

Town of Clifton Park Planning Board
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Clifton Park, New York 12065
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PLANNING BOARD

DENISE BAGRAMIAN
Chairwoman

ROBERT WILCOX
Attorney

PAULA COOPER
Secretary



MEMBERS
Emad Andarawis
Eric Ophardt
Heather Fariello
Mario Fantini

Keith Martin
Lisa Westrick

Planning Board Minutes
September 26th, 2023

Those present at the September 26, 2023 Planning Board meeting were:

Planning Board: D. Bagramian, Chairwoman, E. Andarawis, E. Ophardt, K. Martin, M. Fantini, L. Westrick

Those absent were: H. Fariello

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.

Minutes Approval:

Minute's approval postponed until next meeting.

Public Hearings:**160 Sugar Hill Road 3 lot Subdivision (Hicks)**

SBL: 282.-1-30.11

Proposed 3-Lot Subdivision, 160 Sugar Hill RD , Zoned: CR - Conservation Residential

Status: Preliminary Review w/ possible determination

Citizenserve File Number: 23-001260, Application Number: SUB23-000019

Applicant: T. Hicks, Consultant: Frederick Metzger Licensed Land Surveyor, P.C.

Last Seen On: 05/24/2023

http://www.citizenserve.com/Documents/398/354597816_St%20Gelais%20Subdiv_07-28-23.pdf

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

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 September 15, 2023.

Consultant/Applicant Presentation:

Fred Metzger stated that he was the consultant for the application for 129 acres of land to be subdivided into 3 lots to the west side of Sugar Hill Road overlooking the River. He stated that the application is for 2 ten lot acres with the remaining on the parent lot. Mr. Metzger stated that letters required have been submitted and comments have been addressed.

Staff Comments:**John DeSimone, Fire Marshall issued the following memo:**

- Take into consideration the residential driveway requirements if the subdivision is intended for a single-family residence.
- See assigned postal numbers on marked up document. Postal numbers will be given a Riverview Road address.

Scott Reese, Zoning Administrator issued a memo stating:

- The proposed three lot subdivision meets Town Code Chapter 208-16 E. (2) (b). 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.

The Trails and Open Space Subcommittee issued a memo stating:

- Consider 15' right-of-way easement along Riverview Road frontage for future trail.
- The long-term vision for the trail would connect to the existing trail in the Vischer Ferry Nature & Historic Preserve.

Jennifer Viggiani, Open Space Coordinator issued a memo stating:

- The segment of Riverview Road from Sugar Hill Road to Droms Road is part of a long-term vision for improved bicyclist /pedestrian route, in the "Join Us: A Master Plan for the Historic Erie Canal Towpath Trail" which envisions a route from where it currently ends at the NYPA Lock 7 overlook (Sugar Hill Road extension south). Would the applicant consider a 15- foot right-of-way easement or be willing in the future to consider some type of improvement along Riverview Rd frontage for improved bicyclist/pedestrian facilities? A future design effort would have to be done to determine wider shoulders, or an off-road segment of trail for some distance.

John Scavo, Director of Planning issued a memo stating:

- The Saratoga Co. Planning Board will consider the request for a recommendation at their September 21st meeting. It is anticipated a recommendation noting no significant county wide or inter community impacts. If the anticipated recommendation is different Planning Staff will reach out to the applicant prior to the September 26 Town Planning Board Meeting
- A Letter of No Effect dated August 21, 2023 from SHPO has been provided by the applicant for the project file.

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

1. No further comments.

SITE PLANS

2. No further comments.

Public Comments:

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche stated that he favors the 15’ right of way for a possible future trail and stated that he feels that this is a small request. Mr. LaFleche stated that Riverview Road is narrow and he is hoping to allow for more than the 15’ to possibly make way for possible road widening as well.

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

Planning Board Review:

Mr. Ophardt stated he agrees with Mr. LaFleche’s request for a 15’ easement as there is a steep uphill grade at that point in the road and it narrows, and stated that 15’ should be a minimum because Mr. Ophardt stated there is a ditch there as well. Ms. Bagramian stated she agrees that there should be an easement.

Mr. Andarawis stated that if he is correct, if each subdivided lot is between 10-11 acres, then the entire lot would lose 22 acres leaving the largest lot at 117 acres. Mr. Scavo stated that this is correct.

