

**Town of Clifton Park Planning Board**  
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PLANNING BOARD

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Eric Ophardt  
Kim Paulsen  
Eric Prescott  
Tom Werner  
(alternate) Andy Neubauer

**Planning Board Meeting**  
**November 24, 2015**

Those present at the November 24, 2015 Planning Board meeting were:

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

Those absent were: None

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.

**Minutes Approval:**

Mr. Andarawis moved, seconded by Ms. Paulsen, approval of the minutes of November 10, 2015 as written. The motion was unanimously carried.

**Public Hearings:**

There were no public hearings scheduled for this evening's meeting.

**Old Business:**

[2015-042] **Village Plaza Mixed Use Development** – Proposed mixed use redevelopment with retail on first level and office/residential above and 2,800 SF restaurant with drive-thru – 19 Clifton Country Road – Revised conceptual plans per TAC recommendations. SBL: 272.-1-44.

Mr. Ferraro introduced this application, explaining that this project represents one of the first projects within the Town Center area that will be reviewed in accordance with the Clifton Park Town Center Form-Based Development Code adopted by the Town Board on March 16, 2015. He explained that applications proposing development beyond the scope of Administrative Review that “require interpretation or discretionary judgement with respect to compliance with the standards and guidelines” outlined within the code would be referred to a Technical Advisory Committee (TAC) for review. In accordance with these code requirements, the project plan that was submitted for consideration at the September 9, 2015 meeting was referred to the Technical Advisory Committee consisting of the chairperson (or vice-chairperson) of the Planning Board, the Director of Building and Development, the Director of Planning, the Planning Board Attorney, and Mr. Neubauer, Alternate Member of the Planning Board. Application recommendations from the TAC Committee, prepared after a meeting with the applicants and their design consultants on September 28, 2015 were issued by Mr. Scavo on October 16, 2015.

Mr. Bob Miller, Jr., applicant, Mr. Tim Miller, co-applicant, Mr. Tom Andress, consulting engineer, and Mr. Bob Miller, Sr., principal of Windsor Development and applicant, were in attendance at the meeting.

Mr. Bob Miller, Jr., applicant, presented an overview of the application, explaining that the project plan called for construction of a mixed-use development in the southeasterly quadrant of the existing Village Plaza shopping and office complex. The design calls for the construction of twenty-nine (29) apartment units, 5,283 SF of general office space, 13,396 SF of specialty retail space, and a 2,800 SF fast food restaurant with a drive-thru window. Access to the site will be provided via four new full access curb cuts located along the existing internal roadway which serves Village Plaza businesses and one full access curb cut from Clifton Country Road. The speaker then outlined the changes that have been made to project design plans to reflect comments, concerns, and recommendations offered by TAC Committee members, explaining that the revisions made to the initial proposal resulted from comments and recommendations rendered at the TAC meeting held on September 28, 2015. Mr. Miller requested, pursuant to Section 2.3 of the Clifton Park Town Center Form-Based Development Code, that the Planning Board approve several modifications of dimensional and architectural standards in order for the project to move forward. Site plan modifications to project areas A and B include a reduction from the 80% frontage width at the build-to zone and an 80’ parking setback. Architectural modifications for the four-story mixed use building and restaurant building include shop front windows that exceed 15 feet in width, public entry and exit doors which swing outward into the façade less than the minimum of three feet where the sidewalk abuts the building, the sizing and depth of the parapets, and a reduction of the minimum 50% façade transparency requirement.

Mr. Miller introduced Mr. Tom Andress, design consultant, who discussed the technical elements of the plan. He explained that vehicular and pedestrian connections will be made at key

locations to provide maximum access for drivers, pedestrians, and bicyclists. Additional parking will be provided along the Hannaford loop road. An attempt has been made to give the restaurant “a more linear look” by placing the drive-thru further west and creating a larger patio area to reduce its visual impact. More parking for the restaurant has been provided in an effort to meet Town Center requirements and a future road network has been proposed to link the two uses. Mr. Andress explained that the applicant provided a traffic review letter on November 17, 2015.

