

Town of Clifton Park Planning Board
One Town Hall Plaza
Clifton Park, New York 12065
(518) 371-6054 FAX (518)371-1136

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
November 28, 2023

Those present at the November 28, 2023 Planning Board meeting were:

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

Those absent were:

Those also present were: J. Scavo, Director of Planning
T. , 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:

None

Public Hearings:

#2023-021 CT Solar Blue Barns Rd Solar Array Site Plan and SUP

SBL: 263.-2-89

Applicant proposes to construct a 3.5 MW AC Solar array on a 53+/- acre property.

Blue Barns RD Zoned: CR - Conservation Residential

Status:Preliminary w/possible final determination

Citizenserve File Number: 23-001997, Application Number: SUP23-000016

Applicant: Guyer Richard Consultant: The Environmental Design Partnership, LLP – S.

Alessandrini

Last Seen On: 10/24/2023

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 Mr. Fantini, 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 7:04p.m. The Secretary read the public notice as published in the Daily Gazette on November 17, 2023.

Consultant/Applicant Presentation:

Stephanie Alessandrini from EDP stated that this is a proposed 53 acre site with the parcel in Clifton Park as well as the Town of Ballston. She stated that it is in the CR zone and that they are no longer asking for a variance. She stated that the array would be on Clifton Park land and there would be clearing on the Ballston portion and that they have already received approval for the clearing. Ms. Alessandrini stated that the poles have been moved to the south side of the access road due to impact statements from the neighbors and Board feedback. Ms. Alessandrini stated that the speed limit on the road is 45 mph so the visual of the array entrance will be about 7 seconds when traveling down the road. She stated that the applicant will preserve as much vegetation from the neighbor as possible but the poles will be visible. She stated that she was requested to do a resource analysis and it was done as well as the open space in relation to the document mentioned by Mr. Andarawis. She stated that the priority was water and that they are working to preserve the wetlands. She stated that it was found to be 4.1 out of 5 for vegetation and they are trying to maintain the wildlife as much as possible. Ms. Alessandrini stated that within the fenced area they are planting a wild mix for butterflies and other species. She stated that they have received the SHPO sign off and the SEQRA notification.

Staff Comments:

The Environmental Conservation Commission and issued a memo recommending:

- The ECC review application proceed for the public hearing will follow Town Code Chapter 124-8 C. (1)-(3). (1) The ECC shall make, in writing, specific recommendations concerning the regulated activity. (2) Recommendations by the ECC must be made within 15 days of the hearing date. (3) These recommendations shall be forwarded, in writing, to the Planning Board for use in their site plan review processes. If the ECC disapproves the activity or recommends modifications thereto, the Planning Board of Appeals shall not act contrary to such disapproval or recommendation, except by a vote of a majority plus one of all the members of the Board.

Scott Reese, Zoning Administrator issued a memo stating:

- This Special Use is permitted per Town Code 208-16 D. (3)(a)[22] identifies Tier 2 and Tier 3 solar energy systems, subject to the requirements of Article XIV and Article XVI 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).
- This application meets Town Code 208-80 C. (2) Space and bulk standards for Tier 3 solar energy systems.

John Scavo, Director of Planning issued a memo stating:

- The applicant has provided a conservation resource analysis as requested by the Planning Board, pursuant to Section 208- 16 of the Clifton Park Town Code
- please find SEQR LEAF Parts II & III, with a notice of non-significance.

Professional Comments:

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

STATE ENVIRONMENTAL QUALITY REVIEW

1. No further comments.

SITE PLANS

2. The proposed driveways shall comply with the 2020 Fire Code of New York State. Written acceptance of the fire access shall be provided by the local fire jurisdiction.
3. Provide the phasing boundaries shown on sheet PH-1 on the individual erosion and sediment control plans sheet 5 through 7 of 18.
4. Any required permitting from the U.S. Army Corps of Engineers and NYSDEC for these impacts shall be obtained prior to site disturbances. Any correspondence with the USACOE and NYSDEC shall be provided to the Town for their records.

STORMWATER

5. No further comments.

VISUAL ASSESSMENT

6. Confirm if any additional screening may be necessary to mitigate the visual impacts to the neighbors on Blue Barns Road.

