

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
Keith Martin

(alternate) Jennyfer Gleason

Planning Board Minutes
November 23rd, 2021

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

Planning Board: R. Ferraro, Chairman, E. Andarawis, E. Ophardt, K Martin,

Those absent were: D. Bagramian, R. Lalukota, A. Neubauer, J. Gleason – Alternate Member

Those also present were: J. Scavo, Director of Planning
J. Lippmann, MJE
R. Wilcox, Counsel
P. Cooper, Secretary

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

Mr. Ferraro stated that since the Planning Board has 7 members, for the Board to approve an application, there needs to be 4 out of 7 votes in favor of the application. Therefore, with only 4 Board members here tonight, any action taken requires an affirmative vote of all 4 members. He stated that each applicant has the option to table their application for a later date when more Board members are available to participate.

Minutes Approval:

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

Public Hearings:

None

Old Business:**2021-049 Route 146 - Miller Rd Self Storage, Flex Space**

Applicant proposes developing the parcel with Flex Space and Self Storage buildings. The self storage component will have conventional cold storage and a portion will have vehicle storage.

The project will have 57 parking spaces., 524 Miller Rd, Zoned: B-5, Status: PB Preliminary Review SBL: 270.-2-3.121

To be reviewed by: MJE Consultant: Advanced Eng. Applicant: Secure-It Self Storage

Last Seen on: 9-14-21

Consultant/Applicant Presentation:

Nick Costa – Advanced Engineering – Mr. Costa stated that Mike Satterly is also in attendance and is with Secure-it Self-Storage. Mr. Costa stated that the application will have 21 parking spots with frontage on Route 146 and Miller Road. He stated that he has received feedback from the Board and staff, and revisions to the plan have been made. Mr. Costa showed a map of the proposed layout and stated that there are about 45 acres of property and there are DEC and ACOE wetlands so there would be a 100 foot buffer area around them. He stated that the wetlands are narrow and long but mostly for drainage. Mr. Costa stated that plans have changed as not to cross as many wetlands and have access only from Miller Road with a crossing. Mr. Costa stated that there will be 5 buildings used for warehouse storage, each 6,000 sf and that the remaining 11 buildings would be cold storage only, and there would be one office on site. Mr. Costa stated that the cold storage buildings would be 15’-16’ in height and have a flatter roofline; the warehouse buildings would be 20’ high. He stated that there is water and sewer access on both frontage roads and the applicant plans to connect to both. Mr. Costa stated that the lands are gently sloping towards the wetlands, so stormwater management would be going in that direction as well as a retention system. He stated that there will be no impact on the wetlands, but it would

drain them. Mr. Costa stated that they are not intending to disturb the culvert pipe systems in place either.

Mr. Satterly stated that there would be 3 buildings that would have RV storage available and the roof lines on those buildings would be 14' and the rest of the cold storage buildings would be 8'-10 feet at the roofline. He stated that the warehouses would be heated.

Mr. Costa showed in the meeting the site statistics and stated that there is 75% green space with this project and that in a B-5 zoning, this is an allowable use. Mr. Costa showed elevations of the building proposed and stated that they would be similar to the ones that the applicant already owns on Route 146 in Halfmoon. He stated that the proposed office would resemble the current office as well and would be climate controlled with a bathroom, but no storage will be used in the office building.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 11/16/21 stating:

- Currently appears to comply with zoning setback requirements
- Emergency vehicle turning radius does not appear to be available in several areas
- Significantly more detail required prior to approval (drainage, SWPPP, fire hydrants, lighting, etc.)

Wade Schoenborn, Chief of the Bureau of Fire Prevention:

1. Provide a complete fire apparatus access plan that complies with the FCNYS
2. Appears the building may need to be sprinklered
3. Specify hydrant and FDC locations

Scott Reese, Stormwater Management Technician issued a memo dated 11/19/21 with the following comments:

1. Applicant stated that stormwater management practices will be in accordance with the Town of Clifton Park Stormwater Regulations and the NYSDEC Stormwater Management Design Manual and the Stormwater Pollution Plan will be developed.
2. Future Preliminary Plans will show the proposed grading and how the drainage will convey from one side of the project to the proposed stormwater management area. The grading plans should also show the avoidance of fill in the Federal Wetlands and 100' NYSDEC Adjacent Areas.
3. Future Preliminary Plans shall provide test hole and seasonal highwater table information at the proposed locations of the stormwater management areas.

The Environmental Conservation Commission held a meeting on 11/16/21 and issued a memo recommending:

1. The ECC requests a plantings plan on the proposed berm along NYS Route 146 and Miller Road to buffer the large mass of commercial structures.

2. Per Town Code 208-54 the ECC recommends that the planning board conduct a visual assessment for any building or structure proposed over 35 feet in height (including a visual EAF Addendum). The Planning Board should require a line-of-sight profile with control points as determined by the board.

