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PLANNING BOARD

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Joel Koval

Eric Ophardt

Kim Paulsen

Eric Prescott

Tom Werner

(alternate) Andy Neubauer

Planning Board Meeting
June 23, 2015

Those present at the June 23, 2015 Planning Board meeting were:

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

Those absent were: K. Paulsen

Those also present were: J. Scavo, Director of Planning
J. Bianchi, M J Engineering and Land Surveying, P.C.
P. Pelagalli, Counsel
J. Dean, Secretary

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 at this evening's meeting in Ms. Paulsen's absence.

Minutes Approval

Mr. Ophardt moved, seconded by Mr. Koval, approval of the minutes of June 9, 2015 as written. Ayes: Ophardt, Neubauer, Werner, Koval, Ferraro. Noes: None. Abstained: Andarawis, Prescott.

Public Hearings:

Mr. Ferraro introduced the Fairchild II Subdivision application and the Fairchild II (Lots 2-5) Site Plan application to Board members, explaining that although they are listed separately on the evening's agenda, they would be reviewed concurrently.

[2015-024] **Fairchild II – North Subdivision** – Proposed (5) lot subdivision, VanPatten Drive – Preliminary public hearing and possible determination. SBL: 259.-2-84.11

[2014-038] **Fairchild II – North (Lots 2-5)** – Proposed construction of (5) new warehouse buildings totaling 215,000 SF and amendment to subdivision of Lot C, 55 VanPatten Drive – Preliminary site plan review and possible determination. SBL: 259.-2-84.11

Mr. Ferraro explained the review process to those present, stating that the Board was required to render a determination pursuant to SEQRA (State Environmental Quality Review Act) prior to conducting a public hearing on this application. He explained that although the Planning Board would deem the application complete, assume Lead Agency status, and issue a negative declaration, these actions would neither grant nor imply approval of this application. Should it be determined that additional environmental review is required based on input received at the public hearing, SEQRA discussions would be reopened and a decision rendered when deemed appropriate.

Mr. Andarawis moved, seconded by Mr. Koval, to establish the Planning Board as Lead Agency for this application, a Type I action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. Ferraro, Chairman, called the public hearing to order at 7:10p.m. The Secretary read the public notice as published in the Daily Gazette on June 16, 2015.

Mr. Andress, consultant for the applicant, presented this application, explaining that it is the applicant's intention to subdivide approximately nine (9) acres of land identified as Fairchild II into lots of 87,103 SF, 101,853 SF, 87,742 SF, and 50,010 SF, respectively. The remaining lot with existing improvements totals 435,934 SF. The lots will be connected to public water and sewer systems.

Mr. Scavo reported that all comments prepared by Mr. Myers, Director of Building and Development, Ms. Reed, Chief of the Bureau of Fire Prevention, the ECC, Mr. Reese, Stormwater Management Technician, M J Engineering and Land Surveying, P.C., and the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee have been forwarded to Board members for their consideration.

Mr. Scavo reported that the ECC offered no comment on this application.

Mr. Scavo reported that Mr. Reese, Stormwater Management Technician, has met with the applicant's consultant to discuss several technical concerns regarding stormwater management within the Fairchild complex. The following concerns remain unaddressed. The consultant must

convey that the 50% pretreatment is being met for the infiltration practices and explain how the infiltration basin will operate with a drainage area larger than the maximum 10 acres. The Stormwater Pollution Prevention Plan, last revised June 11, 2015 (under section 1.62 Rough Grading) indicates that there “shall not be more than five (5) acres of disturbed soil at any one time without prior written approval from the Department of Environmental Conservation.” The Town of Clifton Park Stormwater Management Officer must also give written approval. Item 9 of the Notice of Intent (NOI) should indicate that Long Kill a C(T) stream off site is a tributary of the Dwaas Kill. Item 10 should be marked “yes.” Item 37a of the NOI, the consultant has checked downstream analysis reveals that the Qp and Qf controls are not required. The consultant shall follow Section 4.10 Downstream Analysis in the New York State Stormwater Management Design Manual to demonstrate that the requirements have been met. The consultant shall explain on the receiving areas of the overflow of the larger storm events of downstream properties and how they are impacted.

Mr. Scavo offered comments prepared by the Planning Department. The date of the Zoning Board of Appeals’ approval granted for the area variances must be added to the plan. The following note must be included on the plan:

The subdivision is bound by the terms, conditions, and restrictions of the approved site plan: Planning Board Project 2014-038.

The following note must be added to the subdivision plan:

Pursuant to Section 208-65(C) of the Town Code – Buffer. No building shall be located closer to any residential property line than 100 feet and there shall be no encroachment into this area by anything other than natural vegetation or planted landscaping.

Although the Trails Subcommittee commented on the site plan proposals for the Fairchild II complex, no comment was offered on the subdivision application.

There being no public comment on this application, Mr. Ferraro moved, seconded by Mr. Neubauer, to close the public hearing at 7:16p.m. The motion was unanimously carried.

Mr. Ophardt offered Resolution #8 of 2015, seconded by Mr. Prescott, to waive the final hearing for this application and to grant preliminary and final subdivision approval conditioned upon satisfaction of all items listed in the final comment letter issued by the Planning Department. Ayes: Ophardt, Andarawis, Neubauer, Prescott, Werner, Koval, Ferraro. Noes: None.

Board members then reviewed the site plan application.

Mr. Andress presented this application that remains generally as presented at the May 12, 2015 Planning Board meeting, highlighting significant elements of the project plan. Site development involves the five (5) parcels approved at this meeting. All buildings will be accessed from VanPatten Drive: the curb cut onto Mapleline Road will be used only for emergency access. Plans call for construction of buildings on Lots #2, 3, 4, and 5. Individual buildings of 25,000 SF each are proposed for Lots #2, 3, and 4. A 15,000 SF building is proposed for Lot #5. The proposed new structures will be served by “all new” water and sewer lines. Stormwater will be directed to on-site drywells and depressed areas and to an existing stormwater basin at 55

VanPatten Drive which was previously designed to handle all drainage from the site. Mr. Andress addressed several of the concerns identified during previous reviews, explaining that all emergency access issues have been satisfactorily resolved: he noted that sprinklers will be installed in all buildings and that adequate access for emergency service vehicles has been provided. With the exception of a connection to VanPatten Drive between buildings on Lots #3 and 4, the plans for internal sidewalks has been modified to include all recommended pedestrian connections. The speaker explained that this connection was impractical due to the significant grade changes in the area. Mr. Andress reported that, based on comments received at previous meetings regarding potential negative impacts to existing traffic flows on adjacent roadways, Greenman-Pedersen, Inc. reviewed its initial traffic report and continued to assert that it had considered large truck traffic in that report and that “the proposed development can be accommodated by the existing roadway geometry and traffic control without additional improvements.” Other correspondence from the firm states that the striping improvement proposed for the VanPatten Drive approach to the VanPatten Drive – Ushers Road intersection “will improve the operating condition of the intersection.”

