

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

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Eric Ophardt  
Jason Beach  
Andrew Neubauer  
Denise Bagramian  
Greg Szczesny

(alternate) Ram Lalukota

**Planning Board Minutes**  
**March 11<sup>th</sup>, 2020**

Those present at the March 11<sup>th</sup>, 2020 Planning Board meeting were:

Planning Board: R. Ferraro, Chairman, E. Andarawis, D. Bagramian, J. Beach, E. Ophardt,  
G. Szczesny  
R. Lalukota – Alternate Member

Those absent were: A. Neubauer

Those also present were: W. Lippmann, M J Engineering and Land Surveying, P.C.  
A. Morelli, Counsel  
P. Cooper, Secretary

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

Mr. Ferraro stated that in the absence of Mr. Neubauer, Mr. Lalukota will be a voting member of the Board tonight.

**Minutes Approval:**

Mr. Andarawis moved, seconded by Mr. Ophardt, approval of the minutes of the February 25<sup>th</sup>, 2020 Planning Board meeting as written. Ms. Bagramian abstained from approving the minutes as she was absent from the February 25<sup>th</sup>, 2020 meeting. The motion was unanimously carried.

**Public Hearings:**

None

**Old Business:**

None

**New Business:**

**2020-014 Landmark Square**

*Applicant proposes to develop the site with a 1 story 2,400 sf bank, a 3,500 sf urgent care center and a 2,400 sf drive-thru restaurant with associated parking access drive, utilities, landscaping, stormwater management facilities and other site appurtenances, 1729 Rt 9, Zoned: B4-A, Status: PB Concept Review*

SBL:

272.9-1-5.1

To be reviewed by: MJE      Consultant: Bohler Eng.      Applicant: CP Landmark Ltd

**Consultant/Applicant Presentation:**

Caryn Mlodzianowski – Bohler – Ms. Mlodzianowski outlined the parcel on the map that she presented to the Board. Ms. Mlodzianowski stated that the project is to remain solely in the Town of Clifton Park even though the property falls in both the Town of Clifton Park and in the Town of Halfmoon. She went on to state that there are three pad sites proposed, the closest to the Route 9 and Old Route 146 intersection will be 2,400 +/- sq/ft bank with drive through, the next building will be a 3,500 sq/ft medical facility, and the furthest will be a restaurant and drive through. Ms. Mlodzianowski stated that there will be one curb cut on Route 9 to service all 3 pad sites, and that conceptually the NYSDOT is ok with this plan. Ms. Mlodzianowski stated that the wedge of the property is making setbacks hard due to the municipal lines; the setback off of Route 9 is less than 5 feet over the code limit for the front setback but doing this she stated it will keep the building fully within the Town of Clifton Park. Ms. Mlodzianowski stated that she has received letters from the Town representatives and feels they are straight forward, however; she questioned the comment regarding full Type I SEQR review, She feels that a Type I action is not needed. She stated that there is a proposed roadway connecting to Old Route 146 that can be eliminated to create a disturbance of under 2.5 acres.

**Staff Comments:**

**Steve Myers, Director of Building and Development issued a memo dated 2/28/20 stating:**

- Property is currently zoned B-4A
- No proposed building locations shown on site plan
- Portions of proposal cross into Town of Halfmoon. The town line is considered the rear property line therefore it appears variances will be required
- It appears all the proposed uses are allowed
- The 130' setback from the centerline of Route 9 is not shown on proposal
- Front parking and building setback variances are required
- This appears to qualify as a group of establishments per 208-50.6 but the property within the town is only 2.1 acres and 5 is required
- Coordination with the Town of Halfmoon and NYSDOT will be required

Mr. Ferraro stated that he had spoken to Mr. Scavo and he stated that for the setback, the entire parcel needs to be considered not just the portion that falls in the Town of Clifton Park. However, Mr. Scavo had also indicated that the 35% open space requirement does apply to that portion of the property within Clifton Park.

**Scott Reese, Stormwater Management Technician issued a memo dated 3/6/20 with the following comments:**

1. Applicant shall show the proposed stormwater management areas on the concept plan.
2. The project is proposing to disturb more than one acre for a commercial development therefore, a FULL SWPPP will be required.
3. The SWPPP will also need to be reviewed and accepted by the Town of Halfmoon for any proposed disturbance and proposed stormwater management areas within their jurisdiction.

