

## **Clifton Park Planning Board Meeting Minutes**

**September 13, 2000**

Those present at the September 13, 2000 Planning Board meeting were:

Planning Board: K. O'Brien, Chairman, K. Bowman, B. Czub, J. Marzola, S. Bulger, J. Romano

Absent were: R. d'Amico

Also present were: K. Simmonds, Director of Planning, M. Bianchino, Clough, Harbour and Associates, J. Peller, Counsel

Mr. O'Brien called the meeting to order at 7:00 P.M.

Old Business

[2000-031] Korniat, Anthony - Proposed 3,024 square foot storage garage, Wood Road - Preliminary site plan review.

Mr. Harold Berger, professional engineer, said Mr. Korniat, a general contractor, will be storing construction equipment in the facility. He said a DEC permit was obtained approximately eight years ago to construct a stone and gravel driveway on the site. The front of the building facing Wood Road will have a three foot base of cultured stone, and will be sided with light gray vinyl. There will be two windows and a passage door. The other three sides of the building will be finished with blue galvanized metal siding. The unheated building will have a bathroom as required by the Town. The property which is adjacent to Northern Distributors will be graded to drain away from wetlands. Application has been made to DEC to install a portion of the improvements in the buffer.

Ms. Simmonds said landscaping along the front and north sides of the building should be increased. The disturbed areas should be fine graded and seeded. She suggested reducing the width of one of the curb cuts from 46' to 26'. Ms. Simmonds said although the site is part of the Wood Road Corridor, it will generate very few trips and may not be subject to traffic mitigation fees, and it might not be necessary to do the Phase I environmental audit since review of Northern Distributor to the south showed no hazardous or solid waste contamination found on the site. Mr. O'Brien agreed, and recommended waiving traffic mitigation fees since there would be only two to three trips per week.

The ECC notified Ms. Simmonds that their comments have been addressed, and they don't see a need for an oil/water separator.

Mr. Bianchino asked if two curb cuts were necessary. Mr. Berger said they were needed for maneuverability, but he would have no trouble reducing the size of the curb cut as

requested by Ms. Simmonds. Mr. Bianchino asked if there would be outside storage. Mr. Korniat said it was possible that a backhoe or bulldozer would be stored outside. Ms. Simmonds said there should be no parking of vehicles in the buffer area. Mr. O'Brien agreed.

Mr. Bianchino had the following additional comments: The project site lies within the Wood Road Corridor GEIS and is subject to the statement of findings, which requires that the following items must be completed prior to the issuance of a negative declaration: Contact the New York Natural Heritage Program to identify the presence of rare and endangered species. Visual impacts to travel corridors of I-87 and NYS Route 9 should be addressed. Prepare a Phase 1 environmental audit report. Contact SHPO to insure that no historic sites exist within the subject parcel. Traffic mitigation fee of \$1,465.47 per trip during peak hour. Town DGEIS review of \$74.28 per acre. The zoning district boundary lines should be shown on the plans including the Land Conservation District, which coincides with the NYSDEC wetland 100' buffer. Construction of the proposed gravel driveway would require a use variance from the Zoning Board of Appeals and a permit from the NYSDEC. Site data should be added to the plan including zoning, building setbacks, parking summary and site coverage statistics. A parking calculation and summary should be provided to determine the adequacy of the proposed number of parking spaces. Site layout dimensions should be added to the plan to identify the proposed locations of the building and the edge of pavement. Bearings and distances should be added to the property boundary. The applicant should contact the Building Department to verify if the parking spaces can be placed directly against a building of this type of construction. It would appear based upon the proposed use that only one driveway onto Wood Road is required for the site. The pavement width of the driveway should be reduced to the minimum required for maneuvering. The north edge of pavement for the south driveway should be revised to line up with the end of the parking spaces rather than the edge of the building. Additional grading detail should be provided at the proposed driveway connection to Wood Road and the radii should be increased to accommodate truck and trailer turning motions. The plan should identify if outside storage is proposed. Any proposed outdoor refuse area should be shown on the plan including an enclosure and screening. The enclosure should be large enough to accommodate the dumpster as well as recycling bins. The proposed building height should be added to the plan. The plan should identify the location of the handicap parking sign. Spot elevations should be provided to ensure that the maximum pavement slope in the handicap parking space and adjacent access aisle does not exceed 2% in accordance with the A.D.A. The minimum handicap accessible parking aisle is 8' wide. Additional grading detail should be provided at the rear eastern building corner. The landscaping plan should identify the existing woodline and proposed limits of clearing and grading. We recommend additional landscaping along Wood Road and the side lot line. The Lighting Plan should include photometrics, specifications, mounting height and appropriate details for the proposed lighting fixtures. Due to the potential for glare towards off-site areas the use of wallpack style fixtures is not recommended. According to NYSDOH requirements: The wastewater disposal system laterals should be installed parallel to the contours. The maximum lateral length by gravity flow is 60'. The minimum distance from a wastewater disposal system to a downstream well is 200'. The