Mr. Ophardt offered Resolution No. 11 of 2023, seconded by Ms. Westrick to waive the final hearing for this application for the Subdivision 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 - Yes
 H. Fariello - Absent
 K. Martin – Yes
 M. Fantini - Yes
 L. Westrick - Yes

Ayes 6

Noes: 0

The resolution is carried.

Old Business:

None

New Business:**Parkway Music Building Expansion Site Plan**

SBL: 266.3-2-10

Proposed two story expansion, 1,218 sf footprint, 1777 Us Rt 9

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

Citizenserve File Number: 23-002112, Application Number: SPR23-000021

Applicant: Parkway RE Holdings , Consultant: Lansing Engineering, PC - Mike Robertson

http://www.citizenserve.com/Documents/398/359976847_12500-2023_09_05-Conceptual%20Site%20Plan.pdf

Consultant/Applicant Presentation:

Jason Dell – Lansing Engineering – Mr. Dell stated that they are here tonight for initial feedback on the project. Mr. Dell stated that the addition is proposed on the original building in a B-4 zone on just over an acre of land. He stated that the application is for a 1,218 sf addition, bringing the building to 2,436 sf totals. He stated that the addition would be on the north end of the building and be 2 stories. He stated that owner would like to use it for increase stock, a showroom, and to meet the demand. Mr. Dell stated that this proposal would result in a 4 parking space loss and a gain of green space. He stated that the applicant would continue to use the same stormwater management plan, sewer, water and keep the same curb cuts.

Staff Comments:**John DeSimone, Fire Marshall issued the following memo:**

- Additional "NO PARKING FIRE LANE" signs may be required. Will be determined during building plan review.
- Existing Postal Number to remain for addition. 1777 US Route 9 Clifton Park, NY 12065

Scott Reese, Zoning Administrator issued a memo stating:

- Applicant should add two other previously approved area variances for the property: (1.) Variance from Section 208-50.4 which allows only one entrance and one exit on any individual public thoroughfare. Two entrance/exits are proposed for Biette Road. (2.) Variance from 208-50.3F: 35% greenspace required/31% available/4% variance granted.
- Proposed addition appears to meet all current zoning area variances granted for this property.

Scott Reese, Stormwater Management Technician issued a memo stating:

- In addition to the Town's TDE comment letter dated September 22nd, 2023 are the following comments:
- Future plans should show erosion and sediment control to prevent sediment laden runoff leaving the site.

The Trails and Open Space Subcommittee issued a memo stating:

- There is a sidewalk less than 500 feet to the north at the medical offices property. This site could connect in the future to a sidewalk along Rt 9 or Biette Rd.

Jennifer Viggiani, Open Space Coordinator issued a memo stating:

- Project is situated "two doors down" from a new sidewalk along Rt 9 along the two new medical office buildings. The sidewalk is less than 700 feet. It would be ideal to continue the sidewalks along Rt 9, or along Biette Rd for pedestrian connectivity among these local medical offices, Rusty Nail Grill, and other nearby businesses, and the nearby residential.

John Scavo, Director of Planning issued a memo stating:

- The proposed addition appears to be within setbacks established by area variances granted by the ZBA on 9/1/2009 and 4 /6/2010, as noted on the conceptual site plan.
- Address if any additional exterior lighting is proposed for the building. If wall pack lighting is shown, provide a detail for down directional full cutoff fixtures so that no light is emitted above the lowest light-emitting part of the fixture.
- The project is classified as a Type II Action according to SEQR Section 617.5 - List of Type II Actions, which states that construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use control. Therefore, the Planning Board can issue a Negative Declaration under SEQR.

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 a "Type II" action which requires no further SEQR review. The action appears to be consistent with Section 617.5-c(9) that states "construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls" is not subject to review under Part 617.

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 1.12a – The SEAF submitted by the applicant indicates that the site contains no structures on either the state or National Register of Historic Places. This response is inconsistent with a review of the DEC Environmental Assessment Form (EAF) Mapper, located at www.dec.ny.gov/eafmapper/. The applicant should change the response in the SEAF and provide confirmation from the NYS Office of Parks, Recreation and Historic Preservation that the project site does not contain any listed structures.
4. 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.
5. No further comments at this time. Additional comments may be forthcoming as the project advances.