**The Environmental Conservation Commission held a meeting on 3/3/20 and issued a memo recommending:**

1. The ECC notes that the plan states that there are 2.72 acres of land within the Town of Clifton Park. The proposed project shows 3 buildings within that area. Per 208- 50.3 (Space and Bulk Standards) area and lot dimensions require a minimum net land area per establishment of 1 acre. Therefore, the proposed land per establishment does not meet the requirements. Furthermore per 208-50.6, the minimum land area required to construct a group of establishments shall be 5 acres.
2. In the event the applicant should decide to subdivide the 3 buildings, it appears that it will be non-conforming to current town code.
3. The applicant should provide a plot plan that meets town submittal requirements. In addition, the Applicant must indicate the proposed amount of greenspace for this project.

The applicant shall show the greenspace with shading and confirm that the amount of greenspace within Clifton Park equates at least 35% as required by Town Code.

**Roy Casper of the Trails Subcommittee submitted the following comments for the Planning Board to consider in its decision making:**

- A 5ft. wide concrete sidewalk should be provided on the property boundary line along U.S. Route 9. Note: Other existing sidewalk segments on the east side of Rt. 9 in front of Red Front and Modu Sushi and Community Care are shown on the attached map.
- An internal pedestrian circulation plan with sidewalks and crosswalks should be designed connecting the proposed buildings and should also include an entranceway sidewalk connecting to the recommended sidewalk along Rt. 9.

**John Scavo, Director of Planning issued a letter dated 3/6/20 with recommendations he made:**

1. At the time of Preliminary Plan submission, a referral to the Saratoga Co. Planning Board for a recommendation will be made in accordance with GML §239m.
2. Clifton Park Planning Staff has been in discussions with Halfmoon Town Planning Staff for this project. Based on the discussions and conceptual application submitted, it is recommended a coordinated SEQR Review be conducted for the proposed site plan and the Clifton Park Planning Board vote to declare lead agency status.
3. I believe the action meets the Type I thresholds based on the following:

NYCRR 617.4 Type I Actions

(6) activities, other than the construction of residential facilities, that meet or exceed any of the following thresholds; or the expansion of existing nonresidential facilities by more than 50 percent of any of the following thresholds:

- (i) a project or action that involves the physical alteration of 10 acres;

(9) any Unlisted action (unless the action is designed for the preservation of the facility or site), that exceeds 25 percent of any threshold established in this section, occurring wholly or partially within, or substantially contiguous to, any historic building, structure, facility, site or district or prehistoric site that is listed on the National Register of Historic Places (volume 36 of the *Code of Federal Regulations*, parts 60 and 63, which is incorporated by reference pursuant to section 617.17 of this Part), or that is listed on the State Register of Historic Places or that has been determined by the Commissioner of the Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places pursuant to sections 14.07 or 14.09 of the Parks, Recreation and Historic Preservation Law;

Since 4.5 acres are proposed to be physically disturbed on a site containing a historic building, the 25% Type I threshold for 10 acres of disturbance is met. If the Planning Board agrees with this assessment a resolution to declare the project a Type I Action pursuant to SEQR should be made.

4. The applicant should clarify if this proposed location proposes the removal of 3 existing structures along Route 146. A cultural resource analysis should be completed for the entire project area to include the parcels in Halfmoon with the existing structures.
5. It appears the parcels included with the project scope include:

**Clifton Park:**

272.9-1-5.1

272.9-1-5.3

**Halfmoon:**

272.10-1-1.1

272.10-1-22

272.-1-34

6. It is recommended the applicant's design professional meet with NYS DOT, Town of Halfmoon, and Clifton Park Representatives for a meeting to discuss the technical

aspects of the project and scope before additional detailed analysis and engineering studies commence to support the project.

7. Delineate any amendments to the proposed property boundaries for the parcels included under this project shown as a group of establishments. If parcels are to be subdivided out in the future based on this proposed layout, the applicant should be aware of the setback requirements and not generate a self-created hardship.
8. The intent should be to minimize the number of curb-cuts on Route 9 and provide a logical hierarchical progression of access drives to the various properties based on usage levels. It should be verified that emergency vehicles can adequately maneuver through the facility. The level of service for the existing intersection at Old Rt. 146 and Rt. 9 should be evaluated to include an analysis of the proposed concept location of the curb-cuts in relation to moving each as far away from the intersection as possible within the project's limits. A plan for internal traffic circulation should be a part of the project review for the proposed development. Analysis of internal movements, trip generation, and the impact to the Route 9 & Route 146A intersection is a vital component to the SEQR review process to ensure the project is not detrimental to the property owner and the traveling public.
9. The applicant should furnish documentation that adequate water and sewer capacities exist, and there is a willingness from both the Town of Halfmoon Water Department and Saratoga Co. Sewer District to service the project.
10. As detailed plans progress landscaping, lighting, and on-site stormwater management plan details will be important aspects for review and discussion between the applicant and Planning Board.
11. The applicant should coordinate with Sheryl Reed, Chief of the Bureau of Fire Prevention, the proposed hydrant locations.