In response to Mr. Werner’s question regarding whether or not large truck “operations” were considered in the 2014 traffic study, Mr. Andress stated that Mr. Peter Faith of Greenman-Pederson, Inc. reported that existing road conditions would not be significantly impacted by truck traffic generated by the Fairchild II site. Noting that “warrants for right turns from VanPatten Drive to Ushers Road were met for five (5) out of eight (8) peak hour travel times,” and that traffic from the existing bank situated on the southwesterly quadrant of the VanPatten Drive – Ushers Road intersection may impact traffic, Mr. Werner stated that he believed that the intersection “was close to needing a traffic signal.” He recommended that two northbound lanes on VanPatten Drive be extended south to a point at least 275’ from the intersection to ensure “unfettered right turns” from VanPatten Drive to Ushers Road. Mr. Bianchi pointed out that existing sidewalks along the easterly side of VanPatten Drive may preclude recommended pavement widening. Mr. Andress explained that the site is not likely to generate truck traffic at peak travel times and that estimated trip generation produced by proposed uses would be two or three trucks per hour. Mr. Ferraro commented that cumulative build-out within the area may “trigger the need” for additional traffic controls. Mr. Werner appeared to agree, stating that the town “is arriving at a point where we need some type of mitigation.” Mr. Scavo suggested that the Planning Board may wish to consider assessing the applicant the cost of extending the additional turning lane from its terminus as now proposed to the intersection of the new access roadway to Fairchild II. Though Mr. Ferraro supported such an action “if it could be reasonably justified,” Mr. Andress argued that the traffic report concludes that no roadway improvements are required at this time, there are alternate routes for drivers to avail themselves of to avoid congestion at the intersection, and there is “no mechanism” to require the applicant to contribute to future roadway improvements. Mr. Koval commented that, although he recognized the concerns expressed regarding the impacts of cumulative development on traffic at certain locations throughout the town, he believes that the issue must be “taken up by the Town Board.” In his opinion, this applicant should not be responsible for improvements that are not warranted at this time. Board members discussed at length Mr. Andress’ proposal that the Board recommend that an updated traffic study be required within a one to two year time frame after site development has been completed to determine whether or not the development of Fairchild II has resulted in sufficient traffic to warrant traffic improvements along VanPatten Drive or signalization at the VanPatten Drive – Ushers Road

intersection. Board members recognized that it would be necessary to determine the specific traffic impacts from Fairchild as opposed to impacts created by cumulative growth, designate the entity to be held accountable for additional improvements and/or contributions to required improvements, establish a “cap” for monetary contributions required of this applicant, and establish a mechanism for payment.

Mr. Scavo explained that Mr. Myers, Director of Building and Development, offered the following comment in a memo dated June 4, 2015. Describing the stormwater report as “incomplete” and “not what was requested,” Mr. Myers reported that he did not review it.

Mr. Scavo reiterated a previously-issued comment, noting for the record that the site plan indicates that no outdoor product storage areas are proposed on site. He requested that the applicant replace the “hatching” in the parking area in front on 4 Fairchild Square with the raised landscaped island illustrated on this site plan as soon as possible to prevent pedestrian and vehicle conflicts along the Fairchild Square roadway.

Mr. Bianchi provided the following comments regarding site plans and the Stormwater Pollution Prevention Plan from M J Engineering and Land Surveying, P.C. after review of the plans submitted. The Grading Plan shows a proposed roadside swale along the east side of the road connecting this phase with the prior phase. The applicant is asked to provide spot elevations and/or one foot contours to better illustrate how the proposed roadside swale will be constructed. It is suggested that an additional sanitary manhole be provided between SMH2 and SMH3 where there is a horizontal bend in the line. The Stormwater Pollution Prevention Plan must include documentation to demonstrate permit eligibility with respect to Part I.F.8 of the General Permit that deals with archeological, cultural or historic resources. The NOI indicates 6.8 acres of disturbance will result from the project. If a 5 acre waiver is to be requested, appropriate information must be submitted to the Town for review and consideration. If a 5 acre waiver is not being requested, a phased grading plan shall be provided to demonstrate how site disturbances will remain below 5 acres at one time. The NOI indicates that Qp and Qf do not need to be met since the downstream analysis revealed these controls are not required. The HydroCAD model for the 100-year event indicates that drainage structures along Mapleline Road are flooding. Under this condition the model is indicating the capacities of these structures are being exceeded and directing runoff elsewhere that may not be modeled. Additional analysis appears warranted, particularly with the impacts of the development on the existing drainage system along Mapleline Road to substantiate that providing Qp and Qf criteria are not necessary for this project. The NOI takes credit for proposed drywells presumably those behind the buildings. These management practices do not appear to be modeled in the HydroCAD and, therefore, the functionality cannot be confirmed. The applicant is asked to provide data related to the percolation tests and test pits mentioned within the Stormwater Management Report. The report must also show locations where the tests were conducted.

Mr. Hartnett, Chairman of the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee, offered several comments regarding this application. The applicant does not show internal bicycle/pedestrian connections between buildings A, B, C, and other properties in either Fairchild I or II. The subcommittee requests that the applicant provide connections between all buildings in the complex. The applicant should provide a crosswalk and connect the

sidewalks coming from side entrances on buildings D and E instead of “dead ending them at the edge of parking lots.” He noted that the current plan shows the sidewalk from the rear of building E connecting to the front of Building E instead of connecting to the sidewalk dead ending at the parking lot from Building D: the subcommittee recommends construction of “meaningful connection between the two buildings.” The applicant is asked to explain why the design no longer includes a sidewalk connection up to the main entrance to Fairchild Square and the VanPatten Trail to Building D. The applicant should be required to provide a bike rack at each building. Mr. Andress explained that the required racks have been shown on the current plan.

Mr. James Hopeck, 10 Mapleline Road, reported that the applicant has agreed to install an identification sign for the Mapleline subdivision. He asked that the applicant provide additional berming on the south side of Mapleline Road, that residents of Mapleline Road be “on site” when trees to be removed are tagged, that the applicant be required to install landscaping and berms on the northerly side of Mapleline Road when the first site is developed, and that the hours of construction be limited on weekends. Mr. Andress agreed that the landscaping and berming would be completed when the first site is developed and that the subdivision’s identification sign would be placed at the intersection of Mapleline Road and VanPatten Drive. Though Ms. Jacqueline Phillips-Murray, legal representative for the applicant noted that the Town Code’s “noise ordinance” specifies when such things as construction activity can be conducted, the applicant’s representative agreed that construction would not begin on Sundays until after noon.

