Mr. Andarawis asked if there would be a full SWPPP required for this application if approval is given. Mr. Scavo stated that the stormwater management team’s concerns need to be satisfied, and if not a full SWPPP is to be done, or an appeal can be made from the applicant to NYS Ag.

& Markets. Mr. Scavo noted there are conflicts within the Ag & Markets Law as it relates to the NYS DEC Stormwater Regulations.

Mr. Ophardt asked that if the variance for the riding arena would be denied by DOS, what it would mean for the plans. Mr. Hitchcock stated that if the plan would be denied the application for the arena would have to be smaller. Mr. Scavo stated that if the Board chooses, and if the footprint is smaller than the proposal approved the mitigation for the arena can be handled administratively.

Mr. Ferraro stated that there has been talk about a 15 ft. easement on Grooms Road but it is not identified on the plans show today to the Board. Mr. Hitchcock stated that it can be put on the final plans to be stamped by the town.

Mr. Szczesny moved, second by Ms. Bagramian, to establish the Planning Board as Lead Agency for this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. Andarawis moved, second by Mr. Ophardt, to waive the final hearing for this application for the site plan review of the DeForest Horse Barn, 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 listened in the final comment letter issued by the Planning Department.

Ayes: 6 Noes: 0 The motion is carried.

Conditions:

1. A written memo for a manure management plan must be submitted with the final plans.
2. Well locations must meet all local and state standards and requirements.
3. A full SWPPP, if determined to be required, shall be reviewed and approved by Steve Myers and Scott Reese, and that if no SWPPP is required the stormwater requirements are met to satisfaction.
4. There needs to be reconciliation of all outstanding technical issues that have been brought to the applicant's attention.

5. If any changes occur due to appeal to the NYSDOS, and the footprint is the same or smaller than the approved final site plan, changes to the plan can be approved administratively.

New Business:

2020-016 Rexford Square Self Storage

Applicant proposes to build multiple Self-Storage structures with associated parking, turn around and stormwater, 8 Daggett Dr, Zoned: HM, Status: PB Concept Review

SBL: 269.-3-2.24

To be reviewed by: MJE Consultant: Empire Eng. Applicant: Guidarelli

Consultant/Applicant Presentation:

Christopher Longo – Empire Engineering – Mr. Longo stated that this proposal is for self-storage for the rear of the Daggett Drive properties know as Rexford Square. There are two current buildings on Daggett Drive currently. Mr. Longo stated that there is 6.5 acres of land and the allowable use for commercial storage is 25,880 sq. /ft. He stated that the proposal is for four structures proposed to have a green colored roof so it is consistent from an aerial view. Mr. Longo stated that there will be 152 units in the self-storage facility. Parking requirements are met by providing 13 spaces and the ability to add additional if needed at a later date. There will be a gravel parking area behind the buildings for boat or RV storage. Mr. Longo stated green space requirement is 25% and that this proposal even with the gravel parking would be 63% green space, and there is a fire lane in the rear of the parcel. Mr. Longo stated that there will be no office on site, everything will be done remotely, and therefore no water or sewer will be needed. A full SWPPP will be provided, and there is a fire hydrant available for the property. Mr. Longo stated that wetlands have been identified in 2017 and that delineation is still valid. He stated that there will be security fencing around the perimeter of the property; the fencing will be stockade type beige PVC fencing. Mr. Longo stated that the storage facility needs to look residential, therefore with the development being in the rear of the property, the front and entrance of the property will look as close to this as possible. He stated that more evergreens can be added if the Board sees the need and the project will portray earth tones as to blend into the backdrop as much as possible. The front pillars would match the stone pillars and existing signage for the property.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 3/18/20 stating:

- Self-storage facilities that appear residential are an allowed use
- property lines should be more clearly identified
- Parcel is a keyhole lot with access from Dagget Drive

Sheryl Reed, Chief of the Bureau of Fire Prevention:

1. Specify the location of all existing and new fire hydrants
2. Postal Verification
3. Provide a “Knox Box” for the gate and storage buildings
4. There appears to be a conflict between the proposed project and the wetlands delineated on March 3, 2017. The pavements and/or buildings appear to be over the wetlands. This needs to be clearly clarified.