**Professional Comments:**

**Walter Lippmann, P.E. of MJ Engineering in a letter dated 3/6/20 had the following comments:**

Mr. Lippmann state that this review is based on the subdivision map, not the site plan map.

**State Environmental Quality Review**

1. Based upon our review of Part 617 of NYS Environmental Conservation Law, the project appears to be an “Type 1” action pursuant to Part 617.4(b)(9).

Assuming the Clifton Park Planning Board is to request Lead Agency status under SEQRA, a coordinated review is required for Type I actions. Under a coordinated review, involved / interested agencies to be engaged may include, but is not necessarily limited to the following:

1. Town of Clifton Park Planning Board – site plan approval
2. Town of Halfmoon Planning Board – site plan approval
3. Town of Halfmoon Water Department – request for taking of additional water, public water supply plan approval.
4. Saratoga County Planning – 239n referral due to the project's location on US Route 9
5. Saratoga County Sewer District #1 – sewer connection
6. NYS Dept of Environmental Conservation – permit coverage under stormwater SPDES
7. NYS Office of Parks, Recreation and Historic Preservation – identification of cultural or historic resources.
8. NY State Historic Preservation Office – identification of archeologically sensitive areas

Additional agencies may be identified by the Town during its review of the project.

2. Part D.1.b.b. – The response indicates that the project will physically disturb 4.5 acres of land. As such a Stormwater Pollution Prevention Plan (SWPPP) will be required.
3. Part E.2.1 – The response indicates that the site is located over a primary, principle or sole source aquifer. Any proposed stormwater management facilities need to consider the associated boundary conditions with sole source aquifers when placing such facilities.
4. Part E.2.o - The response indicates that the site does not contain any species or animal, or associated habitats listed by the State or Federal Government. Please confirm the response provided includes a search of the USFW Ipac database to account for federally protected species.
5. Part E.3.e.iii – The response indicates that the project site is located adjacent to a building which is listed on the National or State Register of Historic Places. Provide a description of the attributes for which the listing was based.
6. Part E.3.f - The FEAF indicates that the project site is located in or adjacent to an area designated as sensitive for archeological sites on the NY State Historic Preservation Office (SHPO) archeological site inventory. A “no effect” letter will be necessary and shall be provided to the Town.
7. No additional comments at this time.

## Site Plans

1. The project is located within the Town's Highway Business/Restrict Retail District (B-4A) zoning district. Based upon information provided by Town staff, it is understood that the proposed use and permitted under a special use permit.
2. Provide a site statistics table for the proposed development for comparison to the minimum bulk lot requirements as indicated in Section 208-50.3.
3. The project proposes development on two parcels of land. The site plan will affect Lands of CP Landmark LTD identified as Tax ID 272.9-1-5.1 (Town of Clifton Park) and 272.-1-34 (Town of Halfmoon). These two separate Tax IDs are representative of the parcel being bisected by the municipal boundary between the Towns of Clifton Park and Halfmoon. The existing parcel will have frontage on a public street within the boundaries of the Town of Clifton Park as required by Section 208-101 of the Town's Zoning.
4. The proposed site plan will be subject to the review and approval by the Town of Halfmoon Planning Board and other Town departments.
5. The full environmental form indicates the development of a 2,400 SF bank, 3,500 SF urgent care and 2,400 SF drive-thru restaurant with associated parking, drive utilities, landscaping and stormwater. Subsequent submissions should include these above items on the plans.
6. The submitted SEQRA Full Environmental Assessment Form indicates the total project disturbance will be more than one acre and therefore would be subject to the NYSDEC Stormwater Regulations and GP-0-20-001. As the project advances through the Town's regulatory review, a SWPPP addressing water quality, quantity and green infrastructure shall be provided.
7. As a result of being subject to the Stormwater General Permit GP-0-20-001, the applicant will need to seek consultation from the NYS Office of Parks, Recreation and Historic Preservation and the NYSDEC regarding the absence or existence of cultural or historic resources and threatened and endangered species, respectively within the project boundaries if not already completed as part of the prior approvals on the site.
8. 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.

