

Town of Clifton Park

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PLANNING BOARD

Rocco Ferraro
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Michael Hale
Joel Koval
Eric Ophardt
Sandra Pace
Kim Paulsen
Tom Werner

(alternate) Emad Andarawis

Planning Board Minutes

February 15, 2012

Those present at the February 15, 2012 Planning Board meeting were:

Planning Board: R. Ferraro, Chairman, J. Koval, M. Hale, E. Ophardt, S. Pace, E. Andarawis – Alternate Member

Those absent were: K. Paulsen, T. Werner

Those also present were: J. Scavo, Director of Planning
R. Milano, M.J. Engineering
P. Pelagalli, Counsel
M. Springli, Secretary

Mr. Ferraro called the meeting to order at 7:05. All in attendance stood for recitation of the the Pledge of Allegiance. The chairman noted that Emad Andarawis would be sitting in as a voting member tonight as Tom Werner and Kim Paulsen were absent. Mr. Ferraro added that the first project on the agenda had been pulled at the request of the applicant and noted that they will resubmit in the near future.

I. Public Hearings - None

II. Old Business

~~[2011-033] **Medical Office Complex** Proposed construction of 42,000 SF medical offices in (4) building, 715 Pierce Rd, Zoned: L-1, Preliminary site plan review with possible~~

~~determination SBL: 265.-1-12.1 Consultant: EDP Last Seen on: 1/10/2012~~ **Removed at request of Applicant**

[2011-011] Synergy Technology Park Proposed (7) lot subdivision, Preliminary subdivision review with no determination, Rt 9, Zoned: B-5, SBL: 265.-1-15.3 Consultant: Zdrahal Last Seen on: 5/10/2011

Ivan Zdrahal, of Ivan Zdrahal Associates spoke on behalf of his client, Country Club Acres. Mr. Mark Nadolny from Creighton Manning was also in attendance as the Traffic Consultant on the project. Mr. Zdrahal updated the Planning Board on the progress of the (2) phase project which is a subdivision to include (7) commercial lots and one area of Open Space to be maintained by a business owner's association. The area in the Open Space is not to be developed, and the applicant is requesting that the Open Space area be reserved as "green space banking" for other lots that might not meet the green space requirements as they propose individual site plans. The consultant stated that each lot will come before the Planning Board on a case by case basis as they are purchased and building(s) are proposed. At this time, the subdivision plans also include basic infrastructure to make each site "shovel ready" for sale. Mr. Zdrahal mentioned in addition to the traffic study, an archaeological study and wetland delineations have been completed and approvals have been sought from ACOE and DEC. Mr. Zdrahal next explained the access points and internal roadways on the site. The consultant also stated that responses to the engineering review performed by CHA and MJ Engineering as well as all reports and correspondence will be submitted prior to the next preliminary meeting. The Planning Board legal counsel acknowledged that the next step would also include a public hearing before any determination could be made.

Staff Comments

Building and Zoning read by Planning Director

- Submittal appears no further completed than the last one.
- NYSDEC delineation has expired – dated March 29, 2007. New received stamp by engineer does not confirm delineation has been re-validated. – STILL NO VALIDATION
- Map of the "waters of the US" is unreadable. – NO NEW SUBMISSION
- Site appears to have significant restrictions due to wetlands, the Dwaaskill and the Karner Blue.
- Stormwater management will be a significant undertaking for this project due to the sensitive areas on site and the new requirements of SPDES permit.
- Still no SWPPP submitted.

Open Space, Trails Subcommittee

The map presented to the planning board does not include the full parcel, which includes land on the Western side of the Northway. Given the scale of the project, the fact that the applicants own traffic study suggest enhancing bicycle and pedestrian access to the site could reduce potential traffic impacts and the substantial amount of large residential neighborhoods in close proximity to this project, we are recommending the following items be required of the applicant at the time of road and infrastructure improvements/installation, similar to a residential subdivision:

- A 15' ROW and the construction of 10' Multi-Use Path from Rt. 9 across the Northway Bridge to their property line on the West side of the Northway continuing down one property to a new crosswalk to be built across Kinns Road providing a connection to the Temple Hills Subdivision Multi-Use Path along Kinns Road. Temple Hills and their multi-use trail provides access from Kinns Road to Temple Hills, Country Knolls South and Renaissance II Subdivisions along with access to Plank Road.
- Construct a new crosswalk across Rt. 9 to Farm to Market Road
- Provide a sidewalk on both sides of the new Synergy Drive from Kinns Road to Rt. 9

ECC

- The Applicant should provide the Greenspace Reserve Area, drawing L1. This has not been included. The Applicant should also define what is a “Greenspace Reserve Area.”
- ECC is unable to adequately evaluate the plot plan because the site locations of the buildings have not been provided.
- The Applicant should delineate the location of any blue lupine on the proposed subdivision.

