

Town of Clifton Park Planning Board
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PLANNING BOARD

ROCCO FERRARO
Chairman

ROBERT WILCOX
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PAULA COOPER
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MEMBERS

Emad Andarawis
Eric Ophardt
Heather Fariello
Andrew Neubauer
Denise Bagramian
Keith Martin

(alternate) Jennyfer Gleason

Planning Board Minutes
April 12th, 2022

Those present at the April 12th, 2022 Planning Board meeting were:

Planning Board: R. Ferraro, Chairman, E. Andarawis, D. Bagramian, H. Fariello, A. Neubauer, E. Ophardt, K Martin, J. Gleason – Alternate Member

Those absent were:

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

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

Minutes Approval:

Mr. Ophardt moved, seconded by Ms. Bagramian, approval of the minutes of the March 22nd, 2022 Planning Board meeting as written. The motion was unanimously carried. Ms. Fariello abstained.

Public Hearings:

2021-032 10 Hemlock Drive In-Law Apartment Special Use Permit (SUP)

Applicant requests SUP approval for an in-law apartment/family member accessory apartment in an R-1 Zone. Existing 1 story screened in porch will be removed and replaced with a new garage and additional dwelling space, 10 Hemlock Dr, Zoned: R-1, Status: PB Prelim Review/ Possible Determination SBL: 277.6-2-41 To be reviewed by: N/A Consultant: N/A
 Applicant: M. Wilson Last Seen on: 6/8/21

Mr. Ferraro explained the review and approval process to those present, stating that the Board was required to render a determination pursuant to SEQRA (State Environmental Quality Review Act) prior to conducting a public hearing on this application. He explained that the Planning Board would assume Lead Agency status for the project and issue a negative declaration as a “formality” which neither granted nor implied approval of the subdivision application. Should it be determined that additional environmental review is required, SEQRA discussions will be reopened and a decision rendered when deemed appropriate.

Mr. Martin 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.

Mr. Ferraro, Chairman, called the public hearing to order at 7:04p.m. The Secretary read the public notice as published in the Daily Gazette on April 1st, 2022.

Consultant/Applicant Presentation:

Mark Wilson – applicant – M. Wilson stated that he made the changes requested from the last meeting. He stated that the door to the in-law apartment has been moved to the front of the addition, a porch has been added and a basement has been eliminated from the application. The requested modifications showing the the complete front of the building was added to the plans as well.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 3/29/22 stating:

- Need site plan

- Need confirmation that adjacent property on side of addition is no longer considered a paper street due to purchase by the adjacent landowner. This would eliminate a need for a variance from the required 50' setback from a street.

Wade Schoenborn, Chief of the Bureau of Fire Prevention:

1. Construction and fire separations will be addressed during the building permit process.

The Environmental Conservation Commission held a meeting on 4/5/22 and issued a memo recommending:

1. The ECC recommends the following modifications to the Short Environmental Assessment Form. a. Item 12b: Is the proposed action located in an archeological sensitive area? Should be checked "yes"
2. Item 13a: Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state, or local agency? Should be checked "yes".

John Scavo, Director of Planning issued a letter dated 3/29/22 with recommendations he made:

1. A letter of support for this application dated August 18, 2021 was provided by the immediate property owner at 11 Hemlock Drive
2. Your submittal dated March 21, 2022, indicates two modifications to the elevations were made based on Planning Board feedback from a previous meeting.
3. I have no additional comments based on the information provided for this submittal.

Mr. Scavo stated that there was a site plan in the application from 2021.

Professional Comments:

No professional comments.

Public Comments:

Ralph Reale – 12 Hiawatha Drive – Mr. Reale stated that the Board would be setting precedent if the in-law apartments keep being approved in the Town and the comprehensive plan states that the homes should remain single family homes. He stated that he also has concerns about the applicant renting the apartment when the mother in law no longer resides there.

Mr. Ferraro stated that this is an in law apartment and not a two family home. Mr. Scavo stated that there are 3 levels of kinship for this to be considered as an in-law apartment and when it is no longer needed the appliances in the kitchen would have to be removed. Mr. Scavo stated that when the home is resold or if insurance looks into the rental it would be a red flag for the Town to step in.

Darlene McGraw – resident of the Town of Halfmoon – Ms. McGraw stated that she is in favor due to the applicant trying to assist his family member as she feels it can be hard finding help for the aging and to be able to keep the family member close by.

There being no additional public comment, Mr. Ferraro moved, second by Mr. Andarawis, to close the public hearing at 7:17p.m. The motion was unanimously carried.

Planning Board Review:

Mr. Neubauer stated that he liked the remaining elevations shown as requested and this seems to conform to the rest of the neighborhood.

Mr. Ferraro stated that nationally in-law apartments have been spoken about. He stated that some states have made this a right and not a Special Use Permit. Mr. Scavo stated that a few states have already adopted this and even allowed for the space to be rented by a caretaker of the resident.

Mr. Ferraro stated that he preferred that the door be on the side of the building but other members have different opinions and stated that the applicant did make this fit into the original home. He stated that he has a concern on the approval for a site plan as well as a Special Use Permit. He stated that there is no site plan for this and the last one was done before changes. Mr. Ferraro stated that he would like to see the updated site plan showing the conditions and landscaping as well as the configuration of the driveway and walkway. He stated that he has concerns taking action on this due to no site plan.

Mr. Neubauer stated that previously the door was on the side and is now on the front with the porch. Mr. Wilson stated that this was done to help with the large gable and to match the rooflines. Mr. Neubauer stated that he was in favor of the porch and asked about how to get from the driveway to the front door. Mr. Wilson stated that the driveway would be lessened to about 15 feet and a walkway would be put into place to keep the pavement down.

Mr. Martin stated that the site plan should show what trees would be removed and what the landscape would look like. Mr. Wilson stated that the trees have been removed already . He stated that 3 behind the driveway have been removed and one was left, with a total of 5 being removed one on the opposite side of the property than the addition. Mr. Martin stated that he cannot visualize the replacement trees or plantings at this time.

