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Kim Paulsen
Eric Prescott
Tom Werner

(alternate) Andy Neubauer

Planning Board
May 12, 2015

Those present at the May 12, 2015 Planning Board meeting were:

Planning Board: R. Ferraro, Chairman, E. Andarawis, E. Ophardt, K. Paulsen, E. Prescott,
T. Werner
A. Neubauer – Alternate Member

Those absent were: J. Koval

Those also present were: S. Reese, Stormwater Management Technician
P. Pelagalli, Counsel
J. Dean, Secretary

J. Scavo, Director of Planning, arrived at the meeting at 9:00p.m.

Mr. Ferraro, Chairman, called the meeting to order at 7:00p.m. All in attendance stood for recitation of the Pledge of Allegiance.

Mr. Ferraro announced that Mr. Neubauer would be sitting as a full voting member of the Board in Mr. Koval's absence. He also explained that Mr. Scott Reese, Stormwater Management Technician, would be sitting in for Mr. Scavo, Director of Planning, at this meeting.

Minutes Approval

Mr. Werner moved, seconded by Mr. Andarawis, approval of the minutes of April 28, 2015 as written. Ayes: Ophardt, Paulsen, Andarawis, Neubauer, Prescott, Werner, Ferraro. Noes: None. Abstained: Prescott

Old Business

[2015-012] **Columbia Development Office Building** – Proposed 60,000 SF medical office building, 1783 Route 9 – Preliminary site plan review and possible determination. SBL: 266.3-2-5.

Mr. Gavin Vuillaume, consultant for the applicant, introduced Mr. Peter Stanish, Assistant Project Manager at Columbia Development, who was also in attendance at the meeting. Mr. Vuillaume then presented this application that was last reviewed by the Planning Board at its March 24, 2015 meeting, noting that site plan approval was dependent upon approval of the accompanying subdivision application. He briefly presented a brief overview of this project plan that calls for the construction of a 60,000 SF medical office building on a 5.2 acre parcel situated on the easterly side of Route 9 just north of the existing Rusty Nail Restaurant and Tavern and Biette Road and south and west of the existing Oak Brook Commons apartment complex. The development site, to be separated from a larger 9.08 acre parcel, is located within the B3 (Neighborhood Business) zoning district. The speaker explained that the existing chiropractic office will be demolished and all existing asphalt pavement will be removed. Stating that Community Care Physicians will occupy the proposed medical office space, Mr. Vuillaume reported that site improvements will include access via a single curb cut onto Route 9, construction of an access drive that will link to an existing parking area within the Oak Brook Commons complex and the installation of 300 parking spaces. It is the applicant's intention to abandon the existing private Oak Brook Commons Road that traverses the northerly portion of the 9.08 acre parcel. This applicant will be responsible for removal of portions of asphalt at the roadway's intersection with Route 9 and terminus within the apartment complex. The owner of Oak Brook Commons will be responsible for removal of the pavement that remains. Cross-easements will be established to provide access for Oak Brook Commons' residents through the development site. Mr. Vuillaume described the revisions that had been made to the design plan based upon comments received at the last meeting. He reported that planted islands have been added to the back parking areas, that several parking spaces have been relocated to the rear of the site, that recommended modifications to the access drive had been made, and that a traffic report prepared by Creighton-Manning Traffic Engineers has been prepared and forwarded to NYSDOT. It was noted that representatives of NYSDOT have given verbal approval to the "three-lane entranceway" proposed. Addressing the issue of utility connections, Mr. Vuillaume explained that a new water line would connect with an existing main located on the opposite side of Route 9 and that connection would be made to an existing sewer line within Oak Brook Commons. It appears that the water authority has sufficient capacity to serve the site and that the sewer district is able to accept the additional flows. The stormwater management plan calls for the use of green infrastructure practices: infiltration systems and dry swales will be installed. Though the applicant will attempt to keep site disturbance to a minimum, it is possible that disturbance will exceed five acres at one time and a waiver will be applied for if necessary. The landscaping plan includes foundation plantings as well as the planting of large shade trees along the easterly and southerly property boundaries and along the property's Route 9 frontage. Mr. Vuillaume addressed several technical concerns identified by the Town Engineer. A lighting plan will be included in the plan set with the next submission, a request for a waiver of parking requirements from the Planning Board will be presented, additional infiltration of run-off from the roof will be provided, a bike rack near the building's entranceway will be installed, and sidewalks along the entrance drive will be

considered. He noted that sign-off letters from the U. S. Department of Fish and Wildlife and the State Office of Parks, Recreation, and Historic Preservation have been received.

Mr. Reese reported that Mr. Myers, Director of Building and Development, provided the following comments regarding this application in a memo dated May 1, 2015. The project narrative does not include information concerning the northerly slopes which will be located on a separate parcel once the lot is subdivided. Although the initial plan submittal stated that the proposed building would be 40' high, the current comment letter states that the building will be 35' high: the applicant must clarify this discrepancy. The overflow from SMA #2 is directed to an existing ditch along Route 9. Approval from NYSDOT should be obtained "due to the history of issues" with this ditch, particularly in front of the Rusty Nail Restaurant and Tavern. Basin depths greater than 4' may require fencing. The narrative mentions several times that an SMP is suitable "under certain conditions." Details regarding these conditions should be included to determine if they are indeed applicable and acceptable. The applicant is encouraged to employ "green practices" where practicable. It appears that, pursuant to Section 208-99B of the Zoning Code, a variance for parking requirements may be required. The Zoning Code requires that 400 parking spaces be provided for a 60,000 SF building: the current plan provides only 300 spaces. It appears that the roof runoff and flow from the north parking area is piped directly to the unregulated stream area. Mr. Myers notes that the "runoff is not being contained" and appears to be "untreated prior to discharge."

