

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

ROBERT WILCOX
Attorney

PAULA COOPER
Secretary



MEMBERS

Emad Andarawis
Eric Ophardt
Ram Lalukota
Andrew Neubauer
Denise Bagramian
Greg Szczesny

(alternate) Keith Martin

Planning Board Minutes
March 23rd, 2021

Those present at the March 23rd, 2021 Planning Board meeting were:

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

Those absent were: R. Lalukota

Those also present were: J. Scavo, Director of Planning
W. Lippmann, M J Engineering and Land Surveying, P.C.
R. Wilcox, Counsel
P. Cooper, Secretary

COVID-19 Note: Executive Order No. 202.1 suspends Article 7 of the Public Officers Law (also known as the Open Meetings Law), to the extent necessary to permit any public body to meet and take such actions authorized by law without allowing the public to be physically present at the meeting. The order also authorizes public bodies to meet remotely by conference call or similar service. For the Public Hearing Agenda Items during these unprecedented conditions, the Planning Board will provide the public reasonable and meaningful opportunities to submit comments via online videoconferencing technology during the meeting and in writing via email or mailed written comments.

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.

Mr. Ferraro stated that in the absence of Mr. Lalukota, Mr. Martin would be a voting member for tonight's meeting.

Minutes Approval:

Mr. Szczesny moved, seconded by Mr. Ophardt, approval of the minutes of the March 9th, 2021 Planning Board meeting as written. The motion was unanimously carried.

Public Hearings:

None

Old Business:

2020-023 Stewart's 923 Riverview Road Site Plan

Applicant proposes redevelopment of the existing shop with gasoline filling and car wash. The new store will be approximately 3,900 square feet, 923 Riverview Rd, Zoned: HM, Status: PB

Final Review SBL: 269.-3-21 To be reviewed by: n/a Consultant: S. Kitchner

Applicant: Stewart's

Last Seen on: 2-23-21

Consultant/Applicant Presentation:

Marcus Andrews – Stewart's – Mr. Andrews stated that he is here tonight for conditional approval for the site plan on the corner of Route 146 and Riverview Road. He stated that this project would construct a new 4,000 square foot Stewart's shop building behind the old building and the old one will be taken down once it is built. He stated that there will be a new gas canopy and gas pumps. Mr. Andrews stated that the entry on Route 146 will be moved more north from the intersection and the Riverview Road would stay the same. Mr. Andrews stated that there will be a 1 bay car wash with the entrance in the rear of the structure and exiting from the front that will be constructed at a later date. Mr. Andrews stated that at the last meeting there were concerns about cars stacking and showed on the Zoom screen a visual of the potential stacking and stated that 10 cars can be stacked before it interferes with the terrific flow for the entry from Riverview Road. Mr. Andrews stated that the car wash does take about 7 minutes so if the cars

would be stacked with 10 waiting that would be over an hours wait and is not logical for someone to wait that long. Mr. Andrews stated that the car wash vouchers are good for immediate or future use, so patrons can wait for another time to utilize the car wash service.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 3/4/21 stating:

- No further comments

Wade Schoenborn, Chief of the Bureau of Fire Prevention:

1. Specify hydrant location

Scott Reese, Stormwater Management Technician issued a memo dated 3/19/21 with the following comments:

1. There appears to stormwater runoff that flows onto the site from the east. The stormwater report should address how runoff from offsite is being handled and or diverted.
2. Can the rip-rap emergency overflow of the bioretention area in the southwest corner be directed into the existing catch basin (Design Point2) via a pipe, rather than a 10' wide weir that could overflow onto Riverview Road?
3. The depth of the filter media shall follow Section 6.4.4 required elements of the NYS Stormwater Management Design Manual.
4. Landscaping plans shall follow section 6.4.5 of the NYS Stormwater Management Design Manual.
5. Verify how the project redevelopment will follow the NYS Stormwater Management Design Manual Section 9.2.B.

The Environmental Conservation Commission held a meeting on 3/16/21 and issued a memo recommending:

1. The ECC recommends a public access easement along NYS Route 146 is available to connect to Blue Barns Road so that a public trailway is assured. (Note: The proposed access to the Edison Property does not guarantee public access to a trailway.)

John Scavo, Director of Planning issued a letter dated 3/11/21 with recommendations he made:

1. All my technical comments previously offered with the review of this application have been adequately satisfied.
2. I will read the recommendation to be issued by the Saratoga Co. Planning Board based on review of this project at their March 18th Meeting. Based on recent conversations with County Staff regarding the current plan set, it appears the project will receive a favorable recommendation.

Professional Comments:

No professional comments at this time

Public Comments:

No public comments

Planning Board Review:

Mr. Martin stated he has no comments at this time.

Mr. Szczesny stated that the current site plan presented tonight looks to be in good standing and he has no comments.

Mr. Ferraro thanked the applicant for evaluating the car stacking for the car wash. Mr. Ferraro stated that he feels that if a stacking issue occurs in the future that mitigation may be needed to address the problem. Mr. Ferraro stated he would like the floating easement with the Edison Club to be noted on the plans and to have a note on the site plan for the landscaping on the north side of the property to ensure that there is no clear cutting done and the trees are evaluated and as many saved as possible.

Ms. Bagramian moved, second by Mr. Martin, 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 carried unanimously.

Mr. Ophardt moved, second by Mr. Andarawis, to waive the final hearing for this application for the site plan review of Stewart's 293 Riverview Road, 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.

Conditions:

1. Floating easement to Edison club indicated on final plan.
2. North side trees evaluated and saved to greatest extent possible with no clear cutting and Planning Department approval.
3. All technical issues are reconciled including all stormwater comments.

Ayes: 7

Noes: 0

the motion is carried.

Old Business:**2016-043 Boni Grooms Rd 2 Family Special Use Permit (SUP)**

Applicant is requesting a SUP per section 208-10B(9)(a)[7] and 208-79 for a 2 family home on a .98+/- acre lot. Property would have public water and sewer connections, Grooms Rd, Zoned: R-1, Status: PB Prelim Review - Poss. Determination SBL: 277.14-1-31 To be reviewed by: MJE
 Consultant: n/a Applicant: L.Boni **Last Seen on: 2-23-21**

Consultant/Applicant Presentation:

Ryan Boni – applicant – Mr. Boni stated that changes made to the plan this evening reflect the adjustment requested by the Planning Board at a prior meeting. He stated that a raised berm with trees has been added to the western side of the property, and that per the recommendations of the Board, the driveway now has one curb cut with a horseshoe style driveway with one side-loaded garage. The entrance for that residence is also on the side of the building thereby having one front entrance to the adjacent unit visible from Grooms Road. Mr. Boni showed on the Zoom screen the elevations of the two family home as well as the site plan.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 3/4/21 stating:

- Are plantings on the easement allowed?
- No further comments

Wade Schoenborn, Chief of the Bureau of Fire Prevention:

1. Put 911 addresses on site plan

Scott Reese, Stormwater Management Technician issued a memo dated 3/19/21 with the following comments:

1. No further comments

The Environmental Conservation Commission held a meeting on 3/16/21 and issued a memo recommending:

1. The ECC recommends that the no cut buffer at the rear of the property be formally included as a deed restriction.

John Scavo, Director of Planning issued a letter dated 3/12/21 with recommendations he made:

1. The applicant needs to obtain a sign-off from the Clifton Park Water Authority.

2. Prior to the issuance of a building permit, the applicant needs to obtain a permit for construction of the proposed driveways and utility work within the County's ROW and is advised to contact Gary Meier, Saratoga County Department of Public Works, at 518-885-2235 to commence the permit process.
3. Pursuant to the assigned 911 addresses, the final site plan shall be labeled with 587A Grooms Road for the western most dwelling and 587B Grooms Road for the eastern most dwelling.

Mr. Scavo read a letter from the Clifton Park Water Authority stating that they are abandoning the water line and that Mr. Boni will be doing the work to discontinue that line so the water easement will not be a problem.

Professional Comments:

No professional comments at this time.

