

Town of Clifton Park Planning Board
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PLANNING BOARD

DENISE BAGRAMIAN
Chairwoman

ROBERT WILCOX
Attorney

PAULA COOPER
Secretary



MEMBERS

Emad Andarawis
Eric Ophardt
Heather Fariello
Mario Fantini
Jennyfer Gleason
Keith Martin
(alternate) Lisa Westrick

Planning Board Minutes
May 24th, 2023

Those present at the May 24th, 2023 Planning Board meeting were:

Planning Board: D. Bagramian, Chairwoman, E. Andarawis, H. Fariello, E. Ophardt, K. Martin, J. Gleason, L. Westrick

Those absent were: M. Fantini

Those also present were: J. Scavo, Director of Planning
W. Lippmann, M J Engineering and Land Surveying, P.C.
R. Wilcox, Counsel
P. Cooper, Secretary

Ms. Bagramian, Chairwoman called the meeting to order at 7:00 p.m. All in attendance stood for recitation of the Pledge of Allegiance.

Ms. Bagramian stated that in the absence of Mr. Fantini this evening, Ms. Westrick would be a voting member.

Minutes Approval:

Mr. Andarawis moved, seconded by Ms. Westrick, approval of the minutes of the May 9th, 2023 Planning Board meeting as written. The motion was unanimously carried by all who were in attendance at the May 9th, 2023 meeting.

Public Hearings:

Edison Club Subdivision of Clubhouse

SBL: 269.-3-10.11

Subdivide the Clubhouse from the rest of the property, 891 Riverview RD

Zoned: PDD, Status: Preliminary

Citizenserve File Number: 23-001024, Application Number: SUB23-000015

Applicant: Craig McLean, Consultant: Gilbert VanGuilder Land Surveyor, PLLC

Last Seen On: 4-25-23

Ms. Bagramian explained the review and approval 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. She explained that the Planning Board would assume Lead Agency status for the project and issue a negative declaration as a "formality" which neither granted nor implied approval of the subdivision application. Should it be determined that additional environmental review is required, SEQRA discussions will be reopened and a decision rendered when deemed appropriate.

Mr. Ophardt moved, second by Ms. Fariello, to establish the Planning Board as Lead Agency for this application, an Unlisted action, and to issue a negative declaration pursuant to SEQRA.

Ms. Bagramian called the public hearing to order at 7:02 p.m. The Secretary read the public notice as published in the Daily Gazette on May 13th, 2023.

Consultant/Applicant Presentation:

Pat Jarose – Van Guilder – Mr. Jarose stated that the application is for a 2 lot subdivision of the Clubhouse from the rest of the property. He stated that the Clubhouse would be on 3.5 acres and that the remaining land would remain as is and no other changes are being proposed at this time.

Staff Comments:

John DeSimone, Fire Marshall issued a memo stating:

- Revised plan doesn't impact fire access. Post new postal number on existing building when final approval is granted.
- Assigned postal number on revised plan matches approved postal verification.
- Post new postal number on existing building when final approval is granted.

Scott Reese, Zoning Administrator issued a memo stating:

- It appears that the freestanding sign is in the Town's Right-of-Way.

John Scavo, Director of Planning issued a memo stating:

- The applicant's response letter adequately addresses my prior comments. I have no additional comments with this submittal.
- The proposed subdivision is an Unlisted Action pursuant to SEQRA. Therefore, coordinated review is optional. It is recommended the Planning Board issue a negative Declaration for the action.
- The applicant has provided a letter from NYS OPRHP stating that in its opinion no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter had the following comments:

STATE ENVIRONMENTAL QUALITY REVIEW

1. No further comments.

SHORT ENVIRONMENTAL ASSESSMENT FORM

2. No further comments.

SITE PLANS

3. Show any ingress/egress or utility easements even if temporary on the subdivision plat. These should include access to the driving range

Public Comments:

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche stated that he would like to see the option open for a possible trail on Riverview Road. He stated that he feels it is important to have an easement.

There being no additional public comment, Mr. Ophardt moved, second by Ms. Gleason, to close the public hearing at 7:09 p.m. The motion was unanimously carried.

