

Town of Clifton Park Planning Board
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PLANNING BOARD

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MEMBERS
Emad Andarawis
Joel Koval
Eric Ophardt
Kim Paulsen
Eric Prescott
Tom Werner
(alternate) Andy Neubauer

Planning Board Meeting
October 14, 2015

Those present at the October 14, 2015 Planning Board meeting were:

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

Those absent were: K. Paulsen, E. Prescott, T. Werner

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 the absence of Ms. Paulsen, Mr. Prescott, and Mr. Werner.

Minutes Approval:

Mr. Koval moved, seconded by Mr. Ophardt, approval of the minutes of September 22, 2015 as written. The motion was unanimously carried.

Public Hearings:

[2013-024] **Lapp Road (Lands of Jerry Zheng)** – Proposed (4) lot subdivision, 246 Lapp Road – Special Use Permit #81011 to permit two (2), two-family dwellings in an R1 zone pursuant

to Section 208-10B(9)(a)[7] of the Town Zoning Code and site plan review and preliminary subdivision review – Preliminary public hearing and possible determination. SBL: 278.-1-31

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 the application that involved not only consideration of Special Use Permit #81011 to permit two (2), two-family dwellings in an R1 zone pursuant to Section 208-10B(9)(a)[7] of the Town Zoning Code and associated site plan review but also subdivision review. 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 all environmental issues are satisfactorily addressed.

Mr. Andarawis 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 7:05p.m. The Secretary read the public notice as published in the Daily Gazette on October 5, 2015.

Mr. Gil VanGuilder, consultant for the applicant, presented this application that was last reviewed by the Planning Board at its March 10, 2015 meeting. He explained that the 5.17 acre parcel to be subdivided lies within the R1 zoning district on the westerly side of Lapp Road approximately 200' north of its intersection with Maurice Lane. The existing single family residence will remain on a 1.66 acre parcel identified by postal address 246 Lapp Road. Lots identified as 248 and 250 Lapp Road will be duplex lots and 252 Lapp Road, the smallest lot of 22,563 SF will contain a single-family home. Lots #246, 248, and 250 Lapp Road will be accessed via a combined drive. The Zoning Board of Appeals approved lot width variances for the proposed lots at its February 3, 2015 meeting. All lots will be serviced by public water and sewer. Approval of Special Use Permit #81011 will be required for the two (2) proposed duplex units. Lot #250 is considered a keyhole lot since the proposed two-family dwelling will be situated behind the proposed single-family residence. Approval of the lot configuration by the Planning Board is required. As requested by the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee, the plan includes a ±25' wide easement from the edge of pavement for the installation of a future multi-use pathway and/or utility installation. Applicable standard notes have been added to the plan. Mr. VanGuilder explained that although delineated ACOE wetlands have been identified in several areas of the parcel, there will be no disturbance of those areas: less than one acre of disturbance is proposed for utilities, driveways, and residences.

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 for all projects to be reviewed at this evening's meeting have been forwarded to Board members for their consideration.

Mr. Scavo read comments submitted by Mr. Myers, Director of Building and Development, in a memo dated September 23, 2015. Mr. Myers reported that all requested variances were approved by the Zoning Board of Appeals with the condition that the combined driveway proposed to serve Lots #246, 248, and 250 is constructed as proposed and built to meet New York State Fire Code standards.

Mr. Scavo reported that the ECC provided the following comments regarding this application. The ECC notes that proposed homes Lots #248 & 250 are within 40' of the existing wetlands. It appears that there is room to relocate the foundations further away from these wetlands. The ECC requests that the applicant provide more detailed contour maps to complete the grading plan provided. It appears that the grading of the driveway for Lot #248 is incomplete and if completed would intrude into the federal wetlands. The building foundation needs to be above the water table. If the water table is higher than anticipated, the grading footprint will be larger and may impact the adjacent wetlands. The applicant will need to apply for a Federal Wetlands Permit for disturbances of more than 1/10 acre in total for the project. The Town of Clifton Park should be provided with copies of all related correspondence.

Mr. Scavo reported that Mr. Reese, Stormwater Management Technician, provided the following comments regarding this application. The applicant is asked to review the grading by the proposed duplex driveway approach on Lot #248 since it appears that there be fill over the 200 and 198 contour in the driveway where the proposed 202 elevation ties into the existing grade. The applicant is also asked to clarify whether or not fill for the driveway will encroach into the wetlands. As designed, the proposed duplex location for Lot #250 provides only a 10' wide side yard. It is recommended that the duplex be moved to increase the distance to the wetlands. Erosion and Sediment Control Plans must address all items per the NYSDEC SPDES GP-0-15-002 Part III B1 a.-l.

Mr. Scavo provided comments prepared by the Planning Department. The applicant is asked to provide details regarding the silt fencing on the subdivision plan. The following note must be added to the plan:

The proposed private driveway will not be dedicated to the Town of Clifton Park now or in the future, also any future maintenance or capital investment requirements of the driveway are the sole responsibility of the private land owners.

It appears the proposed driveway at Lot #252 will require installation of a culvert along an existing drainage ditch line that appears to be within the town's right-of-way. The common driveway proposed for Lots #246, 248, and 250 may also require such a culvert pipe. The minimum culvert size under each driveway shall be a minimum of 12" in diameter and sized for a 10 year storm event. The project proposes a shared driveway. The applicant should furnish the Planning Board counsel with a draft driveway maintenance agreement. Should the subdivision be approved, it is suggested that the applicant furnish the Town proof of filing of the easement and agreement with the County Clerk's office prior to issuance of a Building Permit for either lot.

A note must be added to the plan which states:

Prior to work commencing within the public right-of-way, the property owner shall obtain a curb-cut permit from the Town of Clifton Park Highway Department.

In a response memo provided by the applicant it appears that the eight previous comments offered at the March 6, 2015 Planning Board Meeting have been satisfied.

Mr. Bianchi explained that, after review of the revised site plan presented for review, M J Engineering and Land Surveying, P.C. offered the following comments on this application. The project proposes one shared driveway for Lots #246, 248, and 250. If this arrangement is considered acceptable by the Planning Board, draft maintenance agreements should be prepared and reviewed by the Board's legal counsel as to form and content to ensure long-term maintenance obligations are defined. The proposed culvert size along the drive on Lot #250 must be specified on the plans. The grading plan as prepared needs to be advanced as it appears that the full extent of proposed site disturbances may be not reflected. Specific attention to the following is required: establishment of finished floor elevations of the new homes, considering depth of groundwater; appropriate grading of drives over their entire length; providing adequate vertical cover for the road culvert on Lot #250. Upon revising the grading plan, an updated sediment and erosion control plan needs to be developed inclusive of lot, driveway, and utility construction. The applicant is asked to confirm whether an additional culvert is required at the new driveway as it connects to Lapp Road to maintain roadside drainage. Lot #246 containing the existing home will now be provided with public sewer: a notation must be added to the plan indicating that the existing septic system shall be abandoned in accordance with NYSDOH regulations and shall, at a minimum, require the pumping of the septic tank, appropriate disposal of fluids/solids and in-filling the tank with acceptable fill material. A note must be added to the plat indicating any work within the Lapp Road right-of-way will require permitting from the Town of Clifton Park Highway Department prior to construction.

There being no public comment regarding this application, Mr. Ferraro moved, seconded by Mr. Koval, to close the public hearing at 7:22p.m. The motion was unanimously carried.

Mr. Koval commented that although the applicant has submitted a number of subdivision plans for consideration since the initial application was presented in 2013, the current proposal appears to be the most acceptable. In response to Mr. Ophardt's question regarding the need for installation of a culvert along the Lapp Road right-of-way, Mr. VanGuilder explained that an existing culvert will remain and an additional one added near the northerly property boundary at the curb cut for Lot #250. Mr. Ophardt questioned the adequacy of sight distances at the proposed driveways noting that drivers often exceeded the posted 40mph speed limit on the roadway. Mr. VanGuilder explained that sight distances exceeded recommended standards and that, although he would consider clearing some vegetation to increase visibility, he viewed the problem as one of traffic enforcement. Mr. Ferraro asked that reference to the shared driveway agreement be made on the subdivision plat and that all executed agreements contain information regarding construction and maintenance of the combined access. He expressed his concern with the proximity of the proposed home on Lot #250 to delineated wetlands and asked that "staggered split-rail fencing" be installed to define wetland boundaries. Mr. VanGuilder agreed to adjust the house location and provide the requested fencing, explaining that the proposed duplex on Lot #250 would be built "slab-on-grade" due to the high groundwater levels on the parcel.

Mr. Koval offered Resolution #15 of 2015, seconded by Mr. Andarawis, to waive the final hearing and to grant preliminary and final subdivision approval to this application conditioned upon the execution of combined driveway agreements that clearly spell out construction and maintenance responsibilities for potential owners, the reorientation of the proposed duplex on Lot

#250 to increase separation between the building and the delineated wetlands, the installation of “staggered split-rail fencing” on that lot to identify the wetland boundary, and all items listed in the final comment letter issued by the Planning Department. Ayes: Ophardt, Andarawis, Neubauer, Koval, Ferraro. Noes: None.

