

TOWN SUPERVISOR:

Philip C. Barrett

ECC CHAIR:

Brian Glick

ECC ATTORNEY:

Joel Peller

STORMWATER MANAGEMENT TECHNICIAN:

Scott Reese

TOWN LIAISON:

Sanford Roth

MEMBERS:

Raoul Desy

Brian Glick

Dan Mathias

Anthony Morelli

Karl Siverling

Glenn Valle

Howard Vipler

Associate Members:

Chuck Bassett

Fred Pineau

MINUTES: **Tuesday, June 3, 2014**

CALL TO ORDER: Brian Glick, Chairman, called the meeting to order at 7:00 PM in Town Hall

PRESENT: Brian Glick, John Scavo (Director of Planning), Raoul Desy, Glenn Valle, Fred Pineau, Howard Vipler, Scott Reese (Stormwater Management Technician), Dan Mathias, and Karl Siverling.

ABSENT: Sandy Roth, Fred Pineau, Chuck Bassett, and Anthony Morelli

GUESTS: None

**ANNOUNCEMENTS:**

- Next meeting: **Tuesday, June 16, 2014** at 7 PM in Town Hall. All further meetings will be at Town Hall, Conference Room C (if available).
- John Scavo, Director of Planning, and Scott Reese, Stormwater Management Technician were present to explain the project applications
  - o John Scavo reviewed the previous Planning Board meeting.

**Projects in front of Zoning Board**

**ZBA #80983 Lamar Advertising**

*To convert two existing billboards into one digital billboard & reduce size. Zoned L2-Light Industrial, 1923 Route 9,*

**SBL(s): 259-2-31**

*Reviewed by: N/A*

*Consultant: N/A*

*Applicant: LAMAR Advertising*

Raoul Desy recused from the discussion.

The plan was presented as follows:

1. Applicant requests variance from Section 171-4H.(3)(17) animated signs not allowed in LI-2 zone use variance requested to allow 1 animated sign / billboard in place of 2 existing billboards. Variance from section 171-6C (5) also required. Current billboard(s) are not within the off premises sign overlay zone and therefore is a pre-existing non-conformance use. Changing from on non-conforming use to another non-conforming use is not allowed. Variance required. The existing signs were supposed to be removed within 3 years of this code adoption. Code adopted 1992.

**Recommendations:**

1. **ECC recommendation regional DOT engineer be consulted to determine the impact on federal or state funding if any.**
2. **This project has the potential to change the visual character of the project area. As such the ECC recommends that the Applicant be required to conduct a visual analysis as part of the SEQRA review for Zoning Board and ECC review.**
3. **This proposal would erode the intent of the Town Comprehensive Plan to limit billboard signage to designated areas of the Town and we see no compelling reason to overturn that intent. The area of this billboard is not within the designated area.**

A **motion** to adopt this recommendation was made by Glen Valle seconded by Dan Mathias; all in favor, none opposed.

**ZBA #80984 Stewart Shops – 322 Ushers Road**

*Existing convenience store to add self serve gas station. Zoned R1-Residential, 322 Ushers Road,*

**SBL(s): 259-2-82**

*Reviewed by: N/A*

*Consultant: N/A*

*Applicant: Stewart's Shop Corp.*

The plan was presented as follows:

1. Applicant requests a use variance from 208-10 B – permitted uses. Applicant wishes to expand convenience food store to include sale of gasoline. Allowed under the definition of a convenience food store but such a store is not an allowed use in an R1 zone. There are no parking setback requirements in an R1 zone. Parking is proposed to be altered and be within 15' of a neighboring property line. (minimum parking setback in a B3 zone where such a store is allowed is 20').
2. Applicant also requires a sign variance for new sign. Setback variance for sign granted in 2010. Variance required for proposed 56 SF freestanding sign. Allowed per section 171 table III = 25 SF. 31 SF variance required.
3. Setback variance required from 208-99 requiring 100' setback of structures from Ushers

**Recommendations:**

1. **Applicant to demonstrate that there is no presence of an aquifer / recharge area in the proximity of this site prior to further consideration.**
2. **The project is incompatible for a R-1 zoned area for the impact on health, safety and welfare to the adjacent residence occupants. This proposal will adversely influence the traffic safety, as well as the aesthetics of the surrounding neighborhood.**
3. **In light of above we do not see any compelling reason to increase the size of the sign.**

A **motion** to adopt this recommendation was made by Karl Siverling seconded by Howard Vipler; all in favor, none opposed.