DECOMMISSIONING PLAN

7. No comments.

Public Comments:

Kurt Schwartz – 110 Ashdown Road – Mr. Schwartz stated that he is the author of the letter submitted September 8. He stated that he used photos with the data provided for geographic location. He stated that his property was finalized to never be developed. Mr. Schwartz stated that if someone was on his property they would be able to see the north side of the array as they are 14' higher than the proposal. He asked about the affects this could have on the vegetation and that it would not be screened in leaf off conditions. He stated that in leaf off conditions he can see the rain on the tracks so therefor he would be able to see the solar farm. Ms. Alessandrini stated that an analysis was done with an ecologist and the trees there are 40'-60' tall and should be sufficient enough to not see the panels and the different height in trees help as well as pines mixed in naturally. Mr. Scavo showed photos of the Hubbs Road solar array that he stated he took today as well as some of the Grooms Road array. Mr. Scavo explained locations and directions. Ms. Bagramian asked if simulations were done from the resident's property. Ms. Alessandrini stated that cross-sections were done. MR. Martin asked Mr. Schwartz for his opinion on what was said. Mr. Schwartz stated that elevation profiles should have been done and there are no ground truths. Ms. Alessandrini stated that they used topographical information on the area as well as information provided by the professional and that there are segments that are looked at from the profile. Mr. Schwartz asked why poles could not go to the rail road tracks as there are already poles there to connect. Ms. Alessandrini stated that this is not in her control, National Grid decided this.

Melanie Throton Capraro – 186 Blue Barns Road – Ms. Capraro stated that she loves the community but she did not move here from Boston to be surrounded by development. She stated that she feels that the solar array will be visible from every window in her home and when she is outside with her children they will be around this as well as battery storage. Ms. Capraro asked if the project were developed to meet energy quotas or for a common benefit. She stated that the prior owner of this property allowed logging to be done on it and they entered her property to do so without permission. She stated that she is not against this but she does not want it in the CR zone. Ms. Capraro stated that she has bald eagles and red tailed hawks around her property that would be affected by this and that she found a stud that stated that a 7% decrease in home values were seen around solar arrays. Ms. Capraro submitted for review photos taken from her homes kitchen window and stated that the access road as well as pole would be visible. Ms. Alessandrini stated that the poles were moved further to the south to help with screening and that

there is about 500 feet between the road and the applicants home for buffering, some of it being on the applicants property and some on the residents.. She stated that a visual analysis was done at the entrance as well and she offered to put trees or 2 on the resident's property if they would agree. Ms. Alessandrini stated that there is only about 17' at Blue Barns Road for a buffer but that they could put some screening onto Ms. Capraro's property. Ms. Bagramian stated that she feels this is fair and that they need a landscaping plan. Ms. Alessandrini stated that they do not have enough space on the existing parcel for more landscaping due to required utility spacing held by National Grid. MS. Bagramian stated extras screening would be good and asked for quicker growing vegetation with the trees on the neighbor's property id they agree.

Amelia Medic – 180 Blue Barns Road – Ms. Medic stated that this will be in her back yard as well. She stated that they have never been given winter views of the proposal and that she has already had issues with trespassers from the rail road entering her property. She stated that she feels that this would now lead a direct path to her. She stated that she has concerns with the buffering will not be on the applicant's property and the concern of eagles in the area was not addressed with the SEQRA review.

Jill Schwartz – 110 Ashdown Road – MS. Schwartz stated that the proposal is for 25.6 acres of clearing which she feels is a lot. She stated that this is just over 3 Market 32 stores found in Clifton Park. She stated that she feels this is an industrial use in the CR zone and that the CR zone was not created for this intended use. She asked how many solar farms there needs to be in one area and that it would change the character of the neighborhood and all of western Clifton Park.

Isabell Prescott – Ms. Prescott stated that she has seen changes in the area some good and some not but she questions what this is about and that people have land rights but the Town needs to look at the long term implications. She stated that she is not convinced that Clifton Park does not have a plan in place for the solar farms and that she wants to feel confident that there are policies for the solar farms in place.