Mr. Reese explained that the ECC reviewed this application at its May 5, 2015 meeting and issued the following comments and recommendations. The Commission commented that the applicant has a gerrymandered approach to meet the green-space requirement of 35%. While this may meet the letter of the law, it does not provide for an aesthetically pleasing and integrated greenspace design. The lot lines as drawn parallel the eastern border of the parcel and incorporate an isolated triangle in the northeast corner of the whole parcel. The ECC is concerned that - in the event of a further subdivision - the amount of green space allotted will be reduced. The ECC is concerned with the abandonment of the asphalt driveway, advising that it would be prudent to remove the asphalt of the abandoned driveway. In keeping with the recommendations and goals of the Town Comprehensive Plan, the applicant should retain existing vegetation to the maximum extent practical and/or the use landscaping and grading to provide visual and auditory buffering between the project and adjacent roadways or other properties.

Mr. Reese read the comment letter prepared by Mr. Scavo, Director of Planning, regarding this application. A STOP sign detail for an R1-1 sign must be added to the detail sheet. The detail should note the minimum reflectivity for the STOP signs shall be diamond grade reflective sheeting. Mr. Scavo expressed his concern with "having approximately 60' of asphalt and drive aisle approaching the ingress/egress entrance to the first curb cut from the private driveway and recommended that "some striping to assign travel lanes may be warranted as vehicles within the parking area approach the intersecting travel lanes" since four, two-way traffic movements converge at the same intersection within the parking area near the building's entranceway. If exterior wall-mounted lighting is proposed for the site, it should be indicated on the plan and be installed with "down directional shielding."

Mr. Reese stated that as the Town's Stormwater Management Technician, he offered a number of comments regarding this application. The construction site will directly discharge to a tributary to the Dwaas Kill a 303(d) segment impaired by pollution related to construction activity. Inspection will need to follow Part IV.C.2.e of the SPDES General Permit. The applicant must provide documentation from NYS Office of Parks, Recreation and Historic Preservation indicating whether or not the project will have an effect on historic property. Both the Erosion and Sediment Control Plans and the Stormwater Pollution Prevention Plan (SWPPP) describe the process of transforming Temporary Sediment Basins to permanent Stormwater Management Areas that will be infiltration basins. The applicant is asked to answer questions 5, 7, and 40 in the Notice of Intent (NOI) document. Since the project will disturb more than 5 acres, the applicant is asked to describe the proposed phasing process that would keep the total disturbance at one time below the 5 acre threshold. 24 hour design storm amounts must be updated per NYS Stormwater Management Design Manual (NYSSMDM) published in January, 2015. Test hole and percolation tests shall be done per the NYSSMDM requirements and provided on the plans. The Stormwater Management Narrative calls Stormwater Management Area's infiltration basins: the applicant is asked to explain why the plan does not use infiltration rates in calculations. The forebays overflow weirs should be modeled to show the capacity and outflow velocities into the stormwater management areas. The applicant is asked to provide the computations using the Camp-Hazen equation for the forebay sizing (settling chambers) prior to the infiltration basins. The applicant must clarify whether or not all runoff from the eastern parking area will drain to the forebay of the infiltration basin labeled SMA 1. An evaluation of the downstream culverts along NYS Route 9 should be provided. The applicant should determine if discharge from SMA #2 and the other 2 existing culverts will negatively impact the existing 18" culvert pipe under Biette Road. NYSDOT must approve the location of the SMA #2 since it apparently lies within the DOT right-of-way. The applicant is asked to describe how the rooftop runoff will be treated by runoff reduction methods. The WQV & RRv calculations for the latest 90% rainfall event number (P) must be updated per the most recent NYSSMDM. The proposed spot elevations by SMA #4 must be revised to the contour elevations.

Mr. Reese explained that Mr. Bianchi, M J Engineering and Land Surveying, P. C. and the Designated Town Engineer, was unable to attend this evening's meeting. Though he offered to read the comment letter submitted, Board members agreed that since they were in receipt of the letter, a formal presentation of its contents would not be necessary. The Town Engineer's comments are included here for the benefit of those who did not receive a copy of the correspondence. In correspondence to the applicant, Mr. Bianchi reported that M J Engineering and Land Surveying, P.C. reviewed a number of documents provided with the preliminary submission including a written response to prior comments, project site plan, Stormwater Pollution Prevention Plan (SWPPP), Full Environmental Assessment Plan, and Traffic Evaluation prepared by Creighton-Manning and issued a number of comments and recommendations. Two comments related to the Full Environmental Assessment Form. Under Part D.2.c, the response indicates that site wells as well as the Clifton Park Water Authority are the source of water for the project. If applicable, an explanation of how site wells will be utilized for the project must be included with the site plan. Under Part E.2.h.v the response indicates that none of the tributary water bodies associated with the project area are impaired, though the site ultimately discharges to the Dwass Kill, a 303d listed water body. The site plans suggest that the existing entrance to Oak Brook Commons to the east will be modified with traffic redirected toward the proposed entrance

associated with this project onto U.S. Route 9. If this is the case, there should be notation that the existing roadway is to be removed (or modified). The site plan provides proposed light fixtures: an illumination plan shall be furnished showing footcandle values at the pavement levels for review. The proposed entrance improvements at U.S. Route 9 must be provided within the plan set and shall conform to NYSDOT Standards. These improvements shall include appropriate signage, striping, maintenance, and protection of traffic. The proposed contours at SMA #1 appear to be incorrect: accurate depiction of existing grades is required. Planting Note 2 on the Planting Plan should be edited to include specific seeding for the vegetative swale to conform to Table 5.9 of the NYSSMDM, which provides seed types for this green infrastructure practice. Pursuant to Section 6.3.6 of the NYSSMDM, the Erosion Control Plan must note that infiltration practices shall never serve as a sediment control device during the site construction phase. In addition, the Erosion and Sediment Control plan for the site shall clearly indicate how sediment will be prevented from entering an infiltration facility. The Existing Conditions Plan notes the removal of a large on-site sewage disposal system. The applicant must confirm whether or not this system is permitted through the NYSDEC. If it is, it shall be abandoned in accordance with NYS Environmental Conservation Law and notation to that effect should be added to the plans. Plans should indicate where the bituminous asphalt detail shown on Sheet 6 is located within the project. The permeable soil mix for the Dry Swale detail on Sheet 7 must be provided. The applicant is asked to review and correct the Infiltration Basin detail on Sheet 7 for the outlet pipe size from elevation B-2 to B-3 as the plans suggest this outlet pipe varies by location.