John Scavo, Director of Planning issued a letter dated 11/16/21 with recommendations he made:

1. A referral to the Saratoga Co. Planning Board for a recommendation on the Preliminary Site Plan will be made per GML §239m.
2. The project appears to be a Type I Action under SEQR, per NYCRR Part 617.4(b)(6)(i). Therefore, coordinated review with the Planning Board designated as the lead agency is required.
3. As plans progress, the applicant should show any proposed exterior lighting to include wall-mounted lighting units.
4. Please review the following excerpt from the Clifton Park Town Code, §208-55 Development Standards. The applicant should outline how the condition has been met for each standard at the time of preliminary plan submission:

§ 208-55

Development standards.

A. Ingress/egress. There shall not be more than one curb cut per lot unless the Planning Board finds that traffic safety will be improved with the addition of another curb cut. Such curb cut shall be wide enough to accommodate safely and in accordance with accepted traffic control standards approved by the Town's engineer the type of traffic to be generated by the use and shall meet all of the fire safety requirements of the Town of Clifton Park. The distance between curb cuts on two separate parcels shall be a minimum of 100 feet measured from the centerline of the curb cut. Design should take into consideration the possibility of shared curb cuts with adjacent properties. In the case of a corner lot, no curb cut shall be located closer than 100 feet to an intersection.

B. Landscaping. The overall intent of this standard is to achieve, where possible, a well-landscaped site that takes into consideration the surroundings and the total environment. That is, consideration shall be given to the preservation of natural and existing vegetation as well as new plantings throughout the entire site plan. The Planning Board shall take into consideration the location of the structures and parking areas and their proximity to adjacent buildings and/or lots. Consideration shall be given to planting along property lines, buffer areas and along the walls of the building or structure, where possible, without impeding the operations of the facility. However, if there is substantial natural vegetation on site that

serves the requirements, i.e., screening, aesthetics, etc., the Planning Board shall not require additional landscaping except where deficiencies exist.

C. Architectural. The architectural design shall consider building facade, including color, and other significant design features such as exterior materials and treatments, roof structures, exposed mechanical equipment and service and storage areas. Architectural block or similar facades, especially along the road frontage, shall be required (underlined for emphasis).

D. Utilities. Uses proposed within a B-5 District shall be served by sanitary sewers, adequate drainage control and/or storm sewers and a community water system where available. If none is available at the time of approval, the Planning Board shall require the owner to hook into a community water and sewer system as soon as one becomes available as defined by the New York State Uniform Fire Prevention and Building Code.

7. Show the approximate location for overhead doors and their orientation as the site plan advances in design.
8. A curb-cut permit for the driveway and work within the ROW for the water line connection at Miller Road will require a permit from the Town's Highway Superintendent. Please get in touch with Dahn Bull, Town Highway Superintendent, to begin the necessary permit process.
9. This site was included in the Corporate Commerce Area GEIS in 2001 and, therefore, excluded from the Western Clifton Park GEIS in 2005. It anticipates construction for up to one million square feet of commercial building without significant impact to the transportation network if recommended improvements were made to Route 146. It was anticipated that traffic would funnel to Tanner and Miller Roads and that the intersection of Tanner/Miller and Route 146 would be improved with turn lanes and a traffic signal. It is noted in your concept submittal that the project is anticipated to generate 50 trips during the PM peak traffic hour based on analysis using the ITE Trip Generation Manual, 10th Edition.
10. Municipal water and sewer services were extended to the Corporate Commerce zone to serve future development. The amount of reserve capacity necessary to operate the proposed project should be verified by the applicant through contact with Michael O'Brien, Collection Systems Manager for the Clifton Park Sewer District.

Mr. Ferraro asked in the meeting if Mr. Scavo was still comfortable with the SEQR action that was taken at the last meeting. Mr. Scavo stated he was.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 11/19/21 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 a “Type I” action per NYCRR Part 617.4(b)(6)(i). For Type I actions, a full EAF must be used to determine the significance of such actions. The project sponsor must complete Part 1 of the full EAF, including a list of all other involved agencies that the project sponsor has been able to identify, exercising all due diligence. 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. Town of Clifton Park Planning Board: Plan approval
 - b. Saratoga County Planning: 239m referral is required due to the parcel’s proximity to NYS Route 146
 - c. NY State Historic Preservation Office: correspondence with SHPO to ensure no archeologically sensitive resources on project site
 - d. NYSDOT: Driveway curb cut
 - e. NYSDEC: Stormwater permit approval
 - f. U.S. Army Corps of Engineers (USACE): Nationwide Permit
 - g. Clifton Park Water Authority (CPWA): Connection to municipal water
 - h. Clifton Park Sewer District: Connection to public wastewater infrastructure
 - i. Saratoga County Sewer District #1: Connection to public wastewater infrastructure
- 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:

1. No further comments at this time.

SITE PLANS

2. The project resides within the Town’s B5, Corporate Commerce District. The proposal for warehouse and storage is a permitted principal use within the B-5 District as noted in Section 208-53 (A) of the Town’s Zoning.
3. 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.
4. 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.
5. The project proposes to provide potable water to the site from the Clifton Park Water Authority (CPWA). The applicant shall provide the Town documentation indicating the CPWA’s ability and willingness to provide additional potable water to the project. Any

approvals offered by the Planning Board should be conditioned on receipt of CPWA's review and approval.