**ZBA #80985 Stewart Shops – 132 / 134 Lapp Road**

*Proposed convenience store to add self serve gas station. Zoned R1-Residential, 132-134 Lapp Road,*

**SBL(s): 284.13-1-18 & 19**

*Reviewed by: N/A*

*Consultant: N/A*

*Applicant: Stewart’s Shop Corp.*

The plan was presented as follows:

1. In 1988 a SUP was approved for an office building(s) complex. This proposal combined the two existing R1 zoned residential parcels. In 2004 setback variances for the parking at this site were granted. The current proposal will require both a use variance for installation of an automobile service station in an R1 zone and modification of the previous parking variances.
2. This proposal does not qualify as a “Convenience Food Store” as most Stewarts do since convenience food stores are limited to 6 pumps and this one has 8 pumps proposed.
3. The initial site plan approval (SUP) should also be modified to account for the change of use from the previous approval. This would include the landscaping which was a condition of approval by the previous variance.

**Recommendations:**

1. **The project is incompatible for a R-1 zoned area for the impact on health, safety and welfare to the adjacent residence occupants. This proposal will adversely influence the traffic safety, as well as the aesthetics of the adjacent residential properties.**
2. **Applicant to demonstrate that there is no presence of an aquifer / recharge area in the proximity of this site prior to further consideration.**

A **motion** to adopt this recommendation was made by Glenn Valle seconded by Howard Vipler; all in favor, none opposed.

**Public Hearing**

**2014-024 Peck, Lands of**

*Proposed (2) lot subdivision with septic and public water, Zoned: CR, 50 Bradt Road, preliminary subdivision review with possible determination.*

**SBL(s): 263.-1-38**

*Reviewed by: MJE*

*Consultant: GVG*

*Applicant: Brigham*

**Last seen on: 5/13/2014**

The plan was presented as follows:

When previously reviewed on 5/6/14, the ECC stated the following:

1. The limits of (the LC Zone and 100 foot buffer zone, DEC Wetlands, Federal Jurisdictional Wetlands) shall be identified on the plot plan.
2. The parcel (subdivision) is located in an area which may be impacted by rail and aviation activity (i.e., Schenectady Airport). Impacts may include noise or vibration.

**Recommendations:**

1. **ECC reiterates the following concern: The parcel (subdivision) is located in an area which may be impacted by rail and aviation activity (i.e., Schenectady Airport). Impacts may include noise or vibration.**

A **motion** to adopt this recommendation was made by Glen Valle seconded by Dan Mathias; all in favor, none opposed.

**Old Business**

**2014-014 Price Chopper Reno**

*Proposed renovation to existing Price Chopper for prescription drive-thru and façade renovation, Zoned: B-4, Park Avenue, preliminary site plan review with possible determination.*

**SBL: 271.-3-81**

Reviewed by: MJE    Consultant: Laberge    Applicant: Price Chopper

**Last seen on: 5/13/2014**

The plan was presented as follows:

When previously reviewed on 5/6/14, the ECC stated the following:

1. The ECC requests clarification of the type, quantity and location of the fuel storage associated with the backup generators.

**Recommendations:**

1. **The ECC notes that the project may disturb more than one acre, and recommends that the Applicant complete the NOI for a SPDES General Permit for Stormwater Discharges from Construction Activity through the NYSDEC.**

A **motion** to adopt this recommendation was made by Dan Mathias, seconded by Raoul Desy; all in favor, none opposed.

**2013-037 Quick Response**

*Demolition of an existing office and construction of a new 9,000sf office with 66 parking spaces, Zoned: L 2, 2077/2079 Route 9, preliminary site plan review with possible determination.*

**SBL: 277.13-4-2**

Reviewed by: MJE    Consultant: Lansing    Applicant: Laurenzo

**Last seen on: 5/13/2014**

The plan was presented as follows:

When previously reviewed on 5/6/14, the ECC stated the following:

1. ECC had No Comment

**Recommendations:**

1. **ECC has No Comment at this time.**

A **motion** to adopt this recommendation was made by Karl Siverling, seconded by Glenn Valle; all in favor, none opposed.

