

Clifton Park Planning Board Meeting Minutes

October 24, 2000

Those present at the October 24, 2000 Planning Board meeting were:

Planning Board: K. Bowman, Acting Chairman, R. d'Amico, B. Czub, J. Marzola, J. Romano

Absent were: K. O'Brien, S. Bulger

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

Mr. Bowman called the meeting to order at 7:10 P.M. He noted that Mr. O'Brien has a business obligation which prevented his appearance at this meeting.

Public Hearing 7:10 PM

[2000-025] Deveno, Thomas - Proposed (3) lot subdivision, Settlers Lane - Preliminary public hearing and determination.

Mr. Bowman called the public hearing to order. The Secretary read the public notice as published in the Daily Gazette on October 17, 2000.

Mr. Gordon Nicholson, Environmental Design Partnership, presented the proposal to subdivide the two acre parcel, which incorporates a keyhole lot in the configuration. A parcel of land will be set aside for the Clifton Park Water Authority. Less than 1/10 of an acre of federal wetlands will be filled. The L-C Zone will remain undisturbed. A note has been added to the plan that there would be no grading or cutting of any trees over 4" in diameter in the no-cut buffer.

Ms. Simmonds said postal addresses should be added to the plan, and notes should be added regarding water, farm, keyhole lot, ingress/egress and street trees. Source and storage fees are due to the Clifton Park Water Authority.

The ECC submitted the following comments: The ECC has reviewed the project information and offers the following comments and recommendations. The plans indicate disturbance and relocation of an existing surface drainage swale and placement of a house on Lot #1 within the limits of a Federal Jurisdictional Wetland. It would appear that placement of the house as shown would also necessitate filling of the land around the house. In addition, the proposed driveway crosses (necessitating filling) a portion of the wetland. Therefore, the Commission questions the accuracy of the calculation of the total area of wetland to be disturbed. The ECC recommends that the Applicant consider relocation or reconfiguration of the footprint of the house to a point out of the wetland or

that which would lessen the area of wetland to be disturbed. The ECC also noted that the total square footage of Lot #1 appeared to be inaccurate as noted on the plan.

Mr. Bianchino said all comments have been addressed

Mr. Bowman asked for public comments.

Mr. John Crowley, 19 Settlers Lane, said he is not against the proposal. He said a large path was cut in the woods along the easement from the church property, and asked if Hazard owns the land. He asked why the maps in the Planning Department show wetlands on the site. Ms. Simmonds said the maps are at 2,000 scale and are not detailed. There are no DEC wetlands in that area, and until the wetlands are flagged after the application is made, it can not be determined exactly where they are. Ms. Simmonds said the map was erroneously labeled, and Hazard does not currently own it, and the new owner is Depew. Mr. Nicholson added that Mr. Deveno owns the land south of the Town right-of-way.

Mr. Crowley asked what the Clifton Park Water Authority plans to do with their property, and noted that teenagers park cars and gather in that area. Mr. Peller suggested that Mr. Crowley call the Supervisor's office regarding his safety concerns in this trouble spot in Dutch Meadows. Ms. Simmonds said the Clifton Park Water Authority plans to have a driveway, which will either be gravel or pavement, and an existing pump station will be relocated there.

Mr. Crowley asked if the house price and style could be stipulated. Mr. Romano said the only requirement the Town can impose is that the structure must be a minimum size of 960 square feet.

Mr. Bowman asked for Board comments.

Mr. Romano moved, seconded by Ms. Czub, to close the public hearing. The motion was unanimously approved.

Mr. Romano asked if the no-cut buffer will go all the way around the house in the back lot. Mr. Nicholson said the 25' no-cut and no-grading buffer would go around the entire house.

Mr. d'Amico moved, seconded by Mr. Romano, 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.

Ms. Czub proposed Resolution #16, seconded by Mr. Romano, to grant preliminary and final approval, conditioned on the comments of Ms. Simmonds, and on adding notes as requested by the ECC. Ayes: d'Amico, Czub, Marzola, Romano, Bowman. Noes: None.

Old Business

[2000-037] VanPatten, Robert - Proposed 8,000 square foot office use in (2) buildings, Plank Road - Determination on preliminary site plan review from 9/26/00 (62 days expires 11/13/00).

Mr. Gordon Nicholson, Environmental Design Partnership, said the 1.5 acre site will have parking for 31 cars, and the buildings will be similar in character and size to the Shenendehowa Medical Arts building. Approximately 1,500 square feet of space may be designated for medical use, and 6,500 square feet for general office use. Stormwater management will be on site. There will be no disturbance to federal wetlands in the southwest corner. Mr. Nicholson said at the request of Paul Belmonte, adjoining neighbor, the dumpster location has been moved, and a retaining wall will be constructed, and evergreens will be planted along the Belmonte property line.