Mr. Ophardt offered Resolution #16 of 2015, seconded by Mr. Neubauer, to grant approval of Special Use Permit #81011 to permit two (2), two-family dwellings in an R1 zone pursuant to Section 208-10B(9)(a)[7] of the Town Zoning Code. Ayes: Ophardt, Andarawis, Neubauer, Koval, Ferraro. Noes: None.

Mr. Andarawis moved, seconded by Mr. Ophardt, to grant preliminary and final site plan approval to this application conditioned upon satisfaction of all items listed in the final comment letter issued by the Planning Department. The motion was unanimously carried.

Old Business:

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

Mr. Ferraro introduced this agenda item explaining that a SEQRA determination was rendered and preliminary approval of Special Use Permit #81034 at the September 9, 2015 Planning Board meeting.

Mr. Ryan Boni, applicant, presented this application that was last reviewed by the Planning Board at its September 9, 2015 meeting at which time the Board granted preliminary approval to Special Use Permit #81034. Final approval of the Special Use Permit and site plan approval were deferred until the applicant received a sign-off on building design plans from the Historic Preservation Commission. The speaker explained that the required approval was granted by the Commission on September 22, 2015.

Mr. Scavo explained that Mr. Myers, Director of Building and Development, commented that the Historic Preservation Commission appear satisfied with the residential design plan.

Mr. Scavo explained that the ECC provided the following comment on this application. Since the place was historically used as a blacksmith shop, 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 read comments prepared by the Planning Department. He reported receipt of an e-mail from Ms. Winters, Co-Chair of the Town’s Historic Preservation Commission which states that Commission members met with contractor Ryan Boni on September 22, 2015 and found the revised building plans acceptable. The Commission recommended that the Planning Board approve the application.

Mr. Andarawis, the Planning Board liaison to the Town's Historic Preservation Commission, expressed his thanks to the applicant for working with the committee to design a two-family dwelling that would reflect the character of the historic Grooms Corners area and was confident that the applicant would adequately address any future concerns identified by Commission members. Mr. Ophardt also stated his appreciation for the applicant's willingness to work with the Commission and Planning Board to design a residence that was "in keeping with the character of the neighborhood." Mr. Ferraro, referencing the ECC's concern regarding possible site contamination, asked if the Planning Board should require soil testing. Mr. Bianchi pointed out that such a testing requirement was usually beyond the purview of the Board and would likely be requested if there was an issue with title insurance for the property. Mr. Koval noted that a Phase I environmental audit of the property would quite quickly determine if there were residually hazardous materials to be found on the property should a concern arise. In response to Mr. Ferraro's question regarding the accommodation for possible future trail connections along both Grooms and Sugar Hill Roads, Mr. Scavo stated that he would be certain that the issue was addressed on the final plat.

Mr. Andarawis offered Resolution #17 of 2015, seconded by Mr. Neubauer, to grant final approval of Special Use Permit #81034 to permit construction of a two-family residence within the CR (Conservation Residential) zoning district pursuant to Section 208-16D(3)[8] of the Town Zoning Code conditioned upon assurance that accommodation has been made for installation of a future trail and/or highway improvements along both Grooms and Sugar Hill Roads, and that the applicant receives a final sign-off on building design plans from the Historic Preservation Commission. Ayes: Ophardt, Andarawis, Neubauer, Koval, Ferraro. Noes: None.

The Board then considered site plan approval.

Mr. Ophardt moved, seconded by Mr. Andarawis, to approve the site plan as presented conditioned upon satisfaction of all comments listed in the final comment letter prepared by the Planning Department. The motion was unanimously carried.

[2015-013] **Sunoco – Clifton Park** – Proposed demolition and reconstruction of an existing service station, fuel tanks, and convenience store, 1545 Crescent Road – Preliminary site plan review and possible determination. SBL: 284.-1-26

Ms. Jennifer Knarich, legal representative for the applicant, introduced Mr. Joseph Staigar, design consultant, who was also in attendance at the meeting. She then presented this application that was last reviewed by the Board at its August 11, 2015 meeting. She explained that a number of revisions have been made to the project plan in response to comments issued at that time. Plans for ingress and egress to the site have been changed. The plan now shows one full movement access on Lapp Road and one full movement access on Crescent Road. The Lapp Road access closest to the intersection on Crescent Road will be closed. The driveway closest to the intersection on Crescent Road is proposed to be restricted to right-in/right-out only as defined by a raised channelized island and controlled by directional signage. At its June 16, 2015 meeting, the Zoning Board of Appeals approved certain area, parking, and sign variances as well as a variance that permitted "more than one entrance and one exit per establishment." The speaker explained that the closure of the Lapp Road curb cut allows greenspace on the site to be increased. Though the

greenspace requirement for the zoning district is 35%, the existing greenspace is 21.4%: after the renovation the greenspace will total 21.6% of the site. The company will work with Saratoga County to design an appropriate landscaping plan, incorporating low-lying shrubbery in an aesthetically pleasing design. The proposed site configuration with the convenience store located behind the fueling islands remains as originally presented. Ms. Knarich described this layout as “the most optimal since it provides the least conflict with convenience store customers, is consistent with public expectation, and allows for safe traffic maneuvers through the site.” She reported that Sunoco’s design consultant has worked with the town’s stormwater professionals to achieve an acceptable management plan. A Traffic Impact Statement prepared by Dynamic Engineering dated June 4, 2015 concluded that the project will “not have any detrimental impact on traffic operations of the surrounding roadway network.” It is anticipated that most of the increased traffic that might be attracted to the expanded mart will be comprised of existing gas-only customers of the service station or pass-by trips drawn to the site from the existing passing stream of traffic on Lapp and Crescent Roads. It is expected that the site and surrounding roadway system will operate more efficiently and with safer traffic conditions due to the closure of the curb cut onto Lapp Road and the turning restrictions at the existing site driveway onto Crescent Road.

Mr. Scavo reported that Mr. Myers, Director of Building and Development, commented on this application in a memo dated September 23, 2015. All property and sign variances have been approved with modifications by the Zoning Board of Appeals. The proposed site changes appear to further reduce the variances previously granted: no additional zoning action is required.

Mr. Scavo explained that the ECC provided the following comments regarding this application after review at its October 6, 2015 meeting. The applicant has expanded the green space on the southwesterly corner of the parcel: it is recommended that the applicant provide additional plantings in this area. The applicant should consider supplementing the proposed white pines with a hardier species. The ECC is concerned with the overall size and the illumination impact of the proposed signage for this project site and the potential impact on the surrounding area.

Mr. Scavo read the comments issued by Mr. Reese, Stormwater Management Technician, in a memo dated October 9, 2015. Even though the project disturbs less than one acre and decreases the impervious area by 0.1%, the applicant should install protective measures from gasoline and other possible runoff contaminants entering the existing stormwater conveyance system on Crescent Road that directly empties into wetlands. The fueling station must have a spill cleanup plan and all employees should be trained on proper spill response procedures. Mr. Reese recommends the use of filter sock used instead of hay bales if pavement remains, otherwise, the use of silt fence in soil excavated areas is preferred. Existing pavement is not ideal for a stabilized construction entrance to remove the sediments from the construction vehicles: other solutions may need to be considered if tracking occurs out onto the public roadways. Mr. Reese notes that a stabilized construction entrance using stone is shown on drawing number 13. The expanded grass island in the southwest corner could be used to treat water quality for some of the runoff from this gas station.

Mr. Scavo offered comments prepared by the Planning Department. The applicant has eliminated the southernmost curb-cut located on Lapp Road to address a Planning Board

recommendation. This improvement along with a new limited right-in/right-out curb cut onto Crescent Road provide for better corridor access management than the pre-existing conditions of four full access curb cuts that have been granted variances which, by law, carry with the land. Ultimately the redevelopment of the site as proposed will improve operational safety within the corridor from the existing conditions. The applicant is asked to update the R1-1 Stop Sign Detail on Sheet 13 with the addition of the following note: "Diamond Grade Reflective Sheeting." It appears that the applicant has adequately addressed all other previous comments. Mr. Scavo pointed out that a recent right-of-way taking from the property's Crescent Road frontage to permit the installation of the multi-use pathway reduced the amount of green area on the site.

Mr. Bianchi reported that M J Engineering, P.C. reviewed the project plans for the above-referenced application and offered the following comments and recommendations. As noted in Comment 7 of the August 7, 2015 review letter, the site plans show an encroachment of what appears to be an enclosure from the adjacent parcel to the east: this encroachment shall be addressed. As noted in Comment 8 of the August 7, 2015 letter, plans must confirm whether or not the propane storage area on the front of the building requires appropriate vehicle impact protection. If such items are required they shall comply with the Fire Code of New York State. As noted in Comment 9 of the August 7, 2015 letter, the applicant is asked to provide the minimum pipe slope for the proposed sanitary sewer lateral. As noted in Comment 10 of the August 7, 2015 review, the materials of construction for the proposed water service lateral must be labeled appropriately. As noted in Comment 11 of the August 7, 2015 letter, the applicant is asked to provide a water shut off on the proposed water service lateral unless directed otherwise by the Clifton Park Water Authority. As noted in Comment 12 of the August 7, 2015 letter, the applicant is asked to indicate on the plans how roof drainage is being handled/directed. As noted in Comment 13 of the August 7, 2015 letter, the time frames for planting on Sheet 7, Planting Note 18, must be adjusted to reflect the climate conditions of Albany, NY. As noted in Comment 15 of the August 7, 2015 review, the plans must provide alternate means than hay bales to prevent the transport of sediment as this practice is discouraged by the NYSDEC. There should be consideration given to providing some level of landscaping at the intersection of Lapp Road and Crescent Road. The species may be low lying so not to obstruct sight distances. With the construction of the Town's Crescent Road Trail about to commence, the applicant shall coordinate the termination of work planned with this project with work being completed by the Town's contractor. Prior to site construction, it is suggested that a coordination meeting be held between the applicant's contractor and Town to agree on extent of responsibilities.

