

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

Andrew Neubauer

Karl Siverling

Glenn Valle

Howard Vipler

Chuck Bassett

Fred Pineau

MINUTES: **Tuesday, September 2, 2014**

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

PRESENT: Chuck Bassett, Brian Glick, Andrew Neubauer, Dan Mathias, Scott Reese, Karl Siverling, Howard Vipler, Sandy Roth, Glen Valle

ABSENT: Raoul Desy, Fred Pineau

GUESTS: None

ANNOUNCEMENTS:

- Next meeting: **Tuesday, Sept. 16, 2014** at 7 PM in Town Hall, Conference Room C
- Announcement of Fred Pineau and Chuck Bassett are in the process of becoming new members of the ECC.
- Scott Reese, Stormwater Management Technician was present to explain the project applications
 - o Scott Reese reviewed the previous Planning Board meeting.
- The HHWD on September 6th was discussed
- Discussion of enforcement of Site Plan approval restrictions. ECC board to draft a letter to ECC attorney for further discussion

No Public Hearings for this meeting

Projects in front of Planning Board

Old Business

2006-035 Preston Court (a.k.a. Dickinson Sub pre-2008)

Review of Restrictive Covenant for 859 Main Street, 859 Main St, Zoned: B-3, Status: Final & Stamped

SBL: 265.-1-55.111

To be reviewed by: N/A

Consultant:

Applicant: Lenney **Last Seen on: 3/25/2008**

The plan was presented as follows:

1. The existing home on the premises shall be maintained and preserved by the grantee, its heirs, successors and assigns, in order to preserve the historic architecture of the home. The benefits of this restrictive covenant shall run in favor of, and be enforceable by, the Town of Clifton Park and the Town of Clifton Park Planning Board. Any disputes pertaining to the interpretation and/or application of this restrictive covenant shall be referred to the Town of Clifton Park Planning Board for its determination and resolution.

Recommendations:

1. **ECC has no comments at this time**

A **motion** to adopt this recommendation was made by Chuck Bassett, seconded by Brian Glick; all in favor, none opposed.

Planning Board Decision:

Mr. Ferraro moved, seconded by Mr. Andarawis, to resolve that the Planning Board finds the conditions at 859 Main Street to be in violation of both the approved subdivision plan for Planning Board Project #2006-035 and the Warranty Deed filed August 27, 2010 in the Saratoga County Clerk’s Office for 859 Main Street; and be it further resolved that the property is found to be unsecured and unprotected from the weather elements and unauthorized intruders in its current condition and is in danger of “demolition by neglect” if not remediated immediately; and be it further resolved that the recorded property owner for 859 Main Street is directed to secure the building and protect the structure from the weather elements and unauthorized intruders by closure, replacement and/or repair of windows and doors, repair of the leaking porch roof, and replacement of flooring on the porch; and be it further resolved that the Town Building Department is directed to provide a draft scope of work for Planning Board consideration within the next fourteen (14) days; and be it further resolved that the applicant is required to obtain any necessary local and state permits, based on the approved scope of work, including a Building Permit and Certificate of Appropriateness; and be it further resolved that this resolution shall take effect immediately. The motion was unanimously carried.

2014-020 Clifton Park Center - Mixed Use

Proposed construction of 28,000 SF retail/commercial space with drive-thru on vacant pad site , 309 Clifton Park Center Rd, Zoned: B-4, Status: PB Prelim Review - Poss. Determination

SBL: 272.-1-47

To be reviewed by: MJE Consultant: EDP Applicant: DCG **Last Seen on: 4/22/2014**

The plan was presented as follows:

When previously reviewed on 4/15/2014, the ECC stated the following:

1. This project has the potential to change the (i.e., skyline, visual character) of the project area. As such the ECC recommends that the Applicant be required to conduct and submit a visual impact assessment for all views of the building for Planning Board and ECC review.
2. The ECC would like clarification of the location of the site’s salt storage area to verify that it is not being located at this site.
3. The ECC would like clarification of the existing structure that exists on this parcel as it is not shown on the plan.

Recommendations:

- 1. As presented the project will change the skyline and visual character of the project area. As such the ECC recommends that the Applicant incorporate a storefront façade on the building facing Clifton Park Center Road and the eastern most access to the complex.**
- 2. The ECC recommends for the applicant to provide an overall pedestrian linkage plan that connects this site with the surrounding commercial complex.**
- 3. The ECC would like to see that the proposed design follow the “Preliminary Clifton Park Center Master Plan” with the recommendations of a true mixed use, including second and third floor mixed uses, as similarly developed in the 3 South Side Drive commercial center.**

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

Planning Board Decision:

Mr. Andarawis moved, seconded by Mr. Hale, to grant preliminary site plan approval to this application conditioned upon the applicant’s satisfactory response to Planning Board’s comments regarding pedestrian access, stormwater management, and building façade design. The motion was unanimously carried.

- 1. Preliminary approval with conditions prior to final approval that includes:**
 - a. Adjusting the building to make room for a multi-use path**
 - b. Improving pedestrian access**
 - c. Issue with stormwater bio-retention basin over county sewer easement.**
 - d. Questions unresolved about the building façade.**

2014-035 Clifton Corporate Park

Continued review of PUD and possible recommendation to Town Board for PUD. , 872 Rt 146, Zoned: B-1, Status: PB - Discussion
SBL: 271.-3-27

To be reviewed by: N/A Consultant: EDP Applicant: DCG **Last Seen on: 8/12/2014**

The plan was presented as follows:

1. Proposed redevelopment of 100,000sf of existing office space to multi-family residential units (100 EDU) with amenities, detached garages, and new construction of a future residential, commercial or mixed use development with up to 120 multi-family residential units, a 60,000 +/- SF commercial building or a combination of both. Zoned: B-1, 872 NY Route 146, conceptual PUD review with possible recommendation to Town Board.
2. The applicant is proposing a zoning amendment that would permit multifamily residential apartment units or new commercial office space.