Helen Wilson – 28 Hubbs Road – Ms. Wilson stated that if there is a question as to why neighbors don't want this, to drive by the Grooms Road project. She stated that she feels that the noise studies are not clear and asked if there was battery storage on site as this will be a fire hazard. Ms. Wilson stated that there is a study in NYC being done now for this. Ms. Wilson stated that she feels that if there is something not on a site plan or decision then it doesn't exist and that the applicants can add later. She stated that she does not want battery storage on the property. Ms. Alessandrini stated that there is no battery storage proposed on the site and that the company has no intention of installing them at a later date. Mr. Fantini asked if the applicant would put that in writing to note in the application. Ms. Alessandrini stated that she could as if it not in the site plan it is not a feature. She stated that a noise graph was also generated and tracking would happen every 20 minutes and the nearest home is 800 feet away which would be

69.3 decibels and would only be during daylight hours with all of the panels turning together. Mr. Ophardt asked how long the panels would move for. Ms. Alessandrini stated that they would move only for a few seconds and with 142 motors it would be about 30 decibels at the property line. Mr. Fantini stated that he has concerns with the noise scaring away wild life and asked how loud 80 decibels would be and if it would affect them. Ms. Alessandrini stated she can look into this.

Michael Capraro – 186 Blue Barns Road – Mr. Capraro stated that he live adjacent to this property, he stated that he grew up rural and then moved to the city and back to this location. He stated that the developer had said this is the best use for this property but he feels that keeping it wild is the best use. He stated that he will be able to see the poles from not only his kitchen window but from his patio and yard. Mr. Capraro stated that he has not seen renderings of the poles or other options for interconnectivity. He stated that he has not seen landscaping plans either and that the focus has been for the benefit of the applicant and the land owner but there is no clear benefit to the neighbors. Mr. Capraro quoted from the CR zoning code and stated that there are concerns with visual impacts, and interconnections.

There being no additional public comment, Ms. Fariello moved, second by Mr. Ophardt, to close the public hearing at 8:27 p.m. The motion was unanimously carried.

Planning Board Review:

Mr. Ophardt asked if the access road was too small as it was decreased. MJE stated that 16' is fine as the 254' is needed for aerial access which is not needed.

Mr. Fantini asked if the wires would be seen from the road. Ms. Alessandrini stated that the poles with the wire would be seen and that the roadway cannot be changed to hide this as they are trying to avoid wetlands.

Mr. Andarawis asked how far the utility poles could be spaced out so that visuals improve. Ms. Alessandrini stated that that it is what National Grid decided and to this point this is what they have wanted. Mr. Andarawis stated that there are already poles on the road but they are trying to avoid clustering of them.

Ms. Bagramian stated that she would like the applicant to go back to National Grid about pole spacing and feeding off of existing receptors. She stated that she also wants the applicant to help mitigate the buffers and would feel more comfortable with the application if the applicant did both. Ms. Alessandrini stated that that she can ask but the applicant already shifted the poles to the south as previously suggested. Ms. Bagramian asked where the power generated from this array would go. Mr. Andrew Day, from CT Solar, stated that it would go to the grid and it would

create credits that go to residents that subscribe to this. He stated that the only requirements are to be a National Grid customer and that there are multiple marketing strategies used to help people sign up. Mr. Scavo stated that they typically do not advertise through the Town but that he has seen direct mailings.

Mr. Ophardt stated that there was mention of decreased property values and asked if there is evidence of this being true. Ms. Alessandrini stated that she has not seen distinctive reports. Ms. Alessandrini stated that she found a report and it shows that in New England there is no report of decreased home values. Mr. Day stated that there are no statistical impacts. Ms. Bagramian stated that she feels people make a decision on a home based on what the exterior looks like as well and stated that the applicant could go to the National Board of Realtors to get more information on property values near solar farms. Ms. Fariello stated that she found a article in USA Today and it stated that 50% of states that have solar farms have 1.8 million dollars in sales.

Mr. Andarawis stated that he feels that the applicant is trying to be helpful with buffering and landscaping but that there would be more intense uses for this property. Mr. Scavo stated that by right there could be another home put on this property and could go in without being seen by the Planning Board. Mr. Scavo stated that any changes with this application, if approved, will also be remanded back to this Board. Mr. Andarawis stated that if this is allowed with a SUP it gives the Board more authority to help benefit the community. Mr. Wilcox stated that the Board cannot dictate the uses unless it falls under the code of the SUP. Mr. Andarawis asked what tier the array would be. Ms. Alessandrini stated that it would be a tier 3 as it would generate more than 25kw. Mr. Andarawis stated that if this was taken out the developable land for a subdivision would be about 11 homes. He stated that if this was just someone's back yard that by right they could also cut down as many trees as they wanted.