Planning Board Review:

Mr. Andarawis asked what the thought was of the applicant to have the property lines where they are proposed. Mr. Jarose stated that this is for a possible future road. Mr. Craig McClain, the applicant, stated that there is a pump house for the irrigation system, and if they did not make the lines as proposed, an easement would be needed. Mr. Andarawis asked if the tennis courts would be removed. Mr. McClain stated that they would be removed and relocated. Mr. Scavo stated that the PDD amendment could be forwarded to the Board members for review.

Mr. Ophardt asked why the amount of land was chosen and if that would be enough for the senior housing this is due to go in. Mr. Jarose stated that the Building Department would look at

the building permit requirements and allow or deny it. Mr., Ophardt asked what would happen on the proposed parcel if the Building Department does not approve the building permit. Mr. Scavo stated that the PDD approved by the Town Board has this parcel subdivided out as requested by the applicant

Ms. Bagramian asked if the ratios were done and if it fits the land. Mr. McClain stated that yes it would and that it would be an end-of-life facility.

Mr. Ophardt asked if parking needs were looked at for the subdivision, as there would be caretakers, doctors, cleaners, etc. Mr. Scavo stated that the Town PDD approves any uses that are allowed in the Hamlet Mixed Use Zone. Mr. Jarose stated that the potential buyers know that it is a 3.5 acre lot. Mr. Ophardt asked if the applicant feels that this is a less intensive use. Mr. Jarose stated that he does feel this is less intensive. Mr. Ophardt asked what the sanitary conditions were. Mr. Scavo stated that the applicant is working with Glenville Sewer and Mr. Mike O'Brien to establish sufficient usage capacities. Mr. Ophardt stated that he is in favor of the trail easement on that side of Riverview Road.

Ms. Fariello offered Resolution No. 08 of 2023, seconded by Ms. Gleason to waive the final hearing for this application for the Edison Club Subdivision of Clubhouse approval and to grant preliminary and final subdivision approval condition upon satisfaction of all comments provided by the Planning Department, Town Designated Engineer, and all items listed in the final comment letter issued by the Planning Department.

Roll Call:

D. Bagramian - Yes

E. Andarawis - Yes

E. Ophardt - No

H. Fariello - Yes

K. Martin – Yes

J. Gleason – Yes

M. Fantini - Absent

L. Westrick (alternate) - Yes

Ayes 6

Noes: 1

The resolution is carried.

Old Business:

1774 Route 9 - Parking Improvements for Doctor's Office Site Plan

SBL: 266.3-3-11.21

Parking Improvements for existing Doctor's Office, 1774 Us Rt 9

Zoned: B4A - Highway Business/Restricted Retail, Status: Preliminary

Citizenserve File Number: 23-001105, Application Number: SPR23-000013

Applicant: Dr. David Perlmutter, Consultant: ABD Engineers

Last Seen On: 4-25-23

Consultant/Applicant Presentation:

Jon Hitchcock – ABD – Mr. Hitchcock stated that the application was last seen in April and comments were addressed. He stated that the parking was shifted about 5' to the rear and an infiltration basin has been added before the existing one to help with the impervious surfaces. Mr. Hitchcock stated that the parking is proposed to go from 23 spaces to 42 and a turning template has been added to show access to the storage units.

Staff Comments:**John DeSimone, Fire Marshall issued a memo stating:**

- Parking improvement project complies with the NYSFC fire access road, section 503.
- Parking improvement project complies with the NYSBC section 1106.1, accessibility required spaces.
- Postal # to remain the same. 1774 Route 9 Clifton Park, NY 12065

Scott Reese, Zoning Administrator issued a memo stating:

- The building and parking setbacks on the plans are mislabeled.

Scott Reese, Stormwater Management Technician issued a memo stating:

- It appears that a small infiltration area is proposed west of the rear parking lot expansion. The applicant shall supply a stormwater narrative and/or notes on the plan on how this will address any adverse downstream impacts by the increase of impervious material.

John Scavo, Director of Planning issued a memo stating:

- The applicant has amended the plan to meet the required 20' side parking setback for the proposed parking spaces.
- I recommend the Planning Board consider issuing a Negative Declaration for the proposed site plan. No wetlands are impacted by the proposed parking expansion to accommodate a medical use and archeological resources will not be impacted from a surface parking expansion in an area of previous soils disturbance on-site.