Public Comments:

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche stated that he likes the design of the home better than the last submittal as well as the single curb cut. Mr. LaFleche asked if the right side driveway could go straight and the left driveway go to the side for a turn around. Mr. Boni stated that since a prior conversation with Mr. Ferraro at the last Planning Board meeting, he feels that the horseshoe alleviates the need for a turn around. Mr. LaFleche asked if there was a trail easement. Mr. Ferraro stated there is and it is noted on the plan.

Ralph Reale – Hiawatha Drive – Mr. Reale stated that he feels that there are a lot of duplexes going in R-1 zones and quoted the comprehensive plan for special use permits and single family homes. Mr. Ferraro stated that the two family home is not a right but can be approved as a special use permit and that is why the application is before the Board.

Planning Board Review:

Mr. Martin stated that he is not a fan of duplexes but the modifications made to this application in response to concerns are productive and is pleased with the product outcomes as well. Mr. Martin stated that he feels that this application is appropriate.

Mr. Ophardt stated that he agrees with Mr. Martins comment. Mr. Ophardt asked the applicant if there is a need for a maintenance easement for the shared driveway. Mr. Boni stated that with

duplexes since it has one owner, that owner is responsible so he sees no issue. Mr. Ophardt asked what is going to be done with the pines on the east side of the property. Mr. Boni stated that he has taken pictures of them and if they are deemed dangerous or they affect the home they will be removed, others that are not will remain as a buffer.

Mr. Andarawis stated that he likes the elevations shown tonight and likes the buffers on the east and west side of the property as well. Mr. Andarawis asked if there would be 6 spruces where the driveway splits and to the west side and would there be added trees as a buffer on the corner of the property. Mr. Boni asked if he wanted a blue spruce pine. Mr. Andarawis stated it does not necessarily need to be an evergreen but would like something to soften the view of the side load garage and driveway for vehicles traveling in an easterly direction along Grooms Road.

Mr. Ferraro stated that the plan shows some spruce trees in the trail easement so he suggested moving the trees along the sides of the driveway like Mr. Andarawis suggested, keeping them out of the easement. Mr. Ferraro asked what the western buffer separation would be between the trees. Mr. Boni stated it is 10-15 feet. Mr. Ferraro stated he would like 10-12 feet for spacing and another tree may be needed. Mr. Ferraro stated he would also like landscaping in the middle of the horseshow driveway. Mr. Boni stated he can do smaller landscaping in the horseshoe and larger up front near the roadway, he stated it would be a similar style to other two family homes he owns. Mr. Ferraro stated the buffer to the rear should have signage as the ECC recommended. Mr. Ferraro stated that if there are any changes to the façade or layout design that the Planning Department would need to mitigate and if there is a substantial change it may need to come back to the Planning Board.

Mr. Szczesny offered Resolution No. 05 of 2021, seconded by Ms. Bagramian to waive the final hearing for this application, and to grant preliminary and final approval of the special use permit, condition upon satisfaction of all comments, provided by the Planning Department, Town Designated Engineer, and all items listed in the final comment letter issued by the Planning Department.

Conditions:

1. No trees are planted in the easement areas and trees for buffer are 10-12 feet apart, more to be added if needed.
2. Landscaping added to the inside of the horseshoe driveway area.
3. The buffer area is clearly identified with signage as a do not cut zone.
4. If any changes are made to the façade or layout of the project the applicant must return to the Planning Department for approval and may be subject to approval by the Planning Board.

Roll Call:

D. Bagramian - Yes

E. Andarawis - Yes
 E. Ophardt - Yes
 A. Neubauer - Yes
 G. Szczesny - Yes
 R Ferraro - Yes
 R. Lalukota - absent
 K. Martin (alternate) - Yes

Ayes 7

Noes: 0

The resolution is carried.

Mr. Martin moved, second by Mr. Szczesny, to waive the final hearing for this application for the site plan review of Boni Grooms Rd 2 Family Special Use Permit (SUP), 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.

Conditions:

1. No trees are planted in the easement areas and trees for buffer are 10-12 feet apart, more to be added if needed.
2. Landscaping added to the inside of the horseshoe driveway area.
3. The buffer area is clearly identified with signage as a do not cut zone.
4. If any changes are made to the façade or layout of the project the applicant must return to the Planning Department for approval and may be subject to approval by the Planning Board.
- 5.

Ayes: 7

Noes: 0

the motion is carried.

Old Business:

2021-010 Hockey Hut Pavilion Site Plan

Applicant proposes construction of a 7,225 sf standalone pavilion off the North end of the existing building. The pavilion will have a concrete pad and not be enclosed. Stormwater runoff from the roof will be handled with a stone drip edge and under drain system. 7 parking spaces are being proposed at the north end of the parking lot and 1 space at the south side using 8 of the 16 spaces that were approved as land banked spaces in 2008, 1535 Crescent Rd, Zoned: B-3,

Status: PB Preliminary Review SBL: 284.-1-36 To be reviewed by: MJE

Consultant: ABD Applicant: Kuhl Properties, LLC Last Seen on: 2-23-21

Consultant/Applicant Presentation:

John Hitchcock – ABD – Mr. Hitchcock stated that this application has been seen about a month ago and since then grading has been added to the plan, and some comments have been addressed. He stated that this is a 7,225 square foot addition to the existing hockey hut with the roof sloping to the north. He noted no impacts to the wetlands are to be done and nothing has changed since 2008 with the location of wetlands. Mr. Hitchcock stated to protect the wetlands fencing is being proposed and minimal grading. Mr. Hitchcock stated that the barn will be open on three sides and that the Building Department met with the applicant and decided that the structure is its own building and they are currently working out whether or not a fire wall would be needed. He stated the outcome of this would not impact the site plan. Mr. Hitchcock stated that test pits will be provided prior to final stamping of the site plan but due to weather it could not be completed previously and tonight he is looking for conceptual approval.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 3/4/21 stating:

- No further comments

Wade Schoenborn, Chief of the Bureau of Fire Prevention:

1. Building exceeds allowable building area with new addition
2. Building does not meet required separation distance per Table 602 of the NYSBC. They would have to provide a 1-hour fire rated wall at the existing exterior adjacent wall or provide 10' separation

Scott Reese, Stormwater Management Technician issued a memo dated 3/19/21 with the following comments:

1. It appears that the runoff from the proposed pavilion will flow into the new stone drip edge. The outlet of the new stone drip edge appears to bypass the stormwater storage volume along the eastern edge of the existing parking lot. The Drainage Summary dated March 1, 2021 states that the stone trench will infiltrate into the ground. Please provide percolation rates and seasonal high water table information to confirm the infiltration capability. In addition, update the Stormwater Management Report for the Hockey Hut, dated February 15, 2008, to include the proposed addition and stormwater treatments
2. The town does not have record that the original SPDES #NYR10P242 has been terminated for this site. Please update the SWPPP and NOI for the Hockey Hut, dated February 15, 2008, to include the proposed addition, stormwater treatments, and erosion and sediment controls.

The Environmental Conservation Commission held a meeting on 3/16/21 and issued a memo recommending:

1. A proposed storm line is still shown on the plans connecting the drip edge to the storm system. The ECC is concerned that this will still dewater the adjacent wetlands.
2. If the outdoor structure will cover an ice rink will there be ice shavings that will need to be deposited on site? Will there be a designated area for the ice shavings
3. The ECC requests what type of activity will take in the pavilion and what seasons this will be in use?

John Scavo, Director of Planning issued a letter dated 3/12/21 with recommendations he made:

1. The Project was referred to the Saratoga Co. Planning Board in accordance with GML §239(m)&(n) since Crescent Road is County owned. The Saratoga Co. Planning Board is scheduled to consider this project at their March 18th Meeting. The County's recommendation will be available for the March 23rd Town Planning Board Meeting.
2. Steve Myers and I met with the applicant's design professionals on February 25th to discuss concerns raised at the February 23rd Planning Board Meeting by Town Staff. The current submittal appears to adequately address those prior concerns and reflect the outcomes of the conversation with Town Staff.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 3/19/21 had the following comments:

STATE ENVIRONMENTAL QUALITY REVIEW

1. No further comments at this time.

SITE PLAN

2. The drip edge detail shown on the drawing indicates 2.5' x 2.5' stone trench, however the drainage summary indicates a 3' x 3' trench with a storage capacity of 300 cubic feet, please revise accordingly.
3. Consider gutters on the pavilion with a downspout connected to the underdrain and stone trench on east side of the addition.
4. Finished grade in northwest corner of concrete pad indicates elevation of 324.1, one foot lower than remaining pad. Revise accordingly

Public Comments:

No public comments.