Mr. Ophardt quoted the SUP code Section (d) and stated that they are following this code. Mr. Andarawis stated that this is allowed in the CR zone under the SUP but he struggles with why not here but in other areas is this ok. Mr. Ophardt asked when development of 50-60 acres of development becomes industrial use. He stated that this also per code needs to be in harmony with the Town's comprehensive plan and that this does seem industrial to him. Mr. Scavo stated that with the SUP it is allowed in the CR zoning

Ms. Bagramian stated that they need to look at what the Board wants for the project and not for the land and asked the applicant what needs to be in place for the project to be viable. Ms. Alessandrini stated that once the array is installed they will be a quiet neighbor compared to a subdivision and there would also be an increase in traffic and noise if a subdivision were being proposed.

Mr. Martin stated that site constraints and fencing make the proposal work without impacting the wetlands and he likes this about the application. He stated that he has struggled from the beginning if solar is in harmony with the CR zone. He stated that he feels more research will allow the Board to look at this thoroughly and make a decision. Ms. Alessandrini questioned as to why, if allowable, this is being questioned.

Ms. Fariello stated that the applicant cannot control what gets cut down on neighbors properties so minimizing that is done on their property may be more beneficial. Ms. Alessandrini stated that they have a 500' buffer as well as they pulled back on the array as to not ask for a variance.

Mr. Martin stated that 2021 standards have changed how the Board looks at the projects and Ashdown is not comparable. Mr. Scavo stated that in 2021 the Town changed its legislation to match NYS. Mr. Martin asked if the pollinator mix was a success in other areas. Ms. Alessandrini stated that it would only need to be mowed a few times per year and was pretty successful.

Ms. Bagramian stated that this is allowed with a SUP. She stated that the applicant has more homework to do with adjacent land owners and that the landscaping needs to be addressed. She asked the applicant to speak to National Grid as well to see what accommodations could be done. Ms. Alessandrini stated that they only have 80' of roadway frontage to work with so she is unsure of what else can be done and that she cannot show a landscaping plan for a property that does not belong to them. Ms. Alessandrini stated that 40-60' of elevation with brush would provide viable screening.

Old Business:

None

New Business:

#2023-032 Ushers Knob Business Park

SBL: 259.-2-70

Applicant proposes construction of Business Park, Ushers RD Rear, Zoned: B1 - Business Non Retail Status: Concept Citizenserve File Number: 23-002438,

Application Number: SPR23-000029 Applicant: Belmonte, Consultant: EDP – J. Dannible

Consultant/Applicant Presentation:

Joe Dannible – EDP – Mr. Dannible stated that this is a concept review for Ushers Road with a deeded easement to the 10 acre parcel from Country Club Acers. He stated that the deed

easement is recorded and will be provided to the Town. Mr. Dannible stated that the application is for 10 40,000 sf buildings, with small office space provided. He stated that this will be similar to the EDP Office Park and that this is an allowable use in the B-1 zone. Mr. Dannible stated that a loop road would be used and that they would be able accommodate large trucks both inside and outside the buildings. He stated that there could be up to 4 12,000 sf spaces per building with garage doors for the buildings and that they plan to connect to public water and sewer. Mr. Dannible stated that they are trying to dedicate a force main currently and that there is 220 parking spots proposed; 5 spots per 1,000 sf which is common for retail use or 3.5 spaces per unit plus the garage parking. He stated that the buildings may have 1-4 occupants and that they are currently showing the most restrictive layout but that they are willing to land bank as needed. Mr. Dannible stated that trash receptacles are shown and that the buildings will not be sprinklered but fire access will be provided around the buildings.

Staff Comments:

The Environmental Conservation Commission and issued a memo recommending:

- Due to the probability of food and liquid wastes leaking from the on-site dumpster(s) into a storm water catch basin and/or surface water body, the ECC recommends the applicant enclose the area (i.e. roof) on an impervious surface with a berm surrounding the dumpster(s) that accept food and liquid wastes. If necessary, the Applicant will need to periodically pump out the accumulated wastes within the bermed area to avoid any overflow
- Due to the proximity of this project to the Northway the ECC recommends that the applicant retain existing mature trees to the maximum extent practicable in order to buffer the noise from the highway.
- The project is surrounded on three sides by extremely steep sided ravines. The slopes in most areas exceed 45%. Disturbance of these steep sided ravines are in areas of excessive possible erosion that would destabilize the existing soil and slopes and passably create a sediment deposit in the wetlands at the bottom of the ravine. Setbacks and buffers from the edges of the ravine for this development of at least 50 feet should be established to protect the steep slopes and wetlands.
- A single access point for two developments (one existing and one proposed) will generate accessive traffic and congestion at the intersection of the dual access road and Ushers Road. The planning board should require a traffic study of this intersection. The proposed plan indicates that there will be 220 parking spaces serviced by a single access point. The fire chief shall assess the safety risk if the parcel is inaccessible and determine in consultation with the Planning Board, whether the project should be reduced in scale.
- The roadway and the dumpster area adjacent to buildings 5 and 6 is too close to the ravine.
- It appears that building 4 is too close to the steep ravine to the north.