Ms. Simmonds said SEQRA action was taken on September 26. The Saratoga County Planning Board approved the application on August 16. Postal addresses should be added. She asked to have the building lighting details submitted. Pines should be added along the Northway. Source and storage fees are due to the Clifton Park Water Authority. Approval is needed from the Saratoga County Sewer District before plans are stamped. Mr. Nicholson said recessed soffit lighting will be added and the entrances will have decorative lighting. Ms. Simmonds said a letter has been sent to the Highway Department asking them to review whether the speed limit has been posted correctly.

Mr. Bianchino had the following comments but noted that they have been addressed with the exception of the Clifton Park Water Authority issue: Locations of existing and proposed fire hydrants should be identified to determine adequacy of spacing for fire protection purposes. The plan should identify the location of the adjacent driveways on Plank Road to determine if the 100' centerline of curb cut spacing requirement is met. In addition, the adequacy of the sight distance should be verified at the proposed driveway location. The consultant should verify that the pavement slope does not exceed 2% in any direction within the handicap parking spaces or adjacent access aisle in accordance with ADA requirements. The locations of the handicap parking signs should be shown on the plan. This should include signs in front of the striped aisle now required per recent changes to the NYS Building Code. The proposed driveway grading should be revised so as not to drain any runoff directly onto the Plank Road edge of pavement. The plan lacks appropriate layout dimensions, radii and information. Additional design information should be provided for the proposed water supply and sanitary sewer services including size, material, depth of cover, fittings/bends and method of connection to the existing stubs. It appears that the required minimum 10' horizontal separation between water supply and sanitary sewer is not met at western portion of the site. The required minimum horizontal and vertical separation notes should be added to the plan. The consultant should verify the adequacy of the water supply and sanitary sewer services by performing hydraulic analysis (flow and pressure, system curve, pump selection, etc.). A cleanout to grade should be installed on the gravity sanitary service outside each of the office buildings. We offer the following additional comments: Data presented in ITE's Trip Generation report indicates that the proposed development will generate approximately

20 trips during the weekday a.m. peak hour and 35 trips during the weekday p.m. peak hour, including traffic both entering and exiting the site. ITE's Traffic Access and Impact Studies for Site Development recommends that a traffic study be conducted when traffic generated by a proposed development is anticipated to generate 100 or more new trips to or from a site. This threshold is recommended because this volume of traffic is of sufficient magnitude to change the level of service of an intersection approach and therefore may require construction of improvements to mitigate impacts. Because the proposed office development is estimated to generate significantly less peak directional traffic than the 100 vehicle-per-hour threshold, it does not appear that a traffic study is warranted. A proposed fire hydrant should be located in the lawn area behind catch basin #2. In addition, to prevent a long "dead" run of watermain, the proposed service to the front building should be shifted south, closer to the location of hydrant. A detail should be provided of the proposed dumpster enclosure, including the type of material to be used. Additional landscaping should be provided in the bottom of the proposed detention basin.

Mr. Kemper submitted the following comments: The following standard statements should be placed on the plot plan. The borders of all land that is to remain undisturbed shall be clearly marked on the site before site preparation begins. These on-site boundary markers shall remain until construction is completed and soils are stabilized. All erosion and water quality controls shall be put in place at the initial phase of site preparation and shall be maintained until all construction ends and soils are stabilized. The Applicant will control fugitive dust and debris during the construction/demolition phase of the project. Federal jurisdictional wetlands have been identified on this site. The Town of Clifton Park Building Department shall be notified before undertaking any land disturbance activities in the wetland areas. Mr. Nicholson said he will add the ECC notes to the plan.

Mr. Bowman asked for Board comments.

Mr. Romano asked if the water is being extended up Plank Road. Mr. Nicholson said only a 3" water main is required from Bent Pine Hollow, and the Clifton Park Water Authority said extension on Plank Road was not necessary based on demand and the size of the buildings.

Mr. Paul Belmonte, 667 Plank Road, said the impact study was brought up because the property is on the bend, and is concerned that the speed limit is often exceeded. He asked if a stub would be left at the easement so he could hook up to water. Mr. Nicholson said it will be left and shouldn't be a problem.