Mr. Ferraro thanked the applicant for his sensitivity to the concerns of the residents of Mapleline Road and his willingness to provide identification signage for those living within the small subdivision. He commended the applicant for providing adequate buffering between the residences and the proposed industrial uses, describing the applicant’s conduct as “an example of the right way to do things.” Mr. Ferraro supported Board action on the application since outstanding issues regarding stormwater and trail connections appeared to be “minor.”

Mr. Ophardt moved, seconded by Mr. Werner, to grant preliminary and final site plan approval to this application conditioned upon the establishment of an agreement between the applicant and the Town that requires the applicant to conduct a traffic study two years after completion of site development within Fairchild Square II to determine if traffic mitigation measures, assessed if actual trips generated for the Fairchild complex exceeds forecasted trip generation numbers provided by the applicant’s design professional, are warranted based upon traffic impacts specifically resulting from development on Lots #2, 3, 4 and 5. If such an assessment is necessary, the applicant must contribute an amount of funding less than or equal to the estimated amount of money required to construct an approved two lane roadway northward from the Fairchild Square entrance way on VanPatten Drive to the VanPatten Drive – Ushers Road intersection. Approval is also conditioned upon satisfaction of comments issued by professional staff, M J Engineering and Land Surveying, P.C. and the Planning Board, and all items listed in the final comment letter prepared by the Planning Department. The motion was unanimously carried.

Mr. Ferraro introduced the Massaroni Subdivision application and the Courtyard by Marriott Site Plan application to Board members, explaining that although they are listed separately on the evening's agenda, they would be reviewed concurrently.

[2015-015] **Massaroni, Paul** – Proposed (2) lot commercial subdivision, 627/629 Plank Road – Preliminary public hearing and possible determination. SBL: 272.-1-3.1

Mr. Ferraro explained the review process to those present, stating that the Board was required to render a determination pursuant to SEQRA (State Environmental Quality Review Act) prior to conducting a public hearing on this application. He explained that although the Planning Board would deem the application complete, assume Lead Agency status, and issue a negative declaration, these actions would neither grant nor imply approval of this application. Should it be determined that additional environmental review is required based on input received at the public hearing, SEQRA discussions will be reopened and a decision rendered when deemed appropriate.

Mr. Koval moved, seconded by Mr. Ophardt, 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 carried.

Mr. Ferraro, Chairman, called the public hearing to order at 8:25p.m. The Secretary read the public notice as published in the Daily Gazette on June 16, 2015.

Mr. Joe Dannible, consultant for the applicant, introduced Mr. Paul Massaroni, applicant, Mr. Larry Gates, representative of Clifton Park Hotel Partners, Mr. Jim Tripp, Architect, and Mr. Jeff Campbell, representative of BBL Construction, who were all in attendance at the meeting. He then presented this application that calls for the subdivision of approximately 5½ acres on land into lots of 2.5 acres and 3 acres, respectively. A 133 unit Courtyard Inn by Marriott is proposed for development on the 2.5 acre parcel. The property is located on the easterly side of Plank Road approximately 1,000 yards from its intersection with Route 146 and is situated within the TC1 zoning district.

Mr. Scavo reported that Mr. Myers, Director of Building and Development, provided the following comments in a memo dated June 4, 2015. All required variances were approved by the Zoning Board of Appeals on condition that the approval be limited to construction of the hotel only. Further expansion and/or construction will be reviewed as necessary. Existing overhead wires at the entrance off Old Route 146 and at Plank Road must be removed. Hydrant and fire department connections are not shown on the plans.

Mr. Scavo explained that Ms. Reed, Chief of the Bureau of Fire Prevention, asked that the applicant indicate the location of all fire hydrants on the site plan. She also asked that approved postal addresses be included on the final plan.

Mr. Scavo reported that the ECC provided the following comment regarding this application. The applicant is proposing a dumpster location that appears to be visible from the Northway.

Mr. Scavo reported that Mr. Reese, Stormwater Management Technician, offered comments on this application. In a memo dated June 23, 2015, he states that the new development portion of the project must be designed in accordance with the sizing criteria in Chapter 4 of the New York State Stormwater Management Design Manual. Underground infiltration systems shall be designed offline and the standard practice suitability as outlined in the Design Manual is for the treatment of water quality and channel protection. The SMP to be used for the Overbank Flood Protection and Extreme Flood Protection should be identified. Percolation testing results at the elevation at the bottom of the stone bed of the infiltration chambers must be provided. The minimum geotechnical testing is one test hole per 5,000 sf, with a minimum of two borings per facility (taken within the proposed limits of the facility). The consultant shall use the figures in Chapter 4 of the NYSSMDM for rainfall (24 hour) associated with the multiple storm events, including the 90th percentile rainfall for the water quality and runoff calculations.

Mr. Scavo offered comments prepared by the Planning Department. The Department is in receipt of correspondence from the NYS Office of Parks, Recreation, and Historic Preservation that states that “the project will have no impact on archeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places.” The Department has also received a letter from the NYSDEC which reported that the agency has no records of rare or state-listed animals, plants, or significant natural communities at the project site. The proposed garden wall detail noted on Sheet 5 directs readers to “architectural plans for size and materials:” Since this is an important feature of the southern elevation of the site, the size and types of construction materials to be used should be called out on the site plan detail for consideration by Planning Board members.

Mr. Bianchi reported that, after review of the plans submitted, M J Engineering and Land Surveying, P.C. offered the following comments on this application. The applicant must obtain the approved 911 Emergency Response address for the newly created lot which shall be placed on the plat to be filed at the Saratoga County Clerk’s Office. The applicant must provide applicable subdivision notes on the plat as required of the Town of Clifton Park. As noted in Comment 3 of the May 8, 2015 review letter, items specific to the proposed building and compliance with the Architectural Standards outlined in Chapter 6 of the Form Based Code were identified as needing further review and potential input from the Planning Board: the project architect shall be prepared to review how the current proposal meets the requirements of the Form Based Code 6. At the proposed emergency access off of Old Route 146, the applicant is asked to provide signage indicating that access is restricted.