SITE PLANS

6. The project is located within the Town's Highway Business/Restricted Retail District (B-4A). The expansion would be permitted under the prior approved principal use.
7. Based upon a review of the lot configuration, it appears the minimum bulk lot requirements as identified in Section 208-43.3 of the Town's Zoning are satisfied.
8. The proposed parking provided is well below the Town code requirement, however the applicant has indicated that the loss of additional parking will not create any parking issues on site based on past history.
9. While the application material indicates that the project will have less than 1 acre of disturbance and would not be subject to GP-0-20-001, there is a proposal to increase impervious cover. Subsequent submissions should show how the stormwater from the expansion area will be handled on site.
10. The plans need to indicate how roof drainage from the new building expansion will be collected and conveyed to the on-site stormwater management system.
11. Subsequent plans should include architectural elevations of the building with a listing of the materials of construction for review by the Planning Board.
12. The planning board may consider additional landscaping for the expansion area.
13. Indicate if the expansion area will provided with an entrance.
14. Considering the plan submitted is conceptual in nature, we will reserve further comments until more detailed plans are submitted.

Public Comments:

No public comment.

Planning Board Review:

Ms. Bagramian asked how the parking is working out as they stated that there will be a loss. Mr. Dell stated that they will be losing 4 parking spots but the business does not need the parking that is required due to changes in the industry but they do still meet code. Ms. Bagramian asked how much green space is being added to the site. Mr. Dell stated it will increase by 0.01%, but they are also decreasing impervious surfaces.

Mr. Ophardt asked if the exterior would match the current building. Mr. Matt Hatfield, owner, stated that they are still in the planning phases but would like to keep the look. Mr. Ophardt asked if the applicant was working with an architect. Mr. Hatfield stated that they will be.

Mr. Andarawis stated that he appreciates the applicant putting the expansion where the parking is now and asked if there has been any consideration to pedestrians. Mr. Scavo stated that they have a right of way but that there are concerns with DOT, and he does not see this happening. Mr. Scavo stated that he is comfortable with the right of way and that it may be burdensome to deal with DOT permits. Mr. Andarawis stated he would always like to see more sidewalks whenever he can.

Mr. Martin asked what was happening with DOT and their timing. Mr. Scavo stated that thinks it may be a staffing issue.

Ms. Bagramian stated that she would like to see more landscaping added to the plan and would like the applicant to come back with elevations. Mr. Dell stated that they are putting together a landscaping plan.

New Business:

Woodin Road Duplex Units Special Use Permit

SBL: 278.-1-7.1

Proposed construction of 3 Duplex Units, 232 Woodin RD , Zoned: R1 - Residential, Status: Concept

Citizenserve File Number: 23-002119, Application Number: SUP23-000012

Applicant: E. Kim, Consultant: ABD Engineers, LLP - John Hitchcock

http://www.citizenserve.com/Documents/398/360134739_5162w%20-%20Woodin%20Road%20Duplex%209.5.23.pdf

Consultant/Applicant Presentation:

John Hitchcock – ABD – Mr. Hitchcock stated that the parent parcel is 7+/- acres. He stated that the owner is finding demands for duplexes over single family homes that it was approved for last

year. He stated that lot 1 would be 2.1 acres, lot 2 would be 1.1 acres, and lot 3 would be 3.1 acres each having a private well and septic which is that same as the 4 lot subdivision that was previously approved. Mr. Hitchcock stated that the curb cuts would remain the same.

Staff Comments:

The Environmental Conservation Commission and issued a memo recommending:

- Particular attention should be given to the test pits and the capacity of the lots to sustain proper sewage drainage and disposal under the proposed high-density conditions. The possibility of the need for mound sewage disposal should be considered.
- It appears that the project as designed will disturb more than one acre of land. Therefore, the applicant should be required to complete a Full Stormwater Pollution Prevention Plan that will address the water quality and water quantity runoff from this project.

Scott Reese, Zoning Administrator issued a memo stating:

- This Special Use is permitted per Town Code 208-10 B. (10)(a)[7] identifies a Dwelling, two-family and/or semidetached as a special use pursuant to chapter 208-79. Before granting approval to any special use, the Planning Board shall determine whether the proposed special use will, among other things, satisfy the the considerations listed under 208-79 E. (1) (a-k).