Subsequent submissions shall include information as outlined in Section 208-115 of the Town zoning specific to lighting, site grading, landscaping, erosion control and stormwater management to fully assess the design and its compliance to the applicable standards.

### **Public Comments:**

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche asked if the road connecting to Old Route 146 were to be created, how many cars would fit between the access and the corner of the roadway before access to the drive would be blocked. Ms. Mlodzianowski stated that 4-5 cars would fit between the corner and the drive access. Mr. LaFleche then stated that the setback from Route 9 is currently 80 feet +/- dependent on the current proposal, but would like to see easements put in for sidewalks and extra room given for winter snow removal pile up. Mr. LaFleche then suggested a possible lot line adjustment to keep the buildings in the Town of Clifton Park but still give the frontage needed on Route 9 to code.

John Scherer – Preservation Commission Member and Historian - Mr. Scherer stated that he notices that the name of the project reflects the area in which the proposal is and would like to see the hotel featured in the project. He stated that the hotel is on the historical registrar and that the two homes next to the hotel on Old Route 146 are eligible. Mr. Scherer stated that the applicant can use the landmarks as a theme to develop the property and possibly make use of all the buildings in the area such as boutiques. Mr. Scherer stated there may be tax credits available for restoration of the historic buildings and that the two homes on the site could be moved to a different location on the site or moved off site to better fit the applicant's proposal for the property. Mr. Scherer stated that a structural report was last done in 1998 on the buildings. He asked if all of the frontage space has been used on the property, will there be access to the property from the rear, and if the roadway on Old Route 146 is put in, is there room to go between the buildings. Ms. Mlodzianowski stated that the proposed access to Route 9 is being designed to be able to access the entire property, including access to the rear of the property. Mr. Scherer stated he would be willing to meet with the applicant to discuss opportunities to preserve the buildings on the property rather than demolishing them if that is the plan of the applicant.

Linda Seymour - Preservation Commission Chairperson – Ms. Seymour stated she too is concerned that the buildings would be demolished. Even though the homes are in the Town of Halfmoon, they could be relocated elsewhere in the Town of Clifton Park. She stated that as Mr. Scherer stated she would also like to see the theme of the project relate to the landmarks currently on the site. Ms. Mlodzianowski stated she would pass the information on to the property owner re: the availability of assistance in deciding the future of the historic buildings.

Mr. Lippmann stated that municipal boundaries will not be able to be adjusted. Mr. Andarawis asked if the buildings can be but on both side of the line. Mr. Ferraro stated the building can be

split between the towns but is not sure on what the tax assessments and percentages would then be.

### **Planning Board Review:**

Ms. Bagramian asked if there are any present plans for the existing buildings. Ms. Mlodzianowski stated that the historic hotel is to remain at this time and the two homes are open to suggestions from the applicant. She also stated that to rehab all three buildings may be too expensive for the applicant but all of the suggestions and information Ms. Seymour and Mr. Scherer have provided, she will pass along. Ms. Bagramian asked if there is room between the hotel and the first home to be able to fit a driveway between them. Ms. Mlodzianowski stated that there is room since it is a 30 foot road width, but for now the focus will only be on the Route 9 entrance, the secondary roadway if developed will come later.

Mr. Andarawis stated that the cost of rehabbing the buildings are increasing by the minute and that he suggests that something be looked at sooner rather than later.

Mr. Ferraro asked if all three buildings were on the historical registry. Mr. Scherer stated that only the hotel was but all three are eligible.

Mr. Szczesny asked what it means if a building is not registered historical. Mr. Scherer stated that this means that it is protected from any federal and state projects only, and any of the three buildings could be taken down as long as the state or federal funds are not involved.

Mr. Ferraro stated that Mr. Scavo stated the SEQR action would be a Type I action due to the historic site. Mr. Scherer stated that a box was checked yes for a registered historic site but no for other and the other historic site should have been marked off on the SEQR application. Mr. Scherer stated that if the applicant would be willing to subdivide the buildings it might be able to be sold and restored by someone else. Ms. Mlodzianowski responded that the applicant is not going to touch the historic buildings, she is only proposing to develop next to them, and the buildings are on their own properties not on the property that is being proposed today. Mr. Ferraro stated that the buildings are still adjacent and therefore still counts on the SEQR

Mr. Andarawis stated that all 3 uses for the buildings are similar and that they would be generating high traffic during peak hours and the peak hours for the buildings would be about the same time as well. So the size of the building does not represent the traffic to be generated.