minimum septic tank capacity is 1000 gallons. A test pit and two (2) percolation tests shall be performed in the area of the proposed system. Liquid levelers should be provided in the distribution box. A catch basin frame and grate should be specified for the oil-water separator. The consultant should submit a Stormwater Management Report in accordance with the Town Code and erosion and sediment control measures should be shown on the plans.

Mr. Marzola asked if there would be any traffic to the site other than Mr. Korniat's equipment. Mr. Berger said the use was exclusively for Mr. Korniat's equipment.

Mr. O'Brien said there are some issues outstanding, but they are very minor.

Mr. O'Brien moved, seconded by Mr. Marzola, to establish the Planning Board as Lead Agency for this application, an unlisted action, with findings that traffic mitigation fees be waived, and a Phase I environmental audit be waived, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously approved.

Mr. Bulger moved, seconded by Ms. Czub, preliminary and final approval, conditioned on addressing the comments of Ms. Simmonds and Clough, Harbour, and conditioned on designating where on the site vehicles can be placed, and conditioned on getting permits from the DEC. The motion was unanimously approved.

[2000-024] Delgaudio, Teresa - Proposed (4) lot subdivision, Moe Road - Revised conceptual review.

Mr. Tom Andress, ABD Engineers, said the original proposal for a seven lot subdivision with a cul-de-sac has been reduced to a four lot subdivision, which consists of one regular lot and three keyhole lots. There will be access by a common driveway. He said the setback on Lot 2 is only 25' from the common driveway and will require a setback variance, and Lot 4 will require a variance from the minimum lot width.

Ms. Simmonds said the plan is much improved. She asked to have the existing tree line on the north side shown on the plan, and the limits of clearing and grading should be shown. Mr. Andress said the property line is the tree line. Ms. Simmonds said approval is required from the Saratoga County Sewer District and the Clifton Park Water Authority.

Mr. Bianchino had the following comments: The applicant is requesting two area variances. Lot 4 will require a variance from the minimum lot width and Lot 2 will require a variance from the minimum side yard setback of fifty feet for keyhole lots. Our survey records indicate that Moe Road is a four rod right-of-way, however, the plan appears to indicate it as a three rod right-of-way. This may affect the conformance of lot #1 with the minimum lot size requirement. The site data should state that keyhole lots shall be subject to a minimum front, side and rear building setback of fifty feet unless otherwise noted. In order to implement access management techniques within the proposed subdivision we recommend that the driveway to lot #2 be provided from the proposed common driveway. It would also be desirable if lot #1 were accessed by the common driveway, thereby allowing the elimination of the two existing curb cuts onto