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 reported that Mr. Myers, Director of Building and Development, offered the following comments in a memo dated November 19, 2015. Mr. Myers first notes that since the proposal is considered to be a “revised concept” plan, his review is cursory: a more comprehensive review will be provided when preliminary site plans are submitted. He did, however, provide a number of comments and recommendations. The tree lane has several interruptions for walkways. Since the “fence does not count,” the frontage does not meet the preferred minimum 80%. The lot depth requirement has not been met. The building is commercial block – not liner. No shielded courtyard is provided. The frontage type is missing. The second floor will now contain both residential and office uses with the third floor reserved for residential use only: the plan references only commercial uses. The front parking setback has not been met. The side street is located directly against the property line: the setback requirement has not been met. The plan references a “neighborhood street 1” which is applicable to the TC5 zone – not the TC6 zone. The plan does not meet many of the required design parameters such as right-of-way width, walkway accommodations, and tree placement. The parking drive width requirement is 26’ – not the 24’ indicated on the plan. Since no architectural plans have been provided, compliance with many code requirements cannot be evaluated. No information regarding the number of residential units is provided, though the last submission indicated that twenty-nine (29) units were proposed. This is nine (9) more than permitted. Commenting on Area B, Mr. Myers observed that the traffic pattern to the restaurant appears “poorly planned” with parking spaces directly across from the drive-thru. Many areas of non-compliance such as setbacks, roadway widths, and side street entrances appear on the plan.

Mr. Scavo read comments prepared by the ECC after review of the project plans. This project has the potential to change such things as the skyline and visual character of the project area. As such the ECC recommends that the applicant be required to conduct and submit a visual impact assessment for Planning Board and ECC review. The ECC notes that having parallel parking on Clifton Country Road has the potential of causing traffic congestion and potential safety hazard. The parallel parking area could be better used as green space to enhance the aesthetics of the project.

Mr. Scavo reported that Mr. Reese, Stormwater Management Technician, provided the following comments in a memo dated November 23, 2015. The proposed project shows development impacting the existing stormwater management area for the Village Plaza. The plans

show a proposed stormwater management area in the southwest corner of the site. A full Stormwater Pollution Prevention Plan will be required for this project after concept approvals.

Mr. Scavo offered comments prepared by the Planning Department, explaining that the comments and recommendations offered were included in correspondence forwarded to the applicant's design consultant on November 20, 2015. On October 16, 2015 he issued the following recommendations based on comments and feedback provided by the Technical Advisory Committee during a concept development review meeting with the applicant. In general, it appears the applicant has made modifications to the current concept plan to incorporate these recommendations into the proposed site design.

#### **FINDINGS.**

**Summary.** The applicant – Windsor Development Companies is seeking site plan approval to construct a new four story mixed-use building containing 13,056+/- square feet of retail space on the first floor, 6,000 +/- square feet of office on the second floor and a total of 29 apartments located on the second through fourth floors. A 2,800 square foot, free standing restaurant with a drive-thru is also proposed on the project site. The proposed uses are permitted within the TC-6 Zoning District with a special use permit required for a restaurant drive-thru building. Under the Town Code, the Clifton Park Planning Board retains the authority to approve the site plan and special use permit. Since the project site is within 500' on NYS Route 146 referral to the Saratoga County Planning Board is required. As development plans progress, a final determination as to the applicability of area variances from the Zoning Board of Appeals will be determined.

#### **Documentation.**

- a. Application for Site Plan Review, dated 8/17/15;
- b. Project Narrative dated, 8/17/15;
- c. Concept Design Drawing, dated 8/15;
- d. Visual Simulation Drawing (looking South along Clifton Country Road), dated 8/24/15;
- e. Mixed-Use Building Elevation Drawings, dated 7/16/15
- f. Form-Based Development Code Project Review Checklist, last revision dated 8/6/15.

**Proposed Plan.** Construct a new four story mixed-use building containing 13,056+/- square feet of retail space on the first floor, 6,000 +/- square feet of office on the second floor and a total of 29 apartments located on the second through fourth floors. A 2,800 square foot, free standing restaurant with a drive-thru is also proposed on the project site.