Mr. Dan Hartnett, Chairman of the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee, explained that the Subcommittee provided a number of comments and recommendations regarding this project plan. After review of the revised plan, the Trails Subcommittee repeated several of the comments issued for the March 24, 2015 and August 11, 2015 Planning Board meetings as well as additional comments based upon the revised plan. At the public hearings for the Crescent Road Multi-Use Trail, representatives of the Town of Clifton Park stated that any future redevelopment to occur at the Sunoco Station would include the closure of the entrance on Crescent Road closest to the Lapp Road intersection to increase the safety of trails users. The Trails Subcommittee requests that the Planning Board enforce this promise made by the town to residents and require the applicant to close this entrance. If this entrance must to stay, the applicant should employ a design similar to those used in the roundabout designs to

accommodate tanker trucks. This would eliminate people cutting over to this first entrance from Crescent Estates South, increase pedestrian safety, and improve flow throughout the site. The current proposal with a mountable median does not seem effective enough to block left hand turns. The applicant should be required to include a bike rack as part of this proposal and include design and installation details for verification by inspectors during construction. The applicant should be required to provide a direct pedestrian access from the front door to the Crescent Road Multi-Use Trail being constructed across their entire frontage on Crescent Road this year, 2015. The applicant should be required to plant shade trees across the front of their property to increase their green space and help with the stated goal of increasing trees along the Crescent Road Multi-Use Path via future redevelopment of commercial parcels along Crescent Road in the future as stated by the Town of Clifton Park at the public hearings on the Crescent Road Multi-Use Trail. The Trails Subcommittee requests that the applicant provide a 15' right-of-way along their entire frontage on Lapp Road and label it as a future multi-use trail and/or utility realignment right-of-way or the proposed Lapp Road Multi-Use Trail. The Trails Subcommittee requests that the Planning Board look at the reasonableness of having the applicant construct a multi-use trail from the intersection of Crescent Road and Lapp Road up to their property line or the entrance to Ace Hardware to increase pedestrian access to the edge of the commercial zone at Exit 8 and include shade trees along this frontage. The Trails Subcommittee recommends the Planning Board and the applicant look at providing a sidewalk link to the adjoining former Stewart's Shop to allow pedestrians to access both retail establishments. All proposed crosswalks should be constructed out of concrete to increase pedestrian safety and decrease maintenance. All crosswalks across their entrance driveways should be constructed out of concrete. The Trails Subcommittee recommends the Planning Board consider requesting a design plan which has the pumps behind the store to increase pedestrian safety accessing the store, require only one entrance on both Crescent and Lapp Roads, and allow for more vegetation and trees on the site. In terms of landscaping the Committee asks the Planning Board to look at surrounding gas stations such as the Mobil at the corner of Route 9 and Sitterly Road in Halfmoon and Stewart's at the corner of Grooms and Vischer Ferry Road which both feature trees and other more extensive landscaping than the proposed lawn at this location. This is a highly visible corner in town and will have significant pedestrian traffic. Mr. Hartnett pointed out that additional shade trees and more robust landscaping will provide improved aesthetics in this corridor and help shelter pedestrians as they move between the residential neighborhoods and the many businesses within this zone.

Mr. Carl Springel, owner of the property directly north of the Sunoco parcel which contains an existing ACE Hardware store, asked that a sidewalk link be installed between the two properties. The speaker commented that the proposed rectangular building and dumpster location on Sunoco's property would likely result in a reduction in visibility of the ACE Hardware store and he asked that the dumpster be relocated to the easterly side of the convenience store. After some discussion concerning the most reasonable placement of the dumpster and sight lines along Crescent Road, it was agreed that the location for the proposed dumpster was acceptable. The westerly portion of the proposed tree line behind the proposed convenience store would be planted with a lower hedge-type material to increase visibility. Mr. Staigar and Ms. Knarich agreed to extend the sidewalk surrounding the building at its westerly side to the ACE site.

In response to Mr. Ferraro's request for additional visual enhancements to the site, the consultants agreed to install 32" – 36" high extruded aluminum fencing - similar to the one

installed at the new Stewart's Shop location – along the Crescent Road frontage. Mr. Neubauer commented that, as recommended by the Trails Subcommittee, trees along the sidewalk seemed appropriate. Mr. Staigar pointed out that since the “underclearance” of the sign near the intersection was 7', installation of street trees would not be viable: he was amenable to providing low-lying shrubbery such as junipers, evergreens, and flowering plants in that the area. In response to Mr. Neubauer's question regarding the apparent closure of the facility, the company representative explained that Sunoco was in the process of changing operators and renewing licenses. It is expected that the business will be reopened in the near future and remain opened until redevelopment is undertaken in the spring. Mr. Ophardt questioned whether or not the trail section would “cut through” the channelized island: consultants stated that this would be the plan. In response to Mr. Ophardt's concerns regarding the containment and/or treatment of contaminants that may be included in run-off from the site, Mr. Bianchi explained that the applicant has met required standards for treatment and Sunoco representatives assured the Board that grooved detailing near the pumps and the use of dry absorption materials for larger spills will help reduce contamination of areas beyond site boundaries. Mr. Ophardt asked that perpendicular striping replace the proposed diagonal striping at the proposed crosswalks. Mr. Ferraro commented that he found some of the design sheets within the plan set difficult to read and asked that all elements of the plan be clearly defined in the final site plan set submitted for stamping. Stating his preference for a “third dimension,” he asked that enhanced landscaping be provided, particularly along Crescent Road, that a bike rack be installed near the store's entranceway, that the sidewalk connection to the ACE parcel be shown on the plan, that the tree species be replaced with hardier varieties in accordance with ECC recommendations, and that affirmation be provided that there is sufficient right-of-way width for trail development along the Lapp Road frontage. Though Mr. Hartnett requested the construction of a pedestrian connection from the store's entranceway to the Crescent Road trail, Board members did not find this warranted. Mr. Ferraro commented that “for consistency purposes” the applicant will be responsible for construction of the trail link along Crescent Road. Though Mr. Neubauer remarked that “it is not super critical” that the trail link along Lapp Road be constructed since it would reduce the available green space, he stated that he supported interconnections between businesses for those “arriving by car.” Mr. Ophardt and Mr. Koval concurred that an easement providing for a future east-west pedestrian connection between the Sunoco station and the currently vacant property to the east should be provided on the project plan. Though Mr. Springel again asked that the dumpster be relocated, Board members agreed that such relocation was not reasonable.

Mr. Ferraro moved, seconded by Mr. Koval, to establish the Planning Board as Lead Agency for this application, an unlisted action, and to issue a negative declaration pursuant to SERA. The motion was unanimously carried.

Mr. Ophardt moved, seconded by Mr. Andarawis, to grant preliminary and final site plan approval to this application conditioned upon enhanced landscaping including the installation of extruded aluminum fencing along the Crescent Road Trail, installation of a bike rack near the store's entranceway, extension of the sidewalk surrounding the proposed convenience store to the ACE parcel, replacement of the tree species proposed for planting along the rear property line with hardier varieties, affirmation that there is sufficient right-of-way width for trail development along the Lapp Road frontage, establishment of a “floating” east-west easement between the Sunoco parcel and the property situated immediately east of the site, and satisfaction of all items listed in

the final comment letter prepared by the Planning Department. The motion was unanimously carried.

[2015-034] **LaQuinta Inn and Suites** – Proposed 4-story, 104 room hotel, 1747 Route 9 – Preliminary site plan review and possible determination. SBL: 272.1-2-7.2 and 272.1-2-8.1

Mr. Scott Lansing, consultant for the applicant, presented this application that was last reviewed by the Planning Board at its September 22, 2015 meeting at which time the Planning Board approved the subdivision plat that permitted consideration of this site plan application. He noted that all comments issued by the town's professional staff members, the town's designated engineer, and Planning Board members have been addressed.

Mr. Scavo reported that Mr. Myers, Director of Building and Development, provided two comments regarding this application. A full Stormwater Pollution Prevention Plan must be submitted for review. The Planning Board should address access to Lot #3 since most of the acreage on Lot #3 lies within the Town of Halfmoon.

Mr. Scavo offered comment prepared by the Planning Department. He explained that the Department was in receipt of correspondence from Mr. Austin, Clifton Park Water Authority Administrator, which explains that the proposed hotel should use the existing stub for connection to the existing water main. He notes that if, for some reason this is not desirable, the stub tee should be removed along with all infrastructure from that point to the end of the water main and replaced with a valve and water main to a dead end hydrant at the end of the proposed main. Mr. Austin noted that an easement will be required over any new water main installed outside of the current easement area. This new easement area should be depicted on the plans. All other previous comments issued by the Planning Department have been satisfactorily addressed.