Moe Road. In accordance with the Town Code provisions should be made for facilities for turning around a fifty-thousand pound, thirty-foot-long vehicle within 100 feet of any structure. Given the length of the proposed common driveway and its close proximity to the property line we recommend that proposed driveway grading be shown on the plan. We also recommend that a plan and profile of the driveway be prepared showing existing and proposed centerline grades as well as the proposed water services and sanitary force main. The plan should be submitted and reviewed by the Clifton Park Water Authority and the Saratoga County Sewer District #1. Copies of the approval letters should be submitted to the Town. The consultant should provide hydraulic calculations to document the adequacy of the low-pressure sanitary sewer system. In order to eliminate the long run of proposed private low pressure sewer within a public right-of-way of one of the Town's major roads, the applicant should acquire an easement from one of the property owners on Kingswood Drive to allow alternative access to the force main. The plans should identify the proposed method of crossing Moe Road and connection to existing watermain and existing sewer main. The plan should note that the contractor shall maintain traffic at all times in accordance with MUTCD. The plan should show a Moe Road restoration detail. A Highway Work Permit will be required from the Town Highway Department. Erosion and sediment control measures and details should be shown on the plans. The location, elevation and description of the benchmark should be provided for vertical control. Construction details should be included in the plan set. The final subdivision plan should be stamped and signed by a New York State Licensed Surveyor. There is a note that lot #1 shall utilize the existing utility services. Clarification is requested. If the intent is to utilize the existing water or sewer services, additional documentation as to the location and adequacy of the existing services will be required.

The ECC had no comments.

Mr. Andress asked the Planning Board to recommend that the Zoning Board of Appeals grant the variances. Mr. O'Brien said it would be appropriate to make that recommendation because this plan is much improved. He said once the variances are granted a public hearing will be scheduled. He said the comments of Ms. Simmonds and Clough, Harbour should be addressed.

Mr. O'Brien moved, seconded by Mr. Romano, to recommend that the Zoning Board of Appeals consider approving the variances. The motion was unanimously approved. [2000-033] Daigle, Gilton - Proposed 10,800 square foot light industrial use building, Pierce Road - Preliminary site plan review.

Mr. Ivan Zdrahal presented the proposal to expand the existing building of 7,700 square feet by 10,800 square feet of floor space. Total proposed parking is for 38 vehicles, and greenspace will be 41%. He said all of Clough, Harbour's comments will be addressed. The drainage report complies with Town standards, and has been submitted to Clough, Harbour. The addition will connect to the CK sanitary system, and the Clifton Park Water Authority.

Ms. Simmonds said approval is required from CK Sanitary saying there is adequate

capacity. Clifton Park Water Authority source and storage fees will apply. Landscaping should be replaced across the front of the existing building, and the front of the new addition should be landscaped. Ms. Simmonds asked if there would be outside storage. Mr. Zdrahal said there would be recycling bins and a dumpster, but no outdoor storage of supplies. Ms. Simmonds suggested curbing the walk and the island in the parking lot. Mr. Zdrahal said that should not be a problem, unless there is a problem with the grading.

Mr. Bianchino had the following comments: A parking calculation and summary should be provided to determine the adequacy of the proposed number of parking spaces. The proposed refuse area should include an enclosure and screening. The enclosure should be large enough to accommodate the dumpster as well as recycling bins. The landscaping plan should identify existing trees to remain. In particular a note should be added stating that no grading shall occur within the canopy line of the existing 36" and 24" oak trees. Additional grading detail should be provided including top of curb and bottom of curb elevations. The plan should identify the location of the handicap access ramp and handicap parking signs. Spot elevations should be provided to ensure that the maximum pavement slope in the handicap parking space and adjacent access aisle does not exceed 2% in accordance with the A.D.A. The location, size and material of the existing water service and sanitary service should be shown on the plan. The plan should identify if the existing utility services are to remain, be removed or be abandoned. Review and approval by the Clifton Park Water Authority (CPWA) and the Saratoga County Sewer District #1 is required. Copies of the approval letters should be submitted to the Town. The plans should identify the proposed method of crossing Pierce Road and connection to existing watermain and existing sewer main. The plans should note that the contractor shall maintain traffic at all times in accordance with MUTCD. The plans should also include a Pierce Road restoration detail if the road crossing will be by open cut. A Highway Work Permit will be required from the Town Highway Department. If the required 18" minimum separation between the water main and sewer service cannot be maintained, the sanitary sewer pipe shall be of pressure class pipe with the pipe joints the maximum distance from the watermain. The consultant should submit a Lighting Plan showing all existing and proposed lighting including building mounted lighting. Photometrics, specifications, mounting height and appropriate details for the proposed lighting fixtures should be provided on the plans. Due to the potential for glare towards off-site areas the use of wallpack style fixtures is not recommended. The consultant should submit a Stormwater Management Report in accordance with the Town Code and erosion and sediment control measures should be shown on the plans. The plan should identify if outdoor storage is proposed. The location, elevation and description of the benchmark should be provided for vertical control. The plans should be stamped and signed by a licensed New York State Professional Engineer.