Mr. Ferraro stated that plantings are a part of the process and to integrate the addition into the characteristic of the neighborhood. Mr. Wilson stated that there was not an emphasis or any mention on the landscaping at the last meeting but he plans to mirror the landscaping in front of the rest of the house to the in law apartment. . Mr. Ferraro and Mr. Martin stated they would like to see a site plan for the landscaping. Mr. Ferraro requested this be done and stated that it would

also need to be done for the building permit as well. He stated that the site plan should show landscaping, walkway and driveway expansion.

Old Business:

2021-070 Longport Manor Apartments Site Plan

Applicant proposes building two (2) story apartment buildings each with 10 units for a total of 20 units. Seen by the Town Center Advisory Committee on 12/10/21, 503 Moe Rd, Zoned: TC2, Status: PB Prelim Review - Poss. Determination SBL: 271.-3-36
To be reviewed by: MJE Consultant: Zdrahal Applicant: Fortress Partners, LLC

Consultant/Applicant Presentation:

Ivan Zdrahal – Zdrahal Engineering – Mr. Zdrahal stated that he is here tonight representing the applicant for a proposal for two 2 two story apartment buildings on Moe Road. He stated that each building would contain 10 units. Mr. Zdrahal stated the building area would be 0.2 acres as well as paved areas and parking. He stated that there will be 1.3 acres of green space on site; which would be 66%; and that access to the site would be through an easement of an adjacent property with an existing office complex to utilize an existing curb cut. Mr. Zdrahal stated that water and sewer will be brought into the site and the site would be landscaped and feature walls with fencing. He stated that lighting would comply with standards and pedestrian access is being proposed. Mr. Zdrahal stated that drainage would be handled on site via infiltration with underground channels. He stated that the application complies with zoning laws as the building is in front of the parking lot and that the buildings are in a square footprint. Each side of the building will be treated as a front with resident access. Mr. Zdrahal showed an example of a completed building that is in a different location which he stated this application would mirror except for the glazing requirement.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 3/29/22 stating:

- A full SWPPP is required
- No overhead lines along front or rear of buildings
- Parking lot aisle shall be 26' wide not 24'
- A second hydrant should be located near the parking entrance
- Fire department location(s) required.

Wade Schoenborn, Chief of the Bureau of Fire Prevention:

1. Drive aisle to be 26' minimum
2. Add second hydrant at north side of property by entrance

The Environmental Conservation Commission held a meeting on 4/5/22 and issued a memo recommending:

1. The ECC requests the applicant to review and validate in writing the answers to the following Short EAF questions 12b (note: there were no answers to this question and it has been determined that this area is within the archeological sensitive area), 13a & 13b, and question 15.
2. The ECC recommends a traffic study be conducted along Moe Road of the impact that the future residents will have in a school zone.
3. The ECC requests that the proposed stormwater management area be a buffer to the proposed town park from the development to the north. The ECC recommends that the developer cede the development rights for the stormwater management area or donate the stormwater management area to the Town of Clifton Park in order to maintain this buffer in perpetuity.

John Scavo, Director of Planning issued a letter dated 3/29/22 with recommendations he made:

1. Provide mailing certifications for the 500' adjacent property owner notifications before April 2, 2022.
2. A Town Center Technical Advisory Committee Meeting with the applicant present was held on December 10, 2021.
3. The use is consistent with those permitted within the Town's TC-2 Zoning District.
4. The applicant has made provisions to have use and access for ingress and egress to Moe Road through an existing curb cut on the adjacent property to the north.
5. Two build-to-line requirements to avoid utility conflicts noted on Sheet L-1 within the TC-2 Zoning Compliance Checklist appear to be reasonable requests for consideration of waivers issued by the Planning Board.
6. The construction of the adjacent Moe Road Multi-Use Path constructed by the Town of Clifton Park previously resulted in the relocation of overhead utility lines and land takings along the frontage of this parcel.
7. I appreciate the applicant's detail on the robust landscaping plan shown on Sheet LS-1. This plan considers plantings that should not interfere with or adversely impact overhead utilities along the Moe Road Right-Of-Way.
8. The fountain water feature with robust plantings provides an attractive focal point between the two proposed buildings that assist in achieving the Town Center Plan vision of developing creative public and private outdoor spaces that offer amenities to residents.
9. Please provide information on the material proposed for the dumpster enclosure and add a detail to the final plan set.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 4/8/22 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: Plan approval
- b. Saratoga County Planning: Plan approval
- c. Clifton Park Water Authority (CPWA): Connection to municipal water
- d. Saratoga County Sewer District #1: Connection to public wastewater infrastructure
- e. 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 does not indicate 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 DEC Environmental Mapper indicates the response shall be yes. 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. According to the DEC Environmental Mapper the response shall be no.
3. No further comments at this time.

SITE PLAN

4. The project is located within the Town’s TC2 Edge Zone of the Town Zoning. The proposal for apartments are a permitted use within the TC2 zone.
5. The project resides within the Town’s TC2 Edge Zone. In our review of Section 208-22.1 of the Town Zoning, indicates the following bulk lot deficiencies:
 - a. Section 208-22.1(A) requires 10’ min. and 15’ max. front setback from the property line. The proposed building proposes 25-33 feet.
6. Section 208.26(1)(C) indicates the minimum parking requirements per use. Residence, multifamily (1-2 bedrooms) requires 1.5 spaces per unit and Residence, multifamily (3+ bedroom) require 2 spaces per dwelling. Provide how many bedrooms will be in each unit to determine the parking requirements
7. 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 potable water. A copy of the plans shall be submitted to CPWA for review and approval.

8. The project proposes to provide sanitary sewer service to the site from the Saratoga County Sewer District No. 1 (SCSD). The applicant shall provide the Town documentation indicating the SCSD's ability and willingness to provide additional sewer service to the project. A copy of the plans shall be submitted to the SCSD for review and approval.
9. The following comments are relative to the site plan and its conformance to the NYS Fire Code (NYSFC). 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. 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.
 - c. 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.
 - d. Section 503.1.1 of the International Fire Code (IFC) requires an approved fire apparatus access road be provided for every facility, building or portion of a building and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building. Confirm that there is adequate fire access being provided.
 - e. The fire apparatus access road on the plan appears greater than 150 feet in length so a turn-around will be required to meet Section 503.2.5 of the IFC.
10. Subsequent plans should include architectural elevations of the building with a listing of the materials of construction for review by the Planning Board.
11. 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).

