

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

Keith Martin
Lisa Westrick

Planning Board Minutes
January 9, 2024

Those present at the January 9, 2024 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
W. Lippmann, M J Engineering and Land Surveying, P.C.
R. Wilcox, Counsel
P. Cooper, Secretary – via Zoom

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:

Mr. Martin moved, seconded by Mr. Ophardt, approval of the minutes of the November 14, 2023 Planning Board meeting as written. The motion was unanimously carried.

Mr. Ophardt moved, seconded by Mr. Martin, approval of the minutes of the November 28, 2023 Planning Board meeting as written. The motion was unanimously carried.

Public Hearings:

#2023-031 1860 Route 9 2 Lot Commercial Subdivision

SBL: 265.-1-89

2 lot commercial subdivision, 1860 Us Rt 9, Zoned: B5 - Corporate Commerce, Status: Preliminary

Citizenserve File Number: 23-002371, Application Number: SUB23-000023

Applicant: Codie Development, LLC, Consultant: ABD Engineers, LLP – J. Hitchcock

Last Seen On: 11/14/2023

http://www.citizenserve.com/Documents/398/395301660_5417-SUB2-Rev2%20-%2020203_12_18.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.

Ms. Fariello moved, second by Mr. Martin, 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 7:04 p.m. The Planning Director read the public notice as published in the Daily Gazette on December 29, 2023.

Consultant/Applicant Presentation:

John Hitchcock from ABD stated that this is an 8.08 parcel located in Clifton Park and Halfmoon. He stated that the parcel runs along Route 9. Mr. Hitchcock stated that proposed lot A is to the south and would be 5.06 acres, and lot B would be to the north and be 3.02 acres. He stated that he received approval from Halfmoon for a subdivision last night.

Staff Comments:

Scott Reese, Zoning Administrator issued a memo stating:

- No further zoning comments at this time.

Scott Reese, Stormwater Management Technician issued a memo stating:

- No stormwater comments at this time.

John Scavo, Director of Planning issued a memo stating:

- The Saratoga Co. Planning Board issued a letter on November 20, 2023 noting in a recommendation that the project will have no significant county-wide or inter-community impact.
- The applicant's design professional has satisfied my previous comments in a response letter dated December 18, 2023 and submitted with this application.

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.

SUBDIVISION

2. The subdivision plat shall include the metes and bounds of all proposed easements.

Public Comments:

Anthony LaFlesche – 21 Wheeler Drive – Mr. LaFleche asked if this would be an appropriate time to ask the applicant for an easement for a potential future trail. Mr. Scavo said most of the right of way is in Halfmoon and that he believes there is significant room for a trail. Mr. LaFleche asked if in the future, the buildings could be pushed back to allow for the future trail.

There being no additional public comment, Ms. Bagramian moved to close the public hearing at 7:10 p.m. The motion was unanimously carried.

Planning Board Review:

Mr. Andarawis asked what cross-access easements would be needed with this application and what needs to be put into place before the approval. Mr. Hitchcock stated that he had no idea who would be buying the property or what would be going there, so he didn't know. He stated that the prior site plan approval contained no easements. Mr. Andarawis stated that Lot B would have stormwater on it so he is unsure about the area. Mr. Hitchcock stated that the applicant did not want to connect with the future project build-out but when the site plans come before the Board, the issue can be discussed.

Ms. Bagramian asked if there were concerns with the curb cuts on Route 9. Mr. Hitchcock stated that a traffic study was done with no concerns.

Mr. Ophardt offered Resolution No. 01 of 2024, seconded by Mr. Fantini, to waive the final hearing for this application for the 1860 Route 9, a 2 Lot-Commercial Subdivision, and to grant preliminary and final subdivision approval conditioned 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 - Yes

K. Martin – Yes

M. Fantini - Yes

L. Westrick - Yes

Vacant (alternate) -

Ayes 7

Noes: 0

The resolution is carried.