6. The project proposes to provide sanitary sewer service to the site from the Clifton Park Sewer District / Saratoga County Sewer District No. 1 (SCSD). The applicant shall provide the Town documentation indicating the Town's Sewer District and SCSD's ability and willingness to provide additional sewer service to the project. Any approvals offered by the Planning Board should be conditioned on receipt of the Town's Sewer District and SCSD's review and approval.
7. The plan shows providing 21 parking spaces. Provide a narrative as to how the number of parking spaces was determined for the use proposed.
8. Show locations of the required accessible parking spaces.
9. It appears the warehouse space is being proposed as flex space. These uses will need to be better defined to determine the required parking spaces required and potential traffic impacts.
10. This project may have a cumulative impact on the level of service of the adjacent roadways. As such, it is recommended that a traffic impact study be completed that assesses peak hour vehicle trips, site distance and accident data (specifically at Miller Road and Rt 146). Give the proximity to NYS Rt 146, the findings of the study should be provided to the Region 1 office of the NYSDOT for input.
11. Should any work occur within the NYS Rt 146 right-of-way, approval and permitting from the NYSDOT will be required. For any work proposed within the Miller Road right-of-way approval and permitting from the Clifton Park Highway Department will be required.
12. The plan indicates wetlands were delineated in 2012. Provide documentation from ACOE and NYSDEC that the delineation is still valid and has not expired.
13. Provide the height of the proposed buildings. If any of these buildings are in excess of 35-feet, the Planning Board will conduct a visual assessment and require the applicant to complete Appendix B of the State Environmental Quality Review, Visual EAF Addendum for its consideration as noted in Section 208-54(D) of the Town's Zoning.
14. Show proposed connection and site layout of utilities (water/sewer and storm).
15. Show the location of and provide a detail for any exterior refuse areas.
16. Subsequent plans shall show how the project will meet the requirements of Section 208-55 of the Town's Zoning in regards to landscaping. Areas where existing buffers will be preserved, buffers exist but need to be enhanced or where buffers do not exist and need to be provided shall be presented.
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. Section 912.2 of the IFC requires a fire hydrant to be located within 100-feet of the building's fire department connection. It is not clear from the plans where the closest hydrant to the site is or where the fire department connection may be. Additional hydrants may be necessary.

- c. 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.
 - d. Identify the actual height of the buildings. If greater than 30-feet in height above the average grade plan, aerial apparatus access shall be provided that is between 15 and 30 feet of one entire side of the building in accordance with Appendix D105 of the IFC. If aerial apparatus access is required, its location shall be identified on the plans.
 - e. Pursuant to Section D104 of the IFC, commercial or industrial buildings that are exceeding 62,000 sq. ft. shall be provided with two separate and approved fire apparatus access roads unless equipped with automatic sprinklers (this exemption is permissible up to 124,000 sq. ft. of building area).
 - f. Provide a turning template analysis for the largest emergency vehicle that may respond to an event at the site.
18. Subsequent plans should include architectural elevations of the building with a listing of the materials of construction for review by the Planning Board.
19. 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, landscaping, erosion control and stormwater management to fully assess the design and its compliance to the applicable standards.

Public Comments:

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche thanked the applicant for pushing the site back from the Route 146 frontage and asked if the applicant could add more earth berm to the top of the existing berm on 146 as the topography makes the buildings lower by nature. Mr. LaFleche asked how far the edge of the road is from the proposed office and asked to leave the maximum room they can for a possible future trail. Mr. Costa stated that the closest building to Miller Road is about 57’ and from the storage building to the road is 52’. Mr. LaFleche asked if the landscaping plan could include the 50’ setback to screen the area. Mr. LaFleche asked if a large fire truck would be able to maneuver through the area and swing around the buildings. Mr. Costa stated that there will be a plan showing how a fire truck could move around the site.

Planning Board Review:

Mr. Andarawis stated that he likes the smaller site and the location of the office and the topography as it makes the screening of the buildings better. Mr. Andarawis suggested to the applicant that he would like to see the berm moved away from 146 and made more parallel to the development to see if it flows better and makes the buildings more screened.

Mr. Martin stated that the parcel has been used on and off for agricultural uses. He suggested it could be used for this in the future. Mr. Satterly stated that there are no plans for farming on the land but he is not opposed to leasing some of the remaining lands to do so if it is possible. Mr.