STORMWATER POLLUTION PREVENTION PLAN

12. Under the Construction Phase Maintenance/Inspection Responsibilities section, it is stated that at least 2 SWPPP inspections will be required every 7 calendar days for the project. Per Part IV, paragraph C.2 of GP-0-20-001, as the project is under 5 acres and does not appear to directly discharge to a 303(d) segment, a minimum of 1 inspection is required every 7 calendar days.
13. Ensure all references to the NYS SPDES General Permit are to the most updated version GP-0-20-001 rather than GP-0-15-002.
14. Under the Endangered Species and Cultural Resources Screening section, provide confirmation that the federally listed species were reviewed and USFW Ipac provided consultation as the NYSDEC Environmental Mapper does not link to this database. Additionally, Appendix O provides an "Endangered, Threatened, and Rare Species Evaluation" completed by North Country Ecological Services, Inc, that states it was in

direct consultation with NYS DEC and USFWS, correspondence from these agencies is not included.

15. The NOI states that 0.1 acres of impervious will contribute to porous pavement however the use of porous pavement is not discussed in the SWPPP and only briefly mentioned in section 8 of the Stormwater Report. The use of porous pavement shall be discussed in all narrative sections that include how stormwater treatment will be addressed.
16. In sections 5 and 6 of the Stormwater Report, include discharge rates for the 1-year storm.
17. Under Section 7 of the Stormwater Report, there should be a discussion of green infrastructure planning that discusses all available measures and why each was not selected.
18. Section 12 of the Stormwater Report should include maintenance requirements for the porous pavers mentioned in section 8.

Public Comments:

Darlene McGraw – Halfmoon Resident – Ms. McGraw asked how much parking would be available. Mr. Zdrahal stated that there would be 34 parking spaces which meets requirements. Ms. McGraw stated that she feels there needs to be more affordable housing in the area as well as some projects set aside for persons with disabilities as life changing events can happen to anyone.

Ralph Reale – 12 Hiawatha Drive – Mr. Reale stated that sometimes his son misses the bus for school and when he has to drive him into school the traffic along Moe Road in this area is extremely busy and sometimes backed up to Barney Road. He stated that he feels that some people may utilize this application as a cut through. He stated that he is aware that this property is zoned TC-2 but is unsure as to why and would like to see the building pushed back more as he feels it would stick out.

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche asked if there was a height limit to buildings in the TC-2 zone. Mr. Ferraro stated that it does conform to code; Mr. Neubauer stated that there is a 22' minimum height and a 3 story limit. Mr. LaFleche asked if the applicant considered one larger building instead of 2 smaller ones. Mr. Zdrahal stated that keeping 2 smaller buildings would help it fit in better. Mr. LaFleche thanked the applicant for the pedestrian access and the walkways around the building. He stated that he would also like to see the building pushed back further from the roadway to help it fit in better to the neighborhood as it seems close to the bike path. Mr. Zdrahal stated that it is about 15-20' from the roadway but the fencing and landscaping will keep it separate from the road. Mr. Ferraro stated that the width of the lot is constrained so he feels that keeping the building closer to the road with the parking in the rear is more beneficial. Mr. Ferraro stated that the TAC was happy with the façade and the site plan.

Planning Board Review:

Mr. Martin stated that he appreciates the applicant showing an example of what the building would look like but he felt it would look different in this location.

Mr. Neubauer stated that he was a part of the TAC review and that the applicant did provide architectural renderings at the TAC meetings and aside from the glazing requirements this would be similar to what was shown by Mr. Zdrahal.

Ms. Bagramian asked why there are four entrances to the building. Mr. Zdrahal stated that each apartment would have their own access and there would be 5 apartments on each floor. Ms. Bagramian asked if there would be rooftop mechanicals. Mr. Zdrahal stated they would be contained within the units. Ms. Bagramian asked if the common outdoor space where the courtyard and fountain is could be larger so residents have more outdoor space. The applicant stated that there would be tables and other seating in the area and that there would be 2 outdoor BBQs available to the residents. Ms. Bagramian asked if outdoor cookers would be allowed on the balconies. The applicant stated that they are not allowed, but there are lawn areas available for resident use. Sometimes due to stormwater the lawn areas may be wet but they would like to utilize the green areas for residents as well. He stated that the similar apartments in Latham have green areas that residents utilize and he plans to duplicate that. The applicant invited the Board Members to go and look at the property in Latham.

Mr. Ferraro stated that there is a Town park next door to this project as well and that he noted the applicant is providing direct access to it. Mr. Scavo stated that the Town plan is to make improvements on the park in the future.

Mr. Andarawis stated that in the courtyard there is a 20 foot fountain feature and only 5' on each side for an aisle. Mr. Andarawis stated he does not know if this would be sufficient room on either side of the fountain. Mr. Neubauer stated that the landscaping plan is robust and there is a fountain in the center but there are plantings around the fountain so he does not feel it would be crowded.

Mr. Neubauer gave an overview of the TAC meetings and how this reflects the Town's master plan. He stated that this is a unique location and the vision with the Town Center and park were intentional when providing access. Mr. Neubauer stated that bike racks would be required as stated in the Town Center code and Mr. Zdrahal stated that they can put them in. Mr. Neubauer stated that it is the TAC position to make sure the application is conforming to code and that they found that the overall design did not go against code. He stated that there is a build to line that is placed and that there is a wall there instead of the building but the wall is there to help with the overhead wires. Mr. Neubauer stated that the Town Center does include the school campus so that the transition is consistent. Mr. Neubauer stated that this property could have been developed into more offices and stay within code.

Mr. Ferraro stated that the applicant has gotten an easement for the access to connect to an existing curb cut which will help with the visual of the property in the TC-2 zoning.

Mr. Martin stated that he was not a part of the TAC for this but he feels that this does fit in the TC zoning however, he still has concerns with the traffic in the area and how this will fit in. He stated that he is familiar with the site and feels this will be a positive change for the area as they will not be creating another curb cut and plan to retain trees. Mr. Martin stated that he is in favor of the architecture and the park connection. He stated that he would like to see the bike racks and some EV charging stations installed as well. The applicant stated that they will be installing EV charging stations on site but they are unsure of the location as of now. Mr. Martin stated he would like to find out what other tenants in the area do about traffic mitigation.