Mr. Bianchi offered several additional comments. 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) of the Form Based Code. The Planning Board shall review the shared parking concept to determine if it is acceptable. If the shared parking is deemed appropriate, a shared parking agreement should be provided to the town for review. Samples of materials to be used for construction of the retaining walls, especially for those that will be readily visible, should be provided. The bike rack area is proposed with a pea gravel base. The surface treatment should be changed to concrete or asphalt. Information relative to the dumpster screening proposed to ensure it will satisfy the requirements of Section 7.4(A)(1) of the Form Based Code should be provided.

The proposed service area, presumably to include a dumpster is oriented along the service road such that only front load garbage trucks will be able to access it due to the one way restriction of the roadway. There may be a need to relocate the dumpster such that there is not a restriction on the type of vehicle that can service the area. An exterior lighting photometric plan demonstrating compliance with Section 7.6 of the Form Based Code must be provided. The Erosion Control Plan shows two proposed points for construction access. The applicant is asked to consider reducing the construction access points to one to limit the potential for the tracking of dirt off -site and reducing conflicts between construction vehicles and local traffic. Additional silt fence should be placed west of the proposed sidewalk along Plank Road. The silt fence can be relocated closer to the parking lot once the sidewalk has been constructed. Plans must include information regarding the sizing criteria of the temporary sediment trap shown on the Sediment and Erosion Control Plan. A detail or specifications for the erosion control matting identified on the Erosion and Sediment Control Plan must be provided. The “bulb outs” proposed within the parking lot do not appear to meet the intent of Section 7.3(C) of the Form Based Code with respect to percentage of landscaping. Additional landscaping beyond what is shown may be warranted at these locations. There must be coordination with the use of porous pavers adjacent to the proposed building in areas where structural fill is necessary in the backfilling of the foundation wall. In these areas, the performance of the porous pavers may be compromised or, at a minimum, operate less efficiently. The bedding conditions required for the proposed Grease Trap detail must be provided. The crosswalk detail must be updated to include any specific Town of Clifton Park standards (color and material) for those proposed within the town’s right-of-way. Detail 8/D notes the minimum size for the accessible aisle of 8 feet, however, the site plan notes one of the accessible aisles being 5 feet. The applicant must review the invert elevations shown on the chart associated with the Stormtech Elevation detail as they do not appear to correlate with the inverts for the STM MH #1 shown on the Stormtech System Layout detail or inverts shown on the Utility Plan for the same STM MH#1. Additional inspection ports are recommended for the Stormtech chambers beyond the isolator row.

The following comments are related to the Stormwater Pollution Prevention Plan. Section 3.1 of the SMN notes that test pits were conducted; however, there is no mention of falling head permeability tests to determine infiltration rates or depth to seasonal high groundwater. This information is required to substantiate the presumptive values utilized for some of the proposed stormwater practice designs. Under Section 5.0 of the SMN, the applicant is asked to list all available RRv techniques available and discuss why certain techniques have not been selected. A description on how the redeveloped existing impervious areas on the adjacent parcel to the north are accounted for in the 25% WQv calculations should be provided. The HydroCAD model provides Tc values to be less than 5 minutes: adjust all Tc values to be no less than 0.1 hours (6 minutes).

Mr. Bianchi explained that the following comments related to the Traffic Engineering Evaluation. Comment 7 of the May 8, 2015 review letter requested further analysis of peak hour vehicle trips that included trips associated with the existing uses on the site that would be removed as part of this development. The applicant’s design professional furnished the requested information which indicates that the existing 38,000 SF retail shopping center generates 142 trips in the PM peak and the proposed 133 unit hotel will generate 189 PM peaks for a net increase of 47 PM peak trips.

Mr. Hartnett, Chairman of the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee, asks that the applicant be required to construct an 8' wide multi-use trail across their entire road frontage on Plank Road since the Town Center Zoning calls for all street frontages to be addressed with a multi-use trail along the entire length of Plank Road as part of the perimeter circulation plan for the Town Center. The applicant should be required to provide a crosswalk and landing pad at the intersection of Park Avenue, Plank Road, and the entranceway to the Courtyard to allow "for connections to the expanding sidewalk infrastructure along Park Avenue." The size of the proposed sidewalk connection should be clarified since the project plan calls for a 6' width while the zoning checklist requires that sidewalks be 8' wide. Mr. Hartnett repeated comments made at the May 12, 2015 Planning Board meeting, stating that, per the Trails Master Plan, the applicant should provide an 8' wide multi-use trail along their entire Plank Road frontage. The applicant should be required to provide a crosswalk and landing pad at the Plank Road entranceway. If bike lanes are to be constructed along Plank Road in the future, the application should clarify whether or not this applicant is responsible for such construction. The Trails Subcommittee recommends that the applicant provide sidewalks along their entire frontage of Old Route 146. The applicant should be required to provide a crosswalk across Plank Road with a landing pad on Old Route 146 to allow for future connections along the corridor.

There being no additional public comment, Mr. Ferraro moved, seconded by Mr. Andarawis, to close the public hearing at 8:32p.m. The motion was unanimously carried.

Mr. Neubauer offered Resolution #9 of 2015, seconded by Mr. Ophardt, to waive the final hearing for this application and to grant preliminary and final subdivision approval conditioned upon satisfaction of all items listed in the final comment letter issued by the Planning Department. Ayes: Ophardt, Andarawis, Neubauer, Prescott, Werner, Koval, Ferraro. Noes: None.

Board members then considered the site plan application.

Mr. Dannible explained that the applicant proposes the construction of a 133-unit hotel on the 2.55 acre parcel recently separated from the lands of Plank Road Plaza. 131 parking spaces have been provided on site though an arrangement for shared parking with the adjoining plaza will make available a total of approximately 175 spaces – a number deemed adequate to serve the hotel. Access will be provided from the main entranceway on Plank Road and a curb cut from Old Route 146. A westerly curb cut from Old Route 146 will be restricted and signed to allow entrance to emergency vehicles only. The applicant is working with the Clifton Park Water Authority, the Clifton Park Sewer Department, and the Saratoga County Sewer District to provide municipal utilities to the site. A 6' wide sidewalk will be constructed along the property's frontage on Plank Road and an ADA-compliant crosswalk provided across Old Route 146. Referencing Mr. Myers' comment regarding the removal of existing power lines, Mr. Dannible stated that he would consult with Mr. Myers and National Grid to determine if removal was feasible. Stormwater will be handled by infiltration between the sites and dry wells to direct stormwater to an existing management system. The hotel will be fitted with a sprinkler system. A lighting distribution plan is being prepared in accordance with specifications included in the TC1 zoning code. The retaining wall along Old Route 146 has been designed with "step ups" to prevent headlight glare as vehicles enter the site. It will be constructed of a prefabricated stone garden wall topped with some type

black ornamental fencing. Street trees will be planted on the westerly side of the sidewalk and in the “bulbs” of green located throughout the parking areas. The grassed areas between the sidewalk and the parking areas will be planted with shrubs and decorative plantings. Mr. Ferraro asked that additional plantings be placed in the space between the emergency access drive and the full access on Old Route 146. The dumpster will be located to the easterly side of the site and will be screened by extension of the existing retaining wall. In response to requests made at the previous Planning Board meeting, Mr. Dannible presented visual simulations from various vantage points surrounding the development site. The speaker explained that the Zoning Board of Appeals had granted required variances, including one which would permit the building to be four – rather than three – stories high.