Martin asked if there would be production done in the warehouses or if they would be used just for storage. Mr. Satterly stated it is for storage only.

Mr. Ophardt asked if there could be any other uses for the land other than farming. Mr. Costa stated that there are no plans to develop the remaining lands, but the previous application did. Mr. Ophardt stated that if it gets developed later on that access would need to be from Miller Road as well. Mr. Satterly stated that if this storage facility becomes full in the future, he would want to expand. The 50' private access road could potentially be used between the warehouses and what is there would remain. Mr. Satterly stated that if they were to expand it would be for the same use, he stated that currently, the warehouse space would be about 1500 sf units with 4 units per building with an access door, an overhead door, and it would be heated. He stated that 3 of the other buildings would be large enough to store RV and all other buildings would not be heated. Mr. Ophardt asked if any business would run out of the storage areas. Mr. Ferraro stated that since the flex space has been eliminated from the site plan, the expectations would be that there would be no work going on in the premises. He pointed out that Flex space has additional requirements as was discussed at the last meeting. Mr. Satterly stated that the intent is for an electrician, for example, to store his materials at this location and to be able to park his vehicle inside at the location as well. Mr. Ferraro stated that this is also up to the Zoning Officer to enforce but as far as he is aware there will be no workers on site, only storage. Mr. Satterly stated that the intent for this site is only for storage and that he understands there is no flex space being presented for the site.

Mr. Ophardt asked if the rooflines could be more flat rather than sloped. Mr. Satterly stated that this has been done intentionally and are at a 15 degree pitch to keep the roofline lower. Mr. Ophardt asked about sprinklers in the buildings. Mr. Satterly stated that there would be 6,000 sf and then has firewalls per NYSFC so no sprinklers would be needed. Mr. Ophardt stated that the fire access would be difficult. Mr. Satterly stated that Mr. Costa would show turnarounds and there would be 30' between buildings and if it is needed, the placement of the buildings can be moved. Mr. Ophardt asked if Miller Road frontage would be bermed. Mr. Satterly stated that there would be plantings there and not bermed.

Mr. Ferraro asked about future intentions to expand by the applicant. Mr. Satterly stated that there is a potential but there are no plans now. Mr. Ferraro stated that there is a 50% coverage max for the B5 zone and that with the wetlands in this number the applicant may be close to the 50% already. Mr. Ferraro stated that he would prefer to see a full plan rather than a segmented one. Mr. Ophardt stated he would like to see a future development plan.

Mr. Ferraro stated he would like to see a simulated view from Route 146 as well as a view from Miller road as there are residents on the east side. He stated that he would like to see the disturbance areas indicated as well as boundaries for the next submission.

Old Business:

2021-043 North Country Commons Redevelopment

Applicant proposes construction of a 4,900 sf restaurant/retail building and a 2,600 sf bank with drive thru, drive aisles, parking, landscaping, utilities and stormwater management practices, 1208 Rt 146, Zoned: PUD (comm), Status: PB Revised Concept Review

SBL: 270.-2-55.1

To be reviewed by: MJE Consultant: Bohler Eng. Applicant: Whitney Lane Holdings, LLC

Consultant/Applicant Presentation:

Rob Osterhoudt – Bohler Engineering – Mr. Osterhoudt stated that they were last here in August with a concept and they are back tonight with changes made based on feedback. He stated that access to the site from Route 146 will be a central drive that is 30' wide that goes through the center of the site. Mr. Osterhoudt stated that the 30' would be contiguous to the site locations and some exiting parking has been removed and more greenspace has been added. He stated that the Layout of the pad site has increased areas between the existing bank building and the new proposed one as well as the new bank is now smaller in size with more circulation and dual access. He stated that the new bank would have only one drive-thru lane. Mr. Osterhoudt stated that the parking in this area has been moved to run north to south to increase parking and greenspace and the trash area has been relocated and screened from 146. Mr. Osterhoudt stated that there would be pedestrian access from 146 to the existing sidewalk and go to the large building in the rear of the property. He stated that there are 2 new buildings proposed on 146 and one new building proposed to the west of the site that has been previously used for the National Grid project. He stated that the building on the west would be about 30,000 square feet and be used for the gymnastics business that is currently in the large existing building. Mr. Osterhoudt stated this would allow the business to expand and have a drop-off area and parking in front of the building. He stated that the drop-off area would be landscaped with an island for safety and more landscaping would also be added to the front of the large existing building. Mr. Osterhoudt stated that this would create traffic calming as the vehicle path from west to east is fairly straight now. He stated that the landscaping along Vischer Ferry Road would be removed and replaced with new landscaping and the second drive from 146 would be moved about 100 feet to the west. Mr. Osterhoudt stated that there are certain build and no no-build areas due to leases, which is why the proposed buildings are in the same general area as before. He stated that the green space is still being met and is at 25.5%. He stated that there are 469 parking spaces proposed and 372 spaces are available currently. Mr. Oastehaut stated that Mr. Howard Carr is here tonight to help answer any questions.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 11/16/21 stating:

- Since the parcel is a PUD all setbacks, allowed uses, lot coverage and green space are under the purview of the Planning Board based on the legislation which references a map developed in 1995

Wade Schoenborn, Chief of the Bureau of Fire Prevention:

1. Provide a fire apparatus access plan that complies with the FCNYS
2. Will buildings be sprinklered?
3. Specify hydrant and FDC locations
4. Postal verification

Scott Reese, Stormwater Management Technician issued a memo dated 11/19/21 with the following comments:

1. It appears that this project will require a FULL SWPPP for the amount of disturbance that is planned.
2. The existing stormwater management area located in the southwestern portion of the project site shall be maintained prior to review of the SWPPP.
3. All down stream stormwater structures and piping from the proposed work shall be evaluated for structural and performance integrity.
4. The outfall of the existing basin drains into the Dwaas Kill. The Dwaas Kill is a 303d segments impaired by pollutants related to construction activity, so additional protection measure will be necessary.
5. Show all existing stormwater management practices and outfalls on the future preliminary plans.

The Environmental Conservation Commission held a meeting on 11/16/21 and issued a memo recommending:

1. The Applicant should verify the minimum required greenspace in accordance with PUD, calculated for the entire parcel.
2. The ECC notes that all plantings have been removed from the original existing plan. The next submitted plans should show the proposed planting plan.
3. The ECC notes that this project has a significant amount of paved parking area. The ECC strongly recommends that the applicant proposed additional greenspace and plantings to make the parking area more appealing. The reduction of impervious parking will have a less impact on runoff directed towards the Dwaas Kill.
4. The ECC requests if the trees along Vischer Ferry Road are in good condition should remain

John Scavo, Director of Planning issued a letter dated 11/17/21 with recommendations he made:

1. A referral to the Saratoga Co. Planning Board for a recommendation in the Preliminary Site Plan will be made per GML §239m.

2. The proposed amendment appears to eliminate two previously shown curb cuts from the bank onto the private driveway and a proposed concrete sidewalk running parallel along the western side of the access drive from Route 146 to the existing shopping plaza.
3. An additional infill building was added within the existing fenced-in gravel surface area west of the shopping plaza for Cartwheels Gymnastics, a current plaza tenant. The revision addresses a previous comment by the Planning Board expressing concern for the future intentions of that area of the parcel.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 11/19/21 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:

1. Town of Clifton Park Planning Board: Plan approval
2. Saratoga County Planning Board: 239m referral
3. NYSDOT: Highway Work Permit
4. NYSDEC: SPDES Stormwater Permit
5. Saratoga County Sewer District: sewer connection
6. Clifton Park Water Authority: water connection

SITE PLANS

7. The project is a planned development district (PDD) with site specific zoning that defines among other topics, uses, density and bulk lot requirements. This was approved by the Clifton Park Town Board by way of Local Law No. 9 of 1995. Our review of the site plans submitted is primarily for conformance with the approved PDD and other applicable design standards.
8. The bank and restaurant uses proposed are allowed in the North Country Commons PDD. The existing Cartwheel will be relocated to the proposed building to the west.
9. The concept provides little in the form of pedestrian linkages to and from the main entrance way to each building. The applicant should coordinate potential linkages to each site.
10. Provide anticipated water and sewer usage information.
11. Show utility connections to proposed buildings.
12. 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.

13. The project is proposing to be serviced with public water from the Clifton Park Water Authority. The applicant shall provide the Town documentation of the CPWA's ability and willingness to service the project with the additional potable water.
14. The project is proposing to be serviced with public sewer from the Saratoga County Sewer District. The applicant shall provide the Town documentation of the SCSD's ability and willingness to service the project with public sewer.
15. It is recommended that at a minimum the number of peak hour vehicle trips, including truck trips and sight distance at the project entrance be provided.
16. Provide a narrative of the breakdown proposed uses and required parking spaces.
17. Elevations and materials of construction for the proposed building should be submitted to the Planning Board for review.
18. It appears the existing curb cut along Route 146 is being relocated. Any new access proposed onto Route 146 is subject to the review and approval of the NYSDOT.
19. If the project proposes any utility improvement work within the State right-of-way, the work will be subject to the review and approval to the NYSDOT. The applicant shall coordinate with the regional office of the NYSDOT and obtain permitting in advance of construction.
20. 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. Section 912.2 of the IFC requires a fire hydrant to be located within 100-feet of the building's fire department connection. It is not clear from the plans where the closest hydrant to the site is or where the fire department connection may be. Additional hydrants may be necessary.
 - c. 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.
 - d. Provide a turning template analysis for the largest emergency vehicle that may respond to an event at the site.
21. Considering the plan submitted is conceptual in nature, we will reserve further comments until more detailed plans are submitted. Subsequent submissions shall include information specific to lighting, landscaping, erosion control and stormwater management to fully assess the design and its compliance to the applicable standards.