Mr. Ferraro asked if there are tenants already for the buildings. Ms. Mlodzianowski stated there are no specific tenants for the uses yet, the general layout and building placement are what they are looking for but exact shape of building is not yet determined.

Ms. Bagramian asked how the numbers of square feet have been generated for the buildings if there are no specific tenants for usage yet. Ms. Mlodzianowski stated that these are the general square footages for the types of buildings being proposed. Ms. Bagramian asked how many parking spots are being proposed for the medical building. Ms. Mlodzianowski stated the medical building would have 27 and would meet code. She also asked if there would be a drive through for the bank and for the restaurant. Ms. Mlodzianowski stated there would be.

Mr. Beach asked if the applicant would be willing to open up the space for other tenants other than stated in the proposal. Ms. Mlodzianowski stated they would be open to other possible uses.

Mr. Ferraro voiced concern about the development here at a busy intersection and the development of the land behind the application being presented today; he asked the applicant what future site development would be foreseen. Ms. Mlodzianowski stated that it is hard to predict what would happen to the site in the future but the Town of Halfmoon will be lead on the possible development, and that would be a different project. She also stated that the plan will have the roadway coming from Route 9 available for future development to access the rear of the parcel.

Mr. Ferraro stated that a number of issues need to be taken into consideration when looking at the application including the possible future development on the remaining portions of the parcel, historic preservation, internal and external circulation systems, the amount of traffic generated from the proposed uses, as well as dealing with a land locked parcel should this portion of the development be approved. He stated that he feels other organizations such as the DOT, Town of Halfmoon, and Historic Preservation Committee need to be involved in the discussions as part of the decision-making process.

Mr. Ophardt suggested looking in the future to not bring a roadway to Old Route 146, but rather possibly making a rear roadway to Cemetery Road, thus taking traffic off Route 9 directly or indirectly. Ms. Mlodzianowski stated that development of the rear of the site is years away from development so this is unknown currently. All the information on the project is for the three pad sites on the Route 9 side of the parcel.

Mr. Lalukota asked if the applicant has any other options for this parcel besides this one. Ms. Mlodzianowski stated that they had 4 buildings with them being closer to the historic hotel but decided to cut back to allow distance from the new building and the hotel.

Mr. Ophardt asked about the space around the proposed urgent care facility, and Ms. Mlodzianowski stated it is currently proposed for green space and storm water management.

Mr. Andarawis stated that his preference would be to not see the parking on the Route 9 side. Mr. Ferraro stated that there are not many internal and external environmental features provided on the plan being presented and more should be integrated into the plan. Mr. Ferraro also mentioned about a possible shared access from the Shenendehowa District Office drive to minimize conflict points associated with driveway access on Route 9, in particular since it is so close to the intersection.

Mr. Lippmann stated that Mr. Scavo had stated he would like to set up a meeting to work discuss the project with all the parties involved. Ms. Bagramian and Mr. Szczesny agreed.

Mr. Ophardt stated that there have been developments on Route 9 with no traffic issues that have raised concern before development. He stated that his concern is with the remainder of the property and what happens down the line behind this first proposal. Mr. Ophardt asked if the roadway going to Old Route 146 could be eliminated, at least for now. Ms. Mlodzianowski stated for now it can be eliminated, it can be reintroduced on future plans if it needed.

Mr. Ferraro asked the applicant if the agricultural/residential zoning use in the Town of Halfmoon would remain, and what would the potential impact on the area and traffic be.

Ms. Mlodzianowski stated that the parking being provided meets the zoning requirements; if the layout was changed it would not be complying with zoning. She asked if the Board is happy with this preliminary conceptual layout of the plan. Mr. Ferraro stated that he has a number of concerns specific to this proposal including, but not limited to: driveway access issues, stormwater management not fully identified, no landscaping plan, lacking internal pedestrian circulation, sidewalk requirement on Route 9, and variances are going to be needed as well as all the other items discussed during the meeting. Mr. Ferraro stated that this area is a major cultural asset that needs to be taken into account with this project.