**Planning Issues.** Upon reviewing the documentation submitted to the Town and information presented and discussed at the September 28, 2015 conceptual design meeting with the Technical Advisory Committee (TAC) the Project Review Checklist has been updated. Recommendations for the applicant to pursue for additional investigation are as follows:

- a. While the plan does not require strict interpretation of the “streets” regulating plan, it was recommended to explore the ability to treat the area between Lot A & B as a “Neighborhood Street 1” and all dimensional requirements should apply to this area as a “side street”.

- b. In general the TAC understands that the drive-thru is a permitted use by special use permit. However the TAC did make specific recommendations for the applicant to explore in regards to the relocation of the drive-thru and placement of a patio/outdoor greenspace dining area.
- c. The TAC did not raise any objections for relief on building façade/treatment elements noted within the project review checklist. Pursuant to §208-22(9)(A) of the Town Code, "...the Planning Board is authorized to limit or waive the dimensional requirements, provided that it is in keeping with the overall goals and intent of the code."
- d. Additional design details (e.g. building elevations) are required for Lot B to understand material use, façade articulation, and visual impacts relative to visual impacts, landscaping and the proposed drive-thru.
- e. Cross access easements and shared parking arrangements will need to be formalized and developed as appropriate.
- f. A traffic analysis should be conducted to assess the traffic impacts of the proposed development. Initially the intersections at Clifton Country Road/Route 146, Clifton Country Road/Clifton Park Center Road, and Clifton Country Road/Village Plaza entrances should be evaluated.

**SEQRA.** The proposed Action appears to be an Unlisted Action pursuant to 6 NYCRR Part 617 of the SEQRA regulations. A Part I EAF Long Form should be completed and submitted by the applicant to verify the action type. The Planning Board will ultimately have to issue a determination to classify the action and decide if coordinated or uncoordinated review will be conducted.

**Recommended Next Steps:** Utilize the Site Plan Application Submittal Package to provide a formal application for design development review to be conducted by the Planning Board, pursuant to §208-21-7(B)(2)(a)(b)(c)(d) &(e).

Mr. Scavo offered additional comments regarding the application. As plans advance material types should be called out for each proposed sidewalk and multi-use path section to be constructed. The shading of each material type delineated on the plan should correlate to a map legend. It is recommended a masonry wall structure be utilized to screen the proposed dumpster location along the southern boundary of the proposed 28,000 SF building. Additional comments are likely once preliminary plan details are added and conceptual agreement is made by the Planning Board on the building placement and site layout.

Mr. Bianchi reported that M J Engineering and Land Surveying, P.C. provided the following comments after review of the project plan submitted for review. Mr. Bianchi offered a general comment on the application. As noted in Comment 4 of the September 4, 2015 review letter, given the size of the proposed development, at a minimum, the applicant shall provide a summary of expected peak hour vehicle trips. Should this analysis show that more than 100 new peak vehicle trips will result, a formal traffic impact statement may be required. This assessment needs to account for other projects proposed within proximity of the site. Several comments related to the State Environmental Quality Review Act (SEQRA). As noted in Comment 7 of the September 4, 2015 review letter, it may be appropriate for the applicant to complete and submit a Full Environmental Assessment Form (FEAF) to better assist the Planning Board in its review of the application under SEQRA. The following comments related