Professional Comments:**Walter Lippmann, P.E. of MJ Engineering in a letter had the following comments:**

STATE ENVIRONMENTAL QUALITY REVIEW

1. No further comments at this time.

SITE PLAN

2. No further comments at this time.

Public Comments:

No public comment.

Planning Board Review:

Ms. Bagramian asked if the new parking would be impervious. Mr. Hitchcock stated it would be and it would be about 900 sf.

Mr. Scavo stated that there has been an increase in the number of people seeking the treatment that this practice does. He stated that the doctor treats patients with macular degeneration and that the patient receives shots for this. Mr. Scavo stated that patients would need others to drive them to and from the appointments and that eye doctors are found to have the highest number of need for parking due to this treatment.

Mr. Andarawis asked what the business hours would be for this facility and asked if there would be a possibility for shared parking. Mr. Hitchcock stated that a car wash is looking to develop the property next to this so they are not looking into sharing and with people with impaired vision would be coming to this office so the less visual distractions would be beneficial.

Mr. Ophardt moved, second by Ms. Fariello, 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, second by Mr. Andarawis, to waive the final hearing for this application for the site plan review of 1774 Route 9 Parking Improvements for Doctor's Office Site Plan, and to grant preliminary and final site plan approval conditioned upon satisfaction of all comments provided by the Planning Department, Town Designated Engineer, and all items listed in the final comment letter by the Planning Department.

Ayes: 7 Noes: 0 The motion is carried.

New Business:**160 Sugar Hill Road 2 Lot Subdivision (Hicks)**

SBL: 282.-1-30.11

160 Sugar Hill Road 2 lot Subdivision (Hicks), 160 Sugar Hill RD

Zoned: CR - Conservation Residential, Status: Concept

Citizenserve File Number: 23-001260, Application Number: SUB23-000013

Applicant: N/A, Consultant: Frederick Metzger Licensed Land Surveyor, P.C.

Consultant/Applicant Presentation:

Fredrick Metzger – Land Surveyor – Mr. Metzger stated that he is here tonight for a subdivision for parents to cut off 10 acres of land for the family to do improvements later. He stated that they would be building on the western lot and the subdivision would end up being a three lot subdivision due to land bridging.

Staff Comments:

The Environmental Conservation Commission and issued a memo recommending:

- The ECC requests clarification on the total number of residential lots. It appears that this is a creation of three lots that includes 160 Sugar Hill Road and two lots on Riverview Road. In order to comply with CR residential subdivision, clarification on the acreage of the remaining lot is required.

John DeSimone, Fire Marshall issued a memo stating:

- If subdivision is for new residence, additional requirements may be needed to driveway construction depending on dwelling distance to road.
- Postal numbers assigned are #500 & #510
- Saratoga county emergency services has been sent a copy of this update.

Scott Reese, Zoning Administrator issued a memo stating:

- The current configuration of the proposed lot will eliminate the land hook for the southern lot. The subdivided parcel will need to be flipped with the southern lot and be 10 acres or greater to be a two-lot subdivision or the southern lot will also need to be subdivided out from 160 Sugar Hill Road (282.-1-30.11), be 10 acres or greater, and it would be a three-lot subdivision.

John Scavo, Director of Planning issued a memo stating:

- A parkland mitigation fee for the creation of a new residential building lot in the amount of \$1,250 is due at the time of stamping the final subdivision plan.
- The final subdivision map should display assigned 911 addresses for each lot.
- The proposed project is subject to Section 239 of General Municipal Law and will be referred to the Saratoga Co. Planning Board for a recommendation
- The applicant should provide a correspondence letter from the NY State Historic Preservation Office (SHPO) to obtain a determination if the project impacts historical or archeological resources identified in Part I of the SEAF Q. 12 (a) & (b).