### **New Business:**

#### **2019-044 940/942 Route 146 Professional Park Expansion**

*Applicant proposes to redevelop the properties at 940 and 942 NYS Route 146. The Capital Care Pediatrics building will remain and the existing parking lot will be expanded. Play Care will be relocated to 3 new buildings. The existing Play Care building will remain and be leased to a new user and share proposed parking expansion with Capital Care Pediatrics. The Sara Marie School will relocate to 2 new buildings. The existing building will be demolished to allow for parking and circulation improvements. The two existing entrances on Route 146 will be combined into a single point of entry with a landscape boulevard. Project also includes parcel 271.-4-10. Required Area Variances were approved on 1-7-20, 940 Rt 146, Zoned: B-1, Status: PB Concept Review SBL: 271.-4-11*

To be reviewed by: MJE

Consultant: EDP

Applicant: Winfield Company, LLC

**Consultant/Applicant Presentation:**

Joe Dannible – EDP – Mr. Dannible stated that since he last presented the project to the Board, the ZBA has granted the variances needed for the project. Mr. Dannible stated he wanted to come back to the Board to go over any changes and see if the site plan is acceptable to the Board and air out any changes that the Board may suggest. Mr. Dannible indicated on the map shown to the Board the area that is to be developed and the site plan. Mr. Dannible also showed the present roadway off Route 146 entering to the Sarah Marie School to show the entrance changes. He stated that the project will be on two tax parcels and total 8.2 acres, three existing buildings will remain as well as a shed like structure. Mr. Dannible stated that the current daycare building would be demolished, the school and the physician's office would remain; and the parking lot in the front of the current medical building would be relocated to the side of the building to create more roadside green space. Mr. Dannible stated that there is a wide turn around for school bus access as well as emergency vehicles and will convert two access points which is currently there now into one access point off of Route 146 with a boulevard entrance. He stated that there are a total of seven new buildings, and two existing buildings totaling the proposal to 48,000 sq/ft and all buildings will be single story. The parking is one space for every 170 sq/ft with some shared parking between buildings. Mr. Dannible stated that the building in the most rear of the proposal will be for the Sarah Marie School; it will be attached to the building next to it via a corridor keeping people safe from the elements and there will be a single point of entry for safety. The field behind the building will be graded for child outdoor play use. Three connected buildings along the side of the property will be for the Play Care business. Mr. Dannible stated that the other two new buildings do not have a specific use yet but they will be staying within the zoning compliance. He said that given the soil type, he does not foresee any groundwater problems but can address storm water management issues as needed. Public water, sewer and storm water management will be on site. Mr. Dannible has two designs for the drop off for the school that could be possible; they are working with the school to see what would be more efficient for them. Mr. Dannible stated that from Route 146 most of the buildings will not be visible, and that the corridors will be as transparent as possible so the buildings look separate, they will be made of a stone base/cement board siding. Mr. Dannible stated that there will be an internal sidewalk system with connection to Route 146 which is not shown as the location is to be determined.

**Staff Comments:**

**Steve Myers, Director of Building and Development issued a memo dated 2/28/20 stating:**

- All variances approved with conditions

**Scott Reese, Stormwater Management Technician issued a memo dated 3/6/20 with the following comments:**

1. The project is proposing to disturb more than one acre for a commercial development therefore, a FULL SWPPP will be required.

**The Environmental Conservation Commission held a meeting on 3/3/20 and issued a memo recommending:**

1. There is a discrepancy between the narrative description in the application for site plan review and the plan provided. Specifically, which buildings are remaining, and which ones will be removed.

**Roy Casper of the Trails Subcommittee submitted the following comments for the Planning Board to consider in its decision making:**

- The Redevelopment Concept Plan shows a good internal pedestrian circulation plan with sidewalks connecting the proposed office buildings.
- Additional pedestrian connection considerations:
  - o The concept plan does not show any sidewalk connection to the sidewalk on NYS Route 146. A concrete sidewalk should be provided along the east side of the entrance driveway from the existing sidewalk on NYS Route 146 to the sidewalk shown on the concept plan.
  - o A separate sidewalk should also be provided from the sidewalk on NYS Route 146 to the existing building in the northwest corner of the property.
  - o A crosswalk and sidewalk should connect the sidewalk shown on the concept plan to the existing medical office building. (See map for sidewalk/crosswalk recommendations)

**John Scavo, Director of Planning issued a letter dated 3/6/20 with recommendations he made:**

1. A trip generation and traffic analysis should be provided, pursuant to the outcome of the discussion at the 11-26-2019 Planning Board Meeting when the revised concept layout was last considered by the Planning Board:

The six Planning Board Members and one alternate Planning Board Member present were in overall support of the new layout. Members also agreed that a trip generation report and limited traffic analysis should be completed if variances are granted. One of the members expressed support only for the variances associated with the school but felt they were less critical for the daycare to proceed forward at 4,800 sq.ft.