Mr. Ophardt stated that he supports Mr. Martin's comments and appreciates Mr. Neubauer's work with the TAC. Mr. Ophardt stated that he likes the connections, landscaping, parking location and other features mentioned by other Board Members. Mr. Ophardt stated that he has traffic concerns, especially in the morning with traffic due to people going to work along with school starting. He suggested maybe not allowing left turns out of the site. Mr. Zdrahal stated that they are utilizing an easement on an adjacent property to access the site and he does not think he can impose this on another property owner and does not feel stacking will be an issue. Mr. Scavo stated that there were about 12- 15 cars leaving and entering this site during peak hours back when the area was first developed.

Ms. Bagramian stated that she feels this is a good location for people to be able to walk to work and move towards a more walkable community. Ms. Bagramian suggested a traffic officer to help facilitate movement around the school as they have at other entrances.

Mr. Andarawis stated that if people try to make left hand turns out of the site, they will more than likely only try it once and find that it is too difficult and find their own alternate routes. Ms. Bagramian agreed that people would find the path of least resistance. Mr. Scavo stated that the Traffic Advisory Board can look at this but the Town Board would have to adopt any traffic restrictions.

Ms. Fariello stated that school is only in session for 180 days so this traffic concern will not be every day. Mr. Ophardt suggested making the traffic restriction only for school days. Mr. Neubauer stated that with it only being 12 trips during peak hours, this may not warrant a restriction. He stated that at exit 8 there are 100 apartments across the street from the elementary school.

Mr. Martin stated that he feels locations and traffic will be a constant discussion as the Town Center develops.

Mr. Ferraro stated that he agrees with others comments made tonight and appreciates the applicant working with the TAC and the application complying with code. Mr. Ferraro asked what the path connecting to the trails would be made from. Mr. Zdrahal stated that it would be pea stone and gravel.

Mr. Neubauer 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 Ms. Bagramian, to waive the final hearing for this application for the site plan review of Longport Manor Apartments Site Plan, 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 by the Planning Department.

Conditions:

1. All comments are satisfied and reconciled by the Planning Department
2. Changes mitigated by the Planning Department or the application will be returned to the Planning Board.
3. The Planning Board waives front setback requirements to move the building further back due to overhead power lines. Any further setback changes will be at the discretion of the Planning Board for further consideration

Ayes: 7

Noes: 0

The motion is carried.

Old Business:

2021-043 North Country Commons Redevelopment Site Plan

Mr. Ferraro noted the application was postponed for the applicant to address technical comments.

Old Business:

2021-051 & 2021-052 Chick-fil-A Site Plan & Special Use Permit

Applicant proposes redevelopment of the "Pier 1" retail store to a quick serve restaurant with a drive thru. Project includes demolition of existing building and redevelopment of the site to include A 5,000 sf restaurant, drive-thru, drive aisles, parking spaces, lighting, landscaping, utilities and stormwater management, seen by TAC on 12/10/21; 304 Clifton Park Center Rd, Zoned: TC5, Status: PB Prelim Review - Poss. Determination SBL: 272.-1-41.1
To be reviewed by: MJE Consultant: Bohler Eng. Applicant: Chick-fil-A
Last Seen on: 9/14/21

Consultant/Applicant Presentation:

Tim Freitag – Bohler Engineering – Mr. Freitag stated he is accompanied by Clint Maxon from Chick-fil-A, Dave Everett, Gordon Stanberry as the traffic engineer, as well as Paul Goldman as the Attorney representative. Mr. Freitag stated that the application is for the redevelopment of the old Pier 1 Imports store and property which is now vacant. He stated that the proposal is supported by existing utilities and infrastructure. Mr. Freitag stated that the shared access with 99 Restaurant will remain and there will be an egress only onto Clifton Park Center Road. He stated that this was last seen in September 2021 and since then they have been working with the TAC, Town Staff and MJ Engineering. Mr. Freitag stated that the site is 1.5 acres and will have a 5,000 sf building with outdoor dining to the south of the site. He stated that there would be 2 drive thru lanes with one opt out lane and 53 parking spaces. The egress only curb cut will align with the drive thru for easier exiting of the site to the east. Mr. Freitag stated that the plan shows an isolated drive thru which promotes circulation as well as pedestrian safety. He stated that the drive thru would not interfere with patrons coming from the parking area and the drive thru would have 2 canopies, one at the order point and another over the meal delivery area for employee protection as there are no windows for the drive thru but full sized doors to slide open so that customers can have face to face interactions with the employees. Mr. Freitag stated that the design of the drive thru would keep stacking within the area to avoid spillage into the parking lot area. He stated that code requires the building to be close to the road front, which is what they did while keeping the drive thru in the safest place. Mr. Freitag showed renderings of the building stating it would be two toned brick in natural brown with bump outs on the walls and roofline variations. Mr. Freitag stated that the height required for the ceilings are 14' and that glazing has been doubled with frontage having 80% transparency on Clifton Park Center Road into the dining area. Mr. Freitag stated that in November, they received MJE comments and worked with the TAC for what is now shown. He stated that the landscaping for Clifton Park Center Road is shown on the plan and that bike parking will be available. Mr. Freitag stated that a traffic report was done in February and was presented to TAC and the Town staff earlier this month.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 3/29/22 stating:

- See previous comments from 9/14/21
- An asbestos survey and close out report will be required prior to demolition
- Free standing sign relocation-ensure sign is a minimum of 15' from property lines and 50' from other freestanding signs. Ensure new placement does not interfere with 99 sign.

Wade Schoenborn, Chief of the Bureau of Fire Prevention:

1. Provide fire dept. access plan that complies with NYS Fire Code
2. Specify hydrant locations
3. Specify FDC location
4. Specify a hydrant with 100' of FDC

The Environmental Conservation Commission held a meeting on 4/5/22 and issued a memo recommending:

1. The ECC is concerned with the assessed traffic impacts that this may have on Clifton Park Center Road. The concern of large truck traffic circulation and available parking for truck drivers from Interstate 87.
2. The ECC notes that the Town Center District was created to provide a pedestrian and bicycle friendly part of the community. The applicant should consider providing the pedestrian crossing with pedestrian activated signals on Clifton Park Center Road.