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter 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. In Town Code Section 208.95(F)(9): Subject to and in accordance with the State Environmental Quality Review Act (SEQRA), the Planning Board shall be the lead agency for the purpose of conducting the environmental review. The Planning Board shall conduct an integrated comprehensive environmental review of the proposed project in combination with its review of the application under this article. 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. Town of Clifton Park Planning Board: Plan approval
- b. Saratoga County Planning: 239-m County Referral
- c. NYS Historic Preservation Office: Archeological sensitive area

SHORT ENVIRONMENTAL ASSESSMENT FORM

The applicant has submitted Part 1 of the Short Environmental Assessment Form (SEAF). Based upon our review of the submitted Part 1 SEAF, the following comments are offered:

2. Part 1. 12. – The response indicates that the project site is located within or adjacent to an area designated as sensitive for archeological sites on the NY State Historic Preservation Office (SHPO) archeological site inventory. The applicant should provide a correspondence letter from SHPO to confirm the presence or absence of archeologically sensitive resources.
3. Part 1 13.a. – The response indicates that wetlands or other waterbodies regulated by federal, state or local agencies adjoin or are contained within the project site per the EAF Summary Report. The applicant should provide documentation that confirms the presence or absence of federally regulated wetlands adjacent to the project site. Should this change as the project design progresses, additional approvals and permits may be required.
4. Part I.17 – The response indicates that the proposed action will create stormwater discharge. The proposed subdivision and construction will result in less than 1 acre of disturbance and therefore is not subject to the requirements of the NYSDEC SPDES General Permit for Construction Activities and/or the NYSDEC Stormwater Design Manual. Should anything change, the project may need to coordinate with NYSDEC.
5. No further comments at this time.

SITE PLANS

6. The project is located within the Town's Conservation Residential District (CR). The proposal for single family homes is a permitted principal use within the CR District as noted in Section 208-16(D)(1)(b) of the Town's Zoning.
7. According to Saratoga County parcel viewer SBL 282.00-1-30.11 consists of three areas separated by Riverview Road and Lands of Niagara Mohawk totaling 129.83 acres, therefore this is considered a 3-Lot Subdivision.
8. Show the parcel in its entirety.
9. In reviewing the proposed lot configuration, the created lots appear to be deficient in regard to meeting the minimum standard requirements outlined in Section 208-16(E)(2)(b) of the Town's Zoning. The noted deficiencies are as follows:
 - a. Development on 10 acres or more. A parcel consisting of 10 acres or more may be developed at a density of one residential dwelling unit per 10 acres, provided there is at least one acre of unconstrained land available to accommodate a residential use, including any required well and septic system. In lieu of development at said density, such parcel may be developed at a density not to exceed 0.33 unit per acre of

- unconstrained land, provided 50% of the area of the development site is designated as permanent open space.
10. Provide contour lines at a minimum of two-foot intervals to United State Geological Survey datum within the parcel pursuant to Section 179-8 of the Town Subdivision Law.
 11. The proposed points of access to Sugar Hill Road should be verified to ensure proper site distance is achieved. There should be indication on the plan what the required and provided turning site distances are based upon the posted speed limit of Sugar Hill Road.
 12. The concept subdivision plan shall show speculative homes, driveways, septic system, and well for all lots.
 13. Provide notation on the plan as follows:
 - a. No Utilities shall be installed beneath the proposed driveways.
 - b. Any work required within the Town right-of-way shall be subject to any permitting from the Clifton Park Highway Department (driveway, culvert, water service, sewer).
 14. The applicant proposes to service the lots with an on-site septic system. The proposed septic system shall be designed by a New York State licensed professional engineer and conform to the requirements of the New York State Department of Health (Section 208-91) for review and approval by the Town Building Department.
 15. The proposal is for on-site septic systems and wells. Without contours it cannot be determined whether the placement of these features is appropriate. Septic systems shall be 100 ft from wells, and 200 feet from wells when downgradient of the septic system.
 16. Subsequent submissions shall include the percolation and test pit results for the proposed septic systems.
 17. All lot grading shall be such that drainage is directed away from the homes and towards lot lines and ultimately to an approved drainage course as required by Section 86-7(A)(5) of the Town Code. In order to demonstrate conformance to the stated regulations, an overall project grading plan must be developed for review
 18. Prior to approval or filing of the subdivision plat with the Saratoga County Clerk, the appropriate 911 emergency response numbers must be obtained for and assigned to each lot created and placed on the filed plat.
 19. Considering this plan is conceptual in nature, subsequent comments will be provided with a preliminary plan submission.

Public Comments:

No public comment.

Planning Board Review:

Mr. Andarawis asked how much frontage the lots would have. Mr. Metzger stated that they would both have about 450'. Mr. Andarawis asked if in the future, there would be any further subdivision, the 50% green space would apply. Mr. Scavo stated that it would and that they would be looked at separately.