Mr. Dannible introduced Mr. Jim Tripp, Architect, who presented revised building elevations for the Board’s consideration. He explained that a list of proposed exterior materials and colors were provided to the Planning Department last week. A colored façade rendering was presented for the Board’s consideration. Mr. Tripp explained that the buildings architecture had been “significantly” reworked and now included the use of fiber cement panels, a revision of roof corner designs to create “visual breaks” along the plane of the roof line, the addition of “Juliet balconies” to add dimension to the façade, an increase in the amount of brick, and a canopy over the door located on the westerly (Plank Road) side of the building. The south side elevation shows brick to the first story and larger glass panels to differentiate public rooms from guest rooms. Samples of construction materials and color chips were included in the presentation.

Summarizing the presentation, Mr. Dannible explained the building’s architecture has been modified to bring it “more into compliance” with the zoning code, the retaining wall to the rear of the site will be extended to screen the dumpster, a lighting plan is being prepared, landscaping has been enhanced to increase the site’s visual appeal, and minor technical comments regarding stormwater will be addressed. Board members discussed sidewalk connections to existing locations within the Plank Road area with focus on pedestrian access to The Outback restaurant. It was decided that the applicant should install a crosswalk from Old Route 146 to Park Avenue. In response to Mr. Werner’s question regarding whether or not the hotel would have banquet facilities that would generate additional traffic, Mr. Tripp explained that although the hotel would include a room that would accommodate 100, it was designed mainly for events used by hotel patrons. Mr. Werner encouraged the use of directional signage for those traveling to the site from the west on Route 146, though others commented that most drivers now rely on digital devices to provide travel directions. Mr. Neubauer expressed his appreciation to the applicant and consultants for working to address issues raised by Board members and for bringing the design plan more into compliance with the form-based code. He commented that he particularly liked the use of offset roof lines, “Juliet balconies,” and courtyard area to add visual interest to the building. He encouraged the use of upgraded treatments on all sides of the building. In response to his question regarding the location of signage on the building, Mr. Tripp explained that the placement of signage will be determined when the building is constructed. Mr. Neubauer advised the applicant to ensure that lighting plan complied as much as practicable with specifications contained within the code.

Mr. Werner moved, seconded by Mr. Neubauer, to grant preliminary and final approval to this application conditioned upon the incorporation of an ADA-compliant crosswalk to connect

Old Route 146 with Park Avenue, satisfaction of the comments offered by professional staff, M J Engineering and Land Surveying, P.C., and the Planning Board and all items listed in the final comment letter issued by the Planning Department. The motion was unanimously carried.

Old Business:

[2014-038] **Fairchild II – North (Lots 2-5)** – Proposed construction of (5) new warehouse buildings totaling 215,000 SF – Preliminary site plan review and possible determination. SBL: 259.-2-84.11.

AUTHOR’S NOTE: This agenda item was reviewed concurrently with the Fairchild II – North Subdivision application. Please refer to the public hearing section of these minutes.

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

AUTHOR’S NOTE: This agenda item was reviewed concurrently with the Massaroni Subdivision application. Please refer to the public hearing section of these minutes.

New Business:

[2015-028] **Little Falls Lumber Renovation** – Proposed demolition of an existing building and construction of a ±12,000 SF retail/warehouse building, 824 Main Street – Conceptual site plan review. SBL: 264.-3-24.1

Mr. Joe Dannible, consultant for the applicant, presented this application that calls for the demolition of an existing 4,415 SF metal building and the construction of a 12,000 SF retail/warehouse building with associated parking at 824 Main Street, Jonesville. The 4.3 acre parcel to be redeveloped is situated within the B3 (Neighborhood Business) zoning district on the northerly side of Elnora Road approximately 500’ east of its intersection with Route 146A. The existing building area includes (2) 30’ x 150’ bulk storage T-sheds and adjacent metal building. The proposed building area after removal of the 4,415 SF metal building will include the following: 8,000 SF of storage area; 9,000 SF of existing bulk storage; 4,000 SF of retail space. Greenspace on site will total 36.1%, exceeding the required 35%. Thirty-three (33) parking spaces will be provided. The proposed building will connect to existing municipal water and sanitary sewer utilities which currently serve the site. The project will require less than one acre of soil disturbance; therefore, the project will not be covered under NYSDEC SPDES. Addressing some of the issues raised by professional staff members, Mr. Dannible explained that all proposed parking lies beyond the required 30’ front yard setback line and that all buildings shown as encroaching on the property have been removed.

Mr. Scavo reported that Mr. Myers, Director of Building and Development, offered the following comments in a memo dated June 4, 2015. The project site is located within the B3 (Neighborhood Business) zone and the proposed use is permitted. Erosion and sediment control measures must be employed during construction. A parking setback variance will be required.

Mr. Scavo explained that the ECC offered the following comments after review of the application at its June 16, 2015 meeting. It is recommended that the Planning Board request a landscaping plan which displays conifer and deciduous plantings. Special attention to the rural nature of the immediate area along with visual buffering along the adjacent street and golf course should be taken into consideration. In accordance with the Town Code the applicant shall comply with Section 208-40, Landscaping, of the Town Code. The ECC requests that the applicant provide building elevations that utilize the historic nature of the area into their design. The existing chain link fence should have vinyl slats installed to minimize visual impacts of the outdoor storage area from Main Street. The applicant should be aware of the proximity of the Cooley Kill to the proposed project site. Erosion and Sediment Control Measures should be incorporated into the plans to minimize the potential for negative impacts to the existing stream.

Mr. Scavo reported that Mr. Reese, Stormwater Technician, offered the following comments on this application. In future submissions, the consultant shall show as per the short EAF that stormwater will not discharge to adjacent properties and will not discharge into established conveyance systems. If a culvert under the entrance drive from Elnora Road will be required it should be indicated on the site plan. The Cooley Kill is conveyed under the site by storm pipe; the applicant is asked to clarify whether or not there are easements on the property for any future maintenance of the pipe.