to the site plans submitted for consideration. The proposed buildings are subject to the Architectural Standards outlined in Chapter 6 of the Form-Based Code. A separate review of the project with respect to the Architectural Standards has been completed and the applicant has provided this review. Previous reviews indicate that no architectural plans were furnished for Lot B. It appears that the current submission did not include the requested information for the building on Lot B. The restaurant use has a large patio that will increase usage during warmer months. Plans should indicate whether there will be sufficient parking spaces (either existing or proposed) to accommodate this intensity of use. Assuming the symbol size for landscaping is indicative of the trees size, the plan suggests that the street edge plantings will gradually increase in size in a southerly direction. It is recommended that the tree sizes be consistent with an "inter mix" of smaller species. Landscape trees proximate to the major points of ingress and egress from individual uses or out to the public road should be columnar to minimize site distance obstructions. The internal parking islands, parking bulb-outs and street edge along the existing internal access road show little in the form of landscaping. These areas will need to be enhanced to provide a uniform style throughout the project. Plans should include a description of the proposed treatment for the island at the controlled entrance at Street 1. A decorative surface treatment that can withstand constant vehicle loading is recommended. The dumpster location provides peculiar access for loading and unloading. This geometry may severely limit the type of vehicle that will provide deliveries to the site or service the dumpster location. Further, the dumpster location is at the street edge, potentially diminishing the view shed regardless of the architectural treatment of the enclosure. Alternate locations for the dumpster should be considered. The 90 degree parking at Street 1 should be eliminated due to the conflicts associated with backing out into traffic. This parking, if it is to remain, should be changed to parallel parking with minimum dimensions of 9' x 24', preferably 10' x 24'. The parallel parking along Clifton Country Road is shown as 8' x 24'. The dimensional width should be increased to at least 9', but preferably to 10' to provide the greatest distance from the parked car and traffic. The inclusion of this parking will need to be discussed further with the Town. As an option, this parking may need to be banked for future construction by the applicant until additional street calming measures are employed along the length of Clifton Country Road that reduces vehicle speed. It is recommended that one parallel parking space be eliminated along Clifton Country Road, on each side of the Street 1 access to limit conflicts from vehicles entering and exiting the parcel and vehicles attempting to maneuver into a parking space. In the event the project is to proceed further, all of the site furnishings and finishes will need to be reviewed to ensure consistency with the TC6 criteria summarized in Section 7.5, 7.6 and 7.7 of the Form-Based Code and are complementary to the architectural style of each building being proposed.

Mr. Dan Hartnett, Chairman of the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee offered a number of comments regarding this application. The applicant should be required to install a crosswalk across Clifton Country Road at the entrance to Clifton Park Center to allow guests at the two hotels to safely cross the road and access the proposed outdoor dining and patio areas of this project. The applicant should be required to install sidewalks and shade trees along the proposed Neighborhood D Street between the two new buildings per Clifton Park Town Center Zoning regulations. The proposal currently shows an outdoor dining area blocking the continuous sidewalk on the side of the mixed use building, and the proposed parking spots on the Neighborhood Street D would be a major source of conflicts between on road traffic, drive-thru traffic, pedestrians, and bicyclists. The applicant should be required to provide

shade trees along all proposed pedestrian infrastructure pieces as required in the Town Center Zoning. The Multi-Use Trail realignment proposed along Clifton Country Road should be 10' wide as called for in the Trails Master Plan and supported by the Town Board. The applicant also agreed to include a 10' wide multi-use trail in future developments of their subdivided parcels at the corner of Clifton Country Road and Clifton Park Center Road. As that baseline has already been established, the design should be kept uniform along the entire length of this major thoroughfare. The applicant should specify proposed sidewalk widths, as the design simply states 3'-5' wide sidewalks. If sidewalks are proposed to be less than 5' wide they will require bump outs at regular intervals to meet ADA requirements. The plan as currently shown does not specify materials to be used on sidewalks, multi-use trails, and other pathways. The applicant should provide clarity on this issue and show each material with a different pattern or color on the plans for future review. The applicant continues to show a lack of connection between the new buildings proposed and the existing bank/retail building. A connection from this building to the proposed pedestrian infrastructure throughout Village Plaza should be required as well as a connection to the multi-use trail that runs in front of this building. The applicant shows no connection between the proposed pedestrian infrastructure and multi-use trails and the existing crosswalk across Clifton Country Road at the light with Clifton Park Center and Village Plaza: a complete connection should be required and shown on future submittals. The applicant should provide appropriate signage for the proposed midblock crosswalk as the traffic can move quite fast along the internal roadway in Village Plaza, putting pedestrians at risk if proper signage is not provided. The applicant should provide crosswalks across the entrances to parking aisles on the plans to create the sense of blocks and safe passageways for pedestrians as called for in the Town Center zoning. The applicant currently shows no bike racks on the plans. The applicant should be required to provide a bike rack at each of the proposed new buildings, the existing bank/retail building and the main plaza building per the zoning code which requires a bike rack at each building. The applicant should be required to use concrete at all roadway crossings to reduce the need for constant restriping of crosswalks and clearly show where pedestrians are supposed to safely cross.