Old Business:

#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, Blue Barns Rd , Zoned: CR, Status: Final

Citizenserve File Number: 23-001997, Application Number: SUP23-000018

Applicant: R. Guyer Consultant: EDP, LLP – S. Alessandrini

Last Seen On: 10/24/2023

http://www.citizenserve.com/Documents/398/395167762_2023-12-18%20Revised%20Site%20Plans.pdf

Consultant/Applicant Presentation:

Ms. Stephanie Alessandrini stated that the applicant was last before the Board on November 8, 2023. She stated that the application is located at 182 Blue Barns Road with a portion of the property in the Town of Ballston as well as The Town of Clifton Park. She stated that the proposal is on the land in Clifton Park only. Ms. Alessandrini stated that since the last meeting, applicant has had additional discussions with National Grid and agreed to have two pads and two poles on the property to decrease the visibility of the project from the roadway. She stated that poles on the north side of the access road were previously proposed to shift to the south side. Ms. Alessandrini stated that the pads would be about 130' from the northern landowner and that

arborvitae are also being proposed as a buffer to supplement certain existing vegetation to remain. She stated that the existing pole would be relocated at the Blue Barnes Road entrance and that a revised visual analysis had been done at receptor points 1, 3, and 4. She stated that receptor location 1 was on the north side of the site entrance looking south, and that the visuals showed from day 1 to year 5, and the same was shown for receptor location 3. Ms. Alessandrini stated that on November 18, 2023 screening with vegetation was included in a map submitted to the Town. Ms. Alessandrini went through the 11 points of a Special Use Permit and explained why the application met the points. She then stated that there have been five other solar farms approved in the CR zone in the Town and that each project needs to be looked at individually.

Staff Comments:

The Environmental Conservation Commission and issued a memo recommending:

1. Per Town Code 208-80 C. (2) Space and bulk standards for Tier 3 solar energy systems the required side yard setback in the CR Zone is 100 feet. If the property owner subdivides the parcel that is located in the Town of Ballston, it will create a non-conforming area.
2. Per Town Code Chapter 208-79 E. (1) (d) States; That the use will be in harmony with and promote the general purposes and intent of the Comprehensive Plan and this chapter. The Conservation Residential Zone was established (see Town Code 208-16 A.) to provide and maintain land area to promote and support ongoing open space and agricultural uses and activities to sustain the rural character of this predominantly natural, agricultural and low-intensity residential setting. The purpose of the Conservation Residential (CR) Zoning District is to protect and enhance the rural character, the natural and scenic qualities of open space, and the agricultural heritage, while providing for well-planned new development that complements the traditional settlement pattern, and protects the health, safety, economic base and quality of life in Western Clifton Park for all of its residents. a. Furthermore, Per Town Code Chapter 208-16 B. (1) New development should complement and harmonize with the traditional, open, rural, wooded, agricultural, natural and environmental resources, low-intensity residential and hamlet landscapes, agricultural lands and working landscapes, and scenic views and resources as valued by the community in Western Clifton Park.
3. The proposed use is a direct conflict with these objectives and the Comprehensive Plan. The requested Special Use is not in harmony with the general purpose and intent of the Comprehensive Plan. The ECC urges the Planning Board to deny this application based on this premise.

John DeSimone, Fire Marshall issued a memo:

1. Fire access road design meets 2020 NYSFC regulations.
2. Most recent plan submittal labels site as 180 Blue Barnes Road. This is not the approved postal verification number. Please see approved postal verification in documents.

Scott Reese, Zoning Administrator issued a memo stating:

1. 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 considerations listed under 208-79 E. (1) (a-k).
2. This application meets Town Code 208-80 C. (2) Space and bulk standards for Tier 3 solar energy systems.