When previously reviewed on 8/05/2014, the ECC stated the following:

1. The Applicant should maintain a minimum 50% greenspace in accordance with Article IV – 208-35-D(3), calculated for the entire PUD.
2. The Applicant should reserve and display on the *site plan or* subdivision proposal sufficient Rights of Way to accommodate multi-use trails to interconnect the

proposed *property* with existing and contemplated trail networks, as defined in the Town Trails Master Plan.

3. The ECC recommends to see a maximum buildout of the entire parcel to assist in making an informed decision on the environmental impacts that the PUD parameters may have.

Recommendations:

1. **The Applicant should reserve and display on the *site plan* or subdivision proposal sufficient Rights of Way to accommodate multi-use trails to interconnect the proposed *property's buildings* with existing and contemplated trail networks, as defined in the Town Trails Master Plan.**
2. **The Applicant should maintain a minimum 50% greenspace in accordance with Article IV – 208-35-D(3), calculated for the entire PUD.**
3. **The narrative shall be revised to provide sufficient detail for a PUD approval and the narrative shall reflect what is provided on the site plan.**
4. **The proposed plan as presented appears to be mostly residential with a single commercial / office space.**

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

Planning Board Decision:

Mr. Hale offered [Resolution #20 of 2014](#), seconded by Mr. Werner, to authorize the Chairman of the Planning Board to forward a positive recommendation to the Town Board regarding the applicant's request to establish PUD legislation to allow for the construction of mixed use multi-family dwellings and commercial space with appropriate interconnections between buildings and adjoining properties on parcels located at 872 A and B Route 146 identified by tax map numbers 271.-3-27 and 400 Clifton Corporate Parkway identified as tax map parcel 371.-3-73 since the Board supports the repurposing of the existing office complex and development of vacant land in a manner that complies with Section 208-73(A) of the Town Code, the Town's Comprehensive Plan's stated goals and objectives, and with the guidelines set forth in the Town Center Plan.

New Business

2014-037 Bernard Subdivision

Proposed (2) lot subdivision. Demolition of existing home and construction of (2) new single family residences with public water and sewer. , 696 Clifton Park Center Rd, Zoned: R-1, Status: PB Concept Review SBL: 270.-2-45.1

To be reviewed by: MJE Consultant: GVG Applicant: Herbinger for Bernard

The plan was presented as follows:

1. The applicant would like to remove the existing single family home and garage and build 2 new single family homes that will be serviced by public water and public sewer. Both lots will be 1.18± acres and meet all zoning area restrictions.
2. Wetlands are present in the rear yard. Previous plans state that no further subdivision be done.

Recommendations:

- 1. Federal jurisdictional wetlands have been identified on this site. *Uses in this area are restricted and the wetlands shall be delineated on the Plat Plan.* The Town of Clifton Park Building Department shall be notified before undertaking any land disturbance activities in Federal wetlands.**

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

Planning Board Decision:

Mr. Andarawis stated that he found the application acceptable because it “fixed a non-conforming use” and allowed for future trail development, though he was concerned with the restrictive language. Board members agreed that the plan was acceptable “for now,” but would seriously consider any additional information which may come to light regarding the “no additional subdivision” note.

2014-038 Fairchild II - North (Lots 2-5)

Proposed construction of (5) new warehouses with 215,000SF and amendment to subdivision of Lot C. , Ushers Rd Rear, Zoned: L 1, Status: PB Concept Review

SBL: 259.-2-84.1

To be reviewed by: MJE Consultant: ABD Applicant: MJ Properties

The plan was presented as follows:

1. Construction of 5 additional buildings continuing the Fairchild Development. All access will be from Fairchild I off of Van Patten Drive with an emergency access also off Van Patten Drive. The site will have private access drives and public utilities and private utilities within cross easements throughout the site.

Recommendations:

- 1. The ECC recommends legal review of the segmentation of this project.**
- 2. Verify the square footage of proposed warehouses.**
- 3. Given the proximity of this project to the residential area the ECC is concerned with the potential impact from commercial traffic and warehouse operations from this project.**

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

Planning Board Decision:

Mr. Ferraro reiterated his belief that the project proposal “was too dense” for the site. Mr. Werner recommended that the consultant meet with town officials to discuss the traffic report. He also recommended that the applicant consider a variety of design techniques such as berming, landscaping, building orientations, and exterior colors to minimize the visual impacts of the development and called for a comprehensive plan of the site that would clearly illustrate how traffic flow, development, greenspace, parking, and pedestrian accommodations are integrated. Mr. Ophardt described the site as “way overdesigned” and believes that traffic will not flow smoothly through the site. In response to Mr. Ophardt’s question concerning pedestrian

amenities, Mr. Andress explained that the site can accommodate more open space areas and that he will work to incorporate pedestrian amenities into the plan.

Mr. Ferraro summarized his concerns regarding the application. He observed that Lot #3 had significant “topographical issues” to be addressed and that the proposed development may have negative impacts to existing landscaping, that there may be stormwater management “capacity issues” that are difficult to identify due to the lack of “comprehensive site planning and review,” and that the density proposed may have significant negative impacts to with relation to the environment, traffic, and visual aesthetics. He stated that he was concerned with the amount of land disturbance proposed and the lack of buffering. In response to Mr. Andarawis’s question regarding whether or not the “fingers of green” between the proposed loading docks were included in the greenspace calculation, Mr. Andress responded positively.

* * * * *

The meeting was adjourned at 9:15 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)