Mr. Scavo read the recommendations provided by the ECC at its October 6, 2015 meeting. The ECC notes that the retaining wall is 20 feet in height in some places. The applicant should show an engineering evaluation of the proposed retaining walls and slopes to assure the stability. The applicant shall indicate the impact of lighting in lumens. A comprehensive photometric plan should be provided so that potential impacts of the lighting on adjacent properties can be analyzed. The landscape plantings shall extend above the retaining wall to provide stabilization and a visual buffer. Due to the probability of food and liquid wastes leaking from the on-site dumpster(s) into a stormwater catch basin and/or surface water body, the ECC recommends that the applicant enclose the area (i.e. roof) on an impervious surface with a berm surrounding the dumpster(s) that accept food and liquid wastes. If necessary, the applicant will need to periodically pump out the accumulated wastes within the bermed area to avoid any overflow.

Mr. Scavo explained that Mr. Reese, Stormwater Management Technician, offered a number of comments on this application. The ownership of the Notice of Intent for the NYSDEC General Permit should be established to consider this project a Larger Common Plan of Development for the current development on Lot #1, the proposed development on Lot #2 and the future development on Lot #3. The project is proposing underground infiltration chambers that will keep the post-development runoff rates below pre-development runoff rates. The applicant shall submit an Operations and Maintenance Manual that specifically addresses the operation and

maintenance for the underground infiltration system. Plans should indicate it there will be an isolator row to trap sediments and debris prior to the infiltration chambers. The applicant proposes retaining walls around the perimeter of the project. Stormwater management plans should address how runoff from the upper slope which drains to the lower areas will be handled. Mr. Reese notes that the stone bottom of the infiltrators is 7 feet below grade: the percolation tests were done at 4 feet deep.

Mr. Bianchi explained that after review of the information provided by the applicant, M J Engineering and Land Surveying, P.C. issued the following comments. As noted in Comment 5 of the September 4, 2015 review letter, the placement of the E-one grinder pump within a parking stall was questioned. The detail and model provided for the proposed E-one grinder pump makes no indication that the unit is H-20 load rated for placement in an area that could be occupied by a vehicle nor is there any protection of the unit from vehicle impact. Infiltration test 3 completed within the area of the infiltration basin indicates a stabilized percolation rate of around 1 minute per inch at a depth of 4 feet. The supporting calculations in Appendix D for green infrastructure and RRv assumes a rate of 50 inches per hour. The applicant must confirm whether the in-situ data and design assumptions are accurately portraying the function of the infiltration at the depth proposed. The Illumination Plan does not provide any footcandle bars or light level readings at the pavement surface for review. The applicant has indicated this information will be provided for review once the plan is completed.

Mr. Dan Hartnett, Chairman of the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee, thanked the applicant for addressing a number of previously-issued comments. It was reported that the applicant did reach out to NYSDOT to see if our recommendations for a pedestrian activated signal was a possibility. An e-mail from Ms. Lorinda Tennyson, P.E., Traffic, Safety, and Mobility representative for NYSDOT – Region 1 states that “given the five lane cross section of Route 9, the design speed and character of the surrounding roadway, the Department is concerned that a pedestrian signal and crosswalk across Route 9 at this location is not in the best interest of the safety of both pedestrians and the vehicular traffic.” The Committee issued the following comments regarding the current site plan. The applicant should be required to construct a direct connection from the approved building on Lot A to the proposed sidewalks across their entire frontage on Route 9. The applicant should be required to provide a bike rack near the front entrance to the hotel and include its location, design specs and installation details for verification by inspectors. The applicant should be required to install sidewalks in the gap that is currently shown between the east side and the front of the building, so guests using the sidewalks to access a door are not forced to walk in the driving lanes of the parking lot.

Mr. Lansing stated that the bike rack will be added to the site plan as requested. With the exception of a small area within the proposed courtyard an uninterrupted sidewalk will surround the building, and a sidewalk from the proposed building on Lot A will be considered when that lot is slated for development.

Mr. Ophardt requested that the design details be revised to show perpendicular striping at the proposed crosswalks rather than diagonal striping. Although Mr. Ophardt labeled tactile warnings at crosswalks “desirable,” Mr. Bianchi explained that they are not required for

commercial sites. Mr. Ferraro thanked the applicant for his willingness to work with the Planning Board to create an aesthetically pleasing site. In response to his question regarding an easement agreement with the adjoining property owner to the south for site grading, Mr. Lansing explained that the easement was already in place.

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

[2015-019] **Clifton Park Plaza Redevelopment** - Proposed demolition and redevelopment of the existing shopping plaza and adjacent restaurant parcel to include construction of a 54,286 SF grocery store, 11,115 SF retail/pharmacy, and 10,000 SF retail and bank with drive-thru, 1018-1028 Route 146 – Preliminary site plan review and possible determination. SBL: 271.-1-7.1;7.2

Mr. Ferraro introduced this agenda item, explaining that the Planning Board reviewed the stormwater management plans proposed for the project at the September 22, 2015 meeting. This evening's comprehensive review of the project will include all documents included in the preliminary application.

Mr. John Wright, legal representative for the applicant, Mr. Gregg Ursprung, engineering consultant, Mr. Steve Powers, representative of Nigro Companies, and Ms. Wendy Holzberger, Traffic Engineer, were all present at the meeting.

Mr. Wright explained that project plan remains generally as presented at the September 22, 2015 meeting, noting that the applicant has provided written responses to comments issued by the Planning Board, ECC, Trails Subcommittee, Planning Department, and M J Engineering and Land Surveying, P.C. Site plans have been modified to include finished floor elevations. Approval letters have been received from NYSDOT, the Saratoga County Department of Public Works, and the New York State Department of Parks, Recreation, and Historic Preservation.

Mr. Wright introduced Mr. Gregg Ursprung, design consultant for the applicant, who reported that, as recommended, soil testing is currently underway to determine how best to meet current stormwater regulations. Pointing out that the present shopping center “doesn't aesthetically fit with modern trends,” he encouraged the Board to “view the redevelopment” positively and approve the site plan.

Mr. Scavo reported that Mr. Myers, Director of Building and Development, offered the following comments on this application. All required variances were granted by the Zoning Board of Appeals at its July 21, 2015 meeting. The approval was re-affirmed at the September 15, 2015 meeting. A full Stormwater Pollution Prevention Plan is required.

Mr. Scavo reported that the ECC provided the following comments regarding this application. The ECC recommends that traffic flow on and off site be evaluated for potential traffic conflicts and safety for future development. The ECC suggests that the traffic safety committee be consulted. The ECC requests additional rip-rap be added to areas surrounding existing storm outlets to the Dwaas Kill. The ECC recommends that the applicant modify the lighting plan to incorporate lighting that is directional and limited such that it maintains two horizontal foot-candles of illumination within the plaza parcel only and minimizes the amount of offsite illumination due to the adjacent residential areas.

Mr. Scavo explained that Mr. Reese, Stormwater Management Technician, provided several comments and recommendations regarding this application in a memo dated October 9, 2015. This project is planning to infiltrate 100% of the water quality volume that will meet the enhanced phosphorus removal standards required for outletting to the Dwaas Kill. The stormwater management areas proposed have been designed to significantly decrease the redevelopment runoff – an improvement over the existing conditions. Mr. Reese concurs with the stormwater report's conclusion that the installation of the proposed stormwater management system will be a substantial improvement from existing site conditions. A number of comments related to the Stormwater Plan presented. The proposed storm manhole located in the northeast corner of drainage area P-3 has a rim elevation of 312.21 that will be 4 feet above grade: the applicant is asked to clarify this information. The applicant is asked to clarify whether or not there will be any existing impervious areas converted to pervious areas. If so, notes on the plans must indicate where the areas are and how the soil restoration shall be done. The applicant is asked to provide details for new connection at the outfall to Dwaas Kill, and to indicate if there will be a need for additional rip-rap to stabilize the outfall at this location. Plans should indicate if there will be additional soil testing at the infiltrator locations. The proposed underground infiltration area west of the grocery store is presently under the building. This is of concern because B-20 test hole (located 90' from proposed infiltrators) ground water was encountered only 5' below surface. For the northern location of the infiltrators there are two boring locations that are 8' in depth and do not reach the depth to verify groundwater separation from the bottom of the proposed chambers. The crushed stone beds of infiltrator units must be kept a minimum of 25 feet away from structures. The locations of inspector ports for the underground infiltration units must be shown on the Utility Plan. Plans should indicate whether or not the infiltration system will be designed with an isolator row for maintenance and ease of cleaning.

Several of Mr. Reese's comments related to the Notice of Intent. The applicant is asked to describe how the site planning practices that were used as checked off in question #27 of the NOI are used in Stormwater Pollution Prevention Plan. Questions 32, 32A and 40 in the NOI must be answered.