Mr. Belmonte asked if the 16' light poles could be lowered since they will be level with his deck. Ms. Simmonds noted that office building lighting is usually 20' to 24'. Mr. Nicholson said there are only three lights and they could be lowered to 12'. Mr. Belmonte asked if the lighting could be required to go off at 10:00 PM. Ms. Simmonds said there should be a note on the plan that lighting hours will be whatever Code requires.

Mr. Belmonte said the trees along the retaining wall are being planted on his property

without him granting an easement. Mr. Nicholson said he is planting the trees at the top of the wall as Mr. Belmonte had requested, and added that a stockade fence will be placed behind the trees.

Dr. Galuzzo is concerned with traffic flow and impact study. He suggested that either lighting or a sign be posted to increase visibility at the driveway entrance onto Plank Road. Mr. Nicholson said the site will comply with lighting requirements and will comply with stopping distance and site distance.

Mr. d'Amico said he is afraid that traffic coming down Plank Road could create a traffic hazard, and noted that the road is treacherous in the winter. Mr. Nicholson said he has no control over the speed limit. Mr. Romano added that the Planning Board can not determine speed limits. Mr. Bianchino said the driveway location as proposed has adequate site distance from the north and south to meet the speed limit as posted. He said the Highway Department has to ask the County to look at it.

Mr. Bowman said some issues need to be resolved before final approval, including Clifton Park Water Authority response to pressure tests, and height of the light poles.

Ms. Czub moved, seconded by Mr. Marzola, to grant preliminary approval. The motion was unanimously approved.

New Business

[2000-045] Collision Experts - Proposed 10,414 square foot building, Clifton Park Center Road - Conceptual site plan review.

Mr. Bowman recused himself from comment on this application.

Mr. Tom Andress said Collision Experts is currently located at Dodge World, and propose to locate on the old Bonfare site. The existing building and pavement will be removed. The applicant is requesting a 10' side building setback variance and a 20' pavement side yard setback variance. Public water and sewer is available. Modifications have been made to bring greenspace up to 45%. The front of the building will be set back 80' with approximately 60' of greenspace. The applicant is willing to fence the paved working area from public view.

Ms. Simmonds said fencing the working area is a big asset. She asked that the existing pylon sign along the Northway be removed. The Saratoga County sewer easement should be shown on the plan, and their approval is required. She asked to have a lighting plan and landscape plan submitted for her review. Postal addresses should be added.

The ECC had the following comments: The ECC has reviewed the project information and offers the following comments and recommendations. The project plan indicates 37.2% of the parcel will be devoted to greenspace. However, the project falls within the Maxwell Road GEIS study area. Therefore, the Applicant must maintain a minimum of

45% greenspace in accordance with the Maxwell Road GEIS calculated for the entire parcel. The Applicant shall meet all applicable N.Y.S.D.E.C. permit requirements for air and waste water discharges, hazardous waste handling and storage. Any new proposed exterior lighting should be directional and limited. The following standard statements should be added to the plot plan: The borders of all land that is to remain undisturbed shall be clearly marked on the site before site preparation begins. These on-site boundary markers shall remain until all construction is completed in the area marked and soils are stabilized. All erosion and water quality controls shall be in place at the initial phase of site preparation and shall be maintained until all construction ends and soils are stabilized. The Applicant shall control fugitive dust and debris during construction/demolition phase of the project. If hazardous materials are stored on site, the Applicant must submit a plan addressing handling, storage and spill response for review by the Town of Clifton Park Environmental Specialist.

Clough, Harbour submitted the following comments, but said the majority of them had been addressed. The proposed project is located within the Exit 9 Commercial Area GEIS, and as such, may be subject to the Findings Statement of the GEIS. Before a determination regarding the conformance with the Findings can be made, the following issues should be addressed: A Full Environmental Assessment Form (FEAF) should be provided for review. The site plan proposes 37.2% greenspace. In order for the proposed project to be deemed consistent with the Findings, at least 45% greenspace should be provided. The proposed building height should be identified on the plan. The project shall contribute to the mitigation fees established in the Findings Statement of \$0.18 per square foot. Based on a 10,414 square foot building, the mitigation fee will be \$1,875. Because the project site is previously developed, it does not appear that an investigation into wetlands, cultural resources or threatened or endangered species is warranted. The proposed project will require the following area variances: Reduction in the building side yard setback from 30' to 20', reduction in the parking side yard setback (south side) from 20' to 5', reduction in the parking side yard setback (north side) from 20' to 10', reduction in the parking rear yard setback from 30' to 15'. In accordance with Section 208-48 of the Town Code, side lot lines shall be planted with trees and shrubs for a width of not less than 15 feet. The site plan proposes a five feet wide grassed area with a six feet high wood fence on the south side of the site and a ten feet wide grassed area on the north side of the site. It does not appear that the intent of the zoning regulations regarding buffering between adjacent uses is being met, and as such, additional landscaping is recommended. This is consistent with the Findings Statement that vegetative buffers should be provided between adjacent development. The plan should identify the locations of any outside storage of parts, equipment or damaged vehicles, if anticipated. Substantial screening should be provided along the rear of the site to provide visual and noise buffer from the adjacent Adirondack Northway. The dumpster location should be identified on the plan, with an enclosure large enough to accommodate the anticipated usage, and constructed of permanent low maintenance materials and colors to match the proposed building. The plan should identify the location of the adjacent driveways on Clifton Park Center Road to determine if the 100' centerline of curb cut spacing requirement is met. In addition, the adequacy of the sight distance should be verified at the proposed driveway location. The concept plan should show a North Arrow and existing contours at a two-

