



Town of Clifton Park

ENVIRONMENTAL CONSERVATION COMMISSION

Protecting today's environment for the next generation...



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

Karl Siverling

James Ruhl

Keith Martin

Mary Anne Mariotti

FINAL

MINUTES:

Tuesday, June 19th, 2018

CALL TO ORDER:

Brian Glick, called the meeting to order at 7:00 PM in Conf. Room C.

PRESENT:

Dan Mathias, Scott Reese, Brian Glick, Karl Siverling, Keith Martin, James Ruhl, Sandy Roth

ABSENT:

Mary Anne Mariotti, Raoul Desy

ANNOUNCEMENTS:

- Next meeting: The next ECC meeting will be **Tuesday, July 3rd, 2018** at 7 PM in Town Hall, Conference Room C
- Scott Reese, Stormwater Management Technician was present to explain the project applications
 - o Scott Reese reviewed the previous Planning Board meeting.
- ZBA – 2 Project received – 2 to review

Zoning Board -

Variance # 81174 AJ Signs – 800 Rt. 146

Applicant requests 5 wall signs, 2 allowed. Requests wall sign 23' above grade, 10' allowed. Requests 112 sf free standing sign, 32 sf allowed. Requests 61 sf of wall signage, 32 sf allowed. Requests 30' freestanding height, 16' allowed. Requests two freestanding signs, one allowed. Requests 10' setback from property line, 15' required.

Recommendations:

The ECC Recommends that the variances be denied based upon the following:

- 1. Neighborhood character – existing developments comply with town code. The variance involves a significant departure from the prevailing development conditions in the area.**

2. **Alternatives to variance – feasible alternatives to granting a variance exists. Specifically, numerous commercial enterprises within the neighborhood are able to successfully [to] conduct business within the strictures of the town code.**
3. **The applicants requests for 5 signs in leu of the standard 2 signs is a substantial deviation from existing code. The variance sought represents a two hundred fifty percent deviation from the town code requirements. The requested height variance is almost two times what is standard within the town code. The variance requested for the area of the free-standing sign is 300% increase of what is allowable under town code. The magnitude of the desired variance establishes a precedent which can have significant impact upon the character of the community and the conditions within the commercial district.**
4. **Self-created hardship – The applicant is an experienced developer. In selecting this site, the applicant is presumed to understand applicable zoning restrictions at time of site selection and any adverse consequences of the zoning restrictions should be considered a self-created hardship (Springer vs Zoning Board of Appeals of the Town of Somers, NY).**

A **motion** to adopt these statements was made by Karl Siverling, seconded by Keith Martin; all in favor, none opposed.

Variance # 81175 AJ Signs – 800 Rt. 146

Applicant requests a use variance from Section 171-4H.(3)(n) of the sign law which specifically prohibits digital/animated signs in zones other than those specifically listed. This location is not one of those listed.

Recommendations:

1. **The notion in order to compete that the applicant will need a digital sign in order to advertise specials and other menu options is fallacious. Otherwise every restaurant and or fast food outlet on Rt 146 will assert that signage of this type will be needed to be competitive.**
2. **Neighborhood character - existing build conditions comply with town code. The variance involves a significant departure from the prevailing development conditions in the area.**
3. **Alternatives to variance – feasible alternatives to granting a variance exists. Specifically, numerous commercial enterprises within the neighborhood are able to successfully to conduct business within the strictures of the town code.**
4. **Self-created hardship – The applicant is an experienced developer. In selecting this site, the applicant is presumed to understand applicable zoning restrictions at time of site selection and any adverse consequences of the zoning restrictions should be considered a self-created hardship (Springer vs Zoning Board of Appeals of the Town of Somers, NY).**
5. **Electronic sighs with flashing multiple led changing signs have been noted to be distractions to drivers.**

A **motion** to adopt these statements was made by Keith Martin, seconded by Dan Mathias; all in favor, none opposed.

Planning Board

I. Public Hearings

2018-030 Semenza-Miller Road In Law Apartment SUP

Applicant requests a Special Use Permit for a 2 Family Residence. An addition to an existing house will be constructed for an in-law apartment., 363 Miller Rd, Zoned: R-1, Status: PB Preliminary Review w/possible determination

SBL: 276.-2-42.1 To be reviewed by: MJE Consultant: none Applicant: Chris Semenza

ECC Recommendations on 6/5/18:

1. The applicant shall provide sufficient information in order for the planning board and the ECC to determine whether the septic system is adequately sized for the proposed use.
2. The applicant shall verify whether public water or private well is proposed.
3. The applicant shall provide a statement as to whether as any NYSDEC or Federal Wetlands are on the property and provide an associated site plan.

Recommendations:

- 1. The applicant shall provide sufficient information in order for the planning board and the ECC to determine whether the septic system is adequately sized for the proposed use.**
- 2. The applicant shall provide a statement as to whether as any NYSDEC or Federal Wetlands are on the property and provide an associated site plan.**

A **motion** to adopt these statements was made by Dan Mathias, seconded by James Ruhl; all in favor, none opposed.

II. Old Business – None

III. New Business –

2018-032 Vistas West Subdivision Amendment 1

Applicant proposes to adjust lot lines to incorporate a newly acquired parcel into the already approved subdivision. Project #2015-039 Vistas West (aka Levy Subdivision), Rt 146, Zoned: CR, Status: PB Concept Review

SBL: 270.-2-3.2

To be reviewed by: MJE Consultant: EDP Applicant: Kohler

Recommendations on June 5th, 2018:

- 1. No comments at this time.**

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

2018-034 Synergy Technology Park Lot 4 - Site Plan

Applicant proposes to construct a 3 story self storage building that will also have a truck rental company associated with it. Public water and sewer will be constructed within Synergy Park Drive, which was approved as a privately owned road. Maintenance of the road and any private improvements will be through a common maintenance agreement. Any common stormwater facilities for the private road will be maintained under the common maintenance agreement. Access will be off Kinns Road until the road is completed, 7 Synergy Park Dr, Zoned: B-5, Status: PB Concept Review SBL: 265.-5-5

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

Recommendations:

- 1. In keeping with the recommendations and goals of the Town Comprehensive Plan, the Applicant *should* retain existing vegetation and/or use landscaping and grading to provide visual and auditory buffering between the project and the Northway.**
- 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 proposed trail networks, as defined in the Town Trails Master Plan.**
- 3. At this point the applicant should anticipate planning natural screening on the north side of the proposed trail to maintain a character of this multi-use trail.**

A **motion** to adopt these statements was made by Karl Siverling seconded by James Ruhl; all in favor, none opposed.

Discussion Items - none

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The meeting was adjourned at 8:15 PM.



Respectfully submitted,
Brian Glick

cc: Clifton Park Town Clerk
 Planning Director (E-mail copy)
 Sanford Roth, Town Liaison (E-mail copy)