Planning Director

- A SEQR Long Form Part I and Draft Part II EAF, need to be completed for the Planning Board’s Consideration. Due to the size and complexity of the proposed project the Short Form will not be acceptable.
- In order to evaluate the impacts of the proposed subdivision, a full build out plan should be provide. The Plan should include the conceptual building footprints, parking facilities and utilities.
- The proposed subdivision will include sanitary sewer and water main extensions. Engineer’s reports for the extensions should be provided for review prior to final approvals. Details for the proposed utility installations should be provided.

- The limit of proposed disturbance for the construction of utilities should be depicted on the plan. Details of the replacement of disturbed areas within the Town's or NYS DOT's right of way should be shown.
- A note should be added to the plans depicting the testing requirements of all proposed public utilities.
- The profile should depict the connection to the existing 12" existing water main that will be utilized and activated by the Clifton Park Water Authority.
- The Town's standard notes regarding use of ingress/egress easements should be added to the plan.
- It should be noted on the site plan that "Due to the proximity of the Dwaas Kill, wet ponds that interact directly with the groundwater table will not be an allowed practice for stormwater management. Pre-treatment of stormwater will be required to meet the following objectives:
 - No Net Increases in non-point source pollution; No net Increase in runoff rates; no net increase in runoff volumes; No net decrease in the Aquifer Recharge Area.
 - Retaining Wall Details and private roadway details should be provide with future submittals.

Town Designated Engineer

We have reviewed the Composite Subdivision Plan, Grading Plans, and Offsite Water Main Improvements prepared by your firm Ivan Zdrahal Associates, PLLC dated January, 2012 for the above referenced project. We have also reviewed supporting documentation prepared by North Country Ecological Services, Inc. (NCES) and the Traffic Impact Study (TIS) prepared by Creighton Manning. We offer the following comments:

- It appears that a number of previous comments offered by the Town and their consultants have not been addressed. We suggest that the applicant provide written responses to address each comment, provide any supporting documentation requested from involved agencies, and provide updates on the status of items not yet addressed.
- The project summary data indicates the size of the project area as 82.99 acres, but the square footages indicated on the plans totals 84.50 acres. The discrepancy appears to be associated with Phase 1. All areas should be verified for accuracy and any necessary revisions to the plans and/or associated project documents should be made accordingly.
- All proposed and existing easements should be shown on the plans and labeled to clearly identify the purpose of each individual easement.
- Provide the bearings and distances for all proposed individual lot lines and easements.

- We suggest a legend of symbols and line types be added to the plans to help clarify the numerous boundaries delineated.
- The proposed sanitary sewer should indicate the size and type of material, and sanitary sewer manholes should include the top of frame/rim and invert elevations.
- The proposed watermain plans, including offsite improvements, should indicate the size and type of material, thrust blocks at all fittings and bends, all proposed hydrant locations, and maximum valve spacing should not exceed 500 feet.
- The Offsite Water Main Improvements profile should indicate a minimum of 5 feet of cover over the pipe and a callout should be added to indicate a minimum of 18 inches of vertical separation at utility crossings between the water line and sanitary or storm sewers.
- The proposed storm sewer should indicate the size and type of material, and all drainage structures should include the top of frame/rim and invert elevations.
- We suggest that the utilities be separated from the grading and drainage plans to more clearly identify the various design elements.
- Engineering water and sewer reports should be submitted for review.
- Clarification and a hydraulic analysis should be provided for replacing the existing Kinns Road 24 inch culvert with a 12 inch culvert.
- The plan set should include horizontal alignment information for Synergy Park Drive and proposed roadway and utility profiles.
- An Erosion and Sediment Control Plan will be required for review.
- A full Stormwater Pollution Prevention Plan will be required for review.
- A roadway lighting plan should be submitted for review.
- Retaining wall, guiderail, pavement, sidewalk, utility, and other applicable construction details should be included in the plan set.
- The list of figures and appendices were not included with the Endangered, Threatened and Rare Species Report prepared by NCES and should be submitted for future reference.

- The TIS has a couple references to the City of Albany and Central Avenue, and should be corrected.
- Provide the backup spreadsheets for the trip generation numbers for the other proposed developments and Phase 1 and 2 for Synergy.
- The trip distribution text states that there is an 80/20 split for the proposed development, but the figures show a 35/65 split.
- Provide the turning movement numbers for the intersections for 2016 without the Synergy project or other proposed developments.
- The TIS states that looking right for the left turn movement onto Route 9 from the proposed Lot 1 and 2 access driveway is 25 feet short of the recommended sight distance requirements. The TIS also states that the proposed Synergy Park Drive access does not meet recommended sight distance requirements for looking left for the left turn movement onto Kinns Road under the current existing conditions. The TIS recommended clearing trees and vegetation for the Kinns Road access to provide adequate sight distance, but does not provide any recommendations for the sight distance deficiency onto Route 9 noted above.