Mr. Scavo provided comments prepared by the Planning Department. He stated his support for the ECC's recommendation for the addition of vinyl slats into the existing fencing to minimize visual impacts. Board members may wish to request that the applicant provide an elevation "looking north from Main Street" toward the proposed retail space. The type and color of building materials should be provided for the Board's consideration. The applicant is asked to clarify whether or not the wood frame barn crossing the western property boundary is still "present on the site."

Mr. Bianchi reported that, after review of the materials submitted for conceptual review, M J Engineering and Land Surveying, P.C. offered the following comments on this application. Based upon a review of the submitted materials, the project will disturb 0.80 +/- acres. In the event it is determined that the project is not subject to GP-0-15-002, at a minimum, a stormwater management study needs to be completed to ensure that the proposed project does not increase runoff from the site that may adversely impact adjacent properties or infrastructure. The project proposes to provide potable water to the building from the Clifton Park Water Authority (CPWA) via a new service lateral or reconnection of the existing service lateral. The applicant shall provide the town documentation indicating the CPWA's ability and willingness to provide potable water to the project. Any approvals offered by the Planning Board should be conditioned on receipt of CPWA's review and approval. The project proposes to provide sanitary sewer service to the building from the Saratoga County Sewer District No. 1 (SCSD). The applicant shall provide the town documentation indicating the SCSD's ability and willingness to provide additional sewer capacity to the project. Any approvals offered by the Planning Board should be conditioned on receipt of SCSD's review and approval. Based upon review of Part 617 of NYS Environmental Conservation Law, the project appears to be an "Unlisted" action. Assuming the Planning Board is to request Lead Agency status under SEQRA, the need to undergo a coordinated

review is optional. Under a coordinated review, involved/interested agencies to be engaged may include, but are not necessarily limited to the following: Saratoga County Sewer District: additional reserve sewer capacity; Clifton Park Water Authority: taking of additional potable water; Saratoga County Planning: 239m referral due to the parcel being within 500 feet of County Route 82 (Main Street). Additional involved/interested agencies may be defined as the project proceeds through the town's regulatory review. Under 3.b, the response indicates the total disturbance associated with the project will be under 1 acre. This figure will need to be verified based upon more detailed site plans. Under 8.a the response indicates that the proposed action will not result in substantial increase in traffic above present levels, at a minimum the applicant must provide an estimate of peak hour vehicle trips to assist the Planning Board in its review to determine if there will or will not be a significant increase above existing levels. The project resides within the Town's Neighborhood Business B-3 zoning district. Applying Section 208-32(A)(1) of the Town's Zoning Code to the project plan, the proposal for a retail space with warehousing appears to be a permitted use as long as it is clearly incidental to the approved use that already exists. M J Engineering and Land Surveying, P. C. defers to the town's Chief Zoning Officer on the subject of the proposed use(s) being permitted as-of-right. Review of the concept plan submitted appears to indicate that there are instances where the bulk lot requirements are not satisfying the minimum requirements set forth in Section 208-38 of the Town's Zoning Code. The potential lot deficiencies identified are as follows: Section 208-38(C) requires that no parking is allowed within 30 feet of the front building line. The plans show proposed parking within the stated front building line. Section 208-35(D)(1) requires that no building shall be placed closer to a side property line than 20 feet. There appears to be an existing building on the western edge of the property within the stated setback and encroaching onto the lot from the adjacent lot. Section 208-40 requires that the property margins at the sides from the front building line to the rear property line shall be planted with trees and shrubs for a width of not less than 10 feet. Subsequent plans need to illustrate how this provision is being satisfied. The proposed accessible parking space shown in front of the proposed retail should include one adjacent accessible aisle. Should the project propose any exterior dumpsters, their locations shall be shown on the plan for review. The plans show the approximate location of an existing on-site sewage disposal system. If this system is to be abandoned, it shall be noted as such with any connecting plumbing rerouted accordingly since the project is proposing a connection to the municipal sewer system. Should this septic system have an existing SPDES permit, appropriate procedures to abandon the septic system shall be noted and shall be in accordance with Subpart 750-2.11 of NYSDEC Regulations. There needs to be a determination if the proposed building construction and use will warrant automatic sprinklers as prescribed in the Building Code of New York State. This information is needed to determine whether or not an on-site hydrant is required to satisfy the requirements of Section 508.8 of the FCNYS. The applicant is asked to identify the proposed locations for the Knox Box and fire department connections on the site plans or provide notation that these will be reviewed and approved by the Town of Clifton Park as part of the building permit process. Elevations and materials of construction for the proposed building should be provided to the Planning Board for review. Subsequent submissions shall include information as outlined in Section 208-115 of the town zoning code specific to lighting, site grading, landscaping, erosion control and stormwater management to fully assess the design and its compliance with the applicable standards.

Mr. Hartnett, Chairman of the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee, recommended that the applicant provide a bike rack near the building's entranceway with its location, design, and installation details included on the site plan to provide for verification by inspectors during construction. The applicant should construct sidewalks along the entire frontage on Main Street and a connection from their front door to these sidewalks.

Mr. Dannible reported that no building elevations were available at this time. The applicant proposes the construction of a pre-fabricated steel building. A bicycle rack will be installed near the front entranceway. He commented that the construction of a sidewalk did not seem reasonable at this time.

Mr. Werner recommended that the applicant consider enhancement of the property's Main Street frontage with landscaping. Mr. Neubauer agreed, commenting that additional trees would replicate the ones located on the opposite side of the road. Although Mr. Ferraro commented that, in his opinion, a sidewalk was not necessary in this location, he noted that the parcel is "an entrance to Jonesville" and he encouraged "some type of enhancements." Mr. Koval agreed. Mr. Andarawis looked at this application as "an opportunity to clean up the site;" he, too, supported the installation of landscaping along the property's frontage. In response to his question regarding the type of materials to be used where the original building will be removed, Mr. Dannible reported that "some type of hard surface" will replace the building. Board members found the project proposal generally acceptable.