Scott Reese, Stormwater Management Technician issued a memo dated 3/20/20 with the following comments:

1. The project is noted to disturb 4.4 acres for a commercial site. A Full SWPPP will be required to be submitted in future submittals.

The Environmental Conservation Commission held a meeting on 3/17/20 and issued a memo recommending:

1. The limits of (the LC Zone and 100-foot buffer zone, DEC Wetlands, Federal Jurisdictional Wetlands) shall be identified (i.e., clearly labeled) on the plot plan.
2. Per Town Code 208-43.2 self-storage facilities are a permitted use provided that they appear residential in character. The applicant shall provide a elevations that demonstrate residential character of proposed structures.
- 3.

John Scavo, Director of Planning issued a letter dated 3/9/20 with recommendations he made:

1. A referral to the Saratoga Co. Planning Board for a recommendation on the Preliminary Site Plan will be made in accordance with GML §239m.
2. As noted by the applicant in Part I of the SEAF - a SHPO letter of "No Effect" was issued for the project site dated April 5, 2017.
3. The project appears to be an unlisted action pursuant to SEQR.
4. The application does not appear to reflect an on-site rental/leasing office for the storage space. The applicant should confirm if this assumption is correct.
5. The concept site plan project information table appears to demonstrate compliance with all bulk, setback and parking requirements for the use within the HM Zoning District.
6. As plans progress, the applicant should show any proposed exterior lighting to include any wall mounted lighting units. If lighting is proposed by the gated entrance flanked by masonry columns, such lighting fixtures should appear

residential in character.

7. It appears there will be existing mature vegetation that will remain on Lot #1 (2 Daggett Drive), which will provide screening from the public ROW on Route 146. The 6' Stockade Fence will provide additional screening behind the vegetative cover during off leaf conditions.

Mr. Ferraro stated that comment 1 came back as having no county wide or intercommunity impact.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 3/20/20 had the following comments:

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. Town of Clifton Park Planning Board: site plan approval
 - b. Saratoga County Planning: 239m referral
 - c. NYS Department of Environmental Conservation: permit coverage under stormwater SPDES
 - d. NY State Historic Preservation Office: correspondence with SHPO to ensure no archeologically sensitive resources on project site.

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

Short Environmental Assessment Form

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:

2. Part I.3b – The response indicates that the project will physically disturb 4.4 acres of land. As such a Stormwater Pollution Prevention Plan (SWPPP) will be required.
3. Part I.12a – The SEAF submitted by the applicant indicates that the site contains no structures on either the state or National Register of Historic Places. This response is inconsistent with a review of the DEC Environmental Assessment Form (EAF) Mapper, located at www.dec.ny.gov/eafmapper/. The applicant should change the response in the SEAF and provide confirmation from the NYS Office of Parks, Recreation and Historic Preservation that the project site does not contain any listed structures.
4. Part I.12b – The SEAF indicates that the project site is located in or adjacent to an area designated as sensitive for archeological sites on the NY State Historic Preservation Office (SHPO) archeological site inventory. The applicant indicates that a "Letter of No

Effect, dated 4/5/17 has been obtained. Please provide the “No Effect Letter” with the next submission for documentation.

5. Part I.13a – The response indicates that a portion of the site or lands adjoining the site of the proposed action, contains wetlands or other waterbodies regulated by a federal, state or local agency. In future submissions the applicant will need to provide documentation to confirm the presence or absence of state or federally regulated wetlands on or adjacent to the project site. The applicant should also include a 100’ wetland buffer on future site plan submissions.
6. No further comments at this time. Additional comments may be forthcoming as the project advances.