Scott Reese, Zoning Administrator issued a memo stating:

- The applicant will need to provide additional information on how the proposed use of mixed use office with ancillary garages will be compliant with the allowable uses in the B-1 Business - Non Retail District.
- If the applicant is including the proposed stormwater management areas as greenspace. Subsequent submittals shall include landscaping plans for the stormwater management areas.

Scott Reese, Stormwater Management Technician issued a memo stating:

- All proposed stormwater management areas shall be within the applicants parcel.
- Two of the three proposed stormwater management areas are at the top of steep ravines. Future submittals shall show how the proposed outlet from the stormwater management areas will not create concentrated flows and not cause additional erosion at the proposed outlet points and further down the ravine.
- Since three sides of this parcel are surrounded by steep slopes, I believe that the angle of repose should be shown on the plans. If any of the structures or stormwater management areas are within this area, further design evaluation should take place

Jennifer Viggiani, Open Space Coordinator issued a memo stating:

- Minimizing tree clearing to the greatest extent possible is highly recommended to minimize impacts to the existing forest habitat.
- Recommend pedestrian connectivity between new buildings.

John Scavo, Director of Planning issued a memo stating:

- The site plan appears to show shared access with the existing curb cut at 331 Ushers Road.
- Parking requirements may depend upon the types of office uses. The applicant should explain the rationale for calculating the number of proposed parking spaces. Parking spaces should be dependent upon the types of office use.
- Provide a greenspace calculation for the site if the largest number of parking spaces are installed for the B-1 Permitted Use requiring the greatest number of spaces.
- As plans advance, the applicant must demonstrate that the minimum access requirements for emergency services are met.
- Sign-offs from the SCSD and CPWA are required for public water and sewer connections.
- A projected vehicle trip generation analysis should be provided using ITE standards.
- Additional comments will follow as plans advance in design and layout requirements under the B-1 Zoning District.
- Per the SEAF Part I EAF Mapper Question 12b, Archeological Site is answered– Yes. Q.13a, Wetlands or Other Regulated Waterbodies is answered – Yes Q.15, Threatened or Endangered Animal – Karner Blue, Frosted Elfin is listed. Q.20, Remediation Site is answered – Yes Buffer areas to the project site for Questions 12b, 13, & 15 are 500 feet, while Question 20 includes an adjacent land area of 2,000 feet.
- For those questions that include a buffer area, a 'yes' answer to that question should be viewed as a trigger for further investigation. A "yes" answer should be interpreted as

meaning the site is in, or very close to, a particular resource. In such cases, the project area should be evaluated more closely to confirm or reject exact proximity. The DEC's Environmental Resource Mapper, field verification, or other professionally accepted methods must be used to verify whether the project site includes or is adjacent to that resource. If the applicant believes that a project location is within the buffer area but sufficiently far enough away from the resource to render the issue irrelevant or insignificant, they should provide more specific supporting information to the Clifton Park Planning Board as part of its EAF submission. The applicant should provide supplemental information to the SEAF to verify the presence or absence of that resource or environmental remediation concern to the Clifton Park Planning Board.

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 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. NYS Historic Preservation Office: Archeological sensitive area
 - c. Saratoga County Planning: 239-m County Referral
 - d. Saratoga County Sewer District #1: SCSD Connection
 - e. Clifton Park Water Authority: Water Connection
 - f. NYSDEC: Stormwater permit

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.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.
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 stated - PSS1/F01E- This is located at the eastern most part of the site where there are no plans for disturbance.