foot minimum contour interval. An existing conditions and demolition plan should be provided. The plan should identify existing and proposed site coverage statistics (building area, pavement area, and green area) in square feet and percentage. Existing utilities and service laterals should also be shown. The following additional information should be provided on future plan submissions: Proposed building heights, adjacent property owners, all proposed site lighting locations, specifications and details, storm drainage layout and details, including the stormwater management area.

Mr. Romano asked if there could be assurance that wrecks won't be parked in front of the building. Mr. Address said all wrecks would be behind the fenced area. Ms. Simmonds said it should be so noted on the plan.

Mr. Address showed a building elevation which he said would complement the Firestone site. Mr. d'Amico noted that the roof would be visible from the Northway. Mr. Romano asked if there would be HVAC installation on the roof. Mr. Address said the roof is sloping, and expects the HVAC to be ground mounted. Ms. Simmonds said trees on the Northway side of the fence should be planted early.

Discussion Items:

A quorum was not present to approve the minutes of September 26, 2000.

Sunoco - Crescent Road and Lapp Road, has requested several sign variances. They propose to replace the A-Plus logo over the door and on the side of the building with larger signs, and to replace the canopy signs with ones smaller than currently exist. Mr. Romano suggested recommending replacing signs with ones no larger than currently exist, and to add no new signs. Board members agreed. Ms. Simmonds said she would notify the Zoning Board of Appeals.

Fox Hollow - Mr. Michael Ballard, 26 Longwood Drive, said he contacted Mr. O'Brien regarding amending the 1992 buffer, and he noted that people on Archer Drive are clearing the buffer. He said a group of residents might get an attorney and appeal the amendment. Mr. Peller clarified his prior comment that the Town is not a party to restrictions, and when asked how to go about changing the restrictions, he recommended that the neighbors should consult counsel regarding any amendments. He said neighbors on both sides of the buffer should come to a meeting of the minds.

Mr. Romano moved, seconded by Ms. Czub, to adjourn. The motion was unanimously approved. The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Elaine Hughes
Secretary

cc: Planning Board Members, Planning Department, Clough, Harbour, and Associates, Supervisor, Town Administrator, Assessor, Zoning Board, Department of Building and Development, Town Clerk, Town Board Members, Highway Superintendent, Joel Peller, Town Attorney, Oscar Schreiber, Town Attorney, Jim Trainor, Town Attorney, Paul Pelagalli, Town Attorney, Department of Parks and Recreation, ECC, Saratoga County Planning Board, Shenendehowa Central School, Clifton Park Water Authority, Fire Districts.

Resolution #16

PRELIMINARY AND FINAL APPROVAL

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on October 24, 2000, at 7:10 P.M. there were:

Present: K. Bowman, Acting Chairman, R. d'Amico, B. Czub, J. Marzola, J. Romano

Ms. Czub offered Resolution #16 and Mr. Romano seconded, and

Whereas, an application has been made to this Board by Thomas Deveno, for a 3 lot subdivision, and

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on October 24, 2000 in the Town Office Building, and

Whereas, the Planning Board was established as Lead Agency for this application, an unlisted action, and a negative declaration was issued pursuant to SEQRA, and

Whereas, it appears to be in the best interest of the Town that said application be approved,

Now therefore, be it resolved that the final plat entitled Thomas Deveno, 3 lot subdivision, Settlers Lane, is hereby granted preliminary and final approval, conditioned on the comments of Ms. Simmonds, and on adding the notes as requested by the ECC.

RESOLUTION #16 passed 10/24/00

Ayes: d'Amico, Czub, Marzola, Romano, Bowman.

Noes: None

Kevin Bowman
Acting Chairman