Ms. Bagramian asked if the existing gravel driveway would be utilized. Mr. Metzger stated it would be.

New Business:**Fire Road Gas Station and Mixed Use Building Redevelopment Site Plan**

SBL: 272.9-1-19

Fire Road Gas Station and Mixed Use Building, 4 Fire Rd

Zoned: TC3 - General Zone, Status: Concept

Citizenserve File Number: 23-001306, Application Number: SPR23-000012

Applicant: Erin Ozbay, Consultant: Lansing Engineering, PC

Consultant/Applicant Presentation:

Norman Ward – Lansing Engineering – Mr. Ward stated that the owner, Erin Ozbay, was also in attendance tonight. He stated that the parcel is on a 0.99 acre lot on the corner of Route 146 and Fire Road. Mr. Ward stated that this is in the TC-3 zone and that the existing building is about 8,000sf with 1,100 sf gas canopy that was originally built in 1978. Mr. Ward stated that the proposed conditions are 150' in depth, so it would be narrow and the building would be put on the corner. Mr. Ward stated that the building is being propped 8' from the property line and that a variance would be needed. Mr. Ward stated that the proposal is for the access to be kept with 6 pumps and 36 parking spaces with outdoor seating areas. He stated that they would be using the existing sewer and that the well would be abandoned, and a connection to public water would be established. Mr. Ward stated that underground stormwater management is proposed and architecture would be with the next submittal.

Staff Comments:**The Environmental Conservation Commission and issued a memo recommending:**

- The ECC recommends that the future submission address how applicable EPA regulations and standards for this application will be followed.

Wade Schoenborn, Building and Zoning issued a memo stating:

- Provide building measurements.
- Provide parking lot entrance, exit and drive aisle measurements.
- Provide a Fire Dept access plan that complies with the NYS Fire Code

John DeSimone, Fire Marshall issued the following memo:

- Driveways meet width requirements for fire access roads.
- Need 2 accessible parking spaces per 1106.1 of the 2020 NYSBC, tree in corner may be hiding second space? Assure two spaces are accounted for based off of proposed space count.
- The current assigned postal number will remain the same for this project. 4 Fire Road Clifton Park NY12065

Scott Reese, Zoning Administrator issued a memo stating:

- This proposal is located in the TC3 General Zone. Retail shops are an allowed use. Convenience Food Stores are an allowed use. Per Town Code Chapter 208-7 Definitions and word usage: Convenience Food Store is a facility of 5,000 square feet of gross floor area or less with any combination of the following primary characteristics: (3) Sale of gasoline or other fuel, oil or other lubricating substances or other motor vehicle accessories and generally of a self-service type. [A facility with more than four sets of fuel-dispensing devices (pumps) or more than 12 nozzles shall be considered to be an automobile service station.] Any convenience food store which sells fuel under the provisions of this subsection shall also meet the criteria for automobile service stations found in § 208- 93. Applicant shall verify the number of nozzles being proposed.
- Per Town Code Chapter 208-93 C. - No gasoline pumps shall be placed closer to any property line than 50 feet. Show the dimensions of the pumps from the property lines.
- The applicant shall provide a comparable list of the applicable Form dimensions and proposed Form dimensions. The Planning Board has the authority to modify dimensional standards Per Town Code Chapter 208-21 (3.)

Scott Reese, Stormwater Management Technician issued a memo stating:

- It appears that this project will need a NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity. If the applicant pursues this as a Redevelopment Project the water quality runoff from the fueling area will need to follow NYSDEC Stormwater Management Design Manual Section 4.11 Stormwater Hotspots.