Planning Board Review:

Ms. Bagramian asked where residual deposits would go from the ice arena. Mr. Hitchcock stated that it would go where they are being collected now and showed the area on the site map.

Mr. Ferraro asked what would happen in the summer time and how it would that impact the ice. Mr. Hitchcock stated that there will not be ice outside during the summer; it will be utilized for exercising and stretching on a portion of the pad. He also stated that a portion of the pad would be used for ice in the winter months. Mr. Ferraro asked if the same practices followed for indoor ice will be followed for outdoor. Mr. Hitchcock stated it would be.

Mr. Ophardt moved, second by Mr. Neubauer, 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 carried unanimously.

Mr. Martin moved, second by Mr. Szczesny, to waive the final hearing for this application for the site plan review of the Hockey Hut Pavillion 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.

Conditions:

1. No disturbance signage for wetland areas and tree lines.
2. Fire safety shall be reconciled but not substantially impact the site plan.
3. If banked parking should be developed it must first need approval from the Planning Department and may be subject to review by the Planning Board.

Ayes: 7

Noes: 0

The motion is carried.

Old Business:

2020-054 Parkside Covenant Church Addition Site Plan

Applicant proposes constructing a 9,876 sf building addition with 29 new parking spaces on the north side of the existing church to be used for age appropriate religious education services and office space. A new stormwater retention area will be constructed at the Northwest end of the new building. Original Church plan had 29 Parking Spaces banked, 14 Jarose Pl, Zoned: R-1, Status: PB Prelim Review w/possible determination SBL: 277.16-2-19 To be reviewed by: MJE Consultant: ABD Applicant: Starpoint Church Last Seen on: 2-9-21

Consultant/Applicant Presentation:

John Hitchcock – ABD – Mr. Hitchcock stated that the Board is familiar with the application. He stated that changes have occurred based on prior comments. . Mr. Hitchcock stated that there are wetlands to the south and that there is no disturbance to the wetlands with this application. Mr. Hitchcock stated that the building has been decreased in size by 450 square feet and therefore a need to change the lot line is not needed. He stated that 6 spruces have been added along the residential property boundary that the church owns and another tree has been added along Jarose Place to match the existing landscaping. Mr. Hitchcock Stated that the sidewalk will be added to the new building and connect to the existing building’s sidewalk. Mr. Hitchcock stated that the emergency vehicle turn around has been changed to reflect Mr. Myers comments. He stated that the additional comments will be addressed.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 3/4/21 stating:

- I have no building layout as stated, occupancy classification, separation and egress will be determined by the Building Department once actual plans are submitted, not by the developer.
- All other comments appear to have been addressed

Wade Schoenborn, Chief of the Bureau of Fire Prevention:

1. No further comments

Scott Reese, Stormwater Management Technician issued a memo dated 3/19/21 with the following comments:

1. No further comments

The Environmental Conservation Commission held a meeting on 3/16/21 and issued a memo recommending:

1. The ECC has no comments

John Scavo, Director of Planning issued a letter dated 3/12/21 with recommendations he made:

1. Verify the Planting Schedule, Quantity shown for Pine/Spruce Trees. The Schedule reads quantity of 45 which does not match the number of new plantings shown on the site layout.
2. Although the Planning Board had no control over LED signage, it is recommended that the church place the LED Sign on a timed system to turn off during late night and early morning hours.

3. The applicant must ensure that during construction for the addition, no materials or large construction equipment is stockpiled or parked within the public right-of-way along Jarose Place.
4. All newly planted trees should have irrigation bags, which are to be filled weekly during their first growing season.

Mr. Scavo stated the highway department was consulted about traffic turning into Jarose place and the superintendent has agreed to install a stop bar for a driver visual cue.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 3/19/21 had the following comments:

STATE ENVIRONMENTAL QUALITY REVIEW

1. No further comments at this time.

SHORT ENVIRONMENTAL ASSESSMENT FORM

2. No further comments at this time.

SITE PLANS

3. Per Comment 4 of our February 5, 2021 review letter, the proposed three (3) ADA parking spaces are located adjacent to a flush curb sidewalk. If the accessible route is located in front of the parking spaces, install wheel stops to keep vehicles from reducing the clear width of the accessible route below 36 inches. Other measures could be to curb this area or push the sidewalk back closer to the building to install the signage on the parking lot side of the sidewalk. Without a barrier there is nothing to prevent cars from encroaching onto the sidewalk in this location.

Public Comments:

Mr. Ferraro stated that a letter of concern had been received and distributed to Board members for review. He stated that the letters had concerns regarding traffic, increased black top, daycare, landscaping, and concerns about the new building fitting in with the older one.

Lauren Gay – Ms. Gay asked to see on the Zoom screen elevations as the last meeting an industrial look was mentioned, Mr. Hitchcock showed on the Zoom screen the elevations. She also asked about the landscaping and the additional trees and their locations, and stated there

needs to be more landscaping on the road front. Ms. Gay asked about the additional parking, Mr. Ferraro stated he had the same question about the 17 land banked parking in the western part of the parcel and it will be addressed in the Planning Board's comments as well as the parking on the north side of the building giving a total of 26 with the application stating 29 additional.

Pat Rohstedt – Ms. Rohstedt stated that there once was a tree on the south end of the property on the road front where the exit is located. She stated it had died and was never replaced but would be worth replacing. Ms. Rohstedt asked what follow-up would be in place for the upkeep for the landscaping plan so that this does not happen again. Mr. Scavo stated that the plantings have a one year guarantee and are inspected after one year. Mr. Scavo stated that past this nothing is enforced unless it is conditioned upon the approval. He also stated that if a tree dies and is replaced and dies a second time an evaluation of the placement would have to be considered. After the one year period a follow-up inspection would only occur if a complaint is filed with the Building Department for non-compliance with a condition of site plan approval. . Mr. Ferraro stated that he has concerns about the follow up procedure and that he thought it would be carried over for more than one year and a replacement requirement should be in place to follow the approved site plan. Mr. Scavo also stated that the low lying shrubs are more likely to have ice buildup in the winter and thus changing the landscaping plan. Ms. Rohstedt asked if the shrubs that are planted close to the wall become flowers but then between the driveway entrances the applicant could go with the current site plan and possibly putting shrubs between the trees.

Rose Sopok – 23 Jarose Place – Ms. Sopok stated that she agrees with putting plantings between the trees and then asked what happened to the small road that went behind the building. Mr. Ferraro stated that this new layout is what the Fire Marshall and Mr. Myers determined meets the fire code. Ms. Sopok asked if the applicant could show a street view of the building as it was only shown briefly. Mr. Hitchcock showed it on the Zoom screen.

Planning Board Review:

Mr. Andarawis stated that he has concerns about the increase in parking on the southwest side of the building and why it was no longer banked as it was previously. Mr. Hitchcock stated that he will return it to banked parking.

Mr. Hitchcock stated that the landscaping along the road front was to be kept as is. Mr. Ferraro stated that he would like to see 2-3 more trees planted there as to help buffer the view of the additional parking nearest to the new building. Mr. Hitchcock stated that shrubs will be going along the building to landscape the front.