Scott Reese, Stormwater Management Technician issued a memo stating:

- The construction of duplexes and having the disturbance over one acre will require the preparation of a SWPPP that includes Post-Construction Stormwater Management Practices.

The Trails and Open Space Subcommittee issued a memo stating:

- There is a new sidewalk along Sitterly Road that is about 700 feet away to the north.
- There is a possibility for a future trail on Woodin Road and would like to have 15 feet right of way on Woodin Road side of property

Jennifer Viggiani, Open Space Coordinator issued a memo stating:

- The Sitterly Road Sidewalks are approximately 700 feet north of the project site, so it is recommended that the project include provisions for sidewalks along its Woodin Road frontage -- to create a future connection north to Sitterly Road. The Applicant could construct sidewalks along its frontage, and at minimum, provide a 15-foot right-of-way easement for future sidewalks.

John Scavo, Director of Planning issued a memo stating:

- Under Town Law Article 16, Section 274-B, the Planning Board has the authority to impose reasonable conditions and restrictions as are directly related to and incidental to the proposed special use permit. Due to natural feature constraints contained, on-site restrictions should be considered for maximum building size and establishing limits of clearing and restrict future disturbance/clearing activities to maintain a natural vegetative

buffer from Woodin Road. I would recommend also under the size of new duplex structures limited to two bedrooms per side to reduce the potential vehicle trips than that of the prior approved single family home layout.

- 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.
- If approved, the applicant will be required to file the necessary parcel consolidation paperwork, which will supersede the prior subdivision approval filed at the County Clerk's Office and mapped by Saratoga Co. Real Property. As a reasonable condition, the parcel consolidation paperwork should be completed within 90 days from a notice of decision for approval by the Planning Board.
- The applicant should provide information on the size differences between impervious surface square footage for the duplex SUP request compared to the previously approved single-family home lots and layouts.

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 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 RoaSEQRA, 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: GML 239-m County Referral
 - c. Town of Halfmoon Clerk: GML 239-nn Notice within 500 ft of an adjacent municipality
 - d. NYS Historic Preservation Office: Archeological sensitive area

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

SHORT ENVIRONMENTAL ASSESSMENT FORM

2. Part 1. 3.b. – The response indicates that the action will disturb 3.4+/- acres of land. It appears the project will be subject to the NYSDEC Phase II Stormwater Regulations and General Permit GP-0-20-001. Therefore, a full Stormwater Pollution Prevention Plan (SWPPP) will be required. As the project proceeds through the Town's regulatory review process, a fully conforming SWPPP shall be provided for review, as indicated.
3. 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

4. Part I.17 – The response indicates that the proposed action will create stormwater discharge. 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-0-15-002. 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..
5. No further comments at this time.

SITE PLANS

6. The project is located within the Town’s R-1 Residential Zoning District. The proposal for two-family dwellings are permitted by special use pursuant to Section 208-10(a) and 208-79 of the Town’s Z
7. The application proposes to reduce the number of lots from four to three based on the previously approved subdivision plat.
8. Based upon the review of the proposed lot layout all appear to meet the minimum bulk lot requirements of Section 208-11 of the Town’s Zoning.
9. The applicant needs to contact the Town of Halfmoon and/or Town of Clifton Park Highway Department regarding the proposed driveway locations. Prior to the Planning Board acting on this application, there should be correspondence received regarding this topic.
10. The project plans indicate a total of 3.4 acres. Since the project is for multi-family residential subdivision, in accordance with Appendix B, Table 2 of GP-0-20-001, a Full Stormwater Pollution Prevention Plan (SWPPP) shall be prepared for the project.
11. The applicant proposes to service the lot 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.
12. The project does not have access to a public water supply, with all lots being serviced by on-lot wells for drinking water.
13. 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.
14. Additional perc tests and test pits shall be performed in all the locations of the proposed septic systems.
15. Indicate size of proposed culverts under driveways.
16. 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 and/or Town of Halfmoon Highway Department (driveway, culvert).

17. 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.
18. Considering this plan is conceptual in nature, subsequent comments will be provided with a preliminary plan

Public Comments:

No public comments.