The Trails and Open Space Subcommittee issued a memo stating:

Jennifer Viggiani, Open Space Coordinator issued a memo stating:

- New sidewalks should be included along the Fire Road frontage, per the Exit 9 Land Use & Transportation Study (p. 64). New sidewalks would help connect the project site to, at minimum, the Northside Drive intersection. It is recommended that the sidewalks be continued along Northside Drive along the project's property frontage to link to the adjacent property's entrance. The adjacent property is currently the Delmonico's Steakhouse Restaurant. This is a recommendation from the Exit 9 Land Use and Transportation Study (CDTC Linkage Study), prepared for Clifton Park & Halfmoon, by BFJ Planning (2008) to create pedestrian connections in the Exit 9 (now Town Center) Area.
- A crosswalk to the Park & Ride intersection; OR, at the Northside Drive intersection should be considered to allow for connectivity across Fire Road by pedestrians to the project site.
- A new sidewalk should be installed to connect directly from the Outdoor Dining Area (less than 15 feet from the east property line) to Delmonico's Restaurant to support pedestrian connectivity. Please see attached graphic showing the existing interconnections between Delmonico's and Chili's, and from Chili's to Park Manor Hotel. Short and easy pedestrian sidewalks. Worth working out with adjacent property owner.
- NYS Route 146 was envisioned to become a "Complete Street" per the Exit 9 Land Use and Transportation Study referenced earlier. Ultimately Fire Road sidewalks should be connecting to future pedestrian infrastructure along the north side of NY 146 with close consultation with the Town of Clifton Park, Town of Halfmoon and NYS DOT

John Scavo, Director of Planning issued a memo stating:

- The preliminary site plan will be forwarded to the Saratoga Co. Planning Board for a recommendation per GML Section 239 M and N.
- The applicant should determine whether soil disturbance or construction activities will occur within the NYS DOT Route 146 ROW.
- I recommend the applicant complete the attached TC-3 Code Review Checklist to evaluate the site plan's compliance with form-based code requirements. Please include the checklist with available information on future site plan submittals.
- The applicant should provide a summary of the expected peak-hour vehicle trips. Should this analysis show that more than 100 park trips will result, additional traffic analysis and mitigation may be required.
- The proposed building is subject to the Architectural Standards outlined in Chapter 6 of the Form-Based Code. As plans develop, additional architectural details from the applicant and input from the Planning Board will be necessary to ensure compliance with Chapter 6.
- As plans develop, additional detailing for the construction materials to demonstrate compliance with Table 6-1 will be requested for review. Under Section 6.7 of the form-based code, if any rooftop mechanical equipment is proposed, there needs to be a determination if screening from the adjacent right-of-way is warranted.
- As plans develop, primary entrances/exits for the building should be confirmed to confirm pedestrian circulation from the parking area, sidewalks, and building within the site.
- As plans develop, compliance with detailed site standards prescribed in Chapter 7 will be reviewed. Such details include trash enclosure structure details and vegetative screening, site lighting plan, and landscaped areas to create a visual buffer to the proposed parking area.
- Although signage is out of the Planning Board's authority for site plan review under the Clifton Park Town Code, the applicant should determine if a new free-standing sign is applicable. If yes, information on the approximate location and dimensions should be provided to allow the planning board to see how the structure integrates within the overall site plan.
- Please provide information regarding if any off-site easements are necessary from adjacent property owners to proceed with construction. The parking improvements up to the northern and eastern property boundaries may require temporary off-site construction easements.
- The applicant should provide a correspondence letter from the NY State Historic Preservation Office (SHPO) to obtain a determination if the project impacts archeological resources identified within Part I of the SEAF Q. 12 (b)

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter had the following comments:

STATE ENVIRONMENTAL QUALITY REVIEW

Based upon our review of Part 617 of NYS Environmental Conservation Law, the project appears to be an "Unlisted" action. In Town Code Section 208.95(F)(9): Subject to and in accordance with the State Environmental Quality Review Act (SEQRA), the Planning Board shall be the lead agency for the purpose of conducting the environmental review of the application for a site plan. The Planning Board shall conduct an integrated comprehensive environmental review of the proposed project in combination with its review of the application under this article. 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. Town of Clifton Park Planning Board: Plan approval
- b. Town Zoning Board of Appeals: Zoning Variance
- c. Saratoga County Planning: 239-m County Referral
- d. Saratoga County Sewer District #1: connection to SCSD
- e. Clifton Park Water Authority: water connection
- f. NYS Dept of Environmental Conservation: Stormwater permit approval

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

The applicant has submitted Part 1 of the Short Environmental Assessment Form (SEAF). Based upon our review of the submitted Part 1 SEAF, the following comments are offered:

1. Part 1. 12.b. – The response indicates that the project site is located within or adjacent to an area designated as sensitive for archeological sites on the NY State Historic Preservation Office (SHPO) archeological site inventory. The applicant should provide a correspondence letter from SHPO to confirm the presence or absence of archeologically sensitive resources.
2. Part 1 13.a. – The response indicates that wetlands or other waterbodies regulated by federal, state or local agencies adjoin or are contained within the project site per the EAF Summary Report. The applicant should provide documentation that confirms the presence or absence of federally regulated wetlands adjacent to the project site. Should this change as the project design progresses, additional approvals and permits may be required.
3. Part I.17 – The response indicates that the proposed action will create stormwater discharge.
4. No further comments at this time.