Mr. Anthony LaFleche, 21 Wheeler Drive, encouraged Board members to ensure that there is adequate distance between bicycle lanes and the designated parallel parking area along Clifton Country Road. He urged the Board to be certain that the plan provided for snow removal and/or storage on site. He observed that the proposed mixed-use building was situated in close proximity to the roadway and encouraged Board members to review the design plans carefully to "keep their options open and leave space for improvements."

Mr. Werner observed that although some access to the restaurant drive-thru would be provided from Street 1, most vehicles would access from the shopping center loop road. He noted that since no bypass lane was provided beside the drive-thru aisle, drivers who decided not to patronize the business would have no "means of escape." The speaker commented that he "strongly agreed" with the recommendation that called for the elimination of parking along the southerly side of Street 1 and that sight distance issues may result from the location of the entranceway on a significant curve. Speed calming measures may be required. The elimination of two parking spaces south of the proposed entranceway from Clifton Country Road may also be warranted. Mr. Werner questioned the accuracy of the AM peak "capture rate" provided in the traffic study prepared for the applicant by Creighton-Manning, explaining that many of the businesses within the shopping center are not open during AM peak travel times. Ms. Paulsen

found the proposed streetscape appealing though she commented on the number of signs illustrated on the photo simulation. Mr. Miller explained that it may be necessary for the applicant to seek a variance from the Zoning Board of Appeals for the number of signs proposed. Mr. Ferraro stated that he would not support the installation of signage on all sides of the proposed buildings and that no neon signage should be included in the project design. In response to Mr. Ophardt's question regarding the location of the main entrance for the proposed restaurant, Mr. Andress explained that the design plan was still being developed. Mr. Miller reported that the main entrance would be located near the patio area along the northerly side of the building. Mr. Ophardt stated that he "supported all of the recommendations offered by the Trails Subcommittee" including the 10' wide multi-use pathway that would provide a connection to the mall. In his opinion the connection to existing Starbucks and bank was necessary. Although he was "not a fan" of the parking provided along the southerly side of Street 1 that would require drivers to back into a drive aisle, he did support the proposed parallel parking along Clifton Country Road that would "help establish a neighborhood feel" for the area. Mr. Neubauer spoke in favor of the proposed modifications to code requirements, explaining that the applicant appears to "be moving toward compliance with the form-based code." He also commented that he finds the project design pleasing and the architectural modifications such as the limited use of glass, frequency of entryways, and roof line changes acceptable since the proposed modifications of the strict code requirements appear to contribute to the development of a "downtown." Mr. Ferraro and other Board members found the discrepancies in the labeling of elevations for the restaurant provided for consideration confusing: Mr. Miller stated that he would provide appropriately-labeled façade renderings with future submissions. Mr. Andarawis explained that the submission of correct façade renderings and building elevations would be a necessary and extremely important part of the Board's review since they would provide the basis for the Board's "vision" of the proposed development. He emphasized the fact that he did not want to "look at service entrances." Mr. Koval expressed concerns regarding the location of the parking lot to serve the restaurant noting that patrons would be required to "walk between the cars" queued at the drive-thru. Though he believes that the east-west drive labeled as Street 1 would likely become the principal access to the shopping center, making the proposed parking along the southerly side of Street 1 "difficult," he finds that the proposed parallel parking along Clifton Country Road "establishes the area as a neighborhood." Mr. Neubauer recommended the planting of a 30" high hedge to prevent restaurant patrons from indiscriminate crossing of the drive-thru lane. He called for the applicant to provide additional site details which would provide insight into how the proposed plan conforms to the "very prescriptive" form-based code requirements. Mr. Ferraro thanked the applicant for the thoughtful revisions to the plans in accordance with TAC recommendations and for relocating the drive-thru as recommended, noting that the changes "create a nice streetscape." He commented that he found the diversity of the trees and shrubbery appealing. He would prefer installation of an 8' wide trail in the area. Mr. Neubauer agreed that an 8' wide trail would be acceptable, though Mr. Hartnett argued that "trunk trails are always 10' wide." Mr. Ferraro stated that he viewed the businesses, offices, and residences included in the mixed-use area as destinations that would be "better served by sidewalks than by bike trails." Mr. Neubauer pointed out that the area will have sufficient pedestrian and bicycle accommodations since sidewalks are planned for both sides of Clifton Country Road. Mr. Ferraro stated that he found the narrower pathways to be "more calming." In response to a question asked by an audience member, Mr. Miller stated that the project was aimed at serving "empty nesters and millennials." Mr. Bianchi stated that he would not support the installation of a crosswalk near the movie theater entrance to Clifton Park Center since the