John Scavo, Director of Planning issued a letter dated 12/22/21 with recommendations he made:

1. The Town Center Advisory Committee (TAC) has conducted meetings with the applicant and its design team on September 9, 2021, and December 10, 2021.
2. The Saratoga Co. Planning Board noted the project would have no significant inter-community or county-wide impacts.
3. The NYS Office of Parks, Recreation, & Historic Preservation issued a letter dated October 11, 2021, noting the project has no impact on historical places or resources.
4. The Clifton Park Water Authority and Saratoga Co. Sewer District have provided letters noting the availability of capacity and willingness to service the proposed project.
5. The applicant has provided a fire truck turning template that meets necessary access requirements.
6. Town Staff asserts that the current configuration addresses an utmost concern to accommodate drive-thru vehicles within the property boundaries and not inhibit traffic flow on Clifton Park Center Road. The applicant's alternative designs did not provide the same stacking capacities on-site.
7. Evidence of the 500' mailing notices to adjacent property owners was provided to Planning Staff on March 16, 2022.
8. The Town just received construction bids that it will be considering for award regarding \$2.1 million in Town Center Park Improvements to advance the design plans for that area. That project, supported by the community, has come to fruition through the

continued economic private sector investment within our Town Center Area. In addition, the Town's Pedestrian Safety Improvements along the Clifton Park Center Road Corridor will be completed within the next 60 days. Clifton Park benefits from a sales tax revenue sharing formula with Saratoga Co., which allows us to position the community to realize continued public and private sector investments complimenting one another within Town Center through projects like Chick-fil-A.

9. I have no additional comments beyond the minor technical site plan issues for the applicant to resolve within MJ Engineering's review letter.

Mr. Scavo stated that the Planning Department received a letter from the Capital Region Chamber. Mr. Scavo read the letter that was in favor of this application .

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 4/8/22 had the following comments:

STATE ENVIRONMENTAL QUALITY REVIEW

1. No further comments.

SHORT ENVIRONMENTAL ASSESSMENT FORM

2. No further comments.

SITE PLANS

3. Any approvals offered by the Planning Board should be conditioned on receipt of CPWA's review and approval.
4. Any approvals offered by the Planning Board should be conditioned on receipt of the Town's Sewer District and SCSD's review and approval.
5. On Sheet C-2.0, provide signage or pavement markings to alert drivers of the merging of the third lane after the pick up window.
6. On Sheet C-2.0, are there any indicators provided (signage/markings) to direct customers to the outer most lane. This lane is for pick up only, please confirm.
7. On Sheet C-3.0, provide how the proposed storm sewer system will be connected to the proposed underground infiltration system. Provide chamber layout on plans.
8. Provide a detail of the proposed outlet control structure.
9. On Sheet C-4.0, Details 1, 3 and 4 should provide the NYS racing symbol in the accessible spaces as shown on the site plan.
10. Indicate on the plan the locations of the wheel stops as shown on Sheet C-4.1 Detail 5.
11. On Sheet C-4.2, revised crosswalk markings to match site plan combined Type LS
12. Indicate the locations on the site plan of the proposed multi-lane directional markings as shown on Sheet C4.2 Detail 6.
13. Sheet C-5.0 provides redundant details provided on other sheets, for example accessible parking painting detail, typical ADA parking space, concrete, crosswalk, etc. Remove details as necessary in the plan set.

14. On Sheet PS 1-0 the minimum slope for the 4” and 6” sanitary sewer piping shall be 2% and 1% respectfully.

15. Provide a detail of the proposed underground infiltration system.

STORMWATER MANAGEMENT REPORT

16. It appears the proposed infiltration practice is being located underneath the existing building that has been standing for over 20 years. It is recommended to validate the infiltration rates for the proposed infiltration chambers once the building is removed as a condition of approval.

17. The SWPPP shall include documentation that the project is eligible for permit coverage pursuant to Part I.F.4 of GP 0-20-001 with respect to threatened and endangered species. This includes both listed state and federal species.

18. In general, the calculations for the Water Quality Volume (WQv) and Runoff Reduction Volume (RRv) and design of the infiltration chambers proposed to meet both the WQv and RRv requirements appear sound and in compliance with the New York State Stormwater Management Design Manual (2015).

19. 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. This should also be mentioned in the SWPPP.

20. The SWPPP shall include the operation and maintenance required of the installed stormwater management facilities pursuant to Part III.B.2.f of GP 0-20-001.

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

TRAFFIC STUDY

22. A separate review letter was provided by MJ on March 16, 2022. The applicant has provided a response which is currently under review.

Mr. Lippmann stated that they would like to see the exit only curb cut better aligned with the existing curb cut on the opposite side of Clifton Park Center Rd. . He stated that he would like to see the lanes cut down to a single lane exit rather than a double. Mr. Freitag stated that they could have staggered stop bars to have better visuals for the patrons exiting the site; Ms. Bagramian stated she liked this idea better. Mr. Ophardt asked if the exit being so close to the drive thru exit would cause backups at the ques.

Public Comments:

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche stated that he agrees that the egress should be lined up with the cross street and asked to show the traffic flow. Mr. Freitag indicated on the site plan the flow in and around the site. Mr. LaFleche asked what the canopy height and

width would be. Mr. Freitag stated it would be 9' high and 2 ½ - 3 lanes wide to cover the ordering and pickup stations. Mr. Freitag stated that there would be clearance bars at the entrance to the drive thru as well. Mr. LaFleche asked how far off the road the sidewalk would be. Mr. Freitag stated it would be 5-6 feet of separation and why they decided to go with a dedicated egress.

Darlene McGraw – Halfmoon resident – Ms. McGraw stated that she walks by the site all the time and that she feels there is a lot of traffic in the area already. She stated that there is no sidewalk by the gas station next to this site and stated that she would like the Town to work with surrounding properties to create fluency with the sidewalks in the Town for pedestrians. She stated that the Town could look into CDTA resources as well to help decrease traffic. Mr. Scavo stated that the Town has just engaged in the Flex Service from CDTA and that there is a pending grant for pedestrian access on both sides of Clifton Park Center Road. Mr. Freitag stated that they can try to relocate the crosswalk to go closer to the egress.