**[2013-022] Khan, Lands of**

*proposed (9) lot subdivision , Waite Road, zoned: CR, Revised conceptual site plan review.*

**SBL: 270.-1-44**

Reviewed by: MJE

Consultant: EDP

Applicant: Khan

Last seen on: 8/13/2013

The subdivision plan was presented as follows:

When previously reviewed on 8/6/13, the ECC stated the following:

1. Mr. Montague, Environmental Specialist, reported that the ECC issued the following comments after review of the application. The ECC notes that the project may result in intrusion into federally jurisdictional wetlands: the Town of Clifton Park should be provided with copies of all related correspondence. Due to the environmentally sensitive areas that exist on the property, the ECC expressed concern regarding the on-site disposal of sanitary wastes and recommends that the applicant hook-up to the public sewer system. The ECC noted that the buildable space on Lot #2 is relatively small and can be favorably reconfigured by shifting the road.

**Recommendations:**

1. **The applicant should demonstrate that lots 2 and 4 are viable by performing seasonal high water tests.**

A **motion** to adopt this recommendation was made by Raoul Desy seconded by Dan Mathias; all in favor, none opposed.

**New Business**

**2014-025 Woodin Manor**

*Proposed construction of (12) duplex units on (6) parcels, 226 Woodin Road, zoned: R-1, conceptual special use permit and subdivision review.*

**SBL: 278.-1-7**

Reviewed by: MJE

Consultant: Kim

Applicant: Kim

The site plan was presented as follows:

1. Proposed 6 lot residential subdivision on 8.87 acres of land.
2. All lots have required frontage on Woodin Road.
3. Connection to privately owned sanitary system
4. Federal wetlands exist on the site. (3.19 acres)

**Recommendations:**

- 1. The applicant needs to complete a Special Use Permit Application for this project. Once the application has been received the ECC will review the project.**

A **motion** to adopt this recommendation was made by Karl Silvering seconded by Glenn Valle; all in favor, none opposed.

**2014-026 New Cingular Wireless (AT&T) @CPWA Water Tower**

*Proposed location of a telecommunications antenna and equipment on an existing water tower.*

*36 Boyack Road, zoned: R-1, conceptual special use permit and site plan review.*

**SBL: 288.8-1-56**

Reviewed by: Johnson

Consultant: Ross

Applicant: AT&T

The site plan was presented as follows:

1. The existing water tower is located on a small hill and surrounded by vegetation.
2. The ECC was shown the drawing and the elevation of the existing water tower with the proposed antenna's mounted on the water tower.

**Recommendations:**

- 1. ECC has No Comment at this time.**

A **motion** to adopt these recommendations was made by Dan Mathias, seconded by Howard Vilper; all in favor, none opposed.

**2014-027 Rocco's on Main**

*Proposed relocation of a trash enclosure at an existing site (former Jonesville Store and Shirley's Restaurant, 989 Main Street, zoned: B-3, Conceptual site plan review.*

**SBL: 259.9-1-20**

Reviewed by: N/A

Consultant: Sciocchetti

Applicant: Rocco's on Main

The plan was presented as follows:

1. Applicant proposes a sit down and take out restaurant.
2. Applicant does not anticipate changes to the exterior of the building except for painting and signage.

**Recommendations:**

- 1. Due to the probability of food and liquid wastes leaking from the on-site dumpster(s) into a trout spawning stream, the ECC recommends the applicant enclose the area (i.e. roof) on an impervious surface with a berm surrounding the dumpster(s) that accept food and liquid wastes. If necessary, the Applicant will need to periodically pump out the accumulated wastes within the bermed area to avoid any overflow**
- 2. The ECC recommends the applicant needs to submit an updated Short EAF Form**

A **motion** to adopt this recommendation was made by Howard Vipler, seconded by Dan Mathias; all in favor, none opposed.

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The meeting was adjourned at 8:55 PM.



Respectfully submitted,  
Brian Glick, Chairman

cc: Clifton Park Town Clerk  
Planning Board (E-mail copy)  
Sanford Roth, Town Liaison (E-mail copy)  
Dan Bull, Director of Communications and Technology (E-mail copy)