Scott Reese, Stormwater Management Technician issued a memo stating:

1. No additional stormwater comments.

John Scavo, Director of Planning issued a memo stating:

1. The applicant provided a color rendering of the overall site plan showing areas of vegetation on-site to remain in relation to proposed site improvements for the community solar array and access.
2. New York State Town Law Section 274-b defines a Special Use Permit as “authorization of a particular land use which is permitted in a zoning ordinance or local law, subject to requirements imposed by such zoning ordinance or local law to assure that the proposed use is in harmony with such zoning ordinance or local law and will not adversely affect the neighborhood if such requirements are met.”
3. Town Law Section 274-b(4). Note that the board’s authority to impose conditions is qualified – the conditions must be reasonable and related to the special use permit.
4. The applicant and Planning Board should review the record detailing how the proposal meets the special use permit conditions as prescribed in §208-79(E) – Standards for Special Use Permit.

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 revised plans show a reduction in utility poles along the entrance road and provides underground service to the arrays.
3. 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.
4. Provide a landscape plan within the proposed rain garden.

STORMWATER

5. No further comments.

VISUAL ASSESSMENT

6. No further comments.

DECOMMISSIONING PLAN

7. No further comments.

Public Comments:

No public comment.

Planning Board Review:

Mr. Fantini stated he looked at the SUP criteria as well. He stated that one criterion had to do with harmony of the master plan and that the applicant is minimizing the environmental impact, but is this in character? Ms. Alessandrini stated that the applicant located the panels to keep away from the unique features within the property and the zone. She stated that the solar farm is within the parameters of the SUP. Ms. Alessandrini stated that single-family homes could go here and have a more permanent and impactful effect on the area. Mr. Fantini stated that he did agree with the applicant's findings of having no decrease in home values surrounding the site.

Mr. Martin asked why the applicant chose the plantings that they did. Ms. Alessandrini stated that they are proposing arborvitae but that they can change to alternate species if the Board would like something else. Mr. Martin said he would like to see a mix of the white spruce and arborvitae or a similar mix. Ms. Alessandrini said she thinks they could do this. Mr. Martin stated he was still skeptical about the long-term viability of the wildflower mix. He asked how the applicant can ensure that the flowers remain and germinate. Ms. Alessandrini stated that during the construction routine SWPPP inspections will review vegetative coverage conditions and prior to filing for a Notice of Termination with the DEC Permit the applicant must ensure that the DEC coverage requirements are met. She stated that long-term maintenance could come in to ensure viability, but it has been found that this mix does well in this area. Mr. Martin said he has seen underperformance by public utilities when doing the same and upkeep is historically lacking. Ms. Alessandrini stated that this mix is self-propagating and does well with their root system.

Ms. Bagramian stated that at the last meeting, a maintenance agreement would be shared with the application. Ms. Alessandrini stated that she would have to confirm with her colleague. Ms. Bagramian stated she would still like this submission. Ms. Alessandrini stated that they could add a revision to include this.

Mr. Andarawis asked for more details on the equipment pads that are now being proposed. Ms. Alessandrini stated usually the poles have the equipment mounted on them at the entrance and with the pad option, there are containers mounted to the pad for security instead of the poles. She stated there would be connections, customer disconnects, a switch gear, and meters. Ms. Alessandrini stated that there would be 2 boxes for this and other equipment per pad. She stated that each would be 8'-10' high. Mr. Andarawis stated that the pads seem large to him as well. Ms. Alessandrini stated that they could talk to National Grid to reduce the size, but she cannot promise as this is where the engineer provided them for optimization.

Mr. Ophardt asked if there would be screening for the pads. Ms. Alessandrini stated that there is screening on the property but is unsure if National Grid would allow screening around the pads. Mr. Ophardt asked if they could investigate screening at least 3 sides. Ms. Genivive Chake, service use counsel for the applicant, stated that they are not typically screen boxes and they are commonly found in residential neighborhoods in the open lawn areas of residential lawns.

Mr. Martin stated that Clifton Park Center Road and Moe Road has transformers with screening, so he finds it hard to accept that they are not commonly done. It was clarified by Planning Staff the location is a county sewer pump station and not an electrical transformer site. Ms. Chake stated that they could investigate some low vegetation and set back a bit. Ms. Alessandrini stated that National Grid likes to clear the whole area for access from her experience, but they can ask if something could be there.