Ralph Reale – 12 Hiawatha Drive – Mr. Reale asked if the traffic study included the new Druthers that was approved to go in the area as well as meal delivery services that would be using the site or if the study would be redone now that people are back to work and not working so much from home anymore. Mr. Reale asked what the green space would be on the site. Mr. Freitag stated it is 20-24%, the minimum required is 10%. Mr. Reale stated that the TC area is supposed to be geared more towards a walkable area but states that he hears a lot of traffic concerns.

Planning Board Review:

Mr. Andarawis stated that he believes that more pedestrians would come from the mall and that is why the crosswalk placement across street is so important. He stated that he feels there is a connectivity barrier from Route 146. Mr. Andarawis stated that he would like to focus on the drive thru and pedestrian crossing, as he does not want the crosswalk conflicting with the exit to the drive thru. Mr. Andarawis asked if they thought 53 parking spots were too many. Mr. Freitag stated that they have already decreased the parking from 60 down to 53 and that 10-15 spots would be for employees and the rest for patrons. Mr. Andarawis asked if the parking on the road front of 5 spaces could be eliminated and utilized as green space and have a thick vegetation frontage. Mr. Andarawis stated that there could be shared parking with 99. Mr. Freitag stated that the original proposal was for 62 and they are now down to 53 and code stated that the minimum is 45. He stated that 45 would not be able to accommodate dinner rush with shared parking as both properties would have the same times of increased traffic. Mr. Freitag stated that they cannot decrease the parking any more than they have.

Ms. Bagramian asked if there was a curb separating the parking from 99. Mr. Freitag stated that there is a curb aisle that belongs to 99.

Mr. Ophardt asked why the curb could not be replaced to mirror 99. Mr. Freitag stated it is to allow for pull through parking so no curb is being proposed. Mr. Ophardt stated he thinks people would use this open space if not occupied by parked cars to cut through the parking lot and possibly cut into the drive thru. He stated he would prefer a curb at this location. Mr. Stanberry stated that this would lead to snow removal complications in the winter months and would force the outside lane of traffic to be dedicated to the drive thru. Mr. Ophardt stated he feels the curb would slow vehicles from a rapid entry into the drive thru. Mr. Stanberry stated he feels it would create a circulation problem and could cause stacking outside of the drive thru and block an entry lane.

Mr. Ferraro stated that he feels there is also a safety concern with cars pulling out of the drive thru in 2 lanes of traffic. Mr. Stanberry stated that he does not see how high speeds would be achievable and that the pull through lanes would most likely be where the employees would park as they generally park the furthest from the building. Mr. Freitag stated if the Board wants a curb they can install one. Mr. Ferraro stated he would like to see a curb.

Mr. Andarawis asked how big the curb would be. Mr. Freitag stated that they would have to maintain the 26' between them and 99 so it would be a 6" curb. Mr. Ophardt agrees with Mr. Ferraro that they would like to see a curb. Ms. Bagramian stated that this is a very unique site; Mr. Andarawis stated that he is not in favor of the curb because if there is parking separation then the Town Center is not doing what it was intended to. Mr. Neubauer stated that the code is written to encourage shared parking.

Mr. Ferraro stated that he would still like to see parking decreased. Ms. Bagramian stated Chick-fil-A has their business down to a science but does not want to see other businesses hurt by them bringing in too much traffic; however she thinks it would work well at this location. Mr. Goldman stated that historically this lot has had challenges with the signage and the frontage locations. He stated that the application works at this site and that the company has experience with the high volume of cars.

Mr. Martin stated that he is not sure this is the right site for the project due to the constraints but he would like to see this somewhere within the Town.

Mr. Neubauer stated that Chick-fil-A has thousands of restaurants across the nation so they should be experts on what works. He stated that this layout does not conform fully to code but would like to see this as well as a more walkable district.

Ms. Fariello stated that she would be happy to see the crosswalk moved and stated that this is within walking distance of the high school so the younger population could get to it. She stated that she feels that in the beginning the traffic may be a problem but that would be the case no matter where it is in the Town and feels it will work itself out.

Mr. Ferraro stated that there are some challenges with the layout such as, the code states that the drive thru must be behind the building. He stated he is pleased with what the applicant has done but it is not conforming even though the building is on a side road and not the main Blvd. He stated that it is positive that the Chamber is in favor of the project. He thanked Mr. Neubauer for his work with the TAC and the applicant.

Ms. Bagramian stated that she feels most of the surrounding area is developed such as 99 that borders this site and that this applicant has experience. She has confidence that they know what works for them. She stated that she is willing to work with them and they showed the same and that this is unique parcel.

Nr. Neubauer stated that there are other location in Town that a drive thru is allowed by right and not a Special Use Permit. He stated he feels that they should conform to the code and other Chick-fil-A's have made this layout work elsewhere and he would like to be shown that this is the best option for this site.

Mr. Martin stated that this is difficult decision due to if this was not a Special Use Permit; he would not be questioning it as much. He stated he does think that the applicant knows what they need from the site but the Board has to also look at the requirements for the Special Use Permit. Mr. Freitag stated that they can show what works best for them and the traffic report that was submitted is still stated as under review by MJE. Mr. Freitag stated that there are case studies that show why placements are where they are and that technically this site has 2 frontages and one access. He stated the drive thru entry needs to be furthest away from the entrance to the site and the service for the drive thru needs to be on the cars drivers' side so moving the layout does not work. Mr. Freitag stated that Chick-fil-A has opening teams that travel the country to help get the new stores up and running and that they have provided all information that they have been asked for so far.

Mr. Ferraro stated that he would like to see an alternative design to show how this alternative will not work.

Mr. Ophardt asked Mr. Lippmann if MJE was comfortable with the applicant performing their own traffic study. Mr. Lippmann stated he was and is comfortable with it besides the crossroad alignment.

New Business:

2022-008 292/294 Riverview Road 5 Lot Subdivision (Sciocchetti)

Applicant/representative not in attendance, postponed until further notice.