Several technical comments issued by M J Engineering and Land Surveying, P.C. relate to the Stormwater Pollution Prevention Plan. Section II.G references the existence or absence of threatened and endangered species. It should be noted that recent discussions with NYSDEC Main Office confirm that the General Permit is also applicable to federally listed species and therefore, the U.S. Department of Fish and Wildlife must be contacted in the same manner as NYSDEC and the Natural Heritage Program. Section VI must include any site specific maintenance associated with soil restoration pursuant to Section 5.1.6 of the NYSSMDM, vegetative swales pursuant to Section 5.3.3 of the NYSSMDM, and dry swales pursuant to 6.5.6 of the NYSSMDM. Question 4 of the Notice Of Intent indicates that over 5 acres of land would be disturbed as part of the project. If a 5 acre waiver is to be requested, this information should be made part of the site plans submitted or a statement submitted noting that a request will be submitted in the future. If no more than 5 acres are to be disturbed at once, the plans must demonstrate appropriate phasing. The Contractor's Certification language as found in Section 5 must be modified to match the language of Part III.A.6 of GP 0-15-002. Section 2.1 summarizes the soil types located on site including infiltration rates. These values are acceptable for initial site sizing of infiltration facilities, however, in-situ testing is required to substantiate the design assumptions made, including the depth to groundwater. Additional design information is required for the proposed vegetative swale as outlined in Section 5.3.3 of the NYSSMDM. Specifically, the plan must ensure that sufficient length is provided to retain the computed treatment volume for 10 minutes in a swale that receives runoff as a point discharge at the inlet, or an average of 5 minutes of retention time for a swale receiving sheet drainage or multiple point discharges along its length and that it conveys the peak discharge for water volume flow (3 cfs or less), at a velocity of < 1.0 fps, and at a flow depth of 4 inches or less. SMA #1, #2 and #4 are reported as being able to drain within a specific time frame. Absent in-situ permeability data, these time frames cannot be

substantiated and it cannot be confirmed if the 48 hour maximum dewatering period is being satisfied pursuant to Section 6.3.2 of the NYSSMDM. SMA #1, #2 and #4 are modeled as ponds. The runoff reduction calculations provide the required/provided WQv pretreatment volumes for each. Since each of these practices is modeled in a manner to be inclusive of the forebay, it cannot be verified if the stated WQv volumes are being provided in the forebays. For all infiltration practices proposed, there must be appropriate consideration for cold climate operations and impacts that frozen ground would have on system performance pursuant to Section 6.3.7 of the NYSSMDM. The applicant is asked to confirm that the dry swale (SMA #3) size meets the requirements of Section 6.5.4 of the NYSSMDM which states that the maximum ponding depth shall be one foot at its mid-point of the channel and a maximum depth of 18 inches at the end point of the channel (for storage of the WQv). Confirmation that the dry swale (SMA #3) provides temporary ponding time within a channel of less than 48 hours pursuant to Section 6.5.2 of the NYSSMDM is required. The Runoff Reduction Volume Calculations, the "2S" I.D. listed in the Vegetated Swale table, could not be found in the HydroCAD model. Subcatchment 4D, representative of the building rooftop appears to directly discharge to a culvert without any RRv reduction: further clarification is needed. The off-site discharges to the NYSDOT right-of-way as represented by Link 1 appears to decrease under the proposed conditions for all storm events. The NYSDOT must be provided the design information for its review and approval. The report must be signed by a qualified professional as outlined in Question 24 of the NOI.

Additional comments issued by the Town Engineer relate to the traffic evaluation data submitted. The analysis indicates that the project will not have an adverse impact on the adjacent roadway system with acceptable delays at the site driveway during the AM and PM peak hours. M J Engineering and Land Surveying, P.C. would suggest that the Town be provided feedback from the NYSDOT regarding the analysis in advance of the granting final site plan approval.

Ms. Pam Marshall, 5 Fairlawn Court, asked if the site development plan would impact site modifications proposed for the Rusty Nail site. Mr. Ferraro explained that although application had been made for improvements to the Rusty Nail parcel several months ago, preliminary plans were never submitted for consideration.

Mr. Hartnett, Chairman of the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee, reiterated comments issued previously, recommending that the applicant install bicycle racks near the building's entranceway. He asked that the applicant provide sidewalks along the entire frontage of the proposed private road with a public access easement, a connection from the private road to Biette Road, and a crosswalk to the Rusty Nail Restaurant and Tavern. The speaker reiterated the Committee's request that the applicant meet with Ms. Jen Viggiani, Open Space Coordinator, to discuss possible trail connections from the site to adjoining properties.

Mr. Anthony LaFleche, 21 Wheeler Drive, requested that the Board require that any sidewalk proposed along the site's frontage be located as far as possible from Route 9 to allow sufficient space for snow storage. Mr. Vuillaume explained that there are no plans to install a sidewalk or trail along Route 9 at this time.