Public Comments:

Anthony LaFleche - 21 Wheeler Drive – Mr. LaFleche asked why the pedestrian walk is on the west side of the drive rather than the east side as the restaurant is on the east side. Mr. Osterhoudt stated that pedestrian access still needs to be worked on but they couldn't fit everything on one side of the road without being too tight or crossing the road. Mr. LaFleche stated he likes the flow of the new layout and asked if there is a tenant yet for the restaurant. Mr. Osterhoudt stated there is no tenant yet. Mr. LaFleche asked if the area where the gymnastics building is proposed

what type of vegetation is existing. Mr. Osterhoudt stated there is brush-type vegetation but was used previously as a staging area. Mr. LaFleche asked what the setback from the gymnastics building would be from the Honey Hollow Residential Development. Mr. Osterhoudt stated the setback is 114' at the closest part of the building to the property line. Mr. LaFleche suggested a berm or fencing for a buffer from the parking lot. Mr. LaFleche asked if there were any future plans to improve the existing building. Mr. Osterhoudt stated that the plan is to renovate and that retail space is also in the plan for the existing larger building. Mr. LaFleche asked why green space is in front of the large building to the west. Mr. Osterhoudt stated that they wanted to dress up the front of the building and calm traffic coming through, and enhance stormwater management.

Planning Board Review:

Mr. Martin stated that he feels the parking area is still too big and that it should be smaller or broken up by shade trees to help avoid heatsink while keeping the parking they feel is needed. Mr. Carr stated that he has been managing the property for 15 years and feels that the codes require too much parking; he stated that from Route 146 you cannot see the Ocean State façade due to grade change. He stated that he would be intensifying landscaping around the perimeter and used the Whole Foods in Latham as an example. Mr. Carr stated that the drive off of Vischer Ferry Road is a long strip that enhances the speed of vehicles, so that is why there is more landscaping in this area. Mr. Martin stated that he would like the applicant to adjust the green space to be vertical as well as low-lying vegetation. Mr. Oastehaut stated that there will be a full landscaping plan submitted in the future for the Board to consider.

Mr. Ferraro stated that he agrees that there needs to be more landscaping and the landscaping needs to be vertical and is concerned about removing existing trees and feels some of them should remain. Mr. Carr stated that the perimeters are more vertical. Mr. Ferraro stated he wants to see it internally as well and that green space is being removed for a new bank building so visual improvements need to be made there.

Mr. Andarawis stated that there needs to be trees along the pedestrian walk, not necessarily high trees but something aesthetic and to carry the crosswalk from the main building to the new Cartwheels as well. Mr. Andarawis stated he would like to see parking banked, especially along the side of the large building closest to where the new Cartwheels building is being proposed. Mr. Carr stated that this can be banked for now to help with balance and safety.

Mr. Ophardt stated that making the west entrance from 146 makes sense to him and stated that the applicant could decrease the width from 60' to 30'. Mr. Ophardt stated that he supports the comments from other Board members to have more trees on the property. Mr. Ophardt stated that he feels that the drive-thru for the restaurant is still too tight, but feels the applicant is moving in the right direction. Mr. Carr stated that he plans to update the façade of the old large

building and the dumpster for the restaurant has been moved across the greenspace with a walkway for employee access.

Mr. Ferraro stated that he likes the updated plan better than the last, appreciates the applicant listening to concerns, and feels this can keep moving forward.

Old Business:

2021-056 427 Schauber Rd Hay/Equipment Barn

Applicant proposes construction of a 3,600 sf farm related building to be used for hay and equipment storage on a parcel with active farming operations. Stormwater run-off from the proposed hay barn will be handled with a gravel drip-edge on both the north and south of the building. Stormwater will then be conveyed to infiltrators located at the east end of the proposed barn as shown. No sewer or water hook-up needed, 427 Schauber Rd, Zoned: CR, Status: PB Preliminary Review w/possible determination

SBL: 258.-1-75

To be reviewed by: MJE Consultant: ABD Applicant: L. New

Last Seen on: 10-13-21

Consultant/Applicant Presentation:

John Hitchcock – ABD – Mr. Hitchcock stated that there have been no changes to the previous plan, all comments have been addressed, and that elevations have been submitted as requested. Mr. Hitchcock stated that there were no new comments except for MJE comment for an apron for the catch basin and stated that this will be done for the final plan.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 11/16/21 stating:

- No further comments

Wade Schoenborn, Chief of the Bureau of Fire Prevention:

1. No further comments

Scott Reese, Stormwater Management Technician issued a memo dated 11/19/21 with the following comments:

1. No stormwater management comments

The Environmental Conservation Commission held a meeting on 11/16/21 and issued a memo recommending:

1. No comment.

John Scavo, Director of Planning issued a letter dated 11/17/21 with recommendations he made:

At a Planning Board Meeting scheduled for November 23, 2021, I will note all my outstanding comments regarding the above-referenced application are satisfied. As shown, the barn elevations provided with the current submittal are acceptable to Town Planning Staff and the Town's Open Space Coordinator.