Public Comments –

Mr. Dan Hartnett requested sidewalks on both sides of Synergy Drive.

Planning Board Discussion

Several board members pointed out some discrepancies in the calculations of space on the overall project between this submittal, the prior submittal and county records. Mr. Zdrahal was asked to verify the acreage and topography and stated that would be done when the property was surveyed. Mr. Ferraro asked for clarification about the “green space reserve” area. It was stated that the Open Space area was not to be developed regardless of developments on other lots, but Mr. Zdrahal would like to make sure it can be included for calculations of green space with the individual lots. Mr. Scavo remarked that it had been done before and details would need to be worked out so specific notes on a stamped plan and the deeds would refer to a binding agreement for calculations, maintenance and effects on future site plan reviews, much like some of the current Homeowner’s association agreements in residential subdivisions in Clifton Park. Mr. Scavo also pointed out the portion of the parcel that is separated by the Northway and asked that it be included in the survey and shown on the next plan submittal. A discussion about sidewalks and best placement followed. Mr. Ferraro suggested a single sidewalk on the Western side of

Synergy Drive and a path in the open space area. Mr. Scavo asked if a path could connect somehow to the Dwaaskill between the Open Space over the sewer easement possibly just with stone dust. Multiple Planning Board members expressed support for a path of some sort through the Open Space area. Mr. Ferraro commented that if it could not be connected, then perhaps a loop in the Open Space might accommodate a pathway. Mr. Zdrahal replied that a single path through the Open Space to connect on the southwestern quadrant via the sewer line might be possible.

Next, Mr. Ophardt opened discussion about the traffic study done by Creighton Manning, asking if the southern exit/entrance on Kinns Road might be reviewed for possible left hand turning lane out of Synergy Park. The planning board discussed merits of considering whether drivers might prefer a left onto Kinns and then approaching Rte 9 at the traffic light rather than trying to cross traffic to turn left directly out of Synergy Dr. onto Route 9 from the northern exodus. Mr. Nadolny and Mr. Zdrahal agreed to reexamine the traffic data to consider the alternatives suggested. Mr. Koval also remarked that at some point consideration needs to be given to improvements to the intersection at Kinns and Route 9 by the traffic light and while the plan shows some widening to be done, he felt that details for time frame and thresholds for getting that work done and by whom needed to be determined.

The Planning Board appeared to find the presentation informative and thanked the consultant for his update. The Chairman asked for verification of the parcel sizes and approximate building locations and sizes to be shown on the next plan in addition to addressing other issues brought up in professional and staff comments.

III. New Business

[2012-006] Hicks, Lands of Thomas and Sue Proposed (2) lot subdivision, 160 Sugar Hill Rd, Zoned: CR, Conceptual subdivision review, SBL: 282.-1-30.1 Consultant: Fred Metzger, Jr.

The Hicks Subdivision was presented by Mr. Fred Metzger, jr. surveyor for the applicants Mr. and Mrs. Barnett, son-in-law and daughter of Thomas and Sue Hicks. Mr. Metzger described the portion of the land that is being considered for subdivision for a single family residence on a 3.6 acre parcel out of a 130 acre dairy farm with a curb cut on Sugarhill Road. The Planning Director thanked the applicant for their patience in sitting through the previous item as it was rather lengthy and detailed and promised that they would be placed on the agenda before Synergy if they appear together next time.

Building and Zoning read by Planning Director

- Subdivision must meet the requirements of 208-16 E.(2)(b). 50% of site needs to be dedicated as open space. If not, subdivision should be subject to 208-16E.(2)(c) and a variance for less than 10 acres is required.
- Building setback line shown as rear is actually a side line and 10' setback required.

Open Space, Trails Subcommittee

- We request a 5-10' ROW along Sugarhill Road for future widened shoulders for safer bicycle and pedestrian access along this quiet road.
- We also request 15' ROW along Riverview Road. The Trails Master Plan Update includes a proposed multi-use bike trail along the entire length of Riverview Road, and the additional 15' of width at this spot will give us increased flexibility with any changes in future road layouts/trail connections on this stretch of Riverview Road.

ECC

- The ECC recommends that the Planning Board require the Applicant to conduct soil testing for pesticides because the property might have been used for agricultural purposes in the past, and the intended use may result in exposure of occupants or visitors to chemicals associated with potential health risks.

Planning Director

An Email was sent February 8, 2012 to Mr. Metzger asking questions that the Planning Department had. The following issues were documented in the email:

- Section 208-16(E) of the Town Code gives three scenarios for subdivision standards within the CR Zoning District. It appears the applicant's project will be able to meet (B) or (C) of the standards under 205-16(E) if the following is done.
- With Option C - The setbacks would have to be amended to 50' with the Riverview Road setback modified to 100' due to Section 208-98 of the Code which states:

§ 208-98. Special setback lines.