Ms. Bagramian stated that on the approach to the site she would like to see something to be able to have it shielded at least one side of the road and does not feel this is asking too much. Ms. Alessandrini stated that they could ask but they did not want to guarantee anything. Ms. Bagramian stated that she would like the applicant to ask National Grid. Ms. Alessandrini stated that she can reach out to National Grid and see what they say.

Mr. Martin said he is not opposed to the project but not in favor of the way the access is planned for this site. He said he is trying to find an acceptable plan within the SUP for this.

Mr. Andarawis asked what is on the proposed utility poles since there are 2 pads now with electrical equipment. Ms. Alessandrini stated that National Grid's equipment remains on the poles. Mr. Andarawis stated that lines are run underground until they get to the poles and asked what would be on the poles. Ms. Alessandrini stated it would be like other poles seen but is unsure of the exact equipment. Andrew Day, from Source Renewables, stated that the 2 poles are utility-owned, and the pads/boxes are owned by the applicant, and this is why they can be more flexible with what goes into the boxes, but the poles have meters and connection switches that they would control. Mr. Day stated that National Grid requires the 2 poles for connection to the power grid. Mr. Andarawis asked Mr. Scavo to pull up a map so that the Board could see where the poles would be and the general view. Mr. Scavo pulled up the site and Mr. Andarawis asked how much clearing or trimming would be done at the entrance to allow for decreased visibility. Ms. Alessandrini stated that she does not have the actual measurements but clearing for the access road would have to be done but they will preserve as much vegetation as possible, and that they can try to preserve more but she would first have to ensure the dripline. Mr. Andarawis stated that he likes the pad configuration as it is a lot easier to screen compared to the poles. He also agreed with Mr. Martin's comments about the use of a mix of evergreens for the buffering as it looks more natural in the setting and that the applicant is trying to hide less.

Ms. Fariello asked if the arborvitae would be resistant to deer as they seem to like eating it. Ms. Bagramian stated she feels the same. Ms. Alessandrini noted that the applicant will look for the deer resistance type of arborvitae and a spruce species would be mixed in as well.

Ms. Bagramian asked if there would be 16' from the vegetation to the curb cut, as previously discussed. Ms. Alessandrini stated that the latest layout is about 15' from the edge of the property to the access road. Ms. Bagramian said she worries the vegetation is not thick enough for adequately screening the neighbor. Ms. Alessandrini stated that the pad equipment would be low profile. Ms. Bagramian said she appreciates the work the applicant has put into this and working with the Board and National Grid.

Mr. Andarawis stated that everything in green on the map is intended to remain a buffer zone, and that it would be deed restricted. Mr. Scavo stated that it would not be deed restricted, but under the SUP and Site Plan it is a binding agreement between the applicant and the Town, so any clearing impacts beyond the markings here a violation of the site and potential revocation of the SUP. Mr. Andarawis stated that the top spot to the north is in Ballston and that there is a buffer zone there. Mr. Andarawis asked if they could enforce a buffer on their portion of the land that is in the Town of Clifton Park. Mr. Scavo stated that the Town is only allowed to restrict what is within their Town boundary. Mr. Andarawis stated that the Board has no control over that boundary as it is not in Clifton Park.

Mr. Ophardt offered Resolution #02 of 2024, second by Mr. Fantini, to waive the final hearing of this application and to grant preliminary and final approval of the special use permit, conditioned upon satisfaction of the comments offered by the Planning Board, Planning Department, and Town Designated Engineer, including submitting the landscaping plan for approval to the Planning Department prior to the stamping of the Special Use Permit.

Roll Call:

D. Bagramian – Yes
E. Andarawis - Yes
K. Martin – Abstain
H. Fariello – No
E. Ophardt – Yes
M. Fantini – Yes
L. Westrick - No

The Resolution is carried.

Mr. Ophardt moved, second by Mr. Fantini, to waive the final hearing for this application for the site plan review of CT Solar Blue Barns Rd Solar Array 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 issued by the Planning Department.