2. A few members of Planning Board previously noted at the 11/26/2019 meeting that if area variances were approved, the landscaping to minimize the parking lot impacts along Route 146 would be a critical design element. It appears no modifications to increase the landscaping have been made to date. Such modifications should be made to future submittals.

3. A referral to the Saratoga Co. Planning Board will be made in accordance with §239-m of GML at the time of preliminary plan Submittals by the applicant.
4. Additional comments to follow with a future submittal of more detailed preliminary plan drawings to reflect the design standards and details required under the B-1 Business Non-Retail Zoning District.

**Professional Comments:**

**Walter Lippmann, P.E. of MJ Engineering in a letter dated 3/6/20 had the following comments:**

**State Environmental Quality Review**

1. Based upon our review of Part 617 of NYS Environmental Conservation Law, the project appears to be an “Unlisted” action. If 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:
  - a. Saratoga County Planning: 239m referral due to the project's proximity to NY Route 146
  - b. Town of Clifton Park: site plan approval
  - c. NYS Department of Transportation: permit for removal of entrance on NY Route 146
  - d. Clifton Park Water Authority: connection to municipal water
  - e. Saratoga County Sewer District #1: sewer connection

Additional agencies may be identified by the Town during its review of the project.

2. Part I.3b – The response indicates that more than one acre of land will be disturbed. The project will require a stormwater pollution prevention plan (SWPPP) to ensure there will be no adverse impacts to adjacent or down gradient properties.
3. No further comments at this time.

**Site Plan**

1. The project is located within the Town's Business Nonretail (B-1) zoning district. The proposal for a mixed-use professional park is a permitted use within the B-1 District as noted in Section 208-32 of the Town's Zoning.
2. Update the site statistics table to account for the special setback requirements from Route 146 as defined in Section 208.98 of the Town's Zoning, this includes building setbacks.
3. The project will disturb more than 1-acre of land. As such, it will be subject to the NYSDEC Phase II Stormwater Regulations and General Permit GP-0-20-001. Therefore, a full SWPPP will be required that addressed water quantity and quality controls. As the project proceeds through the Town's regulatory review process, a fully conforming SWPPP shall be provided for review.
4. Provide location(s) on plans for possible stormwater treatment areas.
5. Section 208-35(D)(4) requires a 10-foot buffer area along the side and rear yards for the purpose of screening from adjoining properties. Indicate on the plans the landscape buffers, this shall be confirmed as part of the detailed site design and grading. There may be a need to supplement with landscaping to maintain a minimum buffer.
6. It is recommended that a traffic impact study be completed that assesses peak hour vehicle trips, site distance at the project entrance as well as accident data within the project vicinity.
7. The plan shows 237 new parking spaces and 42 existing spaces being reused for a total of 279. Per Section 208-99 of the Town Zoning the minimum parking requirements for office space is 1/300 square feet for offices and 1/150 square feet for medical/dental offices. Advise as to the need for the additional spaces proposed. If possible, spaces above the required should be considered for banking to reduce excess parking that may not be necessary.
8. There needs to be a determination if the proposed building construction and use will warrant automatic sprinklers as prescribed in the Building Code of New York State. This information is needed to determine whether an on-site hydrant is required to satisfy the requirements of Section 508.8 of the FCNYS.
9. If the project proposes any utility improvement work within the State right-of-way, the work will be subject to the review and approval to the NYSDOT. The applicant shall coordinate with the regional office of the NYSDOT and obtain permitting in advance of construction.