- On the streets and roads listed below, no building or part of a building, other than steps, eaves and similar fixtures, shall extend nearer to the center line of the street or road than 100 feet in the case of a building in a residential district or 130 feet in the case of a building in any other district.
 - New York - U.S. Route 9
 - State Road Nos. 146 and 146A
 - Blue Barn Road
 - Crescent Road
 - Elnora-Jonesville Road (Main Street)
 - Grooms Road
 - Kinns Road (from Plank Road to Route 146A)
 - Long Kill Road
 - Vischer Ferry Road

- Lapp Road
 - Plank Road
 - Riverview Road (Vischer Ferry Road to Route 146)
 - Ushers Road
-
- If option C is used under this section a note within the deed and on the subdivision plan should be added that the newly created 3.6 acre parcel cannot be further subdivided.
 - The other option (Option B), under this code section would be permissible but a permanent conservation easement for 50% of the land within the new parcel must be shown.
 - Also, any future driveway should be located off of Sugar Hill Road for the property due to the poor sight visibility with the existing curve on River Road.

Engineering Comments

We have reviewed the Proposed 2-Lot Subdivision of Lands of Thomas & Sue Hicks and supporting documentation prepared by your firm Fredrick J. Metzger Land Surveyor, P.C. dated January 11, 2012 for the above referenced project and we offer the following comments.

- The proposed project appears to be an “Unlisted” action pursuant to SEQR, and as such a coordinated review is optional. The Planning Board may wish to accept lead agency status. Involved agencies are expected to include, but are not limited, to the following:
 - a. Town of Clifton Park Planning Board – Subdivision Approval
- The Conceptual Subdivision Plan appears to meet the one-time single-lot family zoning exemption pursuant to Town Code Section 208-16 E (2) (c) and C-R District zoning, space, and bulk standard requirements with the exception of the following:
 - a. The principal building setback should be 50 feet from the rear and Sugar Hill Road property lines.
 - b. The principal building setback should be 100 feet from the center line of Riverview Road per Town Code Section 208-98, Special Setback Lines.
- Correspondence from NYSDEC New York Natural Heritage Program should be provided to identify if areas of rare, threatened or endangered species exist on or in the immediate vicinity of the project site.
- Existing topography should be provided for the site.
- Any applicable drainage corridors and flood hazard areas from FEMA should be provided.
- Forested areas and other important environmental features should be provided.

- Note #4 indicates the water supply system within the roadway rights of way is to be dedicated to the Town of Clifton Park Water Authority, but the subdivision application indicates a private well. We recommend the second sentence of note #4 be revised to add “If future connection to municipal water supply is made” at the beginning of the sentence.
- There are minor typographical errors in the map reference and notes on the plan, and should be corrected for future submissions.
- Since the applicant is proposing to subdivide the property and make no improvements at this time, we recommend the following items are addressed prior to issuance of a building permit in the future:
 - a. Proposed topography for the site should be provided to ensure positive drainage away from all structures.
 - b. An Erosion and Sediment Control Plan will be required for review.
 - c. The proposed driveway and building location(s) should be indicated on the plan.
 - d. Proposed utility location and information including water and sanitary services should be indicated on the plan.
 - e. The limits of disturbance should be indicated on the plan. It is unclear from the plan submitted if a full SWPPP will be required for the project.

Public Comment – None

Planning Board Comment

Mr. Andarawis asked for some minor clarification on the reason for “option C” and the applicant, Mr. Barnett indicated that they will be looking at both options for subdividing since this is a conservation easement property to determine if they will use the one-time family exception rule in this case or reserve it for another family member in the future adding that it will depend on whether or not they can meet setbacks without using that option as per Town Code. Mr. Scavo also stated that if Option C is utilized, then a note would be placed on the subdivision plan stating the one time exemption has been used and would send the standard notes to the consultant. The Planning Director added that it appears that rights of way have already been established so no additional easements would be needed for future paths on either road.

The Planning Board found the plan generally acceptable and the applicant was informed that at preliminary submittal a public hearing would be scheduled.

IV. Minutes Approval – January 24, 2012

Moved by: Mr. Koval

Seconded by: Mrs. Pace
Unanimously Carried

V. Discussion Items – None

Next Planning Board Meeting: February 28, 2012 (items submitted on February 8, 2012)

Next submittal deadline: February 22, 2012 for March 13, 2012

Motion to close the meeting at 8:41pm
Moved by: Mr. Koval
Seconded by: Mrs. Pace
Unanimously carried

Respectfully submitted,

Meg Springli

Acting Planning Board Secretary