Several comments concerned the Stormwater Report and Stormwater Pollution Prevention Plan. It appears that the northwest portion of proposed drainage area P-1B drains to UG-1 not UG-2: please clarify. The applicant is asked to indicate how the 100% stormwater treatment is being addressed at the non-redevelopment areas. The time of concentration must be shown on the pre- and post-development drainage maps. Information regarding the provisions for the emergency overflow at this site must be provided. The means of draining the lower end of the

truck loading dock must be included in the plan. The plan must include a calculation regarding the percentage of pre-treatment provided by the hydrodynamic separators. For infiltration areas greater than 2 inches an hour 50% pretreatment is necessary. For infiltration areas greater than 5 inches an hour 100% pretreatment is necessary. Plans must indicate if any offsite borrow areas will be needed for this project. The maximum disturbance at one time for this project must be provided. Appendix D – Test Pit Logs note if water was or was not encountered, but the report does not provide information regarding the visibility of soil mottling for, possibly, determining the seasonal high water table.

Mr. Scavo explained that he would discuss the Negative Declaration prepared pursuant to SEQRA regulations when the Board discussed the assumption of Lead Agency status.

Mr. Bianchi provided comments prepared by M J Engineering and Land Surveying, P.C after review of the project plan. Mr. Bianchi's first two comments related generally to the site plan For each sidewalk that leads to an exterior staircase, it is suggested that the tactile warning be eliminated to prevent that path being considered an accessible route. The applicant has indicated that the project will not disturb in excess of 5 acres at one time. The final site plan set shall include a phased site disturbance plan that illustrates how construction will proceed while staying below the 5 acre threshold. Additional comments related to the Stormwater Pollution Prevention Plan. Some of the areas where soil testing was conducted are outside the area of the proposed infiltration practices or not the depth of the proposed systems. Due to the location of the existing building, it is impractical to obtain all of the required testing before demolition occurs. While it appears that the site soils are suitable for the stormwater management practices proposed, absent actual soil data, it is recommended that subsequent and confirmatory soil testing be conducted to confirm the design assumptions made. Should any changes be required to the proposed stormwater management systems, the applicant shall furnish those changes to the appropriate town department for review. Based upon discussions with the applicant's design professional, the plan proposes the use of alternate stormwater management practices to treat the water quality volume from the disturbed, impervious area as well as any additional runoff from tributary areas that are not within the disturbed, impervious areas. This approach is acceptable for redevelopment projects as outlined in Section 9.2 of the New York State Stormwater Management Design Manual. The applicant is asked to review the responses provided to NOI Question 27 as it does not appear all planning practices are applicable to the project. Sizing criteria for the CDS proprietary treatment units must be provided. As noted in a previous comment, in-situ soil data cannot be obtained for the western infiltration practice due to the existing building location. Since the sizing of the CDS units is based upon soil data, the associated pretreatment unit sizing cannot be finalized until soil data is obtained. As the soil data is verified, updated computations for the pre-treatment units shall be submitted. Within the Stormwater Pollution Prevention Plan, provide a summary of all green infrastructure design features that are available and note why certain ones have or have not been selected.

Mr. Bianchi reported that M J Engineering and Land Surveying, P.C. provided comments regarding the Traffic Impact Study. It is understood that the applicant has agreed to pay a voluntary contribution to the town on a per new vehicle trip basis. The Town Engineer supports the Town in this effort in order to mitigate against long term cumulative impacts relative to traffic.

Mr. Dan Hartnett, Chairman of the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee, thanked the applicant for addressing a number of the Committee's concerns; however, the Trails Subcommittee still had the following comments. The applicant continues to show no connection to the Vischer Ferry Trail and North Country Commons. This issue was raised at the initial meeting. This crossing is already occurring now from both trail users and shoppers at both plazas. With the increase in traffic, this connection should be addressed so pedestrians are not left in an even more dangerous situation without any available crosswalks or way to connect to North Country Commons and the rapidly growing Route 146 corridor west of Vischer Ferry Road. The applicant should be required to construct a sidewalk along Vischer Ferry Road up to the intersection of Route 146, as recommended at the initial meeting, instead of where it currently dead-ends at the property line. This would provide a connection to the Vischer Ferry Road and Route 146A Trails if no other connection is provided at North Country Commons. The applicant should relocate the bike rack proposed for Rite Aid to the front of the building. The applicant should realign the walkway from Route 146 to Market 32 with the main entrance driveway. Proposing 3 mid-block crosswalks compared to crossing at designated intersections decreases pedestrian safety and puts them further from the front doors of the building.

Mr. Koval reiterated the concerns regarding parking spaces along the southwesterly side of the proposed bank and again asked that two or three spaces be eliminated to present possible traffic conflicts. Mr. Ursprung agreed to eliminate the spaces. Mr. Neubauer observed that the photometric plan submitted for review indicated that there would be spill-off along the Dwaas Kill: Mr. Ursprung stated that he would review the plan and limit the glare in that area to the greatest extent practicable. Mr. Ferraro found the internal circulation plan acceptable. The sidewalk termination design for the pathway along Vischer Ferry Road as proposed appeared acceptable. He did not favor a mid-block crosswalk from the plaza to North Country Commons. Mr. Neubauer approved of the accessible pedestrian route to Rite Aid and other sidewalk connections through the site. Mr. Ophardt recommended that the 5' sidewalk section proposed between the carwash entranceway and the Route 146 entranceway to the shopping center be relocated to the westerly side of the Route 146 shopping center entranceway. Mr. Ferraro directed the consultant to "see what [location] works best" to reduce vehicular – pedestrian conflicts and provide the most direct access to the site for pedestrians. Mr. Koval commented that "the project looks great."

Mr. Ferraro thanked the applicant for working with the Planning Board to create a desirable project for a very visible and significant part of town. He also offered his appreciation to the Trails Subcommittee members – dedicated volunteers - who provide invaluable insights and recommendations to make sites accessible for all. Mr. Ferraro then asked Mr. Scavo to present the key points of the Negative Declaration prepared for this application.

Mr. Scavo read the Negative Declaration prepared pursuant to SEQRA law for the project. The document is included here in its entirety as the basis for the Board's environmental determination of non-significance.

SEQR RESOLUTION
NEGATIVE DECLARATION
PLANNING BOARD PROJECT #2015-019
SITE PLAN – CLIFTON PARK PLAZA REDEVELOPMENT

1028 and 1016 NYS Route 146
Tax Map Parcel #'s: 271.-1-7.1 & 271.-1-7.2

Whereas, Clifton Park Plaza Associates, LLC (applicant) has submitted to the Town of Clifton Park Planning Board an application for Site Plan Approval, for a proposal to redevelop the existing Clifton Park Plaza and adjacent former Pizza Hut parcel for the purpose of constructing a new 52,376 sq. ft. grocery store, a new 11,115 sq. ft. retail/pharmacy store, and a new 10,000 sq. ft. retail space and bank with a drive-thru along with associated parking, drive aisles, stormwater management systems, utilities, bicycle and pedestrian accommodations, and landscaping. The project will include an administrative review for a lot line adjustment with the neighboring tax parcel 271.-1-7.3 that will increase the project area by a net of .378 +/- acres.

Whereas, the Planning Board has received a Full Environmental Assessment Form ("EAF") for the project with Part I completed by the applicant; and

Whereas, the State Environmental Quality Review Act (SEQRA) regulations found at 6 NYCRR Part 617.3(a) require that no agency shall carry out, fund, or approve an action until it has complied with the requirements of SEQRA; and

Whereas, 6 NYCRR 617.6(b) establishes procedures for review of Unlisted Actions where an agency has determined it will not coordinate SEQRA review of the action; and

Whereas, the procedures for uncoordinated review of an Unlisted Action indicate that an agency may proceed with said review as if it were the only involved agency unless it determines that the action may have a significant impact on the environment; and

Whereas, the Planning Board has independently considered information provided in the EAF, supplemental engineering reports, project file documents, and comments on the application provided by Planning Board Members, Planning Staff, Creighton Manning Engineering, Bergmann Associates, MJ Engineering (Town Designated Engineer), adjacent property owners and their representatives, and the general public.

Now, therefore, be it resolved, the Planning Board hereby determines that:

1. Approval of the proposed site plan constitutes an Unlisted Action which is subject to SEQRA,
2. In accordance with §239-m of General Municipal Law the project was referred to the Saratoga County Planning Board who issued a determination that the project will have no significant county wide or inter community impact.
3. A short EAF is adequate for determining significance however, the full EAF was utilized for determining significance.
4. An uncoordinated review was conducted by the Planning Board in its determination of significance; and

Be It Further Resolved, that based upon its review of the project and the full EAF, review of the proposal by the Town Designated Engineer and Town Staff, and comparison with the Criteria for

Determining Significance found at 6 NYCRR §617.7(c), the Planning Board hereby finds the proposed action will not have a significant impact on the environment and therefore, does not require preparation of a Draft Environmental Impact Statement; and

Be It Further Resolved, that this determination is based upon the following facts and conclusions:

1. The site of the proposed action is located in a B-3 Neighborhood Business Zoning District which allows the proposed use subject to Site Plan approval by the Planning Board.
2. The project has received necessary area variances granted by the Zoning Board of Appeals to allow for the redevelopment of the existing shopping plaza to occur in a sustainable manner.
3. In a response to comments letter dated September 17, 2015, prepared by Creighton Manning Engineering, acceptable mitigation and additional traffic analysis has been provided in response to comments generated by the Town in review of the traffic study.
4. In order to help mitigate its share of cumulative traffic impacts at NYS Rt. 146/NYS Rt. 146A/CR-90 the applicant agrees to make a fair share monetary contribution to a Town dedicated account for traffic impacts within the NYS Route 146 Corridor. The amount of the contribution shall be \$74,500.00 (\$500 x 149 trips).
5. The project supports the Town's Comprehensive Plan Goal to develop additional pedestrian and bicycle facilities as alternative forms of transportation.
6. The project will utilize green infrastructure stormwater runoff pretreatment methods, sediment traps and an underground stormwater storage infiltration with hydrodynamic separations to provide stormwater quality and quantity treatment improvements for lands adjacent to the Dwaas Kill.
7. The redevelopment of the existing plaza will provide stormwater management infrastructure and practices that meet the Town's Comprehensive Plan Goal with new stormwater infrastructure to protect wetlands and stream corridors for their benefits to wildlife habitat, flood and stormwater control, groundwater protection, erosion control, and recreation.
8. The project is served by existing public water and sewer service. The site is currently served by public utilities. Adequate capacities are available for the proposed project which will be built in accordance with Town standards and specifications.
9. The redevelopment project will result in a qualitative benefit to the community with new landscaping strategically placed to be visible from the streetscape.
10. The project will not result in a major physical change to the site because it is currently developed as a shopping plaza and will continue to be utilized as such once redevelopment is completed.
11. The project will not have a significant impact on the environment related to land resources as redevelopment of an existing site is a preferred smart growth alternative to greenfield development. The project will not disturb any areas within the Town's Land Conservation zone adjacent to the Dwaas Kill.
12. The proposed sequence of construction activities have been proposed in a manner to limit impacts to the neighboring community by limiting the time for which each business will be closed as construction activities progress.
13. Town construction standards and Best Management Practices are proposed by the applicant to minimize any potential impacts on air quality due to dust.

14. The project is proposed in an area of prior disturbance with no property eligible for inclusion on the National or State Register of Historic Places and as a result will not have a significant impact on archaeological and historical resources.
15. The documentation submitted by the applicant to date leads to the conclusion that the project site which contains an existing shopping plaza does not contain any known threatened or endangered species.
16. A comprehensive and thorough look of the project file in its entirety by the Planning Board did not identify any other environmentally sensitive characteristics of the site or areas requiring further study.

Be It Further Resolved, that this Determination of Non-Significance shall be considered a Negative Declaration pursuant to Article 8 of the Environmental Conservation Law.

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. [See amendment below.]

Mr. Neubauer moved, seconded by Mr. Andarawis, to grant preliminary and final site plan approval to this application conditioned upon satisfaction of all items listed in the final comment letter prepared by the Planning Department. The motion was unanimously carried.

Mr. Koval moved, seconded by Mr. Ophardt, to amend the SEQRA decision with the addition of the following statement: the Planning Board accepts the negative declaration in its entirety as included in these minutes to substantiate the SEQRA determination rendered above. The motion was unanimously carried.

[2015-020] **The Great Discovery Childcare** – Proposed (1) story 4,800 SF childcare center with 3,000 SF playground area, Arnold Drive – Preliminary site plan review and possible determination. SBL: 271.-1-2.111

Mr. Koval recused himself from any discussion and/or vote on the application and left the building.

Mr. Tom Andress, consultant for the applicant, presented this application for the Board's consideration, explaining that the project plan was last reviewed at the July 14, 2015 meeting. Though scheduled for consideration at the August 11, 2015 meeting, it was withdrawn from review at that time at the request of the applicant to allow time for the consultant to address comments in detail. Mr. Andress explained that at the July 14, 2015 meeting, Planning Board members asked that the plan be revised to show ingress and egress only from Route 146, that the applicant consider additional landscaping, limited directional lighting, and other mitigations to minimize impacts to existing residents, that information regarding the number of vehicle trips at the existing daycare center operated by the applicant be provided, that additional traffic counts at the Arnold Drive – Route 146 intersection be taken when the Shenendehowa School District was in session and town-wide recreational activities were underway, and that the applicant collaborate with NYSDOT to identify potential traffic impacts of the proposed development and, if necessary, consider mitigations for those impacts.

Mr. Address explained that the site plan presented for review included a full service access onto Route 146, noting that, in order to accommodate the needs of the daycare, an additional single unrestricted curb cut at Arnold Drive would be necessary. The speaker reported that he had spoken with the adjoining property owners regarding integration of the two sites and utilization of a joint access point: the adjoining property owner was not interested in “participating in any joint design.” Mr. Address offered information regarding traffic counts explaining that although there was a “small additional delay” at the intersection, no significant decrease in the level of service was indicated. Mr. Address recommended approval of the site plan as originally proposed.

Mr. Scavo reported that Mr. Myers, Director of Building and Development, offered no comment on this project plan because he received no revised plans or additional information regarding the proposal were submitted to him.

Mr. Scavo stated that the ECC recommends that vegetated buffers be installed on the northerly and easterly side of the parcel.

Mr. Scavo reported that Mr. Reese, Stormwater Management Technician, requested that the applicant provide a tenant/owner Operations and Maintenance Manual to ensure continuous infiltration rates.

Mr. Scavo provided comments prepared by the Planning Department. He noted that the application was removed from the August 11, 2015 to allow the applicant time to comply with the Planning Board’s request for additional traffic counts when school was in session and recreational activities are underway at the Commons, accurate trip counts for the existing daycare operated by the applicant are made available, and that a site design with access from Route 146 be presented for review. Mr. Scavo recommended that NO PARKING ANYTIME signs be posted along Arnold Drive.

Mr. Bianchi reported that M J Engineering and Land Surveying, P.C. issued the following comments after review of the traffic study prepared by Greenman Pederson for this application. The traffic analysis software HCS+ was utilized for the analysis. Since Arnold Drive intersects NYS Route 146, and NYSDOT is an involved agency, the analysis should be performed utilizing software from the NYSDOT Approved List of Traffic Analysis Software as provided on the NYSDOT website for Chapter 5 of the Highway Design Manual. Independent of the software utilized, the analysis indicates that the level of service (LOS) for the Arnold Drive approach to NYS Route 146 operates at a LOS of C (17.0 sec) and C (18.6 sec) in the AM and PM peak hour for existing conditions, respectively. The eastbound left from NYS Route 146 to Arnold Drive operates at LOS A (8.7 sec) and B (10.1 sec) in the AM and PM peak hour for existing conditions, respectively. In the build year, which includes the construction of the new day care as well as applied background growth, the LOS for the Arnold Drive approach will be C (18.9 sec) and C (20.8 sec) in the AM and PM peak hour, respectively. The eastbound left from NYS Route 146 to Arnold Drive operates at LOS A (8.8 sec) and B (10.3 sec) in the AM and PM peak hour for the build year conditions, respectively. Based upon this analysis, the approach will see minimal degradation of service. The analysis needs to be updated utilizing the accepted software to confirm that the conclusions remain valid for the project and these should be furnished to the Region 1 office of the NYSDOT for review and comment.

Mr. Ferraro asked for confirmation that although the software utilized for traffic analysis was outdated, the results and conclusions presented were valid. Mr. Bianchi confirmed that although the software utilized was not on NYSDOT's approved list, the results were accurate.

Mr. Jeff Baker, legal representative of the Dwaas Kill Preservation Fund, requested that the Planning Board schedule a formal public hearing on this application stating that there were "sufficient issues and concerns" to justify such an action. He explained that the traffic report submitted did not contain information regarding significant traffic delays at the Arnold Drive – Route 146 intersection at peak travel times, an analysis of traffic conditions on weekends when extra activities may be scheduled at the proposed daycare, the impacts of redevelopment parcels and proposed new commercial businesses within the corridor, or access to the site through an integration of uses with the office buildings proposed for development on the adjoining lands of Bonanno which, he believes, have not yet received Planning Board approval. It is his understanding that the adjoining parcels have "common ownership and a common engineer" which may make negotiations for a common access possible. He noted that no comprehensive lighting plans were submitted for consideration of impacts to adjoining neighbors. He urged the Board to consider potentially significant traffic impacts and to consider requesting input from NYSDOT as an interested/involved agency for SEQRA purposes.

Ms. Stephanie Gemmitti, 39 Wheeler Drive, expressed concerns regarding amount of parking on the site, stating that the applicant's current website indicates that there are many activities such as Saturday morning breakfasts and monthly pot luck dinners scheduled "outside of stated operational hours" that may require the business to accommodate additional vehicles. She asked if Planning Board members had considered the need to accommodate those attending such "extra activities." The speaker also asked for information regarding the posting of NO PARKING signs along Arnold Drive and throughout the Woodland Hills neighborhood. Ms. Gemmitte took issue with the information provided in the application which stated that the daycare would have a maximum capacity of sixty (60) children, explaining that her research indicated that the Office of Children and Family Services website indicates that between eighty (80) and one-hundred two (102) could be served in the size of the proposed building. She pointed out that, if the daycare program would be expanded in the future to accommodate the larger number of children, parking and traffic would be impacted significantly.

Mr. Vince Aceto, 27 Wheeler Drive, commented that the applicant currently operates a daycare facility located on the southerly Route 146 that is served by one curb cut from that main highway. He asked the Board to consider "the fact that there is no justification for curb cuts onto Arnold Drive when there is a clear alternative."