New Business:

2022-007 21st Century Park Redevelopment Site Plan

Applicant proposes development of 4 new building pads within the property that currently has two existing industrial/storage buildings that will likely include exterior finish upgrades. The 4 new buildings will be 22,000 sf, 45000 sf, 20,000 sf, and 20,000 sf with individual loading docks, employee parking, landscaping and public utility connections. Existing Access from Route 146 will remain the same, 1315 Rt 146, Zoned: B-5, Status: PB Concept Review SBL: 270.-2-2 To be reviewed by: MJE
 Consultant: Arico Assoc. Applicant: M. Wawrla

Consultant/Applicant Presentation:

Dominic Arico – Mr. Arico stated he is here tonight with the applicant Martin Wawrla for the site plan for the redevelopment of 21st Century Park. Mr. Arico showed a map indicating the existing buildings on the property. He stated that there is a loop road on the property currently and that the two buildings are 30,000 and 35,000 sf. Mr. Arico stated that the current buildings would remain as well as the roadway. Mr. Arico stated that he is trying to minimize the disturbance of the property. Mr. Arico stated that there are 4 more buildings being proposed to add to the site. He stated that there is an area in the back of the property near wooded area as well as field in the front of the property which also has a stoned area on it. He stated that the proposal is to build on the stony area and have warehouse and office space available but usage is still unknown. He stated that open space would be 50% and that he has had interest in this project already. Mr. Arico stated that overall the buildings would be 6.4% of the property, 12% stone or driveway space, and they would be adding 10% or 107,000 sf of building area so that leaves about 50% of green space. Mr. Arico stated that the parking may be able to be decreased depending on the use as the project moves along and each of the buildings would have their own parking. He stated that there is an active National Grid easement on the property and it allows parking in the rear which is about 100 parking spots. He stated that there is water and sewer available on the main road and they are permitted to connect the existing buildings to this. Mr. Arico stated that the access from Route 146 would not change and is suitable for highway trailers. Mr. Arico stated that Mr. Wawrla is already trying to improve the site by bringing in water and sewer and replacing the siding on the rear building. Mr. Arico stated that the applicant is also trying to get natural gas to the property.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 3/29/22 stating:

- Drive aisles in parking lots shall be 26' wide

- Water and sewer should be indicated
- Hydrants will be required to be added to site
- Building access for emergency services will be reviewed further once final configuration is established
- More comments to follow with more detailed submission
- A full SWPPP will be required.

Wade Schoenborn, Chief of the Bureau of Fire Prevention:

1. Drive aisle to be 26' minimum
2. Specify hydrant locations for review
3. Provide a complete fire department apparatus access plan for review
4. Specify FDC locations

The Environmental Conservation Commission held a meeting on 4/5/22 and issued a memo recommending:

1. The space and bulk standards for the B-5 zone specify that the structures, parking areas, stormwater retention areas and other site amenities shall not occupy more than 50 percent of the total area. The applicant is requested to supply site statistics to demonstrate that this project meets that standard.
2. Per 208-54 D for any building or structure proposed over 35 feet in height, the Planning Board is required to conduct a visual assessment and require the applicant to complete Appendix B of SEQR, Visual EAF Addendum.
3. Per 208-65 B "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 procedures of the facility."

John Scavo, Director of Planning issued a letter dated 3/30/22 with recommendations he made:

1. The Action is a Type I Action according to NYCRR §617.4(b)(6), which states that Activities, other than the construction of residential facilities, that meet or exceed a town having a population of 150,000 persons or less, a facility with more than 100,000 square feet of gross floor area. Therefore, a coordinated review is required, and the Clifton Park Planning Board should declare itself as Lead Agency for the SEQR evaluation process. Other involved and interested agencies include:
 - i. Clifton Park Water Authority
 - ii. Saratoga Co. Sewer District
 - iii. NYS DEC
 - iv. NYS DOT
 - v. NYS OPRHP (SHPO)
 - vi. Saratoga Co. Planning Board
 - vii. Corporate Commerce Sewer District

As Lead Agency, the Clifton Park Planning Board is administratively responsible for conducting the environmental review process until its completion.

2. Engineer's reports should be submitted for the proposed sanitary and water distribution systems to service the proposed buildings.
3. As detailed plans advance in design, the applicant must demonstrate compliance with §208-55 of the Clifton Park Town Code titled "Development Standards."
4. The applicant should provide a Traffic analysis using ITE standards to determine if the proposed application generates 100 vehicle trips per day. The Planning Board shall identify the study area to be included in the traffic impact analysis, and such traffic study shall consist of the following:
 - (a) Int(b) Existing and projected average daily traffic and peak-hour levels.
 - (c) Existing and projected intersection levels of service (LOS).
 - (d) Directional vehicular flows resulting from the proposed project.
 - (e) Proposed methods to mitigate the estimated traffic impact.
 - (g) The methodology and sources used to derive existing data and estimations

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 4/8/22 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 a "Type 1" action per 6 CRR-NY 617.4.b(6)(i) . If the Planning Board is to request Lead Agency status under SEQRA, the need to undergo a coordinated review is required. 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: Plan approval
- c. Clifton Park Water Authority (CPWA): Connection to municipal water
- d. Saratoga County Sewer District #1: Connection to public wastewater infrastructure
- e. NYS Historic Preservation Office: NYS Heritage Area: Mohawk Valley Heritage Corridor
- f. NYS Dept of Environmental Conservation: Stormwater permit approval
- g. NYS Dept of Transportation: Route 146

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 1.B.d. – add Clifton Park Water Authority and Town Sewer District
2. Part 1.B.e – add Saratoga County Sewer District #1
3. Part 1.C.3 b – The applicant indicated that the use is not permitted, by the reviewers understanding, it is a permitted use. Suggest modifying response.