Ayes: 5

Noes: 2

The motion is carried.

New Business:

#2024-002 986 Hatlee Rd Timber Harvest Forest Management

SBL: 258.-1-19

Forest management timber harvest, 986 Hatlee Rd , Zoned: CR, Status: Preliminary

Citizenserve File Number: 23-002597, Application Number: THP23-000001

Applicant: R. & C. Ochrym Consultant: Saratoga Land Management Corp. – C. Gerber

http://www.citizenserve.com/Documents/398/394350258_Ochrym%20Permit%20Map%20and%20Neighbors.pdf

Consultant/Applicant Presentation:

Chuck Gerber from Saratoga Land Management stated that the proposed cutting will be single and group tree selection with select species and dying trees. Mr. Gerber stated that the applicants have used them before. He stated that they recommend removing dying or diseased trees such as beech trees and white ash that will be replaced naturally by native trees to the area and will reach maturity. He stated that the target of the plan is to do the work for this or next winter. He noted a goal is to remove diseased or overmature trees like the white pines also present on-site. Mr. Gerber said they would also do strip row finishings to allow trees to grow more mature. He said that DEC does not require any additional permits and necessary approvals are only through the Town. He said there would be a crossing of a class C stream that requires use of best practices to cross using bridge panels. Mr. Gerber stated that 20-25% of the trees will be removed.

Staff Comments:

The Environmental Conservation Commission and issued a memo recommending:

- The applicant shall obtain the necessary General Permits for stream crossing for timber harvesting from the NYSDEC. Under the authority of Environmental Conservation Law Article 15, Title 5 Stream Disturbance.
- The installation, construction, maintenance and removal of stream crossings for timber harvesting only and limited in scope to temporary bridges and temporary culverts.

- No work is authorized until the permittee receives the signed Project Authorization by NYSDEC.
- The ECC notes per NYSDEC policy that these permits do NOT authorize: a) permanent crossings of any type; b) stream fords except any equipment access ford associated with an approved bridge or culvert; c) crossings located within state regulated Freshwater Wetlands and adjacent areas; d) crossings that the Department has determined will impact state listed Threatened or Endangered species; e) crossings over Wild, Scenic and Recreational Rivers; or f) multiple culverts installed side-by-side.
- The ECC recommends that any approval by the Planning Board be limited to winter months where the ground will be frozen to limit impacts to the wetlands and forest cover.

John DeSimone, Fire Marshall issued a memo:

- Assure Postal number posted at timber access roads.
- Local emergency agencies will be informed of project.
- Addressed to be used for harvest project will be existing 986 Hatlee Rd.
- Assure siter supervisor states location in case of emergency. (Specify Timber Harvest Behind Residence)
- Assure harvest road marked clearly.

Scott Reese, Stormwater Management Technician issued a memo stating:

- Silvicultural activities are exempt from stormwater permitting that include the felling, skidding, preparation (e.g., delimiting and trimming), loading and initial transport of forest products from an active harvest site. It is also interpreted to include the incidental stacking and temporary storage of harvested timber on the harvest site prior to its initial transport to either an intermediate storage area or other processing site. The applicant shall verify if stump removal will not take place with this application. The applicant has submitted
- NYS Forestry Voluntary Best Management Practices for Water Quality. The forester shall use this field guide to select and install the appropriate best management practices for the silvicultural operations.
- It appears that there are no NYSDEC Protected Streams on this site per NYSDEC Environmental Resource Mapper. Per the Environmental Resource Mapper, the mapped stream on the northwest corner of the site is classified as a "C" stream which is not a NYSDEC protected stream.