Planning Board Review:

Mr. Fantini asked why the applicant would like to change from single family to multifamily homes. Mr. Hitchcock stated that duplexes are becoming more desirable and cost friendly. Mr. Hitchcock stated that there can be one owner and they can rent out the other side for rent. He stated that wells and septic are designed the same but this is conserving the septic. Mr. Hitchcock stated that he agrees that they can cap the bedrooms to 2 per unit with the option of having 3 on one side only. Mr. Fantini asked if the disturbance is the same as before. Mr. Hitchcock stated that it may be a little less and the benefit to this is the runoff will decrease.

Ms. Bagramian asked how big the septic would be. Mr. Hitchcock stated that he does not know this off hand but a single family home size can fit. Ms. Bagramian asked the the applicant to come back with actual square footage and elevation drawings. Mr. Hitchcock stated that he can come back with this and the duplexes would resemble what was presented on Waite Road.

Mr. Ophardt stated that he felt having all the homes in line with Wood Road and in a cluster is not staying in the character of the neighborhood; and he would like to see a landscape plan as well. Mr. Hitchcock stated they can provide a plan and they will provide street trees as well. Mr. Ophardt stated that he feels this site density is higher than the Board is used to seeing.

Ms. Bagramian asked if there are any duplexes in the area. Mr. Scavo stated that there are some on Grooms Road.

Mr. Martin asked why there was a curb cut near Leslie Court but it is not lined up with it. Mr. Hitchcock stated that there are utility poles in the area they need to avoid and that sight lines have been done in the past and it is safe. Mr. Martin stated he is not comfortable with it but sees the issue with the layout.

Mr. Ophardt asked if there were 2 or 4 driveways for the duplexes. He stated that it looks like 4 separate accesses. Mr. Hitchcock stated that there are 2 26' access drives and 2 curb cuts as 2 of the drives come together at the curb but further in to the property split into separate 13' drives for each home. Mr. Ophardt stated that he would like to see the driveways separate more and then

come together at the road and have two 13' driveways at the curb with shared maintenance agreements. Mr. Hitchcock stated that he can change this as the last proposal was for 20' driveways. Mr. Ophardt stated that this adjoins to the Town of Halfmoon and that he feels there is an obligation for the applicant to make them aware of the project. Mr. Scavo that Halfmoon was aware of the project and even though neighbors are in Halfmoon, the mailings for the Public Hearing will still go to them.

Mr. Fantini asked if this would negatively affect the neighbor's home values. Mr. Hitchcock stated he cannot imagine it would as this is new builds and it is screened from Woodin Road. Mr. Fantini asked if there would be a 15' easement for a trail along the road. Mr. Scavo stated that there is no problem asking for one. Mr. Andarawis stated that there is a ditch in front of the property and it is wet there

Mr. Andarawis stated that he feels the applicant is putting more into a limited space but also feels that this gives the Board more leeway to protect the area. He stated that he feels this has potential and fewer disturbances and stated a side by side comparison would be helpful for the applicant to bring back.

Ms. Bagramian asked if there were basements being proposed here. Mr. Hitchcock stated that they are looking into them but it depends on the builder.

Mr. Fantini asked if the homes would be moved back further. Mr. Hitchcock stated that it would put them closer to the highway and that they would like to keep a buffer.

New Business:

Re-Subdivision of Synergy Phase 3

SBL: 259.-2-120

Proposed Re-Subdivision of Synergy Phase 3, Roberts Lane , Zoned: L2 - Light Industrial 2

Status: Concept

Citizenserve File Number: 23-002116, Application Number: SUB23-000020

Applicant: MJ Properties – M. Rekucki , Consultant: Lansing Engineering, PC - Andrew Masullo

[http://www.citizenserve.com/Documents/398/360060392_37305-2023_9_5-](http://www.citizenserve.com/Documents/398/360060392_37305-2023_9_5-Synergy%20Subdivision%20Map.pdf)

[Synergy%20Subdivision%20Map.pdf](http://www.citizenserve.com/Documents/398/360060392_37305-2023_9_5-Synergy%20Subdivision%20Map.pdf)

Consultant/Applicant Presentation:

Jason Dell – Lansing Engineering – Mr. Dell stated that the original subdivision was Board approved in August and the applicant would like to re-subdivide for financing. He stated that the plans would remain the same except for some plantings. Mr. Dell stated that lot 12 would be 4.2 acres and 59% green space, lot 11 would be 4.69 acres and 68% green space, lot 9 would be 5.63 acres and 64% green space, 6r 6.8 acres with 62% greenspace, 7r 11.62 acres with 40% green

space, lot 10 8.8 acres with 42% green space, and 8r would be 28.7 acres. He stated that each lot would have an easement for shared ingress and egress as well as easements for water, sewer and stormwater management.