connection would be located on a curve, travel speeds are significant in the area, and the intersection is “uncontrolled.” Though Mr. Hartnett countered that a similar crosswalk exists at the entrance to Wall Street, Mr. Werner noted that the curve in the area of the proposed development is more severe. Mr. Ferraro explained that it may be prudent “to wait to see what pedestrian patterns emerge.”

Mr. Scavo explained that the Clifton Park Town Center Form-Based Development Code authorizes the Planning Board to modify the Dimensional Standards as appropriate and he asked if Board members found the several site plan modifications for areas A and B and architectural modifications for the four-story mixed use building and 2,800SF restaurant building as outlined in a document provided by the applicant at this evening’s meeting reasonable and acceptable. Mr. Koval explained that although it was clear that most Board members supported the elimination of the parking spaces provided along the southerly side of Street 1, he finds the project presented acceptable since the applicant has made an earnest effort to incorporate form-based code requirements to the greatest extent practicable on the given site. Board members discussed the façade renderings proposed for the restaurant at length, agreeing that future submittals would likely provide necessary design details. Mr. Ferraro concluded the discussion by stating that it appeared that Board members were “comfortable moving forward with some trepidation.” It was noted that the applicant was a “local applicant” with a vested interest in creating a project that would enhance the neighborhood and appeal to the targeted market.

[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 – Preliminary site plan review and possible determination. SBL: 271.-1-7.3

Mr. Stephen Weekes, applicant, presented this application which remains generally as presented at the October 14, 2015 Planning Board meeting. He explained that updated plans reflect comments and recommendations offered by professional staff members, the town’s designated engineer, and members of the Planning Board. The plan now shows that bollards will be installed to protect guy wires and that a bike rack has been illustrated along the existing building. Mr. Weekes introduced Mr. Gil VanGuilder who noted that a written response letter has been forwarded to the Planning Department that addresses many of the technical issues of concern. He pointed out that a lighting plan for the site has been submitted to the Planning Department. The plan proposes the installation of LED lighting with cut-off shields: photometric plans have been included with the submission indicating that there will be little glare or impact to off-site properties. The requested note regarding restriction on the dumping of debris within the Dwaas Kill corridor has been added to the plan. Traffic patterns through the site remain. No liquid waste will be disposed on in the proposed dumpster. Connection to the renovated plaza will be developed as proposed.

Mr. Scavo reported that Mr. Myers, Director of Building and Development, offered the following comments in a memo dated November 19, 2015. An oil/water separator should be installed for discharge from the site prior to going to the county sewer system. Mr. Myers noted that no stormwater documents have been submitted for the project.

Mr. Scavo reported that the ECC offered no comment regarding the project plans at its November 17, 2015 meeting.

Mr. Scavo reported that Mr. Reese, Stormwater Management Technician, provided the following comments in a memo dated November 23, 2015. The outfall from the dry well system shall be evaluated with the proposed addition of impervious areas to verify that slope stabilization is ensured. Percolation rates of the existing drywells can be tested and used for the Drainage Analysis.