4. Part 1.15. The response indicates that the project site contains species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered including the Karner Blue and Frosted Elfin. The applicant should ensure that this response is inclusive of the U.S. Fish and Wildlife Service IPaC tool to ensure no federally identified species of concern.
5. Part 1.17 – The response indicates that the proposed action will create stormwater discharge. The project will also 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.
6. Part 1.18 – The response indicates the proposed action will include construction or other activities that would result in the impoundment of water or other liquids. Applicant stated “Stormwater Management”. The project will be subject to the NYSDEC Phase II Stormwater Regulations and General Permit GP-0-20-001.
7. Part 1.20 - The response indicates the site of the proposed action, or an adjoining property been the subject of remediation. Applicant provided Environmental Site Remediation Database Search Details. \
8. No further comments at this time. Additional comments may be forthcoming as the project advances.

SITE PLANS

9. The project is located within the Town’s Business Nonretail District (B-1). The applicant should provide a narrative on the type of mixed use that is being proposed. 7. Based upon a review of the lot configuration, it appears the minimum bulk lot requirements as identified in Section 208-22.1 of the Town’s Zoning are satisfied. 8. Subsequent submissions shall show any cross-lot easements for access, utilities and stormwater management areas.
10. The proposed concept plan shows 220 parking spaces. Provide a narrative and table on how the number of spaces were derived.
11. Provide anticipated water and sewer usage information.
12. It is recommended that at a minimum the number of peak hour vehicle trips, including truck trips and sight distance utilizing AASHTO standards at the project entrance be provided.
13. Provide the locations of the proposed utility connections.
14. Identify the force main shown on the plans running parallel to the overhead transmission line.
15. The project is proposing to be serviced 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
16. The project is proposing to be serviced 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.
17. Subsequent submissions shall include the proposed lighting plan.

18. 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.
19. Subsequent submissions should include architectural renderings of the building along with identification of materials of construction.
20. Subsequent plans shall provide the proposed landscaping species to demonstrate conformance to Section 208-33(C) of the Town's Zoning.
21. For any work proposed within the Ushers Road right-of-way approval and permitting from the Clifton Park Highway Department will be required.
22. 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 NYSFC 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 closes hydrant to the site is or where the fire department connection may be. Additional hydrants may be necessary.
 - d. Provide a turning template analysis for the largest emergency vehicle that may respond to an event at the site.
23. Considering the plan submitted is conceptual in nature, we will reserve further comments until more detailed plans are submitted. Subsequent submissions shall include information as outlined in Section 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 if the buildings would be steel framed. Mr. Dannible stated that they would be wooden. Ms. Bagramian stated that this seems to be flex space but the applicant is stating mixed use. Mr. Dannible stated that this has been approved before in the B-2 zone and gave examples of possible tenants. He stated that the setback from Ushers Road would be 700 feet. MS. Bagramian asked if there would be oil separators installed on site. Mr. Dannible stated that they would not as no mechanical work in the buildings is planned but if they need to they will be installed at that time.

Ms. Westrick asked about food waste due to a microbrewery or distillery being a tenant. Mr. Dannible stated that that he does not see this happening here and the only food waste would be from employee lunches. He stated that he cannot say this 100% but this is for nonretail use as it is not permitted. Mr. Andarawis stated that they can still brew on the location; they just cannot sell from that location. Mr. Scavo stated that this is a true statement.

Mr. Andarawis stated that he would like to see a space for gathering outdoors or a patio area for employees.

Mr. Ophardt stated that there is a project to the north of this one that is having a hard time due to steep slopes, wetlands, sandy soil and that it has unique characteristics. He stated that it is about 200ft from this application and similar. He asked what makes this application different from that one. Mr. Dannible stated that there are steep slopes that are identified and that they are bringing in professionals to see what needs to be done without affecting the slopes, and that plans may change due to findings. Mr. Dannible stated that this land is flat to Ushers Road and wetlands are off the site with no endangered species identified here.

Mr. Martin stated that he feels that this is not comparing apples to apples. Mr. Andarawis agreed stating that the applicant here is staying away from the steep slopes. Mr. Ophardt stated that he feels that they are similar and are only 200' apart.

Ms. Fariello stated that congestion on the other project would be affecting a residential neighborhood and the Town has not taken over the paper road; this application will be off of Ushers Road. Mr. Dannible stated that this application is zoned for commercial use as long as standards are met. He stated that the site is 700 feet from the highway so noise is not an issue here as well.

Mr. Fantini stated that this will not be on a Town road so this does not need Town Board consideration like the other application.

Discussion Items:

None

Ms. Fariello moved, seconded by Mr. Andarawis, adjournment of the meeting at 9:47 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on December 12, 2023.

Respectfully submitted,

Paula Cooper

Paula Cooper, Secretary