Mr. Scavo stated in the meeting that he worked with Mr. Myers and Mr. McCarthy and found that farm laws as exempt per Ag. And Market. He stated that the horses are well kept, so the acreage requirements are not needed if in good standings with Ag. And Market and he is fine with the number of horses on the property.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 11/19/21 had the following comments:

STATE ENVIRONMENTAL QUALITY REVIEW

1. No further comments.

SHORT ENVIRONMENTAL ASSESSMENT FORM

2. No further comments.

SITE PLANS

3. Recommend a concrete apron around the catch basin to prevent stone/debris from entering structure.

Public Comments:

No public comment.

Planning Board Review:

Mr. Martin stated that there was 2' at the top of the exterior wall at the previous meeting that was allowing natural light in such as a window and would like to see that integrated. Mr. Hitchcock stated that it would be integrated into the site plan.

Mr. Ophardt moved, second by Mr. Martin, to establish Lead Agency from this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. Martin moved, second by Mr. Andarawis, to waive the final hearing for this application for the site plan review of 427 Schauber Rd Hay/Equipment Barn, and to grant preliminary and final site plan approval conditioned upon the 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: 4 Noes: 0 The motion is carried.

Old Business:

2020-018 Woodin Road 5 Lot Subdivision

Applicant proposes to subdivide the 8.97 acre parcel into 5 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. Private water and sanitary systems will be provided on each individual lot. Woodin Rd, Zoned: R-1, Status: PB Preliminary Review

SBL: 278.-1-7 To be reviewed by: MJE Consultant: ABD Applicant: E. Kim

Last Seen on: 10-13-21

The applicant chose to table the hearing for this application until the January 25th, 2022 meeting.

Old Business:

2021-050 1640 Crescent Road 2 Lot Subdivision (Ballard)

Applicant is proposing to subdivide a 5 acre parcel into 2 single family residential lots, 1640 Crescent Rd, Zoned: R-1, Status: PB Final Review

SBL: 288.-2-9 To be reviewed by: MJE Consultant: EDP Applicant: P. Ballard

Last Seen on: 10-26-21

The applicant chose to table the hearing for this application until the January 11th, 2022 meeting.

Old Business:

2021-011 Blue Barnes 7 Residential Lot Subdivision

Applicant proposes to subdivide a 29.35 acre parcel into 7 building lots each having an on-site septic system. Project includes the construction of a cul de sac and stormwater management, 102 Blue Barnes Rd, Zoned: CR, Status: PB Preliminary Review

SBL: 263.-1-22 To be reviewed by: MJE Consultant: EDP Applicant: Blue Barnes Dev, LLC

Last Seen on: 9-28-21

Consultant/Applicant Presentation:

Gavin Vuillaume – EDP – Mr. Vuillaume stated that the applicant has addressed previous comments and now needs to address new ones. Mr. Vuillaume stated that the homes have been moved around on the lots based on wetland locations and that Mr. Bull from the Highway Department is ok with the cul-de-sac being proposed. He stated that the cul-de-sac has been enlarged with a closed drainage system as requested. Mr. Vuillaume stated that soil tests have been done and small changes were made to the septic systems and stormwater.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 11/16/21 stating:

- Planning needs to approve the creation of lot #8 for a future solar array
- Separation from ground water will be verified in the field
- Grading plans for each lot will be required to ensure proper drainage

Wade Schoenborn, Chief of the Bureau of Fire Prevention:

1. Driveways must be less than 500' or comply with Section 511 of the NYSFC
2. Driveways must be designed to support 75,000 lbs
3. Driveways must be 12' wide minimum
4. Driveways must have 13'6" clearance minimum

Scott Reese, Stormwater Management Technician issued a memo dated 11/19/21 with the following comments:

1. If riparian buffers are proposed they should be delineated and designate methods to preserve the buffer indefinitely. Ensure that buffers where native vegetation are protected throughout planning, design, construction, and occupancy.
2. Supply deep test hole results with seasonal highwater elevations for stormwater management practices. Seasonal high groundwater should not be left to assumptions. It would be beneficial to have seasonal highwater elevations for proposed home foundations and on-site septic systems.
3. The proposed Micropool is in the Schenectady-Niskayuna Sole Source Aquifer. The NYS Stormwater Management Design Manual for Micropool Extended Detention basins states "Provide a minimum 2' separation from the groundwater in sole source aquifers." A 4" perforated underdrain and pond liner should not qualify to meet this requirement.
4. The proposed 4" perforated underdrain in the proposed forebay is outletting directly onto a neighboring property. This may be a source of increase velocity and volume directed off site and is not recommended

The Environmental Conservation Commission held a meeting on 11/16/21 and issued a memo recommending:

1. The ECC requests the Applicant to clearly delineate the unconstrained lands that will be permanently deeded as public or private open space on the map and to provide a clear calculation of how much land will be protected (including constrained and unconstrained lands, solar field, and associated driveway).
2. The Applicant shall indicate to the Planning Board whether the permanent open space will be deeded public or private (see 208-16 F. (4)).
3. The parcel (subdivision) is located in an area which may be impacted by railroad activity. Impacts may include noise or vibration. The Planning Board shall require the applicant to note on the Deed the potential for railroad noise and vibration impact on the homeowner.