Mr. Ferraro asked for Board feedback if there could be more plantings up front along Jarose place instead of along the property line with the home that is on Grooms Road, as maybe one can

be exchanged for another to offset the cost. Mr. Neubauer stated that he feels it makes more sense to add the missing tree along Jarose Place but buffer from Grooms Road is a bigger conversation and is more desirable. Mr. Hitchcock stated that they would prefer not to add more trees in the entry but would replace the tree that previously died and would add trees at the turnaround. Mr. Ferraro asked if there would be consideration for dressing up the landscaping along Jarose place. M. Hitchcock stated he can talk to the applicant about this.

Mr. Hitchcock showed on the Zoom screen the elevations from Jarose place, depicting the walkways, and describing the materials to be used such as a stone base and asphalt shingle, and having the siding match the existing building. Mr. Hitchcock stated that Mr. Neubauer worked with the architect on the project. Ms. Liz Freund – Starpoint Church – stated that the gable from the original building has been carried over and lowered the front. She stated that the same types of materials would be used to make the building match as close as possible to the existing building. Mr. Hitchcock showed on the Zoom screen the elevations of the building from the side of the new building. Ms. Freund stated that the gable was put in this side as well to break up the wall and the doorway would tie into the main circulation as well.

Mr. Neubauer stated that his concerns at the start of the project have been addressed by these changes to the facade making it more visually appealing. He stated that this is more appealing and still fits the needs of the church. He noted that Liz and the architect did respond to a lot of his comments and dressed up the exterior of the church and he likes the new elevation presented.

Mr. Martin stated that he feels this increases the intensity of the use of the property in a residential area. He stated that he is not in objection of this project but can appreciate and understand the concerns of the neighbors. He stated that he has concerns with the traffic as well.

Mr. Ferraro stated that based on past discussions that there is not a daycare on the property nor will there be but there is an after school program that would continue to operate. He stated that there is no increase in capacities to the existing buildings.

Pastor Roscoe Lilly stated that the current church is in decline and is in jeopardy of being dissolvent and that there is a concern of having an empty building that will fall into disrepair. He stated that this purpose is going to be for church services and the new building would be for religious education for the parishioner's children and will not become a daycare. He stated that the current afterschool is not theirs but the original churches and may be moved to a different location.

Mr. Ophardt 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. Neubauer, to waive the final hearing for this application for the site plan review of Parkside Covenant Church Addition, and to grant preliminary and final site plan approval conditioned upon satisfaction of all comments provided by the Planning Department, Town Designated Engineer, and all items listed in the final comment letter issued by the Planning Department.

Conditions:

1. More landscaping along Jarose Place, replacing previously removed tree and add 2 additional trees on the north side of the property adjacent to Jarose Place.
2. Land banked parking retained and the number of parking spots reconciled to reflect actual amount on site plan.
3. External material to match the existing texture.
4. Existing after school program to remain status quo and increase in numbers will require additional Town Approvals.

Ayes: 7 Noes: 0 The motion is carried.

New Business:

2021-018 Jonesville Fire District Training Building Site Plan

Applicant proposes construction of a 1,152 sf pre-fabricated training structure. The building would be used for simulation purposes not live fire, 953 Main St, Zoned: R-1, Status: PB

Preliminary Review w/ possible determination SBL: 259.13-1-35

To be reviewed by: n/a Consultant: n/a Applicant: Jonesville Fire District

Mr. Ferraro stated that the process for this application is a little different than other applications. Mr. Ferraro asked Mr. Scavo to explain the process for this application before having the applicant discuss the proposed building.

Mr. Scavo stated that a letter was given to the Planning Board on March 15, 2021; he then read the letter (see staff comments below). He stated that if the Planning Board finds the application acceptable, the Board is able to approve the application. Mr. Scavo stated that if a recreational purpose is presented it can be subject to a full site plan review but due to this being related to the firehouse safety use it is protected by the law he quoted previously.

Consultant/Applicant Presentation:

Michael Murphy – Commissioner of the Jonesville Fire District. Mr. Murphy stated he is one of five commissioners from the fire district. He stated that they are proposing a building for training of firefighters in the district. He stated that one of the things he is most proud of is the training that the volunteers go through and train average of 2-3 hours per week. Mr. Murphy stated that this building would allow them to train in different areas as well. He stated that the district does participate in mutual aid with other districts. He stated that the building would be behind 3 sugar maples already on the property. He stated that 2 trees would have to be removed for this proposal but they would like to keep as much of the trees and surrounding vegetation as possible, as well as removal of 2 locust trees that were damaged in the winter storms. Mr. Murphy stated that it is important to note that currently to train, there are times that the firefighters have to leave the district to do so leaving it unmanned. He stated that this would help keep the necessary manpower on site and available to the community if needed. Mr. Murphy stated that this would use a fog machine as to not use real smoke to worry or bother others in the area. Mr. Murphy stated the facility will have 2 main floors, a basement and a loft and be hidden behind the current building as well as the natural trees and other features.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 3/4/21 stating:

- Proposed accessory structure is in anR-1 zone
- Details of utility and septic locations should be provided
- Building size required. If over 600 sf will require full foundation
- Front and rear setbacks from property lines required. (not expected to be an issue)
- Additional pavement to be added?
- Basic stormwater controls need to be outlined.

Wade Schoenborn, Chief of the Bureau of Fire Prevention:

1. No comments

Scott Reese, Stormwater Management Technician issued a memo dated 3/19/21 with the following comments:

1. On the Short EAF form question 13b, should be marked “no” as there is no impact to any waterbody or wetlands.
2. Provide erosion controls to protect sediment running into Long Kill until all disturbed areas have be permanently stabilized

The Environmental Conservation Commission held a meeting on 3/16/21 and issued a memo recommending:

1. The ECC recommends the applicant make the neighbors aware of the use of the structure so not to raise concern when they see and/or smell smoke coming from the structure

John Scavo, Director of Planning issued a letter dated 3/15/21 with recommendations he made:

The Jonesville Fire District is recognized by the Town of Clifton Park as a Fire District that is afforded partial immunity to our Local Zoning Code. In making a determination as to whether the actions of governmental units are “exempt” from local zoning regulations, the New York Court of Appeals in the 1988 case of Matter of County of Monroe v City of Rochester, 72 N.Y.2d 338, 533 N.Y.S.2d 702, established a new method for resolving inter-governmental land use disputes using the “balancing of public interests” analytic approach. Unless a statute exempts it, the encroaching governmental unit is presumed to be subject to the zoning regulations of the host community where the land is located. Working from that premise, a host community then considers several factors to determine whether or not it is in the public interest to continue to subject the encroaching government to its land use regulations. The host community is to weigh the following nine factors:

1. Nature and scope of the instrumentality seeking immunity.
2. Encroaching government’s legislative grant of authority.
3. Kind of function or land use involved.
4. Effect local land use regulation would have upon the enterprise concerned.
5. Alternative locations for the facility in less restrictive zoning areas
6. Impact upon legitimate local interests.
7. Alternative methods of providing the proposed improvement.
8. Extent of the public interest to be served by the improvements.
9. Intergovernmental participation in the project development process and an opportunity to be heard.

It is Planning Staff’s recommendation that the training building sought does not need additional site plan consideration or review based on the following:

1. The proposed building is most appropriate to be located on lands owned by the Jonesville Fire District at their Station #1 location.
2. The proposed building location is well screened for nearby residential uses and the public right-of-way along Main Street.
3. Non-toxic / Non-Combustible Chemicals are used to simulate limited visibility conditions through use of a fogging machine.
4. The existing improvements on the property can accommodate this use within the property.
5. The training building is directly related to the enhancement of the governmental functions and purpose of the Fire District.
6. Vegetation to remain within the rear of the property provide adequate screening to adjacent neighbors.
7. The Fire District will obtain a Building Permit and will construct the training building to meet all applicable NYS Building and Fire Code Requirements.

Professional Comments:

No professional comments at this time

Public Comments:

No public comments

Planning Board Review:

Mr. Ferraro asked if the Board members had any questions for the applicant or if the Board would be comfortable acknowledging what Mr. Scavo has explained and that they will not be taking action on this review and that moving forward, the application will be the Planning Department's responsibility for the conditions to be met or it be brought back to the Board if issues not properly addressed.