Mr. Chris Breck, 1 Wheeler Drive, contended that the traffic study was flawed since it was conducted by the applicant's consultant and for a very limited period of time. He asked that the Board consider requiring the applicant to provide a traffic study conducted by an "independent consultant" and that the access points to the facility be located "away from the Arnold Drive – Route 146 intersection."

Ms. Judy Morley, 8 Wheeler Drive, found fault with the traffic study, noting that the Planning Board had requested its completion at times when activities at the Clifton Common were taking place. She believes that the study did not take into account scheduled events and recreational activities at the Common.

Mr. Doug Loeser, 24 Reed Lane, explained that he exits the Woodland Hills subdivision via George Drive and that, at times, he must wait through two or three cycles of the traffic light at the intersection of Route 146 and the entrance to the Shenendehowa campus. The apparent implication was that the proposed daycare facility would only exacerbate the problem. Mr. Loeser noted that the proposed site plan is contrary to stated development goals outlined within Town of Clifton Park Comprehensive Plan adopted in 2006 since there is no buffer area between the proposed commercial use and existing residential development.

Mr. Dave Wagner, 9 Wheeler Drive, questioned the accuracy of the traffic report and asked that a greater number of counts be provided.

Ms. Gemmitti reported that the traffic report was inaccurate due to an accident in the area on the day the study was conducted. She also reported that the state Office of Children and Family Services had no application for approval to operate a daycare facility at the proposed location.

Mr. Scavo noted that the traffic study was completed utilizing accepted and standardized ITE analytical methods. Mr. Andress explained that the traffic reports provided were more accurate than most since there was data from the existing center substantiating traffic counts for the hours and times the business would be operating. Mr. Ferraro noted that the project narrative reports that the center will employ eleven staff members and serve sixty children. He asked if there was a way to ensure that additional students would not be added in the future. Board discussion was punctuated with comments from audience members. In response Ms. Gemmitti's comment from the floor that a call to the Office of Children and Family Services revealed that there has been no application from the applicant for licensure to operate the proposed daycare, Mr. Andress explained that there can be no approval from that agency until necessary approvals are received from the municipality and that the number of children accommodated is based not only upon the square footage of the building but on additional factors such ratios of employees to the ages of children served. Mr. Andress was not able to answer Mr. Ohpardt's question regarding the number of children who would be arriving at the facility by bus, though he noted that the design plan allows for bus ingress and egress to the site. Mr. Ferraro expressed concerns that the thirty-seven (37) available parking spaces on site may not be able to accommodate all those attending the special events and activities, noting that the applicant did not provide a "plan B" for overflow. Addressing the issue of site access, Mr. Ferraro reiterated previous comments, stating that, from his perspective, the alternative site access from Route 146 as presented at this evening's meeting would "likely create a more dangerous condition" due to the increased number of conflicting traffic movements and would be contrary to NYSDOT policies that attempt to minimize curb cuts onto main highways. He also stated that the site access from Route 146 would require the removal of an existing tree line and greater land disturbance, thus "commercializing" the neighborhood.

Ms. Rita Gava, 10 Wheeler Drive, stated her concerns regarding possible overflow parking noting that parents and extended family members often attend additionally scheduled activities.

She pointed out that the daycare required the approval of several variances from the Zoning Board of Appeals.

Ms. Judy Morley stated that it was her understanding that during the previous project review, Planning Board members asked that the applicant consider access through the adjoining property owned by Bonanno and the ability of emergency services responders to access not only the daycare facility but also the Woodland Hills neighborhood should vehicles be parked along Arnold Drive. In her opinion, it did not appear that the applicant had addressed either of these issues. Ms. Morley also commented that during the winter months snow banks often limit sight distances, increasing the negative impacts on traffic flow.

Mr. Ferraro explained that public safety concerns are of utmost importance to Board members and, though there is no prohibition on permitted development, the Planning Board attempts to minimize impacts to existing traffic, environments, and neighborhoods to the greatest extent practicable. He explained that emergency service agencies are provided with all project plans that come before the Board for review and comment.

Ms. Maria Rose, 8 Arnold Drive, citing estimates of eight (8) school buses entering and exiting the site on a daily basis and increased traffic associated with proposed “after hours activities” at the daycare, expressed concerns regarding traffic congestion on Arnold Drive and throughout the Woodland Hills subdivision. She stated that correspondence received from an unidentified realtor indicated that residences within the Woodland Hills neighborhood would decrease in value due to the construction of proposed daycare. She asked that the project “stay off Arnold Drive.”

Mr. Vince Aceto reiterated statements made at the previous meeting regarding the access of various business locations along the Route 146 corridor, noting that other commercial sites along the north side of the road entering from town roadways generated very little traffic. He noted that “there would be no daycare” if the Zoning Board of Appeals had not approved seven (7) necessary variances.

Ms. Kathy Messier, 11 Arnold Drive, asked that Planning Board members “look long and hard” at the two curb cuts permitted for the daycare facility since development of the vacant property on the to the west of Arnold Drive is also zoned commercially. Ms. Messier explained that she learned of the proposed development long after the zoning variances, which have made Planning Board review of the site plan as presented possible, had been approved.

Mr. Pelagalli explained that when the Zoning Board of Appeals renders a decision, the Planning Board is bound by that decision. He asked that Mr. Andress provide clarification regarding the number of children that may be served at the facility.

Ms. Gemmitti asked that information regarding extra activities be passed on to emergency services agencies since roadways within Woodland Hills have been nearly impassable when households hold parties or require parking for other events.

Mr. Mike Hartigan, 34 Reed Lane, accused Board members of “making a permanent decision” without considering all associated “facts.” Mr. Ferraro took exception to this comment, stating that the Board and its professional consultants rely on ITE and other accepted standards and policies to arrive at reasonable estimates of traffic and to identify possible impacts. In this case, he noted, the consultants had daily logs of the “comings and goings” from an existing daycare on which to base their conclusions. Mr. Ferraro did state that the Board could benefit from more definitive information regarding the number of students who could be accommodated at the facility both at its inception and in the future, the number of proposed extra activities that may be expected and associated parking needs, and the possibility of creating a combined access drive with the property to the east. Mr. Ferraro stated that he would attempt to set up a meeting with the owners of the Bonanno property, Mr. Andress, town officials, and a representative of the Woodland Hills neighborhood to discuss a possible combined access from Route 146.

New Business:

[2015-050] **Sitterly Road Realty, LLC Car Wash** – Proposed exterior renovation of existing carwash and expansion of accessory use areas and stormwater management system, 1014 Route 146 – Conceptual site plan review. SBL: 271.-1-7.3

Mr. Stephen Weekes, applicant, presented this application, explaining that he proposes to “rejuvenate” the existing carwash facility located on the southerly side of Route 146 just east of its intersection with Route 146A. Explaining that he has over 10 years of experience in the carwash business, Mr. Weekes stated that he, along with partner Peter Rosenfeld, purchased the facility last year with plans to improve and update the facility and site plan that was approved in 1988. The parcel lies within a B3 (Neighborhood Business) zoning district. As a result of a recent lot line adjustment necessitated by the proposed redevelopment of Clifton Park Plaza, the parcel totals 1.49 acres. Site development meets all zoning requirements. Greenspace totals 37% of the site. Although there will be no change to the building footprint, the building will be “cosmetically refreshed” to match other carwashes owned by the applicant. Shingles, fascia, and soffit details will be changed and decorative accents such as a cupola and gable will be added to the façade. The existing blacktopped area will be expanded by approximately 4,500 SF to accommodate new customer pay stations and vacuum islands. Expansion of existing stormwater management system will be required to accommodate additional pavement runoff. The speaker explained that there will be no change to the Route 146 entranceway, though a new ingress/egress drive linking the site with the Clifton Park Plaza will be provided as part of that owner’s redevelopment plan. The site is expected to service between 30,000 – 35,000 vehicles per year with “dry winter days” drawing the most customers.

Mr. Weekes introduced Mr. Gil VanGuilder, consultant, who provided technical details for the Board’s consideration. He explained that the blacktopped area on the 1.49 acre parcel will be increased by 9,900 SF. Two new drywells to supplement existing ones are to be installed to handle stormwater runoff. All runoff from the carwash itself will be directed to the SCSD line. There will be no disturbance of the LC (Land Conservation) zone that has been identified in the southeasterly corner of the site. Describing the traffic circulation patterns, Mr. VanGuilder explained that the ingress and egress to the site will be provided by two full-service drives – one from Route 146 and one linking the site with Clifton Park Plaza. A one-way out drive lane to the

shopping center will be provided near the proposed pay stations. New lighting will be installed and will include LED shielded wall-mounted and downward-directed standard pole lighting fixtures. Existing landscaping near the identification sign will remain and be supplemented with annual bedding materials. 37% of the site will remain as greenspace. No variances from the Zoning Board of Appeals will be required.

Mr. Scavo reported that Mr. Myers, Director of Building and Development, offered comments regarding this application in a memo dated September 23, 2015. Some type of stormwater measures will be required, though such measures cannot be determined at this time since the size of the disturbance area is not known at this time. The land transfer between this property and the adjoining lands which contain the Price Chopper grocery store has been approved.