4. Part 1. D.1.b(b) – The applicant indicates that the action will disturb 7.8+/- acres of land. As a result, a Storm Water Pollution Prevention Plan (SWPPP) will be required.
5. Part 1. D.2.k (i) – The applicant indicates that the proposed action (for commercial or industrial projects only) generate new or additional demand for energy but does not provide an estimate. It is suggested that an estimate be provided to the best of the applicants ability.
6. Part 1. D.2 r. - The applicant indicates that the proposed action (commercial or industrial projects only) involves or require the management or disposal of solid waste (excluding hazardous materials) but does not describe further. It is suggested that the applicant goes into greater detail on this section.
7. Part 1 E.2. h (ii – iv) – The applicant indicates that wetlands or other waterbodies regulated by federal, state or local agencies, adjoin the project site, this is seen in the attached EAF Summary Report. It is recommended that the applicant utilize the Environmental Resource Mapper to gain further information on local and federal wetlands and waterbodies.
8. Part 1 E.3.e – no response is indicated. Please complete. Should the project site contain or be adjacent to a building, archeological site or district listed on the National or State Register of Historic Places or eligible for listing, the NY State Historic Preservation Office (SHPO) archeological site inventory, the applicant should provide a correspondence letter from NY State Historic Preservation Office (SHPO) to confirm no impact.
9. General Comment - OWNER AUTHORIZATION FOR SITE PLAN/SUBDIVISION REVIEW form is included but not signed or notarized. It is advised that this form be completed entirely.
10. General Comment - Town of Clifton Park Applicant Ethics Disclosure Form is incomplete and unsigned. It is advised that this form be completed entirely.
11. General Comment - TOWN OF CLIFTON PARK--PLANNING DEPARTMENT REQUEST FORM FOR 500' NOTIFICATION INFORMATION is unsigned. It is advised that this form be completed entirely.
12. No further comments at this time.

SITE PLAN

13. The project resides within the Town's B5, Corporate Commerce District. We would defer to the Town's Chief Zoning Officer on determining whether the uses being proposed are permitted "as of right".
14. 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.
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. 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.
16. 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.

17. The project proposes to provide sanitary sewer service to the site from the Town of Clifton Park Corporate Commerce 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.
18. Future submissions should show the full extents of the proposed water and sewer connections.
19. Provide an engineering water and sewer report identifying the proposed services to the site with anticipated usage.
20. The plan shows 494 parking spaces, 101 more than required pursuant to Section 208-99, of the Town Zoning. Advise as to the need for the additional spaces proposed. If possible, all spaces above the required should be considered for banking to reduce excess parking that may not be necessary.
21. Subsequent submission shall provide the required amount of ADA parking spaces per the 2010 ADA Standards for Accessible Design.
22. 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). Other projects within the vicinity should also be considered in the analysis. 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.
23. Should any work occur within the NYS Rt 146 right-of-way, approval and permitting from the NYSDOT will be required.
24. 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.
25. Show the location of and provide a detail for any exterior refuse areas.
26. 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.
27. 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. Section 503.1.1 of the International Fire Code (IFC) requires an approved fire apparatus access road be provided for every facility, building or portion of a building and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building. Confirm that there is adequate fire access being provided.
 - e. 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.
 - f. 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). The project is proposing 176,000 SF, therefore two separate access are required.
 - g. Pursuant to Section D104.3 of the IFC, where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.
 - h. Provide a turning template analysis for the largest emergency vehicle that may respond to an event at the site.
28. Subsequent plans should include architectural elevations of the building with a listing of the materials of construction for review by the Planning Board.
29. 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 asked if the applicant would leave more room adjacent to Route 146 to allow for space with possible future road improvements He also asked if there could be a berm on the southern side of the road to hide the new buildings from the road or if the applicant could push the buildings back more.

Planning Board Review:

Mr. Neubauer stated that he feels the esthetics will be critical in this location and as this proposal is developed he would like to see renderings. Mr. Arico stated that the buildings will not be over 35' and that the road frontage will be landscaped with the parking behind those

buildings closest to the road. Mr. Neubauer stated that he would like to see masonry with the metal buildings as in the code, to keep the look pleasing and would like to see the buffer increased where the trucks would be pulling in adjacent to the front buildings.

Mr. Ferraro stated he would like to see buffering similar to the storage development down the road from this application. Mr. Ferraro stated that this use is permitted in the B-5 zoning and stated he has concerns with the traffic impact as the location seems problematic to him and is heavily traveled. Mr. Ferraro stated that he feels left hand turns out of the site would be problematic. Mr. Scavo stated that there is a federal community enhancement grant and that they are looking at possibly installing a roundabout at Tanner Road and Waite Road and that the Town would match 20-25% of the state funds for the improvements. Mr. Wawrla stated that his goal with this property is to produce what sells and that he has done this before in Albany and wants to be successful here as well.

Mr. Neubauer asked why the applicant chose to have a building close to the roadway. Mr. Arico stated that this would most likely be flex space in the front and would need to be more pleasing to the eyes; the rear buildings would be more geared towards single tenants. Mr. Neubauer asked if they could look at pushing the front building further away from the road. Mr. Arico stated they would like to keep it where it is proposed as to keep down on disturbing existing conditions such as infrastructure. Mr. Neubauer asked if utilities are run along the road. Mr. Arico stated that hydrant lines as well as septic are in the area.

Mr. Wawrla stated that he would like to develop the site as needed as tenants showed interest. . Mr. Ferraro asked Mr. Scavo about approvals for this if it were to be done incrementally. Mr. Scavo stated that a concept plan could be approved with a full SEQR completed and approved. He stated that then they could come back in phases and the Board would have an approved master plan to look at as the phases come back for site plan approval. Mr. Arico stated that they would find a tenant and then come back to the Board for the building approval once they know what the use would be.

Ms. Bagramian stated that the flex space may not need to come back but if there are larger tenants with the buildings it would have to come back for approval. Mr. Arico stated that they plan to develop but stay within code and they are hoping for a larger tenant first. Mr. Wawrla stated that he does already have some interest from a tenant that would need about 130,000 sf. He stated that he also has possible tenants that would be in and out of the site in non-peak hours which would not impact traffic during busy hours.

Mr. Ferraro stated that the conceptual plan would establish how many total square feet would be allowable on the site that the applicant would have to comply to. Mr. Ferraro stated that the SEQRA review would also reflect the build as well as traffic and stormwater management.

Mr. Andarawis moved, second by Ms. Fariello to declare Lead Agency pursuant to the SEQRA evaluation process for this Type II action for the 21st Century Park Redevelopment Site Plan.

New Business:

2022-009 & 2022-010 Synergy Phase 3 Site Plan & Subdivision

Withdrawn by applicant for future consideration

Discussion Items:

None

Mr. Ophardt moved, seconded by Ms. Fariello, adjournment of the meeting at 11:37 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on April 26th, 2022.

Respectfully submitted,

Paula Cooper

Paula Cooper, Secretary