Site Plans

7. The project is located within the Town’s Hamlet Mixed Use (HM) zoning district. The proposal for a self storage facility is a permitted use within the HM District as noted in Section 208-43.2 of the Town’s Zoning, however it must appear residential in character.
8. Based upon a review of the lot configuration, it appears the minimum bulk lot requirements as identified in Section 208-43.3 of the Town’s Zoning are satisfied.
9. The plan indicates wetlands were delineated in 2017. Provide documentation from ACOE that the delineation is still valid and has not expired. Confirm Wetland B identified during the Subdivision review is still considered isolated and disturbance will not require a permit.
10. The project will disturb more than 1-acre of land. As such, it will be subject to the NYSDEC Phase II Stormwater Regulations and General Permit GP-0-20-001. Therefore, a full SWPPP will be required that addressed water quantity and quality controls. As the project proceeds through the Town’s regulatory review process, a fully conforming SWPPP shall be provided for review.
11. Show the location of and provide a detail for any exterior refuse areas.
12. The current plan does not indicate an office space/building. Please confirm one is not required. If one is, will water and sewer connections be provided.
13. Additional landscaping buffers may be considered at the e north and south property lines where the pavement is in close proximity.
14. 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.
15. 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.
16. Subsequent plans should include architectural elevations of the building with a listing of the materials of construction for review by the Planning Board.
17. 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.

Public Comments:

No public comments.

Planning Board Review:

Mr. Neubauer stated that he would be ok with this proposal as long as the look was residential, but feels this does not fit the Hamlet Mixed Use now. Mr. Andarawis stated that he feels that the applicant does do a good job of hiding the proposed use but it still does not fit in the HMU zoning that requires buildings to look residential in character. Ms. Bagramian stated that she too feels the same as Mr. Neubauer; the proposal does a good job of hiding the structures but looks boxy behind the buffering.

Mr. Ferraro stated that he does have the same outlook as the other board members, but also acknowledged that this is a permitted use for the zoning of HMU and that the zoning codes need to be followed. Mr. Ferraro also stated that visual buffering with plantings of any type needs to be on the applicants property and that the applicant cannot use adjacent property features. Mr. Ferraro also stated he would like to see a more active use for the site instead of a self-storage facility.

Mr. Ophardt asked if vehicles are permitted to be stored in this zoning area, as the proposal is for a gravel ground. He has concerns about gas and/or oil runoff and the environmental impact of this for the area including wetlands. He also questioned what the NYS long term parking standards are, and how many vehicles would be able to be stored there. Mr. Longo stated that the storage would be for boats and RVs, and he stated that the run off would be compliant for water collection and storage codes. Mr. Scavo stated that MJ and Mr. Myers would be in charge of seeing that the stormwater is within compliance.

Mr. Scavo showed a view from exit 10 storage which has the same architectural requirements as this proposal and has boat and RV storage. He noted the look of the street view, the fencing, and lighting.

Mr. Beach stated that the exit 10 storage has pitched roofing whereas this proposal does not. Mr. Beach stated he likes this better. Mr. Beach asked why gravel has been proposed for the parking area instead of pavement. Mr. Longo stated that it was to decrease the amount of pavement on the site and since it is a long term parking area it would not be driven over or plowed regularly.

Mr. Anthony Guidarelli – applicant/owner – stated that he would take into consideration the look and layout of the exit 10 storage, if that is what the Board would like to see. He stated that he appreciates the Boards feedback on roofing and will look into pitching the roof visible from the

roadway. Mr. Guidarelli stated that he is only looking for a few boats or RVs to store on the property, not to fill it up with cars.

Mr. Beach asked the applicant if he would be open to eliminating some of the parking nearest to the wetland. Mr. Guidarelli stated that the parking can be moved further away from the wetlands, but some of that area is needed for management of snow plowing in the winter.

Mr. Neubauer stated that an approval for another project adjacent to this one was just done and a lot of review for architecture was done. He feels that the fencing proposed will not fit into the rest of the area, nor will the opaque garage doors. Mr. Neubauer stated that a gable roof would be more appealing as well. Mr. Neubauer stated that modeling after the exit 10 storage is a good place to start with this proposal. Mr. Ferraro seconds the idea.

Mr. Lippmann stated that to scale, the outdoor storage parking is 34,000 sq. /ft. of gravel space that would be for vehicles. Mr. Ferraro stated that the applicant stated that they could reduce the size of this to take into account the impact concerns of the Board.