Mr. Werner focused attention on the traffic report prepared for the applicant by Creighton-Manning traffic engineers, noting that while the a.m. peak hour counts appear accurate, the p.m. peak hour counts appear to be “understated.” Remarking that the left turn from the site was rated as Level of Service (LOS) E, he asked that the report be amended to include not only the fact that left turns would require motorists to utilize the median, but would also be impacted by the closure of the southerly access to Oak Brook Commons, traffic entering and exiting the Rusty Nail, and the reported flow rate of 1900 vehicles on Route 9. He commented that he did not believe that installation of a traffic signal was warranted at this time. Though Mr. Ophardt asked if conflicting movements from Meyer Road and the Jeep dealership located across Route 9 might be of concern, Mr. Vuillaume pointed out that these locations generate relatively little traffic. Mr. Werner supported comments issued by Mr. Scavo regarding directional signage within the site: Mr. Vuillaume agreed that such signage would be included on the plan. Mr. Vuillaume presented renderings of the building for the Board’s consideration. Mr. Ferraro stressed the importance of planning for non-vehicular circulation both within the site and to adjoining properties and he encouraged the applicant to consult with Ms. Viggiani to discuss the best locations and methods for achieving “connectivity.” Mr. Vuillaume stated that he was in receipt of sketch plans prepared by the Trails Committee illustrating recommended trail connections and commented that sidewalks and/or trail connections were expensive to install and maintain. Mr. Ferraro expressed his disappointment that the building had not been moved closer to Route 9. Mr. Vuillaume explained that such a modification would require relocating parking spaces to the rear thus reducing the number of parking spaces served by the drive aisle. Mr. Neubauer stated his support for a pedestrian connection to the Rusty Nail noting that those employed in the office building may find it a convenient and safe way to move between sites. Mr. Ferraro observed that the plan proposes to meet the 35% minimum greenspace requirement. He appreciates the applicant’s desire to maximize the amount of development on the site commenting that the quantity of the greenspace is not as significant as the site’s “visual aesthetics,” particularly from Route 9. In response to Mr. Ophardt’s question regarding the use of existing drainage systems as opposed to the “creation of new ones,” Mr. Vuillaume explained that the direction of drainage from the site made the proposed stormwater management design reasonable and that NYSDOT regulations and guidelines for discharge to the right-of-way would be adhered to. When asked by Mr. Ferraro about stormwater management practices, Mr. Vuillaume explained that consultants normally employ infiltration, swales, and porous pavement. Mr. Ferraro encouraged the use of green infrastructure practices and the use of porous pavement to minimize run-off, though Mr. Vuillaume pointed out that porous pavement is expensive to purchase and to maintain. Questioned about the removal of the asphalt contained within the existing roadway serving Oak Brook Commons to be abandoned, Mr. Vuillaume explained that it will be the responsibility of the owner of Oak Brook Commons to remove what remains of the roadway after paving at the connection points is removed. Mr. Andarawis echoed calls for the applicant to meet with Ms. Viggiani regarding sidewalks and multi-use pathways around the site and encouraged the applicant to consider connections to future development likely to occur on the remaining 3.8 acre parcel. Concluding the discussion, Mr. Ferraro commented that “there are a number of outstanding issues to be addressed.”

[2015-006] **Stewart’s Shop** – Proposed demolition of existing store and construction of 3,975 SF store with canopied gas station, 1529 Crescent Road – Preliminary site plan review and possible determination. SBL: 284.-1-7.

Mr. Marcus Andrews, representative of Stewart's Shops, presented this application that was last reviewed by the Board on April 14, 2015. The speaker provided a brief overview of the application explaining that the redevelopment of this existing 47,842 SF parcel located on the northerly side of Crescent Road (County Route 92) approximately ¼ mile west of Exit 8 of the Northway and situated within a B3 zoning district, requires the removal of an existing one story block building, existing gasoline dispensers and canopy, and underground gas storage tanks. The applicant proposes the construction of a 3,975 SF Stewart's Shop with 12 fueling stations. Stormwater will be directed to catch basins which "daylight" into an intermittent creek: the stormwater management plan proposes to improve the quality of the run-off. Water and sewer connections will be made to existing lines along the front of the site. Two additional trees have been added to the planting plan and plantings to the rear of the building will be added "if necessary." The site is accessed via two full-access driveways. A "Crescent Road Traffic Map" based upon NYSDOT traffic counts as well as counts from the current store was presented for the Board's consideration. Mr. Andrews commented that, rather than being "a destination," the proposed store will service existing traffic.

Mr. Reese read comments provided by Mr. Myers, Director of Building and Development, who offered comments regarding this application in a memo dated May 1, 2015. It would appear that the Stormwater Management Report is using a previous version of the design manual since it quotes Sections 9.3.1 and 9.3.2 which are not included in the current manual. The current manual states that treatment shall at least equal current practices: not 25% as previously required. Although the application indicates the disturbance of .97 acres of land, Mr. Myers believes that the disturbance amount is underestimated. He disagrees with the applicant's contention that a full Stormwater Pollution Prevention Plan is not required. Mr. Myers noted that although the Stormwater Management Report states that no surface waters are located on the project site, there is an intermittent stream directly adjacent to the site that will be used for filter basin overflows. He would like to know why "only DA3 is considered a 'hotspot'" and believes that the "project has not been evaluated as required." Mr. Reese reported that Mr. Myers addressed concerns expressed earlier today by a resident living in the Exit 8 corridor, explaining that recent variances granted by the Zoning Board of Appeals will permit this redevelopment to proceed.

Mr. Reese reported that the ECC issued no comments and/or recommendations regarding this project after review of the application at its May 5, 2015 meeting.

Mr. Reese stated that Mr. Scavo, Director of Planning, reported that, although many of his comments issued for the April 14th meeting have been satisfactorily addressed, the following were presented for the Board's consideration. The applicant should verify with his site contractor that the "No Parking Anytime" signs and "Handicapped Parking" signs are shown to be pole mounted at the curb and asphalt line of the parking stalls and handicapped curb ramp. The "No Parking Anytime" signs for the handicapped access aisle should be offset from the middle of the curb ramp so it does not become an obstruction for disabled individuals. Prior to the stamping of the final site plan, approval from the Saratoga County Sewer District will be required for the Planning Board file. The Saratoga County Department of Public Works prefers that the Sewer District own any sewer lines within the County's right-of-way. The County Sewer District will be responsible for the final sign-off on the proposed sewer extension to be located under Crescent Road.