Mr. Andarawis stated he does not have a problem with what Mr. Ferraro stated but he feels that part of town is a historic are and would like to see the buffer to continue to be monitored and keep up with the plan.

Mr. Ferraro stated that he agrees with Mr. Andarawis and that he did visit the site and that he saw 3 trees marked to come down, and he may have missed one but asked Mr. Murphy to confirm the marked trees were to be removed. Mr. Murphy stated that the marked trees are in fact the ones to be removed.

Mr. Ophardt state he did drive behind the station as well and saw trees around the building that would remain and asked if it would be a problem with drills. Mr. Murphy stated that the trees there are a good thing as the community has obstacles such as trees that they would need to maneuver around so it would be good to have in their training as well. Mr. Murphy stated that they would probably put in a driveway but not to the front of the building as for training purposes again this would be beneficial as most vehicles would be parked on the road not in driveways. Mr. Ferraro asked for the purpose of the access driveway. Mr. Murphy stated that there would be storage in the building so the access would be for this. Mr. Ophardt asked what kind of structure this would be. Mr. Murphy stated it would be a wood structure almost shed like as there will be minimal structure on the interior such as electrical and may not even have sheetrock.

Mr. Ferraro asked if the Board members were comfortable with allowing Mr. Scavo to lead this application. Mr. Martin and Ms. Bagramian stated that they were both comfortable, as well as Mr. Ferraro noted thumbs up from other Board members on the Zoom screen. Mr. Ferraro stated that this can be turned over to the Planning Department with the condition of keeping with the neighborhood as Mr. Andarawis had stated.

New Business:

2021-016 Tanner Road Subdivision

Applicant proposes construction of 9 single family residential units on 28.81 acres. Public water and sewer, Tanner Rd, Zoned: CR, Status: PB Concept Review SBL: 264.-3-53.1

To be reviewed by: MJE Consultant: Lansing Applicant: B & M Excavation, Inc

Mr. Ferraro stated that earlier in the day Mr. Scavo sent out a copy of previous minutes that were approved in 2007 for Board review.

Consultant/Applicant Presentation:

Scott Lansing – Lansing Engineering – Mr. Lansing stated that tonight they are looking for feedback for the conceptual project. He stated that this project does have history with the Board and was previously approved. He stated that the parcel is 28.81 acres along Tanner Road. He showed a map of the area on the Zoom screen. He stated it is zoned conservation residential and there is a high spot in the center of the parcel and on the southwest corner of the site. He stated there are wetlands on the east side of the property and the wetlands were updated. He stated the vegetation is shown on the map and that the surrounding area is vacant land and residential. Mr. Lansing stated in 2007 there was an amenity request that was worked out with the Planning Board for 2 more lots for \$30,000 per lot. He stated that later in 2007 the Planning Board did conditionally approve the 9 lot subdivision and the applicant never finalized it with the county; there is a 10 year limit to filing the paperwork that did expire. Mr. Lansing stated this is a new applicant and the proposal is unchanged from the original project that was approved. This is 9 lots that are in the same location as previously approved. Mr. Lansing stated that 10.74 acres would occupy the lot, and the remaining 18.07 acres are planned for dedication to the town for open space in the rear of the parcel which would be in proximity to other dedicated town open space on other parcels. Mr. Lansing stated that the lots are 20,000 square feet with 80 foot frontage, 30 foot minimum front yard setbacks, 10 foot minimum side setbacks and 25 foot rear yard setback. Mr. Lansing stated that the configuration would have a town dedicated road that would be about 617 feet that is reduced from the previous plan and 7 lots on the road with 2 lots on Tanner Road that meet all the requirements. He stated open space is being met on this

application. He stated water is planned to be extended to the lots and stormwater is for 3.7 acres of disturbance with an area to the end of the cul-de-sac to assist. He stated the homes on the cul de sac would have public sewer and have grinder pumps. Mr. Lansing stated the 2 homes on Tanner Road would possibly be hooked up to public sewer but private septic is being looked into.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 3/4/21 stating:

- Per narrative smallest lot is 33,385 sf, lot #1 is 27,685 sf. Lot #1 also does not meet the 80' required width
- Since previous submittal has expired the amenity zoning needs to be re-evaluated
- Wetland buffer areas are included in parcel areas. This could promote intrusion too close to the wetlands in the future. Useable areas are actually smaller than depicted. Rear yards are limited
- All foundation drains shall tie into the roadway drainage system by gravity.

Wade Schoenborn, Chief of the Bureau of Fire Prevention:

1. Postal verification

Scott Reese, Stormwater Management Technician issued a memo dated 3/19/21 with the following comments:

1. Does the 3.7 acres of disturbance also include the disturbance for the two southern lots?
2. There is a history of wet basements in the single-family residents at Falcon Ridge adjacent to the site. If the proposed homes will have basements, they may need the home site to be raised increasing the grading and site disturbance limits for this development. If basements are planned, then test holes should be done to determine seasonal ground water elevations for preliminary review.

The Environmental Conservation Commission held a meeting on 3/16/21 and issued a memo recommending:

1. If the applicant does not have to apply to the Town Board for approval of the two additional lots under the amenity zoning provisions of the town code (as determined by the Code Enforcement Officer), the ECC requests that the approval be listed on the site plan. (ie. Two of the proposed nine lots are subject to the amenity zoning provisions.)
2. The ECC concurs with the comments of Steve Myers memo 3/4/2021 concerning the wetlands areas and the usable lot space.
3. The ECC proposes that the LC Zone be delineated either by signage or by a split rail fence prior to issuing building permits in order to reduce wetland intrusion.

John Scavo, Director of Planning issued a letter dated 3/16/21 with recommendations he made:

1. It appears the general configuration of the previously approved subdivision is intact with only minor modifications that include the reduction in impervious surface with the shortening of the proposed cul-de-sac.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 3/20/21 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. Clifton Park Planning Board – Subdivision approval
 - b. Clifton Park Water Authority – request for taking of additional water, public water supply plan approval.
 - c. Saratoga County Sewer District No. 1 – request for reserve sewer capacity, public sewer plan approval.
 - d. NYS Dept of Health – realty subdivision approval and public water supply plan approval.
 - e. NYS Dept of Environmental Conservation – public sewer plan approval, permit coverage under stormwater SPDES, identification of threatened and endangered species, potentially taking of additional water, joint applicant for potential wetland impacts.

FULL ENVIRONMENTAL ASSESSMENT FORM

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

1. Part D.1.b(b) – The response indicates that a total of 3.71 acres of land will be disturbed requiring a Storm Water Pollution Prevention Plan (SWPPP). A SWPPP has been provided.
2. Part D.2.c(iii) – Please provide a response.
3. Part D.2.k – Please provide a response

4. Part D.2.q – Please provide a response.
5. Part D.2.r – Please provide a response.
6. Part E.3.g – Please provide a response.
7. No further comments at this time. Additional comments may be forthcoming as the project advances.