Mr. Longo asked about the building layouts and a pitched roof look. He stated that the first building is parallel to the road so the pitched roof would be seen there but as for the other buildings, he is not sure how much of the rest of the architecture will have to change. But any more input in the front building is welcome. Mr. Andarawis stated that a dormers for the first building would make it look more residential.

Mr. Guidarelli asked Mr. Neubauer what he would like to see from an architectural standpoint. He would like to know what the Board would like to see as they would like to keep this property as a self-storage proposal. Does the Board think this is possible? Mr. Neubauer stated that he thinks a reverse gable may be more appealing to the first building parallel to the main road. He also stated that he feels that all the buildings should have the pitched roofs, and possibly putting internal access to the self-storage. Mr. Ophardt asked about a possible single larger building with a more esthetic look, and this being a possibility. Mr. Longo stated that the ones proposed has storage on both sides of the building, but if the rear of the left building, building 4, not have doors to look better and then add more to the rear buildings would be a possibility. Mr. Ophardt stated that flat brick façade should face the roadway and if the possibility of keeping the back 2 buildings a flat roof.

Mr. Guidarelli stated that if the plans change to having the 2 front easterly part buildings look like the buildings around them and give a residential feel, picking up the roof lines and sloping them, and giving the buildings a softer feel, adding gable residential features from the curb side then the rear two buildings can be left, this would be a good direction. The two back buildings are not as important. He also stated that the stockade fencing may be able to be replaced by a picket fence. Mr. Ophardt and Mr. Beach stated that that proposal sounds fair to them,

Mr. Neubauer also suggested that the first building not have overhead doors, he is ok with dressing up building 1 and 4, but would like to see all pitched roofs, but renderings would be beneficial. Mr. Neubauer asked about elevations. Mr. Guidarelli stated that elevation would be about 3 feet and the land to be developed out be leveled.

Mr. Ferraro stated that overall he would like to see a decrease in storage parking. He stated he would also like to see what type of inspections or oversight would be needed for the parking storage. Mr. Ferraro also would like to see what the winter time storage would look like from the road front as in the winter there would be less foliage to buffer.

New Business:

2020-017 Ford-Ryan 2 Family SUP

Applicant requests approval of an SUP for an existing 2 family residence, walk out basement apartment, 484 Waite Rd, Zoned: CS, Status: PB Concept Review

SBL: 270.19-3-11

To be reviewed by: n/a Consultant: none Applicant: Ford/Ryan

Consultant/Applicant Presentation:

Mr. Scavo stated that the applicant is not present in the virtual meeting. He stated that this SUP would need a public hearing to finalize. Mr. Scavo stated that when talking with the applicant they stated that the property was purchased with a second kitchen. It was only afterward it was brought to the families attention this was not legal. Mr. Scavo stated that related family members live in this home, a family in the main portion of the home and their sister-in-law in the smaller portion of the home. He stated they would like to keep the living arrangements but will need a building permit, an architect, and other professionals to make sure that everything is up to code for the in-law apartment.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 3/18/20 stating:

- Completed two family residence requesting approval. Unknown if code compliant.

Sheryl Reed, Chief of the Bureau of Fire Prevention:

1. No comments

Scott Reese, Stormwater Management Technician issued a memo dated 3/20/20 with the following comments:

1. No stormwater comments.

The Environmental Conservation Commission held a meeting on 3/17/20 and issued a memo recommending:

1. In order to evaluate this project, the ECC requests that the applicant provide drawings which conform to the planning department size requirements and provide sufficient project statistics and descriptive narrative.
2. If this project is located in the Conservation Residential Zone, Town Code requires 3 acres of land per equivalent dwelling unit. By converting this residence to a threefamily home, 9 acres of unconstrained land are required. Approval of this project would be the equivalent of granting a variance to a pre-existing non-conforming use. The proposed use is not in harmony with and does not promote the general purposes and intent of the comprehensive plan.
3. The applicant should validate the availability of adequate and proper public facilities for water which is required for a Special Use Permit.