Mr. Reese, Stormwater Management Technician, offered a number comments regarding this application. For the WQV & RRv calculations the 90% rainfall event number (P) is 1.1 per the New York State Stormwater Management Design Manual (NYSSMDM). Reference to redevelopment Application Criteria should be updated to cite the current Section of the latest NYSSMDM. The applicant shall provide a grade break that prevents run-on of stormwater onto the fueling station concrete mat and fuel tanks transfer area pad to the maximum extent practicable. If possible, the fuel dispensing and transfer area pads should be designed with no slope to keep minor spills on the pad and encourage proper cleanup. The fueling station must have a spill cleanup plan and all employees should be trained on proper spill response procedures.

Board members again agreed that it was not necessary for Mr. Reese to read comments issued by M J Engineering and Land Surveying, P.C. They are included here to provide a complete record of information reviewed by Board members. Mr. Bianchi reported that M J Engineering and Land Surveying, P.C. provided the following comments regarding this application. As noted in Comment 2 of the April 10, 2015 review letter, additional information was requested regarding the existing septic system and potential method of abandonment. There remains a general lack of information regarding the abandonment of the septic system - specifically, whether the existing system is subject to a SPDES Permit and confirmation that the protocols of NYS Environmental Conservation Law are being satisfied. As noted in Comment 6 of the April 10, 2015 review letter, the plans must show the alignment of the full extent of the sanitary sewer connection for review: current plans continue to lack this information. The applicant has provided additional truck turning templates to support the need for an additional entrance to the site, which, from a site access prospective, appears reasonable. However, the traffic safety concerns raised are also critical in determining if the second access is advisable: these concerns have not been addressed. The plan must indicate the dimensional size of the proposed inspection ports for the underground stormwater storage facilities.

Several engineering comments related to the Stormwater Management Report. As noted in Comment 12 of the April 10, 2015 review letter, Section 2.3 of the SMR should reference the depth to groundwater based upon in-situ testing. The report references field data, however the plans and SMR do not provide any information regarding the date work was completed, locations, or who performed the testing.

Mr. Bianchi reported that his firm also reviewed the traffic study information provided. The letter dated April 17, 2015 satisfies the previous request for updated information regarding register receipts for local Stewart's Shops, though it does raise some concerns over the net change in driveway trips as reported in the letter dated February 16, 2015. The original analysis states that existing one-way trips for the Cobble Pond Shop are 71 for the AM peak and 57 for the PM peak compared to the proposed one-way trips for a Stewart's Shop of 82 for the AM peak and 101 for the PM peak. The transaction counts for the existing Stewart's Shops are in line with the ITE Manual and are therefore deemed acceptable. As stated in the most recent letter, the Cobble Pond Shop transaction count is approximately 10% of the Stewart's current transaction count excluding gas. This would mean that the trips for the existing Cobble Pond shop are not in line with the ITE Manual and are exaggerated compared to available data by a factor of 5.7 for the AM peak and 8.9 for the PM peak. The trip generation comparison shall be resubmitted taking into account the differences in actual transaction receipts in order to make an informed decision

based on realistic increases in trips. The following safety concerns regarding the left turns into and out of the proposed site during the peak hours have not been addressed:

a. AM peak hour – If the net change in trips is increased as a result of the previous comment, left turn movements out of the proposed site will increase and create a safety issue. The majority of the left turning vehicles exiting the proposed site during the AM peak hour must cross two westbound travel lanes, the center two-way left turn lane and one lane of travel in the eastbound direction to access the ramp to I-87 southbound. Traffic does backup onto Crescent Road during the AM peak hour due to high volume on I-87 southbound. It is likely that the left turning vehicles will block the westbound thru lane leading up to the traffic signal at the I-87 southbound ramps intersection while attempting to merge onto the ramp and create a safety issue by being stopped in the thru traffic lane. This condition does not exist today. The adequacy of site distances for the driveway in both directions should be evaluated. Consideration should be given to mitigation measures that can be implemented to reduce the potential for the blocking of westbound traffic.

b. PM peak hour – If the net change in trips is increased as a result of the previous comment, left turn movements into the proposed site will increase and there is the potential for a safety issue specifically during the PM peak hour when traffic backs up from the traffic light at John J McKenna IV Way (Plaza access) to the traffic light at the I-87 southbound ramps. When these backups occur, drivers enter into the center two-way left turn lane in close proximity to the I-87 southbound ramp intersection to bypass the backup of traffic to turn left into the shopping plaza creating the potential for an increase in accidents in this area. What mitigation measures can reduce the potential for these head-on collisions?

Mr. Bianchi stated in the comment letter that although a majority of the technical comments have been addressed, the following issues remain. The route of the off-site sewer must be shown on the plan. He reported that the engineering firm has been requesting this type of information from applicants to demonstrate that the entire project is feasible and that utility connections do not trigger some other concern that the Planning Board or Town staff need to be aware of. It was noted that he has requested this information from the applicant in two prior reviews. The stormwater management apparently meets the standard of not impacting adjacent properties by increasing off-site flows. Mr. Bianchi noted that Mr. Reese has provided substantive comments relating to the stormwater design in comparison to the NYSDEC design manual. Since the project does not meet the permit threshold for GP-0-15-002, M J Engineering and Land Surveying, P.C. would defer to Town staff on further comments regarding stormwater systems. Referencing the traffic summary provided, he believes that, unfortunately and unintentionally, it supported “our suspicions of the ITE manual trip counts they utilized (i.e. Cobble Farms) generate far less than ITE estimates.” The Town Engineer has requested that the study completed by their engineer be updated utilizing the data collected by Stewarts to provide a more realistic comparison. There has been no response to the access issues raised.

Mr. Hartnett, Chairman of the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee, reported that the Subcommittee requests that the applicant provide shade trees along their frontage on the Crescent Road Trail, that the proposed ingress/egress points along Crescent Road be narrowed to reduce the number of bicycle/pedestrian and vehicle conflicts, and that the applicant provide crosswalks across both the their ingress/egress points on Crescent Road. The speaker offered two additional comments. The applicant is asked to consider the installation

of a single, centrally-located curb cut to reduce the number of traffic conflicts. The Planning Board is asked to review the “movement of people from the proposed store to the proposed parking lot “as the current arrangement seems to present some significant pedestrian/vehicular conflicts.”