SITE PLAN

5. The project is located within the Town Center Districts TC3 - General Zone. The proposal for a Convenience store/retail is a permitted principal use within the TC3 District as noted in Section 208-22(4)(B) of the Town's Zoning.
6. In reviewing the proposed site plan, it appears to be deficient in regards to meeting the minimum bulk lot requirements outlined in Section 208-22.1 of the Town's Zoning. The noted deficiencies are as follows:

- a. Front yards. There shall be a minimum front yard setback of 38 feet and a maximum of 80 feet. The proposed building is as close as 8 feet. The applicant has indicated a variance will be requested.
 - b. Parking Front setback: The minimum setback shall be 60 feet. The drawing scales approximately 40 feet.
7. Show where snow storage is being provided within the project site.
 8. The proposed building is subject to the Architectural Standards outlined in Section 208-25 of the Town Zoning. No proposed building elevations have been furnished to complete an architectural review.
 9. Subsequent plans shall provide additional information to demonstrate conformance with 208-26(6) of the Town Zoning with respect to site lighting.
 10. Provide information and/or summary of the pedestrian amenities that are to be provided consistent with Section 208-26(7) of the Town Zoning.
 11. The plan should show all existing utilities and current building connections. Indicate any proposed relocations due to the project.
 12. It is recommended that at a minimum the number of peak hour vehicle trips, including truck trips and sight distance at the project entrance be provided.
 13. Provide notation on subsequent plans indicating that all work proposed within the Fire Road right-of-way are subject to a highway work permit issued by the Town of Clifton Park Highway Department and NYS Route 146 are subject to a highway work permit issued by the NYSDOT.
 14. Indicate whether roof top mechanical units are proposed and how screening may be incorporated to shield them from the public view.
 15. 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.
 16. The plans indicate that the proposed stormwater management facilities will generally be infiltration practices. Subsequent submissions shall include the appropriate soil testing to support their use.
 17. The submitted information indicates the project is proposing to connect to an existing water main(s) within proximity to the parcel. These mains are owned and operated by the Clifton Park Water Authority (CPWA). It is recommended that the Town be furnished with documentation that the CPWA is willing and capable of providing potable water to the project.
 18. The submitted information indicates the project is proposing to connect to an existing sewer main(s) within close proximity to the parcel. These mains are owned and operated by the Saratoga County Sewer District No. 1 (SCSD). It is recommended that the Town be furnished with documentation that the SCSD is willing and capable of providing sanitary sewer service to the project.
 19. Provide anticipated water and sewer usage information.
 20. Fire Road is defined as a Neighborhood Street 1 in the Future Streets Map found in Section 208-23 of the Town Zoning. The following modifications may be necessary and shall be addressed as part of the next submission.

- a. Lighting shall be provided aligned with the 4'x4' tree wells.
 - b. Trees shall be evenly spaced at 30-feet on center in 4'x4' tree wells.
 - c. The linear extents of streetscape improvements should be along the entire width of the property frontage so as to provide a continuous pedestrian sidewalk link from one side of the property to another.
21. The following comments are relative to the site plan and its conformance to the NYS Fire Code (NYSFC). The Town Fire Official shall have final authority on the applicability of these comments to the proposed site layout:
- a. 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.
 - b. If the proposed building is to be provided with an automatic sprinkler, show the location of the fire department connection to ensure they are reasonably accessible.
 - c. Section 912.2 of the IFC requires a fire hydrant to be located within 100-feet of the building's fire department connection. It is not clear from the plans where the closest hydrant to the site is or where the fire department connection may be. Additional hydrants may be necessary.
 - d. Identify the actual height of the building. If greater than 30-feet in height above the average grade plan, aerial apparatus access shall be provided that is between 15 and 30 feet of one entire side of the building in accordance with Appendix D105 of the IFC. If aerial apparatus access is required, its location shall be identified on the plans.
 - e. The proposed fire apparatus access roads proposed along the east side of the building shall be reviewed by the responding emergency services to ensure it is adequate and meets their needs to respond to an event at the site.
22. Considering the plan submitted is conceptual in nature, we will reserve further comments until more detailed plans and reports are submitted. Subsequent submissions shall include information as outlined in Section 208-26 and 208-115 of the Town zoning specific to site grading, lighting, erosion control and stormwater management to fully assess the design and its compliance to the applicable standards.