John Scavo, Director of Planning issued a letter dated 11/19/21 with recommendations he made:

1. The applicant has adequately addressed my previous comments offered at the September 8th Planning Board Meeting.
2. Attached, please find a copy of Town Code §179-21 to 197-23. Before establishing a preconstruction meeting, the owner should be aware of the roadway bonding requirements, maintenance requirements, and dedication requirements.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 11/19/21 had the following comments:

STATE ENVIRONMENTAL QUALITY REVIEW

1. No further comments.

SITE PLANS

2. The plans indicate disturbance of 0.09+/- acres of ACOE wetlands. The applicant has indicated that a permit from will be required from the Army Corps of Engineers. A copy of the permit shall be forwarded to the Town upon receipt.
3. Any action on the subdivision application should be conditioned upon receipt of plan approval from the CPWA.
4. 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.
5. The proposed septic systems will be reviewed and approved by the Town Building Department.

STORMWATER POLLUTION PREVENTION PLAN AND NARRATIVE

6. It is proposed to utilize “conservation of natural areas”, a NYSDEC green Infrastructure practice. Conservation of natural areas shall be located within a conservation easement and permanently conserved as stated within the SWPPP. Subsequent plans shall clearly define this area as an easement with description provided during the final stages of the project’s review.

7. Since the stormwater management area will be owned and operated by the applicant, a Town of Clifton Park Maintenance Agreement will need to be executed and filed with the Town.
8. The applicant should provide responses from SHPO and US Fish and Wildlife to confirm that no adverse impacts are expected pursuant to historic properties and threatened or endangered species, respectively. Documentation shall be provided to the Town once responses are received.

Public Comments:

No public comment.

Planning Board Review:

Mr. Andarawis asked if there would be a no-cut buffer and what would be allowed or not allowed. Mr. Vuillaume stated that they would write what the homeowner would be able to do or not to upkeep their property. Mr. Scavo stated that the maintenance agreement for the buffer will also be filed with the County Clerk's office in addition to the subdivision and DEC will issue a violation if noted.

Mr. Ophardt asked if the buffer would have restrictions on ATV usage. Mr. Scavo stated that he does not believe there would be that restriction.

Mr. Ferraro stated that he wanted signage to delineate the wetlands Mr. Vuillaume stated it should have been but he will make sure it is on for the final plan submission.

Mr. Martin asked about the comment from ECC and the noise from the trains. Mr. Ferraro stated it should be noted on the deed as well as the right to farm note.

Mr. Ferraro stated that the conservation boundary line is not clearly identified on the submission or on the plot plan. He asked if Lot 3 would cross wetlands. Mr. Vuillaume stated that it would and a permit would be needed to cross the wetlands.

Mr. Ophardt offered Resolution # 17 of 2021, second by Mr. Andarawis, to waive the final hearing for this application for the 7 lot subdivision of 102 Blue Barns Road, and to grant preliminary and final subdivision approval condition 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. Deeds to all parcels shall state:
 - a. There are railroad tracks in the vicinity of the parcel which may create noise

- b. There is a right to farm ordinance in the Town and parcels surrounding may have agricultural uses
- c. Conservation boundaries are defined and noted.

Roll Call:

D. Bagramian - absent
 E. Andarawis - yes
 E. Ophardt - yes
 R. Lalukota - absent
 A. Neubauer - absent
 R Ferraro - yes
 K. Martin – yes
 J. Gleason – Alternate Member - absent

Ayes ___4_____

Noes: _____0_____

The resolution is carried.

New Business:

None

Discussion Items:

Mr. Scavo stated that there is a \$6 million TIPP application for Tanner Road and Waite Road at the intersections of 146.

Mr. Scavo stated that there is a bid awarded for the Sitterly Road bridge replacement and it would be including a 5-foot sidewalk across the entire bridge. He stated that there would be a 37 foot gap that the Town would look at closing as a local project to join the self-storage project.

Mr. Ophardt moved, seconded by Mr. Martin, adjournment of the meeting at 9:35 p.m. The motion was unanimously carried.

The Planning Board's next meeting will be held as scheduled on December 14th, 2021.

Respectfully submitted,

Paula Cooper

Paula Cooper, Secretary