Mr. Anthony LaFleche, 21 Wheeler Drive, questioned whether or not future access to the rear of the site would be contemplated. Mr. Andrews explained that such access was unlikely due to the steep slopes and drainage corridors that surround the parcel.

Mr. Werner requested additional information regarding traffic entering and exiting the site. Mr. Andrews explained that the information provided in the site plan set represented existing conditions and that it was likely that 8% of the existing traffic on Crescent Road would enter/exit the Stewart’s during peak AM. hours. When asked to consider a reduction in the 30’ width of the entranceways, Mr. Andrews explained that the width is necessary to accommodate large tanker trucks that must enter and exit the site on a twice-weekly basis. Mr. Ferraro expressed his frustration with attempts to minimize traffic on a corridor-wide basis rather than a site-specific one. He noted that it was very difficult to attempt to minimize traffic conflicts as individual site plans were reviewed. He commented that ensuring the “safety for drivers, patrons, and pedestrians” was of utmost concern for Board members and that there did not seem to be “perfect solution” for such assurance in this instance. Mr. Andrews reported that the applicant would be amenable to reducing the number of fuel dispensers from 12 to 8. Though Ms. Paulsen supported the reduction in the number of pumps, stating that she believes it would add more room for maneuvering through the site thereby improving internal circulation, Mr. Ferraro expressed concerns that the number of vehicles “queued” to use the pumps may become an issue. Mr. Neubauer favored a reduction in the number of pumps stating that a fewer number of pumps may permit a single access design. Ms. Paulsen asked that the 8 pumps be centrally located on the site. Members did not comment further on the site plan application. Follow up discussions were planned with staff and to include Mr. Werner from the Planning Board to review the latest traffic study and identify the most appropriate ingress and egress measures including possibly reducing the width of the proposed access drives.

[2015-014] **Courtyard by Marriott** – Demolition of existing retail/office space and construction of a ±130 unit hotel, 627-629 Plank Road – Revised site plan review. SBL: 272.-1-3.1.

Mr. Joe Dannible, consultant for the applicant, introduced Mr. Jim Tripp, Architect, who was also in attendance at the meeting. He then presented this application that had been last reviewed by the Board at its April 14, 2015 meeting, requesting that the Board consider an indication of conceptual approval and the forwarding of a positive recommendation to the Zoning Board of Appeals for required variances. Mr. Dannible explained that the applicant proposes the demolition of an existing block building located on a 2.5 acre parcel located on the easterly side of Plank Road approximately 1,000 yards from its intersection with Old Route 146 and situated in the TC1 zone. The subdivision of land from the existing strip plaza will be required prior to site plan approval. Plans call for the construction of a four-story, 130-unit Courtyard Inn by Marriott, 133 parking spaces, landscaping, sidewalks, and other site amenities. The speaker explained that additional parking spaces are available at the adjacent strip mall. Mr. Dannible explained that a traffic study indicates that the proposed hotel will have no significant impacts on existing Levels

of Service on adjacent highways. Per the request of Planning Board members, a visual simulation is being prepared to assess impacts on visibility from a number of locations surrounding the site. Explaining that the new code permits the inclusion of sidewalk areas in calculations for green areas, Mr. Dannible stated that the site contains more than 30% greenspace. Addressing comments issued at the previous meeting, Mr. Dannible reported that the plans have been revised to show a single one-way access to the site from the westerly side of Old Route 146 to provide for emergency vehicle access. Connection will be made to the existing water line on Plank Road: the Clifton Park Water Authority reports sufficient capacity to serve the site. Connection will be made the Clifton Park Sewer District at a location yet to be determined. A crosswalk with appropriate landing areas will be installed between the hotel and the existing IHOP restaurant which abuts the property to the south. Although Board members had requested that the building be moved forward, Mr. Dannible explained that doing so would “hinder the ability to make it more compliant in the future.” Addressing comments issued by the ECC, Mr. Dannible stated that the greenspace requirement has been met.

Mr. Tripp explained that architectural plans have been revised to be more compliant with code requirements. The amount of brick and stone have been increased on the facades, window sizes were enlarged, additional banding has been added to all elevations, and “storefront type glazing” is proposed to “add depth” to the design. He provided information regarding the percentages of the types of materials to be used: 65% E.I.F.S.; 25% glazing; 10% brick. In response to Mr. Ferraro’s question regarding the treatment of the building’s south side, Mr. Tripp explained that, although complete details were not yet available, it was likely that the courtyard would be enclosed with a 3-4’ high brick wall topped with extruded aluminum fencing. Mr. Ferraro commented that he would prefer to see the fencing along the parking areas, similar to what is currently being done as part of the St. Peter’s Health Medical office complex improvements within the Northcrest Park PDD along Route 146, though Mr. Tripp explained that the Marriott would prefer the fence where illustrated for aesthetic and security reasons.

Mr. Dannible presented a “master plan” for the hotel and plaza sites illustrating envisioned incremental changes designed in accordance with the form-based code which the applicant hopes to implement within the next five to ten years. In addition to redevelopment of the existing strip mall, the plan includes a restaurant attached to the hotel at the Plank Road – Old Route 146 intersection and the creation of an attractive streetscape that calls for the planting of trees within the right-of-way and along roadways and sidewalks. The buildings themselves would face Plank Road in conformance with the concept outlined in the Town Center Plan. Parking would be housed in a structure behind the buildings fronting along Plank Road.

In response to Mr. Ferraro’s question regarding the number of variances required for the current plan to move forward, Mr. Dannible explained that the applicant has applied to the Zoning Board of Appeals for eight variances including a variances for building height, rear yard setback, and finished floor elevations.

The following comments were issued by Mr. Myers, Director of Building and Development, in a memo dated May 1, 2015. The first entrance to the site from Old Route 146 does not provide a sufficient turning radius for emergency vehicles. The southeasterly quarter of the building is not accessible by aerial apparatus that would necessarily be set up on Old Route

146. Several variances will be required for the plan to progress as proposed: the Zoning Board of Appeals will review variance applications at its May 19, 2015 meeting. The Highway Superintendent should approve proposed landscaping within the town's right-of-way. A utility survey of the area should be provided. The location of the sprinkler room and associated fire department connection(s) should be noted on the plans. The plan should indicate whether or not standpipes are proposed. Hydrant locations should be shown on the site plan.