SITE PLANS

8. The project is located within the Town's Conservation Residential District (CR). The proposal for single family homes is a permitted principal use within the CR District as noted in Section 208-16(D)(1)(b) of the Town's Zoning.
9. The applicant is proposing to create nine new lots from one existing lot that has a total area of 35.37 acres. The proposal follows the development option outlined in Section 208-16(E)(2)(b) of Town's Zoning where the density may not exceed 0.33 units per acre of unconstrained land, provided 50% of the area of the development site is designated as permanent open space. In reviewing the submission, there will be 10.68 acres of permanent open space (51%) and there is 20.96 acres of unconstrained land, yielding a maximum number of 7 lots. With the proposal of seven lots, the proposal appears to meet the requirements of Section 208-16(E)(2)(b) of the Town's Zoning, however the applicant has indicated an amenity zoning request was granted back in 2007 to add two additional units for a total of nine, the Town should indicate if this is still valid.
10. Subsequent plans shall show the Town's LC location and boundaries which are defined by Section 208-69.1 of the Town's Zoning.
11. The project proposes to service each new lot with public water from the Clifton Park Water Authority via extending a new public water main along Tanner Road. The applicant shall provide the Town documentation of the CPWA's ability and willingness to service the project with potable water. Any action on the subdivision application should be conditioned upon receipt of plan approval from the CPWA.
12. The extension of public water mains to the project is subject to NYSDOH plan approval and potentially the NYSDEC for the taking of additional water. As part of the project's regulatory review, the applicant will have to apply for the referenced plan approvals. Any action on the subdivision application should be conditioned upon receipt of plan approval from the NYSDOH and/or NYSDEC for the additional taking of water.
13. The submitted information indicates the project is proposing to connect to an existing sewer main(s) within close proximity to the parcel. These mains are owned and operated by the Saratoga County Sewer District No. 1 (SCSD). It is recommended that the Town be furnished with documentation that the SCSD is willing and capable of providing sanitary sewer service to the project.
14. The extension of public sewer mains to the project is subject to NYSDEC plan approval. As part of the project's regulatory review, the applicant will have to apply for the referenced plan approvals. Any action on the subdivision application should be conditioned upon receipt of plan approval from the NYSDEC.
15. 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. It is noted

that the project is a residential subdivision with between 1 and 5 acres of disturbance. Pursuant to GP 0-20-001, Table 1 if the project has less than 25% impervious cover at total site building-out, a SWPPP that addresses erosion and sediment control only is required.

16. The proposed point of access to the project appears to provide adequate site distances for entering and exiting. Notwithstanding, there should be indication on the plan what the required and provided turning site distances are based upon the posted speed limit of Tanner Road.
17. Pursuant to Section 86-10 of the Town Zoning, the applicant shall be required to plant two trees per living unit on the street side of new construction sites. Provide planned species to be planted for review.
18. Any new access proposed onto Tanner Road is subject to the review, approval and permitting from the Clifton Park Highway Department. Provide notation on the plat to that effect.
19. There may be a need to provide a drainage culvert at the new road to support existing drainage along Tanner Road. The applicant will need to coordinate with Clifton Park Highway Department for any such improvements. If required, show the location, size and materials of construction.
20. Consider relocated the mailbox kiosk away from the intersection with Tanner Road or provide pull off.
21. 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.
22. Will the existing well on Lot 4 be utilized or abandoned?
23. Provide notation on the plan as follows: a. No Utilities shall be installed beneath the proposed driveways. b. Any work required within the Town right-of-way shall be subject to any permitting from the Clifton Park Highway Department (driveway, culvert, water service, sewer).
24. 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.
25. Considering this plan is conceptual in nature, subsequent comments will be provided with a preliminary plan submission.

Public Comments:

Mr. Ferraro stated that there are comments in the chat room of the Zoom meeting voicing concerns on the increase of traffic.

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche asked the applicant about the Tanner Road homes and how far off the roadway they would be as well as the first home on the cul-de-sac. Mr. Lansing stated that the homes on Tanner Road would be 60 feet from the right of way and the homes in the cul-de-sac would be the standard 30 feet from the roadway. Mr. LaFleche asked about the homes in the development and how big the lots would be; Mr. Lansing stated they would range from 26,685-64,000 square feet. Mr. LaFleche asked if any of the lots are

within wetlands. Mr. Lansing stated that there are some on lots 7, 8 and 9 in the rear of the lots with a buffer. Mr. LaFleche asked for the applicant not to clear cut but allow for the property owner to decide what they would like for privacy and shade. Mr. LaFleche asked if there would be room for an easement on Tanner Road for the possible developments of a future trail or roadway expansion. Mr. Lansing stated he can talk to the applicant about this. Mr. LaFleche asked if the homes on Tanner Road could be pushed back as well to give room from the roadway if there is a trail put in. He also stated he would like trail connections between the areas designated for open space and the open space on adjacent properties. Mr. LaFleche stated he appreciates the open space being dedicated to the town.

Brett Brimhall – 2 Carpenter Way - Mr. Brimhall stated that he does not have issues with the proposal but he does have concerns with the increased traffic that has come with development, and if the town has plans for mitigating the traffic in this area especially truck traffic. Mr. Ferraro stated that road improvements have been looked at the Tanner road and Route 146 intersections with an application for a roundabout to be put in at that location. Mr. Scavo stated that with the GEIS for the CR zoning it has been decreased for size of development and that there is mitigation for the roundabout that will be resubmitted for funding. Mr. Brimhall asked what the timeline would be for the roundabout, Mr. Scavo stated that the awards would be made towards the end of the year and could extend to no more than 5 years but, if awarded, groundbreaking would occur about 2 years from the time of the award. Mr. Brimhall stated that this is an extensive period of time and if there is anything else that can be done. Mr. Scavo stated that there is not, but authorities have been looking at this and the speed is 35 mph.

Dave Dittmer - 42 Canterbury Road - Mr. Dittmer stated he posted in the chat about the traffic and the trails. He stated that he has real concerns with the traffic on Tanner Road to Route 146 and stated he feels that there should not be approval of any more projects until the roundabout is done. Mr. Ferraro stated that this is a moratorium issue that the Town Board would have to weigh in on and some legal issues that would need to be looked at. Mr. Wilcox stated that this would be an issue of a takings especially with the roundabout not having a specific time period. Mr. Scavo stated that there is a 1% background growth in the area and if there was a no build scenario for this site traffic would continue to increase at a 1% annual rate.

Planning Board Review:

Mr. Neubauer asked if the Trails Committee submitted comments for this meeting and asked if there were any unwritten comments made. Mr. Scavo stated Ms. Viggiani stated that the Trails Committee needs to be familiarized with the original approvals and that they will be recommending that a sign be placed at the end of the road indicating the town owned space, so that people are aware that there is town space for the public there. Mr. Neubauer asked if a trail

connection could be put in at the end of the road to connect to the other trail connections. Mr. Neubauer asked about the sewer easement and asking the owner if he would put the trail over the easement as well with the signage.

Mr. Ferraro asked Mr. Lansing about a possible connection to the Carpenter Way trail and if there would be any clearing to do so with the sewer line. Mr. Lansing stated the sewer main would come from the rear of the cul-de-sac and cross the town land, using directional drilling as to not impact the buffers or the wetlands. Mr. Ferraro stated that this does not need to be paved but even a gravel trail way would be a good connection to the trail system. Mr. Ferraro stated that it is important to get the Open Space and Trails Committee to weigh in on this as Mr. Neubauer had stated.

Mr. Martin stated that he, too, supports the open space preservation. Regarding the traffic, even though the Planning Board has no authority to change traffic, he does recognize the increase in traffic throughout Clifton Park including this project. Mr. Ferraro stated that he feels that the burden should not be on a single property owner but looked at as a town wide issue based on the cumulative impact of development in the surrounding areas as well.

Mr. Andarawis stated he agrees with the comments that have been made and the concerns that have been brought up. Mr. Andarawis stated that he appreciates the open space that is in this application and the way it is being laid out on the property.

Mr. Ophardt stated that there are wetlands on the LC zone and what the signage would be for this. Mr. Lansing stated that signage would be at the 100 foot buffer line on every lot.

Mr. Scavo stated that Mr. Ophardt is on the Highway Safety Committee and Mr. Scavo is liaison and that they can look at the truck traffic and see what can be suggested.

Mr. Ferraro asked for clarification on the last approval and that the application stated that 14.07 acres of unconstrained land and now is 20.6 acres, which is an increase. Mr. Lansing stated that this is accurate but they can double check on them as there were changes to the wetlands as previously stated. Mr. Ferraro asked if there are basements being proposed that the elevations of the buildings would need to be adjusted for the high water table. Mr. Lansing stated that fill may need to be brought in but the builder is an experienced one and that if it needs to be done it will be looked at and investigate each lot. Mr. Ferraro stated that lot 1 is a narrow lot and is the smallest of the lots and he has concerns about the proximity of this lot to the existing home on Tanner Road and would like to see if there can be changes made. Mr. Lansing stated that setbacks are in compliance and that all the minimum requirements are being met but he can look at this as it is the same lot that was previously approved. Mr. Ferraro stated that there is a shed on the existing parcel as well that may need to be removed. Mr. Lansing stated that this can be addressed with the current owner.

