

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
May 29, 2024

Those present at the May 29, 2024 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:

None

Public Hearings:

None

Old Business:**#2023-008 Bass Pro Shops Store Site Plan**

SBL: 272.-1-11

Proposed construction of a Bass Pro Shops Store, 400 Clifton Park Center RD

Zoned: TC1 - Highway Zone, Status: Final

Applicant: Bass Pro Shops, Consultant: A. Neuroth

Last Seen On: 09/12/23

Consultant/Applicant Presentation:

Mr. Ray Myers stated that he and Eric Albers, the project architect, were present to review the changes since the project last appeared before the Board, and he believes all issues that remain from the last meeting have been addressed. Mr. Myers noted that he could provide clarification to the Board for any questions the members may have.

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

- The ECC notes that Roof signage is not permitted by Town Code. Because this project will significantly alter the skyline of Clifton Park Town Center, the ECC recommends that no roof signage be permitted. Furthermore, the ECC notes that Town Code limits wall signage to two wall signs. The ECC recommends that this project conforms to these requirements in order to limit the amount of light pollution that will impact the surrounding residential area.
- The ECC notes that the applicant has provided a lighting plan which details what lighting will be used to illuminate the building. The ECC requests that the Planning Board requests that the Town Engineer review this plan to ensure that the lighting will be consistent with surrounding usage.
- The current design includes an underground infiltration system and an overflow connection to the outlet that crosses under Clifton Park Center Road. This waterway eventually connects with the Town of Clifton Park Barney Road as well as the Town of Colonie Stoney Creek Reservoir. The ECC recommends that the Planning Board require the Applicant to incorporate sediment traps and oil water separators with appropriate capacity to limit the migration of vehicular contaminants into these sensitive environments.
- The ECC notes that the fire suppression water tower is directly adjacent to the fire access turn around road. If a vehicle should access this turnaround there is a risk of the fire

tower being struck. The ECC recommends that the fire tower be protected by a collision barrier

Wade Schoenborn, Building and Zoning issued a memo stating:

John DeSimone, Fire Marshall, issued a memo:

- Assure fire hydrant is located within 100' of the fire department connection.
- No other concerns or comments at this time
- Existing postal number will be assigned to this project. 400 Clifton Park Center Road

Scott Reese, Zoning Administrator issued a memo stating:

- The parcels are in the Town Center District 1 – Highway Zone (TC1) per Town Code 208-22 4. A. Table 3-1 a retail, outdoor display use is allowed by Special Permit. Special Use Permits require special consideration so that the proposed project can be properly located and planned with respect to the objectives listed in Town Code Chapter 208-79 and their effect on the surrounding properties and community character.

Scott Reese, Stormwater Management Technician issued a memo stating:

- Update the Hydrology & SWPPP Report to reflect the revised changes as per the Storm Plan (Reissue 3 - 05-09-24).
- Verify that the underground infiltration chambers meet the NYS Stormwater Management Design Manual 6.3.1 Feasibility - Required Elements.
- If the applicant would like to disturb more than 5 acres of soil at one time. The SWPPP will need to be updated per the NYSDEC SPDES General Permit GP-0-20-001 Part II.D.3. a.- e.

John Scavo, Director of Planning issued a memo stating:

- The applicant has adequately addressed my previous comments, concerns, and recommendations.
- Please see the attached project status document noting the completion of SEQR, the granting of preliminary approvals for the special use and site plan applications, and final approvals conditioned upon satisfying four specific criteria.

Professional Comments:

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

STATE ENVIRONMENTAL QUALITY REVIEW

1. No additional comments.

SITE PLANS

2. Provide note on plans, "All retaining wall designs shall be provided by the retaining wall manufacturer and shall be certified by a licensed geotechnical engineer. Copies of all design documents shall be submitted to the Town for review and approval prior to construction".
3. Should show how roof drainage from each building will be collected and conveyed into the site drainage system.
4. Consideration should be given to connecting the proposed site sidewalks fronting the east side of Clifton Park Center Road to the existing pedestrian accommodations further south at Sitterly Road.

5. The position of the loading dock on the site will require a delivery vehicle to stop on Clifton Park Center Road and back into the loading dock, across a marked pedestrian crosswalk. The site plan should be adjusted so a delivery vehicle will not have to come to a stop on Clifton Park Center Road and back into the loading dock area across a marked pedestrian crosswalk. Delivery vehicles stopping on Clifton Park Center Road will interfere with other traffic.

HYDROLOGY REPORT

6. ENOI
 - a. #5 – Indicates you plan to disturb more than 5-acres at one time, As such, a disturbance waiver request would need to be submitted to the Town for review and approval. Note that the granting of such a waiver is a discretionary approval and one that may be disapproved or rescinded at any time with cause. Subsequent submissions shall include a detailed waiver request indicating justification, duration and additional BMPs to be employed to ensure site disturbances do not become unmanageable.
 - b. #14 – Confirm wetland is State or Federal
 - c. #16 – Should read Town of Clifton Park
 - d. #27, 27a, 28, 30, 31, 32, 32a, 33a, 34, 35, 36, 37, 38, 39, 41 are blank

TRAFFIC REPORT

7. We generally agree with all the conclusions included in Section 6.0 of the May 9, 2024, updated Traffic Assessment letter.
8. CME's response to TDE comments, dated May 10, 2024, satisfactorily addressed all the previous TDE comments.
9. The sixth bulleted item in Section 6.0 - Conclusions states: "...it is recommended that a marked pedestrian crossing/crosswalk with ADA ramps and applicable signage be provided at the Clifton Country Mall Driveway intersection. Lighting should also be considered in the vicinity of the proposed crosswalk." We agree with this statement, however the site plans do not show a marked crosswalk at the recommended location, instead showing a crosswalk across Clifton Park Center Road at the site entrance/exit driveways. The Bass Pro site sidewalks should connect to a crosswalk with ADA ramps immediately adjacent to the existing Mall driveway on the west side of Clifton Park Center Road. Consideration should also be given to connecting the Mall's existing internal sidewalk system on the west side of Clifton Park Center Road to this proposed crosswalk at the Mall driveway, similar to what was done at the Chick-fil-A site. This would connect two logical pedestrian generators. Also, no lighting is shown on the site plan.

Public Comments:

No public comment.

Planning Board Review:

Mr. Fantini stated there were questions about loading and unloading trucks at the last public hearing and requested the applicant review them today. Mr. Myers stated any small box truck can access the site without blocking traffic. Mr. Myers stated Bass Pro Shops estimates three

large trucks per week and would work around non-peak hours and will work with coordinating deliveries and parking with parking not being on the adjacent lot.

Mr. Ophardt commented that there are not many trucks during the week.

Mr. Martin requested to see supporting documentation for coordinating non-peak delivery times. Mr. Myers said that a letter was submitted addressing trucks with local internal peak hours would control the non-peak hours. Mr. Martin stated that they have not formally addressed this with such a large company and would like more details. Mr. Martin said he feels this is imperative. Mr. Myers stated he could look into them and get more information.

Ms. Bagramian agreed that three trucks per week is not too many for them and has less chance for them to show up at one time. Mr. Scavo stated deliveries are by independent contractors, and they can be allowed to utilize the exits 9 and 16 rest areas of I-87 until they can arrive at the site at the proper times. He stated that the region is working together to help mitigate large truck traffic with goods.

Mr. Andarawis asked if it was the same operators regularly. Mr. Scavo stated that the deliveries are routinely done, but the independent operators tend to differ. Mr. Myers stated Bass Pro Shops is community-oriented and will work hard to minimize impact.

Mr. Fantini asked if the Town Engineer had reviewed the lighting plan. Mr. Lippmann stated everything was within limits.

Mr. Ophardt stated a comment from MJE spoke about a sidewalk extension on the mall side of the road. Mr. Myer stated they are willing to do a crosswalk to the mall but recommends moving it and that the company cannot offer to build on the malls property. He stated they could add a street light for safety, such as a box light.

Mr. Fantini suggested a flashing light for pedestrians. Mr. Scavo stated the Town usually takes care of such lights and would likely do so as part of its TAP/CMAQ grant application pending award notifications.

Mr. Andarawis asked if a path would be from the crosswalk to the building. Mr. Albers showed a map and the pathway that is being proposed. He stated he could add a crosswalk on the internal part of the complex. Ms. Bagramian stated any signage for pedestrians will allow for more safety internally. Mr. Albers stated they have 24" stop bars at the end of the isles but no stop indicator at the ends. He stated there are stop signs. Ms. Bagramian stated she is looking for something like "yield for pedestrians." Mr. Myers stated they can do this.

Mr. Ophardt moved, second by Mr. Fantini, to waive the final hearing for this application for the site plan review of Bass Pro Shops Store and to grant 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 and conditions previously outlined with Preliminary site plan approval.

Ayes: 6

Noes: 0

The motion is carried.

Mr. Ophardt offered Resolution # 10 of 2024, second by Mr. Andarawis, to waive the final hearing of this application and to grant 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, and traffic improvement plan for approval to the Planning Department before the stamping of the Special Use Permit.

Roll Call:

D. Bagramian – Yes

E. Andarawis – Yes

H. Fariello – Absent

L. Westrick – Yes

E. Ophardt – Yes

K. Martin – Yes

M. Fantini - Yes

The motion is carried.

Old Business:

#2023-032 Ushers Knob Business Park Site Plan

SBL: 259.-2-70

Proposed the construction of a business park consisting of ten (10) 4,800 sf multi-use flex buildings, Ushers Rd Rear, Zoned: B1 - Business Non-Retail 1, Status: Revised Preliminary

Applicant: 1743 Route 9 LLC , Consultant: EDP

Last Seen On: 02/13/2024

Consultant/Applicant Presentation:

Brien Ragone stated he is here tonight with a detailed set of plans. He stated he has received letters and feels he can address them. Mr. Ragone stated this is a 10-acre parcel in the B-1

district. He stated that there are 190 parking spaces and a 26' wide access road that connects to the north at Country Club Acers. Mr. Ragone showed the grading and utility plans. He stated that they would be connecting to public water and sewer and the existing system could handle the extension per the sewer department. Mr. Ragone stated that the Clifton Park Water Authority has signed off on the water, the trip generation has been done, and no mitigation is necessary. Mr. Ragone noted that he knows slopes are a concern, so a geotechnical engineering report is attached to the plan, and the site plan has notes that will follow recommendations from the report. He stated a letter of no effect from SHPO was provided for the project file.

Mr. Jacob Curtshank, an engineer from EDP, said he could comment on the geochemical report recommendations if necessary.

Staff Comments:

The Environmental Conservation Commission and issued a memo recommending:

- The ECC continues to be concerned that the project is surrounded on three sides by extremely steep sided ravines. The applicant has indicated that a Geotechnical Report has been conducted but it does not appear in the document folder. The slope safe setback line is indicated on the plan. The issue is that the construction directly about this line and there is no margin of error should an erosion event occur.
- The ECC wishes to reinforce its statements of February 5th, 2024. Due to the soft, sandy, steep, soils that dominate the site, the ECC requests that the detailed geotechnical study be provided to the Planning Board and the ECC for evaluation. At a minimum, the study should provide detailed information as to construction and structural setbacks and limitations plus drainage requirements to avoid soil erosion. The Planning Board should not issue any type of routine 'lead agency' and/or "negative declaration" of this Type I (full EAF) project until this Geotechnical study is completed and perused by the ECC and the Planning Board. This study may reveal the necessity for a Positive SEQOR Declaration for the project.
- In addition, the ECC strongly recommends that some or all of the Planning Board members visit the site to confirm its vulnerable and delicate character as previously described.
- The ECC reiterates that there is a significant amount of impervious surface due to the design of the project and the proposed buildings and parking areas are immediately adjacent to the steep slopes including the slope safe setback line. There are no vegetative buffers retained to prevent erosion. The ECC recommends that the Planning Board require the plan be modified to include vegetative buffers to minimize the erosion of the steep slopes and assist in the Stormwater Management Plan. This would be beneficial for the construction phase as well as the post construction phase.

Mr. Ragone stated he has no problems following recommendations from the Geotech Report.

Scott Reese, Zoning Administrator issued a memo stating:

- Per Town Code Chapter 208-97 E. (1) (b) this project may be used as a conforming lot as the lot has been unimproved and the lot is unchanged prior to the effective date of the Town Zoning Code. The frontage is an exemption for the conformance of the lot.
- It is recommended to have a written statement from Country Club Acres Inc. that they are amenable to the ingress/egress easement and stormwater easement over their property for this project.
- The applicant's response letter dated January 22, 2024, states that the use of each tenant will conform to the allowable uses within the B-1 District. When Tennant Fit up Permit is requested the Town Building & Development Department will verify with the Zoning Administrator that the use is permitted

Scott Reese, Stormwater Management Technician issued a memo stating:

- Applicant shall describe on how snow storage / removal will handled on the project site. Stockpiling of snow along the top of the slopes shall be avoided.
- The applicant shall address how the recommendations from the Geotechnical Report has been implemented in the SWPPP.

John Scavo, Director of Planning issued a memo stating:

- Any approval should be conditioned upon the applicant executing during construction the recommendation within the geotechnical report stating that as part of the stormwater quality control program, the infiltration rate should be tested to confirm the design rate as soon as the pond has been excavated. Due to the presence of the silt layer, infiltration rate testing should be performed at the pond subgrade and at depths of 3 and 6 feet below the pond bottom. This condition reinforces the Geotechnical Engineering Notes shown on page 6 of 16 within the plan set.
- Consistent with information within the geotechnical report, add a statement to the plan and SWPPP noting: The ponds must be maintained to prevent vegetation, leaves, etc., from inhibiting stormwater infiltration. An extended period of a high water level within these ponds will decrease the slope stability and could fail.
- I have confirmed with the design engineer that the current submittal reflects recommendations from the Geotechnical Engineer.
- The B-1 zoning district specifically delineates regulations and requirements governing permitted uses, placement, spacing and size of land, buildings, and structures within this site plan

Professional Comments:

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

SHORT ENVIRONMENTAL ASSESSMENT FORM

1. No additional comments.

SITE PLANS

Sheet 10 of 15 – Soil Erosion & Sediment Control Plan

2. The plan needs to be further updated to delineate each phase and describe the sequencing of work for further review. The plans should dictate the sequencing to construct the roadway and stormwater management areas and not the contractor.

Other Comments

3. It is noted in the geotechnical report that construction inspections and material testing should be performed once work commences.
4. It is recommended that once the stormwater basins are excavated the infiltration rates should be confirmed.
5. It is noted in the report that an extended period of water within the ponds will decrease the slope stability and could result in failure.

STORMWATER POLLUTION PREVENTION PLAN

6. No further comments.

WATER AND SEWER ENGINEERS NARRATIVE

7. Based on the revised analysis provided the existing Town 2-inch forcemain has the capacity to accept the proposed 33 gpm proposed from the project.

TRAFFIC STUDY

8. No further comments.

Public Comments:

Jim Ruhl 168 Wood Dale Drive – Mr. Ruhl stated he is a member of the ECC and requested the ECC have time to review the documents from the geo-tech report.

Planning Board Review:

Ms. Bagramian asked if anyone got a chance to review the geotechnical report. Mr. Scavo stated the Planning Board has had the opportunity to review the report. However, the ECC has not, as the applicant submitted the report after the ECC meeting was held. Mr. Scavo stated the ECC was requesting time to review the document.

Mr. Ophardt asked what the setback is for slope stability. Mr. Ragone stated that the report states where they need to stay away from, which is shown as a red line for demarcation. Mr. Ragone discussed how stormwater runoff is designed to go to the rear towards grass and vegetation areas.

Mr. Martin asked if there was a way to decrease the footprint so it does not take up all of the buildable areas. Mr. Peter Belmonte, the applicant, stated the geo. tech design can be moved to accommodate the design based on compact or less compact and closer to the slopes. Mr. Martin stated scaling back would still work and asked the applicant to help him understand the sizing. Mr. Belmonte stated that they are already looking at a bust for the ROI, and to make it smaller financially would not work. He stated that they requested the applicant go to the geo. tech, and he said this is what can be done on the site within the parameters of the Code and what the Planning Board initially requested. Mr. Belmonte stated a decrease in size is a decrease in the ROI.

Mr. Scavo asked if this would be a phased project. Mr. Belmonte stated that they will put in all the foundations at once and then the buildings will be panelized. Mr. Ragone stated this is a more compact site design from what was originally proposed. Mr. Belmonte stated foundations and

site work will be done immediately, and the walls will go up as needed, but he feels this will be quick, and he is a year out to begin to construct due to wetlands and DEC approvals.

Ms. Bagramian stated flex space serves a purpose and helps small businesses; she asked the applicant if they are doing 2 door sizes or overhead doors here. Mr. Belmonte said a realtor is telling him to do all large doors, which would be at ground level.

Mr. Ophardt asked if the geotech design is flexible. Mr. Curtshank stated it is and specifies what materials to use and how deep to make the foundations. They also have notes on the plan to do soil testing in accordance with the recommendation of the geotechnical report.

Mr. Andarawis asked what would be done about snow removal, as Mr. Reese had asked in his comments. Mr. Ragone stated they can come in inner circles, put the snow between the buildings, and put a note in the plan advising not to put snow on the slopes. Mr. Andarawis stated he has concerns with an area that would be utilized for snow storage. Mr. Curtshank stated there will be no fill in the area. Mr. Andarawis also requested a note on the plan for the specific location. Mr. Andarawis stated there is an opportunity for land banking here. Mr. Belmonte stated he would like to bank some of the proposed parking they are showing currently and stated they can revisit the site plan for additional approved spaces in the future. Mr. Scavo stated the applicant is running conduits to all spaces to serve EVs and this is a good time to do it. He asked the applicant to make a note of this before paving.

Mr. Martin thanked the applicant for thinking ahead for the EV charging stations. He asked if the basins would be cleaned and how they would do it. Mr. Curtshank stated there is an agreement to mow and remove debris required under the SWPPP.

Mr. Scavo asked the Board if they were comfortable giving the ECC time to review the geo tech report and for the applicant to return. Members of the Planning Board agreed to provide the ECC with time for review.

Old Business:

#2024-015 Route 9 Convenience Store w/Fuel Site Plan

SBL: 266.3-3-10.1

Proposed Construction of a Convenience Store w/Fuel, Us Rt 9 Zoned: B4A - Highway Business/Restricted Retail, Status: Revised Concept

Applicant: Prestige Petroleum Corporation , Consultant: Bohler Engineering

Last Seen On:4/23/24

Consultant/Applicant Presentation:

Caryn Mlodzianowski from Bohler stated she is here tonight with Frank Passari. She stated they introduced the project last month, and they have gone back and made changes that were requested. Ms. Mlodzianowski stated the site access is off Route 9, and there are sidewalks along the frontage of the site as well as through the site to the front doors. She stated the parking was moved to the front of the site, and the fueling islands have been decreased to 4 from 6 positions. She stated the diesel canopy is still in place with three pumps. Ms. Mlodzianowski stated they looked at truck maneuvers and the drive-through, which went from 70' to 40' for the diesel lanes. She stated there is 15' of green space on the property's north and south sides, and there is angled parking to the north and room for ten cars to be stacked in the drive-through. Ms. Mlodzianowski stated there is also a full bypass lane for the drive through and they added one parking spot to the plan overall.

Staff Comments:

The Environmental Conservation Commission and issued a memo recommending:

- The ECC notes that this proposal is located over the Colonie Aquifer and therefore will require significant Planning to ensure the protection of this vital underground resource.
- The ECC requires that the applicant meet the latest NYSDEC and Federal Standards for the proposed gas and diesel tanks.
- The ECC requests that a planting plan be developed for the future submittal. In addition, the plan should include a vegetative buffer (e.g. evergreen trees) between the stormwater management area and the western lot line adjacent to the Adirondack Northway.

John DeSimone, Fire Marshall issued a memo:

- If building is to be sprinkled, an additional hydrant may be required, to assure 100' required distance between hydrant and fire department connection.
- See approved postal verification in documents. Postal address will be 1776 Route 9 Clifton Park NY 12065.

Scott Reese, Zoning Administrator issued a memo stating:

- Per Town Code Chapter 208-50.2 B. Automobile service stations are an allowed use in the Highway Business / Restricted Retail (B4-A) Zone. Per Town Code Chapter 208-50.2 A. Convenience food stores are an allowed use. This application does not require a special use permit
- Per Town Code Chapter 208-93 C. - No gasoline pumps shall be placed closer to any property line than 50 feet. An area variance will need to be granted for the proposed location of the gas pumps.
- Per Town Code Chapter 208-98 Special setback lines, show the 130 foot building setback line from the center line of New York - US Route 9.
- Per Town Code Chapter 208-50.3 B. No sign larger than 20 square feet shall be within the 80 foot front yard setback. An area variance will need to be granted for the proposed location of the free standing sign.
- When plans progress provide a landscape plan that addresses Town Code Chapter 208-50.5 Landscaping. "The property margins at the sides from the front building line to the

rear property line shall be planted with trees and shrubs for a width of not less than 15 feet

Scott Reese, Stormwater Management Technician issued a memo stating:

- It appears that this project will need a NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity. The fueling areas will need to follow NYSDEC Stormwater Management Design Manual Section 4.11 Stormwater Hotspots.
- Per NYSDEC Environmental Resource Mapper this parcel is located above a Principal and Primary Aquifer.

John Scavo, Director of Planning issued a memo stating:

- The current site plan has been forwarded to the Saratoga Co. Planning Board for a recommendation per GML Section 239. The County Planning Board will consider the item at their June meeting. The Clifton Park Planning Board cannot take action on the application until the recommendation is received

Professional Comments:

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

STATE ENVIRONMENTAL QUALITY REVIEW

1. No further comments at this time.

SITE PLANS

2. The project is located within the Town's Highway Business/Restricted Retail (B-4a) zoning district. The proposal for an automotive service station with convenience store appears to be a permitted use as noted in Section 208-45 of the Town's Zoning. This should be confirmed by the Town's Zoning Officer.
3. In reviewing the proposed site plan, it appears to be deficient in regards to meeting the minimum bulk lot requirements outlined in Section 208-93 of the Town's Zoning. The noted deficiencies are as follows:
 - a. Section 208-93) All automobile service stations shall be so arranged and all gasoline pumps shall be so placed as to require all servicing on the premises and outside the public way, and no gasoline pump shall be placed closer to any property line than 50 feet. The applicant indicates that a variance will be required for the proposed 33.1 feet for the diesel pump.
4. As a convenience store is being proposed and cars coming in and out it is recommended that the truck turning movements avoid utilizing both the in and out lanes to make the turn into the site causing trucks to queue on Route 9.
5. Subsequent submissions should provide contour lines at two-foot intervals, minimum United States Geological Survey datum.
6. Wetlands are identified on the rear of the property per the NYSDEC Environmental Mapper. The applicant shall provide a delineation of the wetlands and depict them on the plans. If a Jurisdictional Determination needs to be obtained, a copy of the official correspondence from the permitting agency should be provided to the town.
7. Should there be a plan for exterior storage of propane for sale, show its location. Depending upon its location, appropriate barrier protection shall be shown.

8. Show the new water and sewer laterals that will service the site and the connection to public mains adjoining the site.
9. It is recommended that at a minimum the number of peak hour vehicle trips, including truck trips be provided.
10. Confirm that the new site drive will have adequate sight distance. The sight distance analysis shall utilize ASHTOO standards for the 85th percentile travel speed of NYS Route 9.
11. Provide notation on subsequent plans indicating that all work proposed within the NYS Route 9 right-of-way are subject to a highway work permit issued by the NYS Department of Transportation.
12. Indicate whether roof top mechanical units are proposed and how screening may be incorporated to shield them from the public view.
13. The submitted information indicates the project is proposing to connect to an existing water main(s) within proximity to the parcel. These mains are owned and operated by the Clifton Park Water Authority (CPWA). It is recommended that the Town be furnished with documentation that the CPWA is willing and capable of providing potable water to the project.
14. The submitted information indicates the project is proposing to connect to an existing sewer main(s) within close proximity to the parcel. These mains are owned and operated by the Saratoga County Sewer District No. 1 (SCSD). It is recommended that the Town be furnished with documentation that the SCSD is willing and capable of providing sanitary sewer service to the project.
15. It appears the bypass lane on the north side of the building is 9 feet which seems narrow for a tractor trailer to navigate through.
16. Based on the turning movements if a tractor trailer is occupying the diesel pump closest to the building do other trucks have the room and ability to pull into the other two pumps.
17. 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.
18. Subsequent submissions shall include the proposed lighting plan.
19. Show the location of and provide a detail for any exterior refuse areas.
20. 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 closest hydrant to the site is or where the fire department connection may be. Additional hydrants may be necessary.

- d. Identify the actual height of the buildings. If greater than 30-feet in height above the average grade plan, aerial apparatus access shall be provided that is between 15 and 30 feet of one entire side of the building in accordance with Appendix D105 of the NYSFC. If aerial apparatus access is required, its location shall be identified on the plans
 - e. Provide a turning template analysis for the largest emergency vehicle that may respond to an event at the site.
21. 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.
 22. Subsequent plans should include architectural elevations of the building with a listing of the materials of construction for review by the Planning Board.
 23. Subsequent submissions shall include information as outlined in Section 208-115 of the Town zoning specific to lighting, site grading, landscaping, erosion control and stormwater management to fully assess the design and its compliance to the applicable standards.

Public Comments:

No public comment.

Planning Board Review:

MS. Bagramian stated the north side passing and turning lane seemed tight and asked if trucks could get by the strait away on the north side. Ms. Mlodzianowski noted that at the narrowest, it is 9', and they can widen the bypass lane. Mr. Ophardt asked if this would impact the 15' setback. Ms. Mlodzianowski stated they can move it over. Ms. Bagramian stated she appreciates the applicant adding the pass-through lane, but she thinks more signage should be needed. Ms. Mlodzianowski stated there is a big difference in the area with the decrease in pumps.

Mr. Ophardt agreed that more signage is needed for directing traffic. He thanked the applicant for working with the Board's concerns and comments.

Mr. Andarawis asked when this is considered a restaurant, not a convenience store. Mr. Scavo stated he would have to check with Mr. Reese. Ms. Mlodzianowski stated the primary use would be fuel and the convenience store. Mr. Andarawis stated he thinks the drive-through can cause conflict, and if it was not there, it may eliminate most of the issues the Board has.

Ms. Bagramian stated she is comfortable with the full design with comments. Ms. Mlodzianowski stated that she still has to go to the Zoning Board for 2 variances, which will be submitted to them.

New Business:

#2024-022 Phillips Clifton Country Road Apartments Site Plan

SBL: 271.-3-47.122

Proposed construction of Apartment Building, Clifton Country RD , Zoned: TC2 - Edge Zone

Status: Concept Applicant: Atrium Properties Consultant: EDP G. Vuillaume

Consultant/Applicant Presentation:

Gavin Vuillaume, DEP, stated this application is on the corner of Clifton Park Center Road and Clifton Country Road. He stated that two office buildings are currently there, and they want to develop the site fully. Mr. Vuillaume noted this is the TC-2 zone, and the use fits into this. He stated the building of apartments is being proposed between the southern office building and Clifton Park Center Road. Mr. Vuillaume stated there are currently two entries to the property and they would remain, and parking would be added on the Clifton Country Road side of the property. He stated the parking would go over the underground stormwater management area, and they would need to provide access to the pond for overflow. He stated there have been no issues in the past and no issues draining stormwater to the pond. Mr. Vuillaume stated the parking is currently at 122, and they are looking to go up to a total of 162 parking spots. He stated it would be critical to incorporate existing parking for the older building into this plan. Mr. Vuillaume stated this would be a three-story building, and it would have a courtyard in the center with patios and balconies, and sidewalks would be added along the road.

Staff Comments:

The Environmental Conservation Commission and issued a memo recommending:

- The Clifton Park Center Town Plan was predicated on the idea that development would provide “an attractive mix of green lawns, park space, shade trees, multi-use paths, activity areas, and civic uses for public enjoyment.” This project is in complete conflict with the purpose of the Town Center Plan.
- The closeness of this proposed building to existing office buildings inhibits light, vegetation, air circulation, and visual appeal of the Town Center. This proposed project creates an undue adverse effect on adjacent properties.
- This project eliminates all green space on the outer edge of the Town Center District along Clifton Park Center Road.
- The proposed parking for this project is inadequate and impractical for residents of the complex and existing businesses

Scott Reese, Zoning Administrator issued a memo stating:

- Per Town Code 208-22 Regulating Plan 9. Preferred incremental change F. Option Four. A new building is constructed on the lot with the front facade within the build-to zone. (figure 3.12). This alternative is also preferred over the previous two options because new building conforms to the zoning and it provides even more new storefront up close to the street and sidewalk.
- Per Town Code 208-22.1 Zone Overviews TC2 A. Form - Ground Floors are deemed for Service, Retail, or Recreation, Education and Public Assembly. Upper Floors are for residential. The location of the proposed parking is within the side street setback Only

one Main Building and one Ancillary Building may be built on each lot. All buildings must have a primary entrance along the front facade. The Planning Board has the authority to modify dimensional standards Per Town Code Chapter 208-21 (3.)

- The plans show landscape plantings within the existing sidewalk along the proposed parking area on Clifton Country Road.

Scott Reese, Stormwater Management Technician issued a memo stating:

- The existing stormwater management basin on his parcel