10. Should on-site hydrants be warranted, the site access roads shall comply with Appendix D, Section 103 of the Fire Code of New York State (FCNYS).
11. Indicate the proposed maximum building height in the event appropriate aerial fire access is required in accordance with Appendix D, Section 105 of the FCNYS.
12. Determine if a Knox Box is required based upon the building arrangements, occupancy and materials of construction. If one is required, its location is subject to the review and approval of the Fire Chief.
13. Subsequent plans should include architectural elevations of the building with a listing of the materials of construction for review by the Planning Board.
14. The project proposes to service the buildings with public water from the Clifton Park Water Authority. The applicant shall provide the Town documentation of the CPWA's ability and willingness to service the project with potable water. Any action on the application should be conditioned upon receipt of plan approval from the CPWA.
15. The project proposes to service the buildings with public sewer from the Saratoga County Sewer District. The applicant shall provide the Town documentation of the SCSD's ability and willingness to service the project with public sewer. Any action on the application should be conditioned upon receipt of plan approval from the SCSD.
16. The concept plan shows little in the form of pedestrian connectivity to from the proposed uses internal to the existing right-of-way of NYS Rt 146. The Town should provide direction to the applicant if there is a desire to provide improved internal and external linkages.
17. Section 503.1.1 of the IFC requires an approved fire apparatus access road that shall extend to within 150-feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. The Fire Code Official is authorized to increase the dimension of 150-feet under certain conditions. In reviewing the layout, it appears that Buildings 500, 600, 700, 800 and 900 may not have adequate access as noted in Section 503.1.1 of the IFC.
18. Subsequent submissions shall include information as outlined in Section 208-115 of the Town zoning specific to lighting, site grading, landscaping, erosion control and stormwater management to fully assess the design and its compliance to the applicable standards.

**Public Comments:**

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche asked what the green strip indicated on the map is for. Mr. Dannible stated that the proposal is to add more green space in order to be more visual appealing and having it there can slow down traffic. Mr. LaFleche asked how wide the drive going around the property is, Mr. Dannible stated 26 feet. Mr. LaFleche then asked about the sidewalk placement. Mr. Dannible said that placement is being looked at to keep as many trees as possible. Mr. LaFleche asked what the property currently looks like in the rear of the property and what the plan is for buffering from the bus garage. Mr. Dannible answered that the rear of the property is currently wooded and there will be a fence put in place for buffering from the bus garage that backs up to the property.

### **Planning Board Review:**

Mr. Szczesny stated that he like that the buses will be able to pull through. He then asked what would become of the current storm water management site. Mr. Dannible stated that he is unsure of this yet.

Mr. Ophardt stated a concern that he has with the entrance of the project and the traffic pattern with merging traffic from the front most parking area, which would service the old Sarah Marie School, and he would like to see the drive pushed back 100 feet. Mr. Beach stated that rather than a two direction drive the applicant would be able to make it a right turn only entrance one way and then the applicant would be able to narrow the pavement as well as there is a second entrance that would have an exit as well. Mr. Szczesny agreed. Mr. Ferraro stated that he would like to see both alternatives for the Board to review. Mr. Dannible stated he can look at the alternatives. Mr. Andarawis asked if the front would be turned into a right hand only he would like to see the boulevard entrance extended.

Mr. Ophardt asked if Mr. Dannible feels he can reach the IFC 150 foot code. Mr. Dannible stated that he needs to look into it further and consult with Mr. Lippmann. Mr. Lippmann stated that the conflict comes from the corridors and the hose draw length, and it would increase to 300 feet if the building was sprinkled. Mr. Beach asked if the corridors would have doors that hoses could be run through and if that would be acceptable access for IFC code, as fire doors will be in place exiting each building.

Mr. Ferraro suggested rain gardens in the landscaping plan to address stormwater management issues and to use this a teachable moment for the children attending the school and the daycare. He would also like to see additional landscaping in front of the connecting corridors.

Mr. Ferraro suggested land banking for parking as Mr. Lippmann had stated in his review letter. Mr. Dannible stated that this will be a phased project to help with financing and green space.

Ms. Bagramian asked Mr. Dannible if the buildings that will be remaining would be updated to match the new buildings proposed to be constructed. Mr. Dannible stated that that it is unclear whether updating to the current building would happen.

Mr. Ophardt stated he liked the optional drop off layout and suggested having the drop off at the school instead of at the day care. Mr. Dannible stated he will discuss this with the school and the daycare to see what would work.

Mr. Ferraro stated that he would like to see some EV stations integrated into the parking. Ms. Bagramian stated that there are some National Grid programs that would be able to help with funding.

Mr. Ferraro stated he would like to see the sidewalk connection; he likes the Trails Committee outline. He presented the outline to Mr. Dannible and Mr. Dannible stated that the suggestion was what the applicant was thinking of doing so he will take the idea back to the applicant.

**Discussion Items:**

None

Mr. Szczesny moved, seconded by Mr. Beach, adjournment of the meeting at 9:00 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on March 25<sup>th</sup>, 2020.

Respectfully submitted,

**Paula Cooper**

Paula Cooper, Secretary