Mr. Scavo offered comments prepared by the Planning Department. In light of the stormwater issues, he recommended that, should the Board grant preliminary and final site plan approval to this application, the following two conditions be included as part of the final resolution:

1. The property owner will remove the sediments at the bottom of the existing drywells.
2. During construction to install new drywells the property owner will be responsible to locate the outlet pipe. Once located, the property owner will coordinate with town staff to determine if a pipe extension is warranted, along with additional outlet protection and bank stabilization measures. The property owner shall agree that once construction starts the work will be completed in accordance with the recommendations made by the client's engineer and agreed upon by the Town and or the Town's Designated Engineer.

Mr. Bianchi reported that M J Engineering and Land Surveying, P.C. provided the following comments after review of the project plan submitted for review. The site plan must provide construction details for the proposed dry wells, light poles/bases, new pavement, storm piping, trenching, and bedding conditions for review. Plans should indicate whether the proposed light fixtures will be full cut type to limit off-site glare. The types of fixtures (i.e. halide or LED) should also be indicated. The accessible parking space and adjacent accessible aisle shall be provided with the appropriate signage as dictated by the Building Code of New York State and Accessible Guidelines (2010). Detailing and signage shall be provided for review. The accessible parking space shall include the "racing handiman" which is required in New York State. The line striping color and spacing for the accessible aisle must be identified on the plans. The applicant is asked to provide spot elevations from along the accessible route between the accessible parking space to the accessible entrance to the building to confirm that the running and cross slopes of the surface do not exceed the maximum allowable. The material, size and slope for the pipe connecting to the proposed drywell on the east side of the building must be identified. The end section which discharges runoff from the site under emergency conditions is noted as not being recovered. The location and condition of this end section should be determined in the event it is in need of repair. Inlet protection for existing/proposed drainage structures that will be proximate to the area of disturbance must be provided. The stormwater analysis utilizes a presumptive infiltration rate that correlates to the USD soil textures for the site. Prior to construction, in-situ soil testing should be performed to confirm design assumptions made.

Mr. Dan Hartnett, Chairman of the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee, thanked the applicant for including a bike rack as requested. The applicant

should provide design and installation details for verification by inspectors. The Trails Subcommittee requests that the applicant be required to install a concrete crosswalk across their entrance to provide a visual cue that pedestrians will be crossing on the sidewalks along Route 146.

In response to Mr. Ophardt's question regarding site landscaping – particularly the arbor vitae tree line along the easterly side of the site, Mr. VanGuilder explained that the tree line would be removed. The existing easement along the south of the Pizza Hut property that currently provides egress from the site will be extinguished and the easement relocated when the owner closes on the land transfer with Nigro Companies. Mr. Ferraro thanked Mr. Van Guilder for providing written responses to previous comments. In response to his question concerning enhanced landscaping at the entrance, Mr. Weekes explained that it was his intent to provide appropriate landscaping along the Route 146 corridor. He will also provide striping for the sidewalk connection that crosses the entranceway from Route 146. Mr. Koval asked for clarification regarding upgrades to the existing building. Mr. Weekes explained that although there will be no changes to the building's footprint and the building is structurally sound and adequate for the operation of the car wash business, cosmetic improvements will be made to the roof and building façade to reflect current design trends.

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

Mr. Koval moved, seconded by Mr. Prescott, to grant preliminary and final site plan approval to this application conditioned specifically upon the property owner's removal of all sediments at the bottom of the existing drywells and the identification of the location of the existing outlet pipe during installation of the improvements to the existing stormwater management system and, once located, coordination with town officials to determine if a pipe extension is warranted, along with additional outlet protection and bank stabilization measures. In addition, the property owner shall agree that once construction starts the work will be completed in accordance with the recommendations made by the client's engineer and agreed upon by the town and/or the town's designated engineer. Approval is also 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, adjournment of the meeting at 8:55p.m. The motion was unanimously carried. The next meeting of the Planning Board will be held as scheduled on December 8, 2015.

Respectfully submitted,

Janis Dean, Secretary