Mr. Reese explained that the ECC reviewed this application at its May 5, 2015 meeting and issued the following comments and recommendations. Based upon the applicant's request for a variance for an additional floor above the maximum 3 stories, this project has the potential to change the skyline of the project area. The ECC recommends that the applicant be required to conduct and submit a visual impact assessment for Planning Board and ECC review. The proposed plan for visual appearance is more conducive to an urban setting than a suburban setting that the TC1 Highway Zone requires. The applicant is asked to reference the visual on page 31 of the Town Center Plan. In keeping with the recommendations and goals of the Town Center 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. As sited on the lot it does not present the most aesthetic view from the Northway. The applicant is proposing the dumpster location that appears to be visible from the Northway. The applicant shall indicate the impact to the greenspace of the existing plaza lot resulting from the subdivision.

Mr. Reese explained that Mr. Scavo, Director of Planning, provided the following comments regarding this application. Page 31 of the Town Center Zoning Ordinance states that "the primary intent of the TC1 zone is to facilitate auto-oriented highway commercial development along the Northway corridor....providing an attractive first impression of Clifton Park for those traveling along I-87." The applicant should consult with the Planning Board on a "conceptual layout level of what the future build-out scenario for the plaza and hotel may include." Mr. Scavo notes that Section 3.9 of the Town Center Zoning code provides examples as a guide toward the intent and desire of the code to deal with incremental changes as the Town Center area evolves over time. The applicant should demonstrate how the items in "Table 6.1 – Exterior Materials" have been or are not met by the proposed site plan. Consistent with the Town Engineer's comments, additional details are required per Chapters 6 and 7 to determine compliance with architectural and site standards. The applicant should refer to the comment letter issued by M J Engineering and Land Surveying, P. C. for the specific section items within Chapters 6 and 7 to be addressed.

Mr. Reese, Stormwater Management Technician, reported that the Environmental Assessment form indicates that the project will be proposing the installation of on-site infiltration areas. Comprehensive review of the design plan will be conducted when additional details are submitted.

Board members again agreed that it was not necessary for Mr. Reese to read comments issued by M J Engineering and Land Surveying, P.C. They are included here to provide a complete record of information reviewed by Board members. Mr. Bianchi offered comments and recommendations regarding this revised conceptual site plan that were prepared by M J Engineering and Land Surveyors, P.C. in correspondence dated May 8, 2015. He notes that the

concept submission has substantially addressed, either via plan changes or written responses indicating subsequent plan submissions will incorporate the changes, excluding the TC1 Architectural Standards. Notwithstanding, comments previously issued relating to the architectural and site plan requirements of the TC1 Zone have been repeated for the purpose of assisting the Planning Board in its continued review of this application. The proposed building is subject to the Architectural Standards outlined in Chapter 6 of the Form Based Code. The following items have been identified as needing further detail or input from the Planning Board:

- a. Section 6.3(A) indicates that the ground floor areas of a facade, especially in pedestrian areas, should exhibit the highest levels of articulation, with larger openings and changes in depth, especially around the front entry points. There needs to be a discussion on how these provisions of the Code are being satisfied with the proposed building architecture.
- b. Section 6.5(B) indicates that very large or long buildings should attempt to break up their massing along public frontages by providing articulations along the façade. There must be clear illustrations as to how the proposed building accomplishes this, including courtyard breaks, and major/medium/minor articulations.
- c. The architectural plans suggest a majority of the exterior facades will be stucco with some masonry veneer. Table 6-1 indicates that stucco is only permitted as a secondary façade material. For comparison, provide the percentage of each façade material proposed to show how the provisions of Section 6.6 A and B are being met.
- d. Provide sample color pallets for the stucco and masonry materials proposed. Provide a sample of the masonry veneer pattern proposed.
- e. Subsequent plans must include additional detailing for the courtyard showing the proposed materials of construction to demonstrate compliance with Table 6-1 for landscape walls and fencing.
- f. Pursuant to Section 6.7, if any roof top mechanical equipment is proposed, there must be a determination if screening from the adjacent public right-of-way is warranted.

The project is subject to the Site Standards outlined in Chapter 7 of the Form Based Code. The following items have been identified as needing further detail or input from the Planning Board:

- a. The proposed use requires 130 parking spaces plus one space per employee. The plan provides for 130 spaces internal to the parcel with shared parking with the adjacent parcel. This approach is permitted pursuant to Section 7.1(D)(1). The Planning Board shall review the shared parking concept to determine whether it is acceptable. If the shared parking is deemed appropriate, a shared parking agreement should be provided to the Town for review.
- b. Section 7.1(F)(2) states that all off-street parking areas should be behind buildings. The site plan shows parking along the primary and secondary street frontage. The Planning Board shall provide the applicant direction as to whether the parking layout must be revised to meet the recommendations of the Code.
- c. Section 7.1(F)(3) requires building entrances from parking areas to be provided with attractive welcoming architectural entry treatment. The submitted architectural plans appear to show a generic architectural fenestration and may need

to be improved to meet the intent of the Code. The Planning Board should provide the applicant direction as to whether further changes to the building architecture is warranted.

d. Section 7.2 requires that transit facilities shall be coordinated with the regional and local transit agencies and such facilities shall be incorporated into the site plans. The applicant must confirm that such coordination has or will occur and if the project site is conducive for such facilities, they will be incorporated, if directed so by the Planning Board.

e. Section 7.3(A) requires all parking areas abutting a public right-of-way shall provide a front yard buffer at least 10-feet deep from the sidewalk, which creates a visual screen at least 3 feet high. The submitted plans appear to provide this feature adjacent to an exterior patio area but not along the entire length of the parcel fronting the public right -of-way.

f. Subsequent plans must show how the landscaping within the bulb outs will meet Section 7.3(C) with respect to percentage of landscaping.

g. Section 7.4 requires trash and recycling dumpsters to be located in the rear or side of buildings, which the plan provides. Subsequent submissions shall show how the screening provided will satisfy the requirements of Section 7.4(A)(1)

h. Subsequent plan submissions shall provide a detailed landscaping plan that demonstrates compliance with Section 7.5(C) of the Code, which includes both general requirements and front yard landscaping requirements.

i. Subsequent plan submissions shall provide a detailed lighting plan that demonstrates compliance with Section 7.6 of the Code.