New Business:**2021-015 516 Vischer Ferry Rd Office Addition Site Plan**

Applicant proposes construction of a 1,437 sf addition to an existing dental office for dental offices, treatment rooms and exam rooms. Additional parking and a new dumpster enclosure are included, 516 Vischer Ferry Rd, Zoned: B-3, Status: PB Concept Review SBL: 270.-2-33.11

To be reviewed by: MJE Consultant: Advanced Engineering Applicant: N. Chauvin

Consultant/Applicant Presentation:

Steve Heart – Advanced Engineering – Mr. Heart stated that the application is for a 1,437 square foot addition on the south side of the facility. He stated that there would be added parking as well on the west and east side of the existing building. He stated there are about 20 spaces to the rear of the building now and adding 8 spaces in the rear of the building and 9 employees parking to the front of the site with 36 parking spaces total with an access road. Mr. Heart stated that the berm would be maintained and expanded in the front of the facility. Mr. Heart stated that the facility intent is to expand the current practice and to match the current façade of the building to the new addition. He stated that a dumpster would be in the rear of the building with fencing around it.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 3/4/21 stating:

- Parking lot drive aisles shall be 26' wide
- Due to the proximity of the Dwaas Kill stormwater runoff controls need to be proposed
- Access drive to new parking area required to be at least 20' wide
- Where is the entrance to the building for employee lot?
- Additional handicapped parking may be required at new entrance to addition
- Parking area is proposed over sewer easement
- Is the well used?

Wade Schoenborn, Chief of the Bureau of Fire Prevention:

1. Parking drive aisle must be 26' wide
2. Access to employee parking must be 20' wide
3. Provide fire apparatus access plan that complies with the NYSFC

Scott Reese, Stormwater Management Technician issued a memo dated 3/19/21 with the following comments:

1. Stormwater runoff from the site should not be directed toward the steep slopes of the Dwaas Kill without dissipating or redirecting the runoff from the impervious surfaces on this site.

The Environmental Conservation Commission held a meeting on 3/16/21 and issued a memo recommending:

1. The ECC recommends the applicant show permanent erosion and sediment control measures to protect the stream embankment of the Dwaas Kill from runoff from all the new impervious surfaces. The applicant shall look into diverting the runoff directly down the slope and should find other alternatives (ie redirect flow and/or infiltrate onto the site).
2. The Applicant must indicate the proposed amount of greenspace for this project on the plans.
3. The limits of (the LC Zone and 100 foot buffer zone, DEC Wetlands, Federal Jurisdictional Wetlands) shall be identified on the plot plan.
4. The ECC inquires if the well on site will be used or abandoned. If abandoned it shall follow NYSDEC well abandonment procedures.
5. The ECC recommends that the dumpster be relocated away from the proposed location adjacent to the steep slopes in order to avoid any potential impacts on the Dwaas Kill in the event of a spillage. Due to the probability of liquid wastes leaking from the on-site dumpster into the Dwaas Kill the ECC recommends the applicant enclose the area (i.e. roof) on an impervious surface with a berm surrounding the dumpster that accept the liquid wastes. If necessary, the Applicant will need to periodically pump out the accumulated wastes within the bermed area to avoid any overflow

John Scavo, Director of Planning issued a letter dated 3/19/21 with recommendations he made:

1. Since Vischer Ferry Road is a County Road a referral to the Saratoga County Planning Board for a recommendation on this proposal is required.
2. The applicant should meet with Steve Myers, Director of Building & Development and Wade Schoenborn, Town Fire Marshall outside of the Planning Board Meeting to discuss their technical comments regarding compliance with the New York State Building & Fire Code, specifically Fire Apparatus Access Road Minimum Specifications.
3. The preservation of the trees and landscaped area as shown on the site plan within the front yard area of the parcel is a critical element to ensure visual impacts of the expansion to the parking areas and building are minimized.
4. A detail for the dumpster enclosure should be provided as plans advance.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 3/20/21 had the following comments:

STATE ENVIRONMENTAL QUALITY REVIEW

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 is required due to the parcel’s proximity to Vischer Ferry Road (County Route 90)
- c. NY State Historic Preservation Office: correspondence with SHPO to ensure no archeologically sensitive resources on project site.

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:

1. Part I.12b – The response indicates that the project site is located within or adjacent to an area designated as sensitive for archeological sites on the NY State Historic Preservation Office (SHPO) archeological site inventory. The applicant should provide a correspondence letter from SHPO to confirm the presence or absence of archeologically sensitive resources.
2. 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. The applicant should provide documentation that confirms the presence or absence of federally regulated wetlands adjacent to the project site. Additionally, a 100’ wetland buffer should be clearly shown on plan to confirm. Should this change as the project design progresses, additional approvals and permits may be required and the response to Part I.1 may need to be updated.
3. No further comments at this time.

SITE PLAN

4. The project resides within the Town’s Neighborhood Business B-3 Zoning District. The proposal for the expansion of a dentist office is a permitted principal use within the CR District as noted in Section 208-32(A)(1) of the Town’s Zoning.
5. The site plan shall include a site statistics table with the existing and proposed space and bulk lot requirements as defined in Section 208-38 of the Town’s Zoning.
6. 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 208-38 of the Town’s Zoning. If variances have been previously granted, they should be shown on the plans. The potential lot deficiencies identified are as follows:
 - a. Section 208-38(E) requires no parking shall be placed closer to a rear property line than 30 feet. The plans show proposed parking within the stated rear setback line.

The plan would need to be modified or the applicant will be required to seek relief from the Town Zoning Board of Appeals for the lot layout as proposed.

7. Per Section 208-99 of the Town Code, total parking required at dental offices shall be 1 per 150 sq. ft. The plan shows 36 parking spaces, 6 less than required. Illustrate how the minimum number of parking can be provided.
8. Provide a proposed grading plan to indicate that the permanent deed restriction area will not be disturbed on the south side.
9. It is noted that the applicant will be extending the existing landscaping berm along Vischer Ferry to provided additional screening. Provide planting plan for proposed berm.
10. The proposed two-way access to the employee parking area shall be widened to meet Town Standards.
11. Provide detail of dumpster enclosure.
12. Identify the date and by whom the wetlands shown were delineated.
13. It appears the plan proposes restriping of the existing parking lot and relocating the existing ADA parking spaces. Provide sidewalks curb ramps to accommodate the new ADA accessible route to sidewalk.
14. Provide entrance location for employees. Include additional sidewalks on east side of building from the employee parking to proposed entrance. Also, suggest an additional ADA parking space in employee parking lot.
15. 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.
16. Provide information on how roof drains will be connected to the proposed storm sewer system.
17. The following comments are relative to the site plan and its conformance to the International Fire Code (IFC). The Town Fire Official shall have final authority on the applicability of these comments to the proposed site layout:
 - a. If the proposed building is to be provided with an automatic sprinkler, show the location of the fire department connection to ensure they are reasonably accessible.
 - b. Show or note the location of any required Knox Box associated with the building.
 - c. The fire apparatus access road on the concept plan appears greater than 150 feet in length so a turn-around will be required to meet Section 503.2.5 of the IFC.
 - d. Provide a turning template analysis for the largest emergency vehicle that may respond to an event at the site
18. There should be confirmation that the anticipated water usage and sewer generation as a result of the additional office space does not exceed any permit thresholds imposed by other regulatory agencies having jurisdiction.
19. While the application material indicates that the project will have less than 1 acre of disturbance and would not be subject to GP-0-20-001, there is a proposal to increase impervious cover and potentially change or alter drainage patterns. As such, an analysis shall be completed that examines the pre- and post-drainage conditions to determine whether or not there will be adverse impacts to the receiving drainage system.
20. Subsequent submissions shall include building elevations to demonstrate conformance with Section 208-115(D) of the Town Zoning.

21. 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, and erosion control to fully assess the design and its compliance to the applicable standards.

Public Comments:

No public comments.