Staff Comments:

The Environmental Conservation Commission and issued a memo recommending:

- The ECC requests that the applicant indicates the proposed greenspace for each lot with shaded areas on the plan. The ECC notes that the proposed subdivision lines cross through wetland areas. The Planning Board should require the applicant to indicate on the new deeds that any wetland areas and land conservation zones are unbuildable. If the Planning Board approves this proposed subdivision, they should require the applicant to provide a detailed maintenance plan for the stormwater management areas

Scott Reese, Zoning Administrator issued a memo stating:

- The applicant is proposing keyhole lots as mentioned in Town Code Chapter 208-65 E. (1.) The frontage of the keyhole lot can be on a privately owned and maintained road per Town Code Chapter 208-65 A.
- The applicant shall propose how access to the all the lots that will share common parking lot access roads. If ingress / egress easements are proposed they should be shown on the next submittal.

Scott Reese, Stormwater Management Technician issued a memo stating:

- The proposed stormwater management areas, structures and piping are on multiple parcels. The applicant shall propose how the ownership, access and long term maintenance will be achieved. If access and drainage easements will be proposed it should be shown on the next submittal.

Jennifer Viggiani, Open Space Coordinator issued a memo stating:

- Continue the pedestrian sidewalks along Roberts Lane that were part of the previous lots and adopted site plans to the east. Likewise, extend the pedestrian sidewalks from the "front doors" of the two new proposed warehouses, planned for about 150 employees to reach the sidewalks to be able to get out and walk on breaks and lunch hours.

John Scavo, Director of Planning issued a memo stating:

- Confirm that lots 11 and 12 are keyhole lot configurations with less than 150' of frontage on Roberts Lane.
- Section 208-54 E-1. Setbacks provides acknowledgement of keyhole lots are permissible within the zoning district.
- It appears that the strips of land providing frontage to Roberts Lane for Lots 11 and 12 effectively serve the additional purpose of preserving a vegetative buffer adjacent to I-87 as a benefit of the proposed subdivision.
- 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 subdivision appears to be an Unlisted Action pursuant to SEQR.

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 of the application for a subdivision. 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. Clifton Park Water Authority (CWA): Connection to municipal water
 - d. Saratoga County Sewer District #1: Connection to public water
 - e. NYS Historic Preservation Office: Archeological sensitive area
 - f. NYS Dept of Environmental Conservation: Stormwater permit approval

The above agencies were identified as interested and involved agencies for the project during the Phase III site plan review process which concluded on August 7, 2023. The current proposal is for re-subdivision and lotline adjustments, and no development is being proposed.

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

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
3. No further comments at this time.

SUBDIVISION

4. The project proposes a resubdivision of three existing parcels.
5. The subdivision plat shall be prepared by a surveyor licensed to practice in the State of New York.
6. Does the proposed resubdivision require any site plan amendments.
7. 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 stated that he likes the easements but asked if there would be parking reciprocal agreements. Mr. Dell stated that there will be and it can be indicated on the plans.

Mr. Ophardt asked if there is a pedestrian walking scheme with this plan. Mr. Scavo stated that he walked the area with the applicant and the path is not necessary on the plan. Mr. Ophardt asked if there would be a walkway along the Dwaas Kill. Mr. Dell stated that he is not familiar with Phase I and II. Mr. Dell stated that he is not familiar with Phase I. Mr. Scavo showed a map of the proposed cross walks that are to be added upon build out and stated that other final elements are needed as well.

Mr. Martin stated that keyholes are mentioned in the comments and he does not see if it is allowed in the L-1 zone. Mr. Scavo stated that he can recirculate a letter to the Board stating what can be done.

Discussion Items:

Mr. Scavo stated that HVCC has a Planning Workshop available and that Ms. Fariello is going. He stated if anyone else is interested to please let him know.

Mr. Ophardt moved, seconded by Ms. Westrick, adjournment of the meeting at 8:16 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on October 11, 2023.

Respectfully submitted,

Paula Cooper

Paula Cooper, Secretary