Jennifer Viggiani, Open Space Coordinator issued a memo stating:

- Is there, or will there be a written timber harvest management plan submitted for review? The DEC and other professionals recommend that timber harvesting be preceded by a well-thought-out timber harvest plan that protects soil and water resources and fish and wildlife habitat. Towns can require that such a plan be submitted as part of the local review process. http://extapps.dec.ny.gov/docs/lands_forests_pdf/guidetoforestry.pdf

- Is this property, which is greater than 50 acres, enrolled in or interested in the NY Forest Tax Program? This State program (Real Property Tax Law Section 480-a) supports forest land retention and sustainable management by allowing forest land to be taxed at a lower forest use value rather than its potential development value. Similar to the farm tax program, this tax incentive helps make it affordable for forest land owners to keep their land in forest use. It is also a recognition of the environmental, social and economic benefits that forest land provides to the community as a whole. A 10- year commitment and management plan are required to receive the tax break and a minimum of 50 acres of forest land must be involved. Forest land that is part of a farm ownership that is taxed at use value may also receive reduced tax assessments.
- As part of the written timber harvest management plan, please include details on how all stream and wetlands crossings will be created, and how they will be protective of water quality and flow. Will the crossings be permanent, or temporary? Will the crossings be removed and the site restored? Or will a pathway remain in place for the property owner?

John Scavo, Director of Planning issued a memo stating:

- The Special Use Permit requires a referral to the Saratoga Co. Planning Board per GML 239m due to the project's proximity to an identified agricultural district and the parcel being within 500 feet of the municipal boundary with the Town of Malta, NY.
- The estimated basal area of 50 to 100 sq. ft. per acre is above the post timber harvest requirement of 30 sq.ft.
- The applicant should complete and submit Part One of the Short Environmental Assessment Form and upload the document to Citizenserve.

Professional Comments:

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

STATE ENVIRONMENTAL QUALITY REVIEW

1. A Short Environmental Assessment Form shall be submitted for review.

SITE PLANS

2. It appears the timber harvesting is proposed on two lots, SBL 25.1-17 (20.28 acres) and SBL 258.1-19 (40 acres).
3. Provide correspondence from DEC on any required stream crossing Article 15, general permit or wetland permits.
4. In reviewing the application, the application appear to be deficient in regards to meeting the timbering requirements outlined in Section 184-2 of the Town's Code. The noted deficiencies are as follows:
 - a. The name and address of the logger.
 - b. The total land area involved in logging operations.
 - c. The approximate number of trees to be cut and remaining basal area after harvesting.
 - d. The range, in inches, of diameter measured at the standard breast height (4 1/2 feet above ground) of the trees to be cut.
 - e. A plan for restoration of the property and the access driveway to the road.

- f. Approximate acreage of forest affected by the harvesting activities and the approximate acreage of wetlands and buffer zones.
 - g. The location of the product loading areas.
 - h. A statement from the landowner that each tree to be removed has been designated by the forester, with paint or other distinctive means, at two points so as to be readily visible by the logger. One point shall be low enough on the tree so as to be visible on the stump after the tree is removed.
5. For any of the tree removal operations, there should be assurance that stump removal will be limited such that the harvesting operations do not generate substantial ground disturbances. An erosion and sediment control plan shall be provided for review.
 6. The sketch indicates where construction / harvesting equipment will be entering/exiting the site. At this location, there should be indication that the applicant will be responsible for daily inspection and road cleanup if materials / debris accumulated on the roadway
 7. For any planned site access for equipment, appropriate signage along Hatlee Road may be required forewarning the traveling public of construction / harvesting vehicles entering and exiting the site.

Public Comments:

No public comment.

Planning Board Review:

Mr. Scavo stated that the goal here is to maintain die-off, and this is good forestry management. He stated that every 30-40 years the Board will see this to help maintain the forest and looks out for the best interests of the land and the property owner.

Mr. Ophardt asked if the whole site is forested. Mr. Gerber said there is a home to the front of the property and that they will not harvest around the home or the buffer boundaries, and they have been flagged.

Ms. Bagramian asked if this is a cleanup effort so that the viable parts of the forest can thrive. Mr. Gerber said this is what they are doing but timber harvesting is involved. He said there is a horse paddock on the property, a home, and the landing area would be between the horse paddock and the vegetation area. Ms. Bagramian asked about the distance between the paddock and landing areas. Mr. Gerber said they are timbering behind the paddock and the animals would not be disturbed, and once the animals see them working for a few days, they get used to them being there.

Mr. Ophardt asked what the landing area would be. Mr. Gerber stated that the access would be the driveway and that the material used inward would be Type 1 or 2 loads of stone so that the trucks don't get stuck, and mud will not be brought onto the driveway or roadway.

Mr. Martin stated that the applicant wants to remove diseased beech but what are the species being removed for lumber. Mr. Gerber said that beech would be harvested if it is in good condition, low grade hardwood, and hemlock would be logged too. Mr. Gerber stated that ashe would be removed that is at minimum 9-8 inches in diameter, since it will die anyway.

New Business:

#2024-001 King of Kings Church Entrance Portico

SBL: 283.-2-20

Applicant is proposing to construct a 650 sf building addition and Entrance Portico to an existing church., 1593 Crescent RD , Zoned: R1 - Residential, Status: Concept

Citizenserve File Number: 23-002613, Application Number: SPR23-000030

Applicant: King of Kings Consultant: EDP – G. Vuillaume

http://www.citizenserve.com/Documents/398/395164264_KINGS%20Site%20Plans.pdf

Consultant/Applicant Presentation:

Gavin Villaume with EDP said the project is for a small site plan addition and they want to skip the concept review and have elected to go to preliminary. Mr. Villaume passed out renderings of the floor plan of the interior of the building and stated that Pastor Gary was present to also answer questions. Mr. Villaume said they are proposing a small addition to the church's rear and the portico with paving improvements. He stated that the site is 7.6 acres of land with the main building in the middle and 2 driveways. Mr. Villaume stated that the building has undergone many renovations over the past 15 years and that the proposal has 2 parking areas to be redone along with all the pavement. He stated that there are 2 stormwater management depressions that will become more organized, and no drainage will leave the site. Mr. Villaume stated that the applicant proposes a sidewalk to come off of the building and connects to Crescent Road and crosses the road with a delineated crosswalk. He stated that with the new paving, the applicant will gain 9 more parking spaces for a total of 75.

Staff Comments:

The Environmental Conservation Commission and issued a memo recommending:

- If the applicant requires underdrain for parking areas it is unclear where the underdrain outlet will be located.

John DeSimone, Fire Marshall issued the following memo:

- Addition may require building to be sprinklered. Discuss with architect and design professional.
- Existing postal number will remain for addition. 1593 Crescent Road

Scott Reese, Zoning Administrator issued a memo stating:

- See comments on SPR23-000031.

Scott Reese, Stormwater Management Technician issued a memo stating:

- See stormwater comments in Permit # SPR23-000031

Jennifer Viggiani, Open Space Coordinator issued a memo stating:

1. The direct pedestrian connection to the sidewalk along Crescent Road to encourage members or visitors to walk or ride to their destination of the property is a positive, pedestrian infrastructure feature. The crosswalk across Crescent Road to Oakwood Boulevard intersection is helpful for the hundreds of families living on the south side of Crescent Road to cross north to this destination and other destinations on the north side of Crescent Road -- truly a public, community benefit.
2. please confirm that the landings on both ends of the proposed crosswalk over Crescent Road will have the ADA detectable warning strips per current code. They appear to be shown internally on the site plans, but did not observe on the Crescent Road crosswalk. Thank you.

John Scavo, Director of Planning issued a memo stating:

- The additional appears to be de minimis from a site plan perspective to the existing structure and site development. The intent of the original special use permit and site plan does not appear to be disrupted or substantially negated by this proposal. However, I recommend the applicant contact the Building Department to review NYS Building & Fire Code requirements that may be applicable based on the proposed expansion.
- 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 project appears to be a Type II action under NYCRR Part 617.5 which states, “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 controls, but not radio communication or microwave transmission facilities.” Therefore, no additional SEQR review is required.

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: site plan approval
- b. NYS Historic Preservation Office: Archeological sensitive area

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

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 I.17 – The response indicates that the proposed action will create stormwater discharge. The applicant provided a Stormwater Management Narrative and “The proposed development will result in total soil disturbance of approximately 0.97 acres and an increase in impervious areas approximately 3,623 sf.
4. No further comments at this time.

SITE PLANS

5. The project resides within the Town’s Residential, R-1 Zoning District. The proposal is for a building addition and parking lot expansion.
6. Based upon a review of Section 208-11 of the Town’s Zoning, the lot and proposed uses appear to meet the minimum bulk lot requirements.
7. Provide the breakdown and narrative as to how the number of parking spaces was determined for the uses proposed to determine the number of parking spaces are meeting the requirements of Section 208-99 of the Town Zoning. Churches are required to provide 1 parking space per 4 seats.
8. Provide a note on Sheet 3 of 8 to protect and save the existing trees along the eastern parcel boundary. Supplemental planting along the eastern boundaries may be considered by the Planning Board.
9. On Sheet 4 of 8 the east and west drive aisles should be measured from stripping to stripping as they protrude past the curbing. Confirm these dimensions still meet the minimum width requirements or some parking spaces may need to be eliminated and/or modified.
10. On Sheet 7 of 8 provide tree protection fencing around the four existing trees along the eastern parcel boundary.
11. Indicate on the plans if any exterior lighting is proposed.
12. Indicate the depths of the performed infiltration tests.
13. The following comments are relative to the site plan and its conformance to the International Fire Code (IFC). The Town Fire Official shall have final authority on the applicability of these comments to the proposed site layout: a. If the existing and proposed building is to be provided with an automatic sprinkler, show the location of the fire department connection to ensure they are reasonably accessible. b. 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. c. Show or note the location of any required Knox Box associated with the building.

14. 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.
15. Subsequent plans should include architectural elevations of the building with a listing of the materials of construction for review by the Planning Board.
16. 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 Sections 208- 11 and 208-79 of the Town zoning specific to site grading, lighting, landscaping, erosion control and stormwater management to fully assess the design and its compliance to the applicable standards.

STORMWATER MANAGEMENT NARRATIVE

17. Based upon the narrative, it appears that the total site disturbance is 0.97-acre. Should the project result in an acre or more disturbance, it will be subject to the NYSDEC Phase 2 Stormwater Regulations and General Permit GP-0-20-001 and a fully conforming SWPPP addressing water quality and quantity controls shall be submitted as part of subsequent plan submissions. The plans do show proposed stormwater management facilities.
18. The narrative indicates storage volumes for the 10-year storm event, however it does not show how the development will have no adverse impact between pre and post development conditions. Subsequent submissions shall include an analysis demonstrating there is no noticeable increase in runoff from the site.

Public Comments:

No public comment.

Planning Board Review:

Mr. Scavo stated that he has never had issues with this church and that churches fall under the provisions of the Special Use Permit.

Ms. Bagramian asked what the parking requirements are for the building. Mr. Villaume stated that there are 150 seats for the main sanctuary and then 100-150 for the rear of the building and stated the occupancy is close to 300 and they never have that many in the building and there are several different uses for the building. Ms. Bagramian asked if there was a separation of occupancy for the building's rooms. Pastor Gary stated that there are 2 signs for occupancy when you walk in the main building. Mr. Villaume stated that 75 is enough even with 300 but he will go back and double-check the numbers. Ms. Bagramian stated that they need to look at the additional square footage as well.

Mr. Ophardt asked if there would be pillars for the portico and that there are gas and water lines close to them. Mr. Villaume stated that they are looking in the exact locations of the lines. Mr.

Ophardt stated that he does not think the gas or water lines should be under the pavement. Mr. Ophardt asked what the site distance is for the crosswalk. Mr. Villaume stated that they have not established this yet, but they will be working with the county.

Discussion Items:

None

MS. Fariello moved, seconded by Mr. Ophardt, adjournment of the meeting at 8:51 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on January 23, 2024.

Respectfully submitted,

Paula Cooper

Paula Cooper, Secretary