Mr. Scavo explained that the ECC provided the following comments regarding this application after review at its October 6, 2015 meeting. The ECC requests that the location of the Dwaas Kill to be shown on the plans along with the high water mark. The applicant shall indicate the impact of lighting in lumens. A comprehensive photometric plan should be provided so that the impacts of the lighting on adjacent properties can be analyzed. The lighting plan should show the size of the light poles and the type and make of the lighting fixtures. The ECC notes that the project includes extensive paving adjacent to, or in the vicinity of the Dwaas Kill. The ECC recommends that the Planning Board require the applicant to incorporate sediment traps and oil water separators with appropriate capacities to limit the migration of vehicular contaminants into these sensitive environments. The ECC notes that sensitive environments exist on properties adjacent to the project site, thus there is a potential for environmental impacts to these areas in the event that the capacity of the stormwater management system is inadequate. As such the applicant's Drainage, Stormwater and Erosion Control Plans should be protective of these environments during construction and occupation of the project. The ECC recommends careful review of these plans by the Town Engineer. The stormwater system should be sufficient to handle the combined stormwater runoff projected for the final development configuration. Due to the probability of food and liquid wastes leaking from the on-site dumpster(s) into a stormwater catch basin and/or surface water body, the ECC recommends the applicant enclose the area (i.e. roof) on an impervious surface with a berm surrounding the dumpster(s) that accept food and liquid wastes. If necessary, the applicant will need to periodically pump out the accumulated wastes within the bermed area to avoid any overflow.

Mr. Scavo reported that Mr. Reese, Stormwater Management Technician, provided comments regarding this application. The applicant is asked to show the location of the Dwaas Kill and LC zone on the Grading Plans. The sizes of the proposed drywells should be indicated on the plans. Details of erosion and sediment controls to be used must be shown on the plans. The applicant shall explain how the water from the carwash will not be contributing to the runoff from the site that flows into the Dwaas Kill. The outfall from the drywell system shall be evaluated with the proposed addition of impervious areas to verify that slope stabilization is ensured.

Mr. Scavo offered comments prepared by the Planning Department, explaining that he has consulted with the applicant on several occasions and finds that many of his site-development concerns have been addressed. He did recommend that protective bollards be placed by the 3-phase service utility pole and guy-wire, that the approximate linear distance of clearing to the east

of the property beyond the arborvitaes be provided, and that a note be added to the plans which states the following:

No dumping of grass clippings, leaves, soil or trash of any kind along the embankment adjacent to the Dwaas Kill.

Mr. Bianchi reported that, after review of the site plans presented, M J Engineering and Land Surveying, P.C. provided the following comments. 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 is not necessarily limited to the following: Saratoga County Planning: 239m referral due to the parcel being within 500 feet of NYS Route 146. Additional involved/interested agencies may be defined as the project proceeds through the Town’s regulatory review. Several comments related specifically to the site plans presented. The project resides within the Town’s B-3 zoning district. The site plans do not appear to propose an expansion of the existing use or addition of other uses. In reviewing Section 208-38 of the Town Zoning Code, it appears the proposal meets the minimum B-3 zoning district’s bulk lot requirements. While it does not appear that the project will result in more than 1 acre of disturbance, at a minimum, a stormwater management study should be performed to determine what the additional discharges are expected to be to the Dwaas Kill. Every effort should be made to improve water quality as it leaves the site and is discharged to the impaired waters of the Dwaas Kill. The plans must show the approximate boundary of the LC district as it parallels the Dwaas Kill. The applicant is asked to coordinate the proposed improvements being advanced on this parcel with those being proposed on the adjacent parcel. Specific attention is required for modifications to cross lot access improvements and landscape improvements along the common lot line. Subsequent submissions shall include information as outlined in Section 208-115 of the Town 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. Dan Hartnett, Chairman of the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee, the Trails Subcommittee offered comments on this project plan. It is recommended that the applicant be required to put in a concrete crosswalk across the entrance to Route 146 to increase pedestrian safety with a clear crosswalk that will not require regular maintenance and restriping. The applicant should be required to install a bike rack for employee usage as this business is located on Route 146, which Clifton Park is currently in the process of getting designated a New York State Bike Route with NYSDOT.

Mr. Anthony LaFleche, 21 Wheeler Drive, questioned whether or not operation of the facility resulted in “leakage” to the Dwaas Kill. Mr. VanGuilder explained that all runoff was captured on site and the stormwater management system was separate and distinct from that utilized by the adjoining shopping plaza.

In response to Mr. Neubauer’s question regarding the need for water reclamation, Mr. Weekes explained that there will be no changes to the existing carwash and that no water reclamation is needed. Mr. Ferraro observed that there is an existing steep slope to the rear of the parcel and questioned whether or not removal of an existing tree row will impact visibility. Mr.

VanGuilder explained that although some additional landscaping is proposed within the southeasterly portion of the site, there appears to be sufficient natural vegetation to screen the business. Board members viewed the proposed site improvements as beneficial.

Mr. Andarawis moved, seconded by Mr. Ophardt, adjournment of the meeting at 12:05a.m. The motion was unanimously carried. The next meeting of the Planning Board will be held as scheduled on October 27, 2015.

Respectfully submitted,

Janis Dean, Secretary

Notice of Decision

Resolution #15 of 2015

Preliminary and Final Approval

At a meeting of the Planning Board held at the Town Hall of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on October 14, 2015, there were:

Present: R. Ferraro, Chairman, E. Andarawis, E. Ophardt, J. Koval,
A. Neubauer – Alternate Member

Absent: K. Paulsen, E. Prescott, T. Werner

Mr. Koval offered Resolution #15 of 2015, and Mr. Andarawis seconded, and

Whereas, an application was made to this Board by Jerry Zheng for approval of subdivision plat entitled Subdivision of the Lands of Jerry Qing Zheng consisting of (4) lots on property located at 246 Lapp Road;

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 October 14, 2015, and

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on October 14, 2015;

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

Now, therefore, be it resolved that final hearing for this application is waived and the subdivision plat entitled Subdivision of the Lands of Jerry Qing Zheng consisting of (4) lots is granted preliminary and final approval conditioned upon the execution of combined driveway agreements that clearly spell out construction and maintenance responsibilities for potential owners, the reorientation of the proposed duplex on Lot #250 to increase separation between the building and the delineated wetlands, the installation of “staggered split-rail fencing” on that lot to identify the wetland boundary, and all items listed in the final comment letter issued by the Planning Department.

Resolution #15 of 2015 passed 10/14/2015

Ayes: Ophardt, Andarawis, Neubauer, Koval, Ferraro

Noes: None

R. Ferraro, Chairman

Notice of Decision

Resolution #16 of 2015

Special Use Permit #81011

At a meeting of the Planning Board held at the Town Hall of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on October 14, 2015, there were:

Present: R. Ferraro, Chairman, E. Andarawis, E. Ophardt, J. Koval,
A. Neubauer – Alternate Member

Absent: K. Paulsen, E. Prescott, T. Werner

Mr. Koval offered Resolution #16 of 2015, and Mr. Andarawis seconded, and

Whereas, an application was made to this Board by Jerry Zheng for approval of Special Use Permit #81011 to permit the construction of two, (2) two-family dwellings in an R1 zone on property located at 246 Lapp Road pursuant to Section 208-10B(9)(a)[7] of the Town Zoning Code;

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 October 14, 2015, and

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on October 14, 2015;

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

Now, therefore, be it resolved that Special Use Permit #81011 to permit the construction of two, (2) two-family dwellings in an R1 zone on property located at 246 Lapp Road pursuant to Section 208-10B(9)(a)[7] of the Town Zoning Code is granted final approval.

Resolution #16 of 2015 passed 10/14/2015

Ayes: Ophardt, Andarawis, Neubauer, Koval, Ferraro

Noes: None

R. Ferraro, Chairman

Notice of Decision

Resolution #17 of 2015

Final Approval Special Use Permit

At a meeting of the Planning Board held at the Town Hall of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on October 14, 2015, there were:

Present: R. Ferraro, Chairman, E. Andarawis, E. Ophardt, J. Koval,
A. Neubauer – Alternate Member

Absent: K. Paulsen, E. Prescott, T. Werner

Mr. Andarawis offered Resolution #17 of 2015, and Mr. Neubauer seconded, and

Whereas, an application was made to this Board by Clifton T. Hilderley for approval of Special Use Permit #81034 to permit the construction of a two-family residence on property located at 283 Sugar Hill Road;

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 September 9, 2015, and

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on September 9, 2015;

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

Now, therefore, be it resolved that Resolution #17 of 2015 Special Use Permit #81034 to permit the construction of a two-family dwelling within the CR (Conservation Residential) zoning district located at 283 Sugar Hill Road pursuant to Section 208-16D(3)[8] of the Town Zoning Code is granted final approval conditioned upon assurance that accommodation has been made for installation of a future trail and/or highway improvements along both Grooms and Sugar Hill Roads, and that the applicant receives a final sign-off on building design plans from the Historic Preservation Commission.

Resolution #17 of 2015 passed 10/14/2015

Ayes: Ophardt, Andarawis, Neubauer, Koval, Ferraro

Noes: None

R. Ferraro, Chairman