John Scavo, Director of Planning issued a letter dated 3/9/20 with recommendations he made:

1. The project appears to be a Type II Action pursuant to NYCRR §617.5(11):
Construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (13) of this subdivision and the installation, maintenance or upgrade of a drinking water well or a septic system or both, and conveyances of land in connection therewith.
2. The project meets the criteria prescribed by the Town Code for an In-Law Apartment:
Any room or suite of rooms comprising one complete housekeeping unit with its own cooking and its own bathing and toilet facilities wholly within the subroom, or suite of rooms, occupied by an in-law or family member(s) constituting a kinship of first degree, second degree, or third degree of the residing owners of the principal dwelling unit.
3. A public hearing must be conducted after documentation has been submitted to Planning Staff demonstrating the 500' neighbor notification requirement has been met by the applicant.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 3/20/20 had the following comments:

No comments

Public Comments:

No public comments.

Planning Board Review:

Mr. Ferraro asked if there would be any external changes to the property. Mr. Scavo stated that there would not be as the space already exists, the applicant purchased the home with the in-law apartment already in place and it was discovered it was not in code when an inspection for a different project was done.

Mr. Ferraro stated that the Google view shows an unpaved pathway to the home and asked if it would be paved. Mr. Scavo stated he was unsure of this but would ask the applicant.

Mr. Ferraro asked if the zoning was Cluster Subdivision (CS). Mr. Scavo stated that it is a CS zone but refers to the property regulated by the R-1 Standards. Mr. Ferraro stated that the CS zoning has special regulations and this use may not fit. He asked if it was an acceptable use based on the approval as a cluster subdivision. Mr. Scavo stated that he feels it does not seem to interfere with zoning but he will have Mr. Myers look into this.

Mr. Ferraro asked that if this is approved as an in-law apartment and not a 2 family, when it is sold would it revert back to a single family home and how is this regulated. Mr. Scavo stated that generally a zoning compliance letter is collected by the mortgage company, and there is a Full Disclosure Law that requires sellers to disclose all known general information regarding the property to buyers.

Mr. Ferraro stated that he has concerns with the dirt pathway. Mr. Scavo stated he would address this with the applicant.

New Business:

2020-018 Woodin Road 6 Lot Subdivision

Applicant proposes to subdivide the 8.97 acre parcel into 6 single family building lots. There are 2.35 acres of Federal wetlands on-site which the applicant proposes to disturb less than 1/10th of an acre for construction of driveways. Water will be private well systems. Sanitary Sewer will be serviced by Colonial Green via a low pressure force main system. This is a new version of

project 2017-059 Woodin Manor, Woodin Rd, Zoned: R-1, Status: PB Concept Review

SBL: 278.-1-7

To be reviewed by: MJE Consultant: ABD Applicant: Eugene Kim

Consultant/Applicant Presentation:

John Hitchcock – ABD – Mr. Hitchcock stated that this proposal is on an 8.97 vacant residential lot that is wooded. He stated that there are 2.35 acres of wetland on the property. There are all private drives and private wells with low pressure sewer service with grinder pumps. Mr. Hitchcock stated that all the lots meet requirements, and the no cut lines are indicated on the map presented. He also stated that there will be less than 0.1 acres of wetland disturbance to put coverts under the driveways. Lots 1, 4, 5, and 6 have wetlands on them.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 3/18/20 stating:

- Single family homes in the R-1 district are an allowed use.
- This proposal was presented previously but never completed
- The amount of unconstrained land per lot needs to be determined
- Wetland permits for several of the driveways will be required
- Proof of the connection to the sewer in the Town of Halfmoon is required
- Sewer jurisdiction (town, county) needs to be determined in both towns
- Water is available on Woodin Road. Proposal shows wells on parcels. Public water should be required. 30,000 sf minimum area required without public water
- A full SWPPP will be required

Sheryl Reed, Chief of the Bureau of Fire Prevention:

1. Postal Verification
2. Specify that the driveway length shall meet all of the requirements of Section 511 2017 New York State Supplement International Residential Code.