Public Comments:

No public comment.

Planning Board Review:

Ms. Bagramian asked how big the current building is and if the proposal would include a new Convenience store. Mr. Ward stated that the old building is 7,893 sf and that a new Convenience store would be in the proposal. Mr. Ozbay stated that there is currently a Convenience store, a gas station, a pizza restaurant, and a laundry mat in the plaza. Ms. Bagramian asked about the signage and what it would be. Mr. Ward stated that it would be submitted with the architecture.

Mr. Ophardt stated that Section 208-93 stated that no gas pumps are allowed closer than 50' from the property line and asked how close they were to Delmonico's as they look to be only 40', Mr.

Scavo stated that the applicant may have to go for a variance. Mr. Ophardt stated that he feels it looks tight under the canopy for the gas pumps as well for large gas trucks and being able to turn in the lot. He stated that he feels that the lot has constraints and that parallel parking along Delmonico's may be a good option. Mr. Ward stated that he feels things can be tweaked to have it fit the property and that he can play around with the layout. Mr. Ophardt stated he looked at a circulation on the site and asked if the Board would be comfortable with a decrease in parking to help accommodate this. He stated that there are now 4 pumps with 8 nozzles and the applicant is proposing 6 pumps with 12 nozzles.

Ms. Bagramian asked how the gas be would be delivered. Mr. Ward stated that the exit would be blocked for deliveries as it is now. Ms. Bagramian stated that she has concerns about creating the same problems. Mr. Ozbay stated that it is the same now, with another exit. Ms. Bagramian asked what would happen to the current tenants. Mr. Ozbay stated that their leases are up and that he will move on with new tenants

Ms. Fariello asked if the applicant was adding more pumps but not tanks and if the deliveries would increase. Mr. Ozbay stated that they have deliveries once per day, and the tanks are from 1999. He stated that they would be adding super gas and diesel fuel.

Mr. Martin stated that he is pleased that the applicant is looking to improve the corner but it needs a lot of engineering. He stated that the TAC will help with this. Mr. Martin asked how the transition would go. Mr. Ozbay stated that they had just redeveloped the Ballston Spa station, which took seven months.

Mr. Andarawis stated that he likes the general concept and feels the applicant is heading in the right direction. He stated that this is in the Town Center, so he has concerns about the increased pumps as it is not allowed. Mr. Andarawis stated that in the long run, the Board needs to decide what they want to uphold, either the TC-3 zoning or the existing lots that will eventually be asking for redevelopment as well.

Mr. Ophardt stated that he is worried about the size and number of variances that would be needed and the lot staying within the neighborhood's character. He stated that the restaurant and the hotel are set further back than the application and feels it may look out of place.

Ms. Fariello stated that there is an easement on the corner of the lot with a large amount of green space so she feels it would not look out of character and that parking from the other business are visible where this would not be.

Ms. Gleason stated that she feels this would be an improvement from what is currently there.

Ms. Bagramian asked what materials would be used on site. Mr. Ozbay stated that he is unsure but he wants the building to be appealing. Mr. Ward stated that he could bring visuals with renderings back to the Board.

Ms. Westrick stated that she is not concerned with the road's proximity but would like to see the driveways further from the intersection.

Mr. Andarawis asked if there was a sidewalk on Fire Road. Mr. Scavo stated that they could leave it open on 146 for an easement and then have the TAC work to figure out a pathway.

Discussion Items:

None

Ms. Fariello moved, seconded by Ms. Gleason, adjournment of the meeting at 8:38 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on June 13th, 2023.

Respectfully submitted,

Paula Cooper

Paula Cooper, Secretary