[2015-030] **Hilderley, Clifton T.** - Proposed demolition of an existing residence and construction of a (2) family residence, 283 Sugar Hill Road – Conceptual site plan review and review of Special Use Permit #81034. SBL: 276.19-1-17

Mr. Duane Rabideau, consultant for the applicant, presented this application for the Board's consideration. The project plan calls for the demolition of an existing dwelling and single-bay garage described to be in very poor condition and construction of a two-story "twin home." The property to be redeveloped is located within the CR (Conservation Residential) zoning district on the southeasterly quadrant of the intersection of Grooms and Sugar Hill Roads. The existing dug water well will be abandoned and the new home will be serviced the Clifton Park Water Authority. The new dwellings will be served by individual septic systems and accessed from Sugar Hill Road by separate driveways that have been approved by Mr. Kukuk, Highway Superintendent. While the existing garage is located only 3.5' from the adjoining property to the south, the new home will be approximately 29' from the southern residential property line. The proposed driveway turn-around and the south side of the new structure will be buffered with evergreen plantings from the adjoining property at 281 Sugar Hill Road. Front elevations of the proposed duplex unit have been provided by the applicant. Per Section 208-16D(3)[8] of the Town Code, the applicant requests approval to construct a two-family residence within the CR zoning district. Since the house was constructed circa 1875, Mr. Myers, Zoning Enforcement Officer, has requested that the application be reviewed by the Town of Clifton Park Historic Preservation Commission. Since the required setback from Grooms Road is 100' from the centerline of the roadway, a setback variance approved by the Zoning Board of Appeals will be required.

Mr. Scavo explained that the Planning Department is in receipt of correspondence dated June 10, 2015 from the Historic Preservation Commission. The letter explains that the property is listed on the Historic resources Survey of the Historic Preservation Commission and occupies a “prominent place in Grooms Corners.” Ms. Winter, Co-Chair of the Commission notes in the letter that the residence lies across from the nineteenth century tavern, blacksmith shop, and Mohawk Valley Grange which are all now owned by the town. Describing the existing residence as “a typical modest mid-nineteenth century village structure,” the author points out that the house is “a major contributor to a mid-nineteenth century ambiance within the small hamlet.” Although the Commission would prefer that the “building be given a renovation that would retain many of its present features,” it recommends that a Memorandum of Understanding be developed between the town and the new property owner that would allow the Historic Preservation Commission to comment on the design plan for the new structure and that members of the Commission be given 30 days to document the interior of the existing structure.

Mr. Scavo read comments issued by Mr. Myers, Director of Building and Development, in a memo dated June 4, 2015. Demolition of the existing structure will require an asbestos survey. The application has been referred to the Historic Preservation Commission for review and comment. Viable water and septic systems will be required prior to the issuance of a Building Permit.

Mr. Scavo reported that Ms. Reed, Chief of the Bureau of Fire Prevention, requested that the applicant provide the required postal verification information for the proposed dwellings.

Mr. Scavo reported that the ECC recommends that the Planning Board require the applicant to conduct soil testing for contaminants because the property has been abandoned for an extended period of time and the intended use may result in exposure of occupants or visitors to chemicals associated with potential health risks.

Mr. Scavo reported that the following comments were prepared by the Planning Department. He recommends that the applicant’s architect meet with representatives of the Historic Preservation Commission to discuss how the proposed building “can fit into the context of the surrounding historic setting.” The size, scale, and architectural features such as period lighting, post rail fencing, side porch, and shiplap siding proposed for the new structure should be compatible with those existing in the area. The applicant is encouraged to take the recommendations offered by Historic Preservation Commission members “into consideration to the greatest extent practicable” before the public hearing for the Special Use Permit is scheduled. Since the project site is situated within 500’ of County Route 91 (Grooms Road), the application must be forwarded to the Saratoga County Planning Board for review and comment. Mr. Scavo requests that the applicant complete the Agricultural Form since the development site is located within 500’ of the Saratoga County Agricultural District.

Mr. Hartnett, Chairman of the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee, recommended that the applicant provide a 15’ right-of-way for a future multi-use trail and/or utility realignment along their entire frontage on Grooms Road. The applicant should also verify that there is enough existing right-of-way to provide widened shoulders in the future along their entire frontage on Sugar Hill Road. Mr. Rabideau stated that

the applicant was not opposed to granting an easement for possible future trail development: such an easement will be noted on the preliminary plan.

Mr. Koval commented that the proposal seemed “like a good use” for the parcel noting that the property was “not part of any real neighborhood.” Mr. Andarawis reported that the Historic Preservation Commission will review the project plan at its meeting on June 25, 2015, commenting that even if the building is in poor condition, it is possible that some of its architectural elements could be “recycled.” Mr. Neubauer viewed the application as “an opportunity to recreate the hamlet feel” of Grooms Corners and he encouraged the applicant to, if possible, incorporate historically accurate details when designing the duplex, possibly moving the garages to the rear of the structure. In response to Mr. Ophardt’s question concerning a possible commercial use of the parcel, Mr. Rabideau explained that such a use was not considered due to the zoning district in which it lies. Board members found the application generally acceptable.

[2015-031] **Verizon Co-Location at Halfmoon Crossing** - Proposed co-location of antennae on an existing communications tower, 14 Crossing Boulevard – Conceptual site plan review. SBL: 272.-1-15.3

Mr. Ferraro introduced this application, explaining that since it was a request to co-locate on an existing telecommunications tower, no public hearing would be required.

Mr. Hyde Clark, the applicant’s legal representative, introduced Ms. Sara Colman, Site Acquisition Specialist, who was also in attendance at the meeting. He presented this application that calls for the co-location of communications equipment on an existing 145’ monopole communications facility located at 14 Crossing Boulevard. The speaker explained that the purpose of the Halfmoon Crossing communications facility is to expand and improve Verizon Wireless’ advanced 700 MHz 4th Generation Long Term Evolution (4GLTE) services generally south and southwest of I-87 Exit 9 in the Town of Clifton Park. The proposed facility is expected to improve coverage and network capacity in and around the Clifton Park Center Mall and Halfmoon Crossing shopping areas as well as several thoroughfares and community roads in the eastern portion of the town. The application consists of the following general components: the co-location of twelve (12) panel antennas on three (3) antenna frames and related equipment at a height of 125’; use of an existing prefabricated, locked and secure unmanned equipment shelter measuring 9’ x 16’ (144 SF) in size within the existing fenced compound area; use of an existing cable bridge connecting the antennas to Verizon Wireless’ unmanned equipment shelter and electronic telecommunications equipment; installation of a new emergency generator on a new 4’ x 8’ concrete pad; other appurtenances, fencing, utility services (power and telephone/fiber) necessary to the operation of the communications facility. No tower marking and/or lighting is proposed. Mr. Clark believes that the new equipment will have “minimal visible impacts” to adjoining properties.

Mr. Scavo reported that the Planning Department received the engineering report from Mr. William Johnson, the Town’s Designated Engineer for the review of telecommunications towers and co-locations. Although Mr. Johnson questioned the noise level associated with the air conditioning unit used within the equipment shelter, Board members were unconcerned, noting that there was minimal noise associated with the air conditioner and that the site was adjacent to the Northway.