Scott Reese, Stormwater Management Technician issued a memo dated 3/20/20 with the following comments:

1. The note on sheet 2 of 4 “Actual Driveway and house design and locations will vary based upon individual owners desires. Design and locations of driveway and house shall be adjusted as needed by a design professional.” Should include if locations of driveway are moved then modified ACOE Permits may be required. It should also include that the total disturbance of the project construction shall remain under 5 acres unless a FULL SWPPP is submitted and approved.

2. This single-family residential subdivision is noted to disturb 3.05 acres. A Basic SWPPP will be required to be submitted in future submittals.

The Environmental Conservation Commission held a meeting on 3/17/20 and issued a memo recommending:

1. Due to the environmental constraints within the project site, the ECC recommends the applicant explore the consolidation of driveways to minimize wetland impacts and meet minimum lot width requirements.
2. The ECC requests the applicant provide a current jurisdictional determination from both Army Corps of Engineers and NYS DEC.
3. The ECC is concerned with the proximity of the septic field to the wetland on lots #1 & #6.

John Scavo, Director of Planning issued a letter dated 3/9/20 with recommendations he made:

1. A referral to the Saratoga Co. Planning Board is required at the time of Preliminary Plan Submittal by the applicant.
2. A copy of the application has been forwarded to the Town of Halfmoon for their comments as an adjacent interested agency pursuant to SEQR.
3. The proposed Subdivision is a Type I action pursuant to the NYS DOH Realty Subdivision definition. Therefore, coordinated review is required. The Clifton Park Planning Board should pass a motion declaring lead agency status for this application. Lead Agency Coordination Letters will be sent to the following involved agencies:
 - a. NYS Department of Health
 - b. NYS Department of Environmental Conservation
 - c. The Army Corps of Engineers
4. Since the project is adjacent to I-87 and a portion of the subdivision is encumbered by a NYS Scenic Enhancement Preservation Area of a No Cut/Clearing Zone, a copy of the application shall also be sent to NYS DOT for review and comments.
5. The applicant should determine if culverts are needed within the public ROW under the proposed driveway curb cuts. If needed, a note should be added to the plan that states, "Driveway Culverts are the repair and maintenance responsibility of each individual property owner located within this subdivision."
6. The plan notes a 10' easement is to be conveyed to Colonial Green. The applicant should clarify if the intent is to transfer the easement to the "Colonial Green Sewer Corporation."
7. A Jurisdiction Determination Letter must be provided by the applicant to verify the accuracy of the delineated wetlands. The plan should note by whom and when the wetlands were delineated.

8. Prior to stamping the final plan, the property owner must provide documentation that permit coverage for the ACOE wetlands disturbances has been obtained.

Mr. Ferraro stated that comment 1 came back as having no county wide or intercommunity impact.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 3/20/20 had the following comments:

State Environmental Quality Review

1. Based upon a review of the proposal, it is considered a realty subdivision under Environmental Conservation Law (ECL) Part 74. In accordance with 10 NYCRR Part 97 in the NYSDOH regulation implementing SEQRA (Article 8 of the ECL), Section 97.14(b)(2)(ii) requires that a realty subdivision be classified as a Type I action.
2. Assuming the Clifton Park Planning Board is to request Lead Agency status under SEQRA, a coordinated review is required for Type I actions. 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 location in proximity to I-87
 - b. NYS Dept of Environmental Conservation – permit coverage under stormwater SPDES
 - c. NYS Department of Health – realty subdivision approval
 - d. NYS Office of Parks, Recreation and Historic Preservation – identification of cultural or historic resources.
 - e. U.S. Army Corps of Engineers – potential permitting associated impacted to regulated waters

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

Long Environmental Assessment Form

3. Part D.1.b.b. – The response indicates that the project will physically disturb 3.05 acres of land. As such a Stormwater Pollution Prevention Plan (SWPPP) will be required.
4. Part D.2.b – The response indicates that the proposed action would cause or result in the alteration of, increase or decrease in size of, or encroachment into an existing federal

wetland. Coordination with the U.S. Army Corp of Engineers will be necessary for a wetland crossing permit.