Planning Board Review:

Mr. Martin stated he has no comments.

Mr. Ferraro stated that he likes that Mr. Scavo will be setting up a meeting about fire access. Mr. Ferraro stated that the parking may need to change to accommodate the fire access issues. Mr. Ferraro stated he has concerns with the stormwater runoff going to the Dwaas Kill and that there are arrows indicating that the runoff is directed to that area and would like the buffer zones shown. Mr. Ferraro stated he would like to see elevations of the plan to determine visual impacts would be from Vischer Ferry Road. Mr. Ferraro asked Mr. Scavo about his opinion on the fire requirements. Mr. Scavo stated that he had spoken to one of the fire commissioners and that if there were a fire that it would most likely be fought from the existing driveway and the yard space. Mr. Scavo stated that if the width of the parking lot drive needs to be expanded then there may need to be a second curb cut. Mr. Ferraro asked what would become of the existing landscaping on the north side of the building, as he would like to see this retained. Mr. Heart stated that the intent is to try to keep the existing landscaping and having a separate entrance for employees, but they are still working with an architect on the building addition.

Mr. Neubauer stated that Mr. Ferraro touched on his concerns but he did have a comment about the dumpster area which may encroach on the 30 foot setback and that maybe a variance is being sought out.

New Business:

2021-017 Clifton Park Rental Pole Barn Site Plan

Applicant proposes to construct an 80' wide by 90' long pole barn for storage at the north end of the site. The 7,200 sf structure will have a 12' x 90' overhang. Project disturbance is approximately .23 acres on already existing gravel surface, 871 Main St, Zoned: B-3, Status: PB

Concept Review SBL: 265.-1-80 To be reviewed by: MJE Consultant: ABD
Applicant: D,K & S Enterprises, Inc.

Consultant/Applicant Presentation:

John Hitchcock - ABD – Mr. Hitchcock stated the existing site has rental equipment for and materials available for various events. He stated that the offices are located in the front building as well as warehouse space. He stated that in the rear of the property is 2 storage warehouse spaces and to the north of the site is the stormwater management area. He noted that most of the site is gravel to the rear and eastern side of the site. Mr. Hitchcock stated the only paved area is in the front for the entrance and employee parking. Mr. Hitchcock stated that the applicant was using a temporary tent structure for storage purposes in the proposed location for the storage building. Over the winter the heavy snow collapsed the tent structure thereby forcing the applicant to seek more permanent space for storage to protect the rental materials from the weather. Mr. Hitchcock stated that the proposal would be for a 7,200 square foot pole barn with an overhang which is just over the square footage of the tent. Mr. Hitchcock stated that the areas between the proposal and the existing warehouse will be maintained as the existing structure needs aerial access. He showed on the Zoom screen an aerial map of the project. Mr. Hitchcock stated that this is being considered an accessory structure but Mr. Myers is requiring an 80 foot setback and they only have 61 feet from the front setback and a variance would be needed. He stated that this property is well screened from the residential properties surrounding it and this business has been here since 1973. Mr. Hitchcock stated that all comments will be looked at as the project progresses.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 3/4/21 stating:

- The new structure will require a full foundation
- New structure does not meet the required 80' front setback
- Gravel areas need some type of runoff protection to infiltration basin
- Due to proximity to residencies, times for construction should be limited
- Structure height is required to determine the required setbacks
- are the gravel areas included in the pavement numbers or the green space?

Wade Schoenborn, Chief of the Bureau of Fire Prevention:

1. provide fire apparatus access plan that complies with NYSFC

Scott Reese, Stormwater Management Technician issued a memo dated 3/19/21 with the following comments:

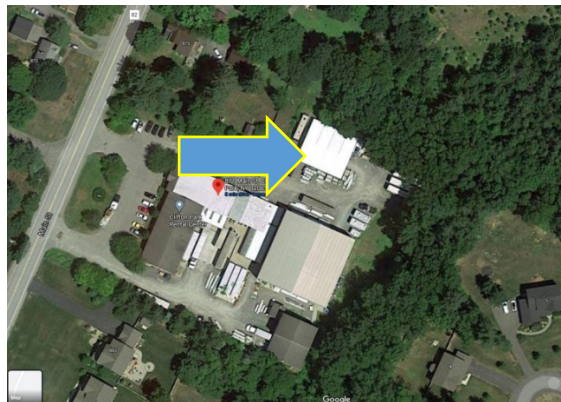
1. Provide underdrain along drip edge and direct to existing stormwater infiltration basin.

The Environmental Conservation Commission held a meeting on 3/16/21 and issued a memo recommending:

1. The ECC concurs with Steve Myers – Clifton Park Rental Pole Barn comments and questions on the memo dated 3/4/2021.

John Scavo, Director of Planning issued a letter dated 3/19/21 with recommendations he made:

1. Since Main Street is a County Road a referral to the Saratoga County Planning Board for a recommendation on this proposal is required.
2. The applicant should meet with Steve Myers, Chief Zoning Officer to determine setback requirements.
3. It is understood that the approximate location of the proposed pole barn is in the general footprint (slightly larger) for where a tent canopy structure was previously shown per the aerial image below.



4. With various outbuildings located throughout the site it is important that access be maintained to all building locations for emergency service purposes and is not blocked by the stockpiling of materials and equipment.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 3/20/21 had the following comments:

STATE ENVIRONMENTAL QUALITY REVIEW

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 is required due to the parcel’s proximity to Main Street (County Route 82)

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:

1. No further comments at this time.

SITE PLAN

2. The project resides within the Town’s Neighborhood Business B-3 Zoning District. In our review of Section 208- 32(A)(1) of the Town’s Zoning, the proposal for a rental space with warehousing appears to be a permitted use as long as it is clearly incidental to the approved use that already exists.
3. The SEAF indicates a 9,700 SF structure, however the project narrative and site plan show a 7,200 SF structure. Please revise SEAF accordingly.
4. Based upon a review of the lot configuration, it appears the minimum bulk lot requirements as identified in Section 208-38 of the Town’s Zoning are satisfied.
5. Confirm the percentage of greenspace on site. Preliminary calculations appear to be closer to the minimum of 35%.
6. The applicant indicates that no water or sewer will be connected to the proposed building.
7. While the application material indicates that the project will have less than 1 acre of disturbance and would not be subject to GP-0-20-001, there is a proposal to increase impervious cover and potentially change or alter drainage patterns. As such, an analysis shall be completed that examines the pre and post drainage conditions to determine whether or not there will be adverse impacts to the receiving drainage system.
8. Indicate how the roof drainage will be directed towards the existing stormwater management practice.
9. The following comments are relative to the site plan and its conformance to the International Fire Code (IFC). The Town Fire Official shall have final authority on the applicability of these comments to the proposed site layout:
 - a. 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.
 - b. The fire apparatus access road on the concept plan appears greater than 150 feet in length so a turn-around will be required to meet Section 503.2.5 of the IFC. Also, if the building is greater than 30 feet in height, an aerial fire apparatus access road will be required meeting the requirements of Appendix D, Section D105 of the

2020 Fire Code of New York State (FCNYS). c. Provide a turning template analysis for the largest emergency vehicle that may respond to an event at the site.

10. Subsequent submissions shall include building elevations to demonstrate conformance with Section 208-115(D) of the Town Zoning.
11. 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. Andarawis stated that the site has good screening from the neighbors and stated that visuals from the roadway are a concern and as long as the project does not disturb the front buffer he does not foresee concerns. Mr. Hitchcock stated that they do not plan to impact existing vegetation but to disturb the gravel area only. Mr. Andarawis asked what the height of the building would be. Mr. Hitchcock stated that the applicant had stated it would be 16 feet to the roof line in height but not to the ridge, but it would be closer to 20 feet. At the next meeting Mr. Hitchcock stated he should have elevations.

Discussion Items:

None

Mr. Szczesny moved, seconded by Mr. Martin, adjournment of the meeting at 11:25 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on April 13th, 2021.

Respectfully submitted,

Paula Cooper

Paula Cooper, Secretary