Mr. Scavo explained that the project site lies within 500' of the Northway and, therefore, must be referred to the Saratoga County Planning Board for review and approval. He reported that that Board will meet to consider the application on July 23, 2015. Board members agreed that since the application qualifies as an "eligible facility request" under Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012, approval is assured.

Mr. Prescott moved, seconded by Mr. Werner, 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 carried.

Mr. Ophardt moved, seconded by Mr. Koval, to grant preliminary and final site plan approval to this application conditioned upon approval by the Saratoga County Planning Board and all items listed in the final comment letter prepared by the Planning Department. The motion was unanimously carried.

Discussion Items:

[2015-029] **Tabone Subdivision** – Discussion of possible (2) lot subdivision prior to Zoning Board of Appeals review, 1 Clute Circle. SBL: 288.-1-59.11

Mr. Rabideau, consultant for the applicant, explained that Robert and Philomena Tabone seek approval of a variance that would permit them subdivide their existing 65,125 SF lot into lots of 43,285 SF and 21,840 SF to provide for construction of a home for their son and fiancée who have suffered medical and financial setbacks in recent years. The property at One Clute Circle is situated within the CR (Conservation Residential) zoning district on the southeasterly quadrant of the intersection of Vischer Ferry Road and Clute Circle. The Tabones have resided at One Clute Circle since August 16, 1999. Referring to the recent Planning Board decision that denied applicant Caruso the right to subdivide a substandard parcel within the CR (Conservation Residential) zoning district, Mr. Rabideau called the applicants "victims of bad timing." He presented Board members with evidence that he hoped would allow them to view this application as a "separate scenario." Mr. Rabideau explained that the applicant is able to "physically place" the proposed home on a viable lot with no disturbance to wetlands or environmentally sensitive areas, provide verification that a conventional septic system may be installed, and design a home that would be compatible with others in the hamlet area. Mr. Rabideau emphasized the fact that the proposed lot reflects the size of others that surround it. The speaker explained that it would be possible to permanently protect a small open space area on a portion of the larger lot.

Mr. Scavo explained that the ECC recommends the CR Zoning requirements be upheld and other viable options be pursued since the proposed subdivision would create a substandard lot.

Mr. Scavo explained that if the structures were connected by a structural feature such as a breezeway the project could be treated as a Special Use Permit request for a two-family dwelling. Mr. Rabideau addressed this issue, explaining that connecting two buildings would result in "more of a visual impact" than separating them on individual lots.

Mr. Koval commented that he found “major differences” between this application and the Caruso application since this parcel was situated in a hamlet area surrounded by residences on smaller lots and because the applicant proposed the permanent protection of a more “public” open space area. Mr. Andarawis agreed that hamlet areas were not compatible with CR zoning but found it difficult to resolve the “density issue.” In response to Mr. Andarawis’ comment regarding the orientation of the proposed house, Mr. Rabideau explained that the house could be set parallel to the street. In response to Mr. Neubauer’s question regarding the handicapped accessibility features of the home, Mr. Rabideau explained that the home would be designed to provide for interior and exterior accessibility. Mr. Neubauer commented that, much like the discussion concerning the proposed dwellings along Sargar Hill Road, the applicant should keep in mind “the enhancement of the hamlet street face.” Mr. Ferraro observed that the location of this subdivision in such close proximity to the Vischer Ferry hamlet is much different than that of the Caruso proposal and he appreciated the fact that the proposed lot reflects the character of the neighborhood.

Mr. Scavo explained that applicants are not required to send out 500’ notifications for area variances but recommended that the applicant send them at the time of the Zoning Board of Appeals preview to make neighbors aware of the potential subdivision as soon as possible. Mr. Rabideau viewed this as a “fair recommendation.”

Mr. Ophardt moved, seconded by Mr. Neubauer, adjournment of the meeting at 10:45p.m. The motion was unanimously carried. The next meeting of the Planning Board will be held as scheduled on July 14, 2015.

Respectfully submitted,

Janis Dean, Secretary

NOTICE OF DECISION

Resolution #8 of 2015

Preliminary and Final Subdivision 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 June 23, 2015, there were:

Present: R. Ferraro, E. Andarawis, J. Koval, E. Ophardt, E. Prescott, T. Werner
A. Neubauer (alternate member)

Those absent were: K. Paulsen

Mr. Ophardt offered Resolution #8 of 2015, and Mr. Prescott seconded, and

Whereas, an application has been made to this Board by Fairchild Square, LLC for approval of a subdivision entitled Subdivision Plan – Fairchild Square II Site Plan and Subdivision VanPatten Drive and Ushers Road consisting of (5) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on June 23, 2015;

Whereas, the Planning Board was established as Lead Agency for this application, a Type I action, and a negative declaration was issued pursuant to SEQRA on June 23, 2015;

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 hearing for this application is waived and the subdivision plat entitled Subdivision Plan – Fairchild Square II Site Plan and Subdivision VanPatten Drive and Ushers Road is granted preliminary and final approval conditioned upon satisfaction of all items listed in the final comment letter issued by the Planning Department.

Resolution #8 of 2015 passed 6/23/2015

Ayes: Ophardt, Andarawis, Neubauer, Prescott, Werner, Koval, Ferraro

Noes: None

Rocco Ferraro, Chairman

NOTICE OF DECISION

Resolution #9 of 2015

Preliminary and Final Subdivision 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 June 23, 2015, there were:

Present: R. Ferraro, E. Andarawis, J. Koval, E. Ophardt, E. Prescott, T. Werner
A. Neubauer (alternate member)
Absent: K. Paulsen

Mr. Neubauer offered Resolution #9 of 2015, and Mr. Ophardt seconded, and

Whereas, an application has been made to this Board by Clifton Park Hotel Partners, LLC for approval of a subdivision entitled Subdivision of the Lands of Massaroni Enterprises Trust consisting of (2) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on June 23, 2015;

Whereas, the Planning Board was established as Lead Agency for this application, an unlisted action, and a negative declaration was issued pursuant to SEQRA on June 23, 2015;

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 hearing for this application is waived and that subdivision plat entitled Subdivision of the Lands of Massaroni Enterprises Trust is granted preliminary and final approval conditioned upon satisfaction of all items listed in the final comment letter prepared by the Planning Department.

Resolution #9 of 2015 passed 6/23/2015

Ayes: Ophardt, Andarawis, Neubauer, Prescott, Werner, Koval, Ferraro

Noes: None

Rocco Ferraro, Chairman