5. Part D.2.b.iii – The response indicates that the proposed action will result in a disturbance to bottom sediments. Please provide a description of the disturbance.
6. Part D.2.e.iii – Please provide a response indicated where stormwater runoff will be directed.
7. Part D.2.m – The response indicates that the action will not produce noise that will exceed existing ambient noise levels during construction, operation or both. It is typical that, at a minimum, during construction, equipment will generate noise that may exceed base line ambient noise levels. Please confirm response is correct.
8. Part E.2.i, ii and iii – The project site contains federally regulated wetlands. Revise answer to reflect the presence of federally regulated wetlands.
9. Part E.2.1 – The response indicates that the site is located over a primary, principle or sole source aquifer. Any proposed stormwater management facilities need to consider the associated boundary conditions with sole source aquifers when placing such facilities.
10. Part E.2.o – The response indicates that the project site does not contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or areas identified as habitat for an endangered or threatened species. Please confirm the response provided includes a search of the USFW Ipac database to account for federally protected species.
11. Part E.3.b – No response is provided. Revise and provide a response.
12. Part E.3.f - The response indicates that the project site is located in or adjacent to an area designated as sensitive for archeological sites on the NY State Historic Preservation Office (SHPO) archeological site inventory. A “no effect” letter will be necessary and shall be provided to the Town.
13. No further comments at this time. Additional comments may be forthcoming as the project advances.

Site Plans

14. The project is located within the Town’s R-1 Residential Zoning District. The proposal for single family homes are permitted principal use pursuant to Section 208-10(B)(2) of the Town’s Zoning.

15. Based upon the review of the proposed lot layout all appear to meet the minimum bulk lot requirements of Section 208-11 of the Town's Zoning.
16. The applicant needs to contact the Town of Halfmoon and/or Town of Clifton Park Highway Department regarding the proposed driveway locations as there may be a desire for shared driveways. Prior to the Planning Board acting on this application, there should be correspondence received regarding this topic.
17. The subdivision as proposed meets the criteria of being classified as a realty subdivision (5 or more lots, lot size 5 or less acres). Therefore, the project will require NYSDOH Realty Subdivision approval. Any approvals offered by the Planning Board should be conditioned on receipt of NYSDOH's review and approval of the subdivision.
18. The project plans indicate a total of 3.05 acres. Since the project is a single family residential subdivision, in accordance with Appendix B of GP-0-20-001, a basic Stormwater Pollution Prevention Plan (SWPPP) shall be prepared for the project.
19. At a minimum a stormwater management report shall be provided to ensure that the development will not result in adverse impacts to adjacent properties or the existing drainage system along Woodin Road.
20. The project proposed on-site individual wells. There is both public water and public sewer located reasonably close to the parcel near its northeast corner. The applicant shall consider extending the water to service the site.
21. Should the application proceed with on-site individual wells, these components are subject to the review and approval by the NYSDOH. Any approval offered by the Town of Clifton Park shall be conditioned upon receipt of NYSDOH approval.
22. The project proposes impacts to regulated wetlands. As the project proceeds through the regulatory review, appropriate permitting from the authorities having jurisdiction shall be provided to the Town.
23. The proposed private driveway for lots 5 & 6 may require a turnoff or turnaround suitable for fire access. Additionally, due to the length of the driveway, the Town's responding emergency services may consider increasing the minimum road width for the driveway to provide improved access. Subsequent plans must show driveway configurations meeting the minimum requirements of the FCNYS as well as those requested by the Town's emergency responders.
24. Indicate size of proposed culverts under driveways.