The ECC comments have been addressed.

Mr. O'Brien moved, seconded by Mr. Bowman, 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 unanimously approved.

Mr. Bulger moved, seconded by Mr. Bowman, preliminary and final approval, conditioned on addressing the comments of Ms. Simmonds and Clough, Harbour. Approval is conditioned on further review of the drainage report by Clough, Harbour, approval from CK Sanitary, Clifton Park Water Authority source and storage fees, and further conditioned on no outdoor storage. The motion was unanimously approved.

[1999-061] Vucetic, Ostoya - Clifton Park Driving Range, 1759 Route 9 - Proposed 1,500 square foot garage adjacent to batting cages and parking lot - Request one year extension of site plan approval granted September 14, 1999.

Mr. O'Brien said there have been no changes or modifications.

Ms. Czub moved, seconded by Mr. Marzola, to grant the extension as requested. The motion was unanimously approved.

[1999-023] Abele, Chris and Ed - Proposed 49,000 square foot (4 story) hotel, Route 146, Route 9 and Fire Road - Request one year extension of site plan approval granted November 9, 1999.

Mr. O'Brien said there have been no changes or modifications.

Mr. Romano moved, seconded by Mr. Bowman, to grant the extension as requested. The motion was unanimously approved.

#### Discussion Items

Fox Hollow - Counsel, Joel Peller, said he spoke with Scott Bernier, a resident of Archer Drive, who approached the Board at the August 8, 2000 meeting, and said the neighbors don't want to participate in a no-cut buffer zone and they want to change it. Mr. Peller said the Town has no authority, and is not a party to the covenants and restrictions. He said he recommended that Mr. Bernier and a majority of his neighbors hire an attorney to amend the covenants and restrictions. Mr. Peller said Mr. Bernier can then come back to the Planning Board to ask to have the subdivision amended regarding the buffer limits.

Historic Commission – Mr. O'Brien said he met with members of the Town Historic Commission, who said they want to become more involved with the Planning Board in the review process. The commission has asked for a liaison with the Planning Board. Mr. Bowman offered to work with them, but noted that he had a concern regarding the tone of their letter to the Planning Board, noting that the commission had a copy of the Stewarts plans and never responded to the Planning Board.

#### Sign Referrals

Hess - Ushers Road – Hess is asking for several sign variances, including three canopy signs, a Hess Express sign, and two free standing pylon signs. Mr. O'Brien noted that businesses on Ushers Road have always blended in with the residential area.

Mr. Romano asked how the request compares to what exists at the Sunoco on Ushers Road. Ms. Simmonds said it far exceeds the Sunoco signage.

Mr. O'Brien moved, seconded by Mr. Marzola, to deny the request, and emphasized that the Board is not happy with their request for the pylon sign height and size. The Board does not recommend approving signage which exceeds what currently exists at the Sunoco site across the street. The motion was unanimously approved.

Mr. Bowman moved, seconded by Ms. Czub, to approve the minutes of August 8, 2000 as written. The motion was unanimously approved.

Mr. Romano moved, seconded by Mr. Bowman, to adjourn. The motion was unanimously approved. The meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Elaine Hughes  
Secretary