Several engineering comments related to the Traffic Engineering Evaluation provided by T. R. Johnson Engineering, PLLC. The evaluation indicates that the peak hour trips for the proposed use will not exceed 100 trips. Further, the report notes that the analysis did not take into account, or take credit for existing vehicle trips associated with the current site uses. In order to further support that the project will not have any adverse impacts on the adjacent road network, the applicant is asked to provide a summary of the net change in peak hour trips between current and proposed site uses.

Mr. Dannible addressed some of the concerns raised at the previous Planning Board meeting, stating that the dumpster location will be located along the Northway and screened by the existing retaining wall. The building elevation along the Northway will be designed to provide an “attractive view” from that highway. He requested clarification regarding acceptable “suburban lot configurations” referenced within the TC1 code requirements.

In response to Mr. Ferraro’s question concerning disturbance of land along the Northway corridor, Mr. Dannible stated that the only disturbance would be to provide for installation of the dumpster and he noted that “most of the asphalt necessary for the pad is existing.” Mr. Ferraro expressed his appreciation to the applicant and consultant for the preparation of future design plans that include enhancement of the hotel site as well as redevelopment of the existing strip mall. He asked if it would be possible to include development of the restaurant connected to the hotel and situated at the intersection of Plank Road and Old Route 146 with this application since he believes that the restaurant component would improve the streetscape and be more compatible with TC1

design standards. Mr. Dannible noted that the restaurant would likely not be constructed prior to redevelopment of the mall due to parking requirements. In response to Mr. Ferraro's query concerning the elevation of the building and parking areas, Mr. Dannible explained that these features would be placed approximately 2½ - 3½ feet above Plank Road. Though Mr. Dannible suggested adding low shrubbery along the Plank Road frontage, Mr. Scavo pointed out that such plantings would require approval by the Highway Superintendent. Mr. Andarawis questioned whether or not the proposed restaurant would be acceptable to the Marriott Corporation. Mr. Mahoney, developer, reported that the corporation would likely find the enhancement acceptable. Mr. Ferraro explained that subdivision approval would be required prior to Board action on the site plan.

Mr. Hartnett, Chairman of the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee, requested that, pursuant to Town Center zoning, the applicant provide a bike rack near the building's entranceway, an 8' wide multi-use trail along the entire frontage of Plank Road, and that the proposed connections to adjoining properties be clarified. The Subcommittee also recommends that the applicant provide sidewalks along the entire frontage on Old Route 146 and that a crosswalk connection from their project to the IHOP Restaurant across Old Route 146 be provided.

Mr. Dannible addressed Mr. Hartnett's recommendations, stating that since Old Route 146 does not appear as a "designated street," he does not believe that a pedestrian connection is warranted. Mr. Werner questioned the usefulness of a sidewalk connection in this area noting that the right-of-way "dead ends" at the Northway. Mr. Ferraro agreed that a sidewalk along Old Route 146 was not necessary noting that the applicant has provided an "extensive sidewalk" from the hotel entranceway to Plank Road.

Mr. Neubauer was critical of the extensive use of E.I.F.S material on the building, stating that he would much prefer the use of fiber cement panels or other "richer material" for the facades. Referencing the Architectural Standards section of the development code, he noted that "custom designs are preferred above prototypical corporate chain architectural styles" and believes that the proposed design does not meet the intent of the ordinance. In his opinion, the incremental design "master plan" for the site does not apply to this building and he requested that the applicant apply the standards such as articulation in the façade and increased definition of metal borders outlined in the code to the current site plan. He strongly recommended that the building be moved closer to Plank Road to create the "desired streetscape." Though Mr. Mahoney commented that he believes that the proposed façade design shows "articulation" and "depth," Mr. Neubauer called his attention to Table 6.1 of the Code pointing out that the proposed design clearly does not meet the standards listed and emphatically declared that this Courtyard by Marriott should not "look like the one being constructed in Schenectady."

Mr. Ferraro reminded the Board that the applicant was seeking a positive recommendation to the Zoning Board for the variances required. Board members discussed the application presented as well as the proposed "incremental improvements" that would bring the area into closer compliance with the code. Mr. Ferraro finds the proposed future restaurant appealing but expressed skepticism that the plan for redevelopment of the plaza would be implemented within the next few years. His skepticism was echoed by other members of the Board. Mr. Neubauer

pointed out that although the code permits the Planning Board to “modify some aspects of the plan,” it does not have the ability to approve an additional story.

Mr. Neubauer moved, seconded by Mr. Werner, to authorize the Chairman to recommend that the Zoning Board of Appeals approve the variances requested based upon the incremental changes envisioned by the applicant as presented in a sketch for the Planning Board at this meeting illustrating a restaurant addition to the proposed hotel and redevelopment of the existing adjoining strip plaza to create an area more compliant with the Clifton Park Town Center Form-Based Development Code. Ayes: Ophardt, Paulsen, Andarawis, Prescott, Werner, Ferraro. Noes: Neubauer.

New Business

There were no items of old business scheduled for this evening’s meeting.

Discussion Items

There were no discussion items scheduled for this evening’s meeting.

Ms. Paulsen moved, seconded by Mr. Ophardt, adjournment of the meeting at 10:50p.m. The motion was unanimously carried. The next meeting of the Planning Board will be held as scheduled on WEDNESDAY, May 27, 2015.

Respectfully submitted,

Janis Dean, Secretary