25. The project proposes to service each new lot with public sewer from the Saratoga County Sewer District No. 1 (SCSD) via extending a new private forcemain main along Woodin Road. The applicant shall provide the Town documentation of the SCSD's ability and willingness to service the project with sanitary sewer service. Any action on the subdivision application should be conditioned upon receipt of plan approval from the SCSD.
26. Provide information on the plans to indicate how potential sump pump laterals may be positioned which shall be in conformance with Section 86-7(A)(6) of the Town Code.
27. Identify the date and by whom the wetlands shown were delineated. Verify if any wetlands are under the jurisdiction of the USACOE.
28. Show locations of the proposed construction entrances, concrete washout areas and silt fence.
29. Prior to approval or filing of the subdivision plat with the Saratoga County Clerk, the appropriate 911 emergency response numbers must be obtained for and assigned to each lot created and placed on the filed plat.
30. Considering this plan is conceptual in nature, subsequent comments will be provided with a preliminary plan submission.

Public Comments:

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche stated he likes that the applicant wants to hook up to public water and sewer, he would like to see some shared driveways such as lots 5 and 6. Mr. LaFleche stated that he would like to see lots 2 and 3 have pushed back setbacks to leave room for future road improvements and trails. Mr. LaFleche stated he would like to see if possible if Leslie Court would be able to be extended to accommodate the extension of this project and to have lots 5 and 6 have a shared driveway with loop access coming off of a possible extension of Leslie Court.

Planning Board Review:

Mr. Ophardt stated he has some concerns as well, and prefers consolidating the driveways to preserve the wetlands on the property.

Mr. Andarawis stated that he feels that disturbance over time could be damaging to the wetlands. He would like to see fewer cut cuts as well. He asked if the driveways were combined and widened for fire access, how much wetlands would be impacted. Mr. Hitchcock stated the

driveway is 14 ft. wide now and that neither of the driveways exceeds 500ft., the code is for driveways exceeding 500 ft. and that a note needs to be added to the plan indicating if the homeowner wants to reposition the homes, there are limitations on the driveway lengths. Mr. Lippmann stated that Mr. Myers should be consulted as at times he likes the driveways wider and this would impact the wetlands.

Mr. Beach asked about a potential for a cul de sac to create on curb cut and decrease the wetland disturbance, and this would possibly extend Leslie Court. Mr. Hitchcock stated that he can talk to the applicant about a potential cul de sac.

Mr. Ophardt asked why there are private wells and no public water proposed for this application. Mr. Hitchcock stated that there was a letter received from the Town of Halfmoon stating that they will not provide water and they are the only water able to provide for the application. Mr. Hitchcock stated that he can provide the Board with a copy of that letter.

Mr. Ferraro stated he would like to see the approval letter from the sewer provider stating they are willing to service the property, since in 2017 the sewer provider denied service for the application. Mr. Hitchcock stated he has had conversation with the sewer company and they are favorable to connect to this proposal, and he will provide documentation at the next meeting stating they are willing to provide services.

Mr. Ferraro stated that he has some concerns about the density being proposed and the number of proposed lots should be reduced. He stated he feels the lots are narrow and have constraints with the wetlands and the highway buffering, the proposed number of driveways, and the possibility of a potential cul de sac arrangements. Mr. Ferraro stated that the future owners need to be aware of the limitations of land clearing with the highway, and that they need to be aware of the noise generated from being in proximity of it and the protected wetlands. Ms. Bagramian stated she has similar concerns as Mr., Ferraro.

Mr. Ophardt asked what types of wetlands are on the proposed area. Mr. Hitchcock stated they are Federal wetlands, and there will be no disturbance of wetlands for grading, only for the driveways.

Discussion Items:

Mr. Scavo and Mr. Ferraro stated that for the immediate future the Planning Board will not be getting formal comments for the Trails Committee as Mr. Casper has resigned from the committee. Mr. Ferraro thanked Mr. Casper for the work he has done as a member of the Trails Committee. Mr. Scavo is hopeful that another member will step in and help with input for the proposals.

Mr. Scavo stated that he will be seeking guidance for holding Public Hearings. Mr. Morelli stated that it would be beneficial to get clarification on Public Hearings to allow the applicants to move forward with projects.

Mr. Szczesny moved adjournment of the meeting at 10:30 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on April 14th, 2020.

Respectfully submitted,

Paula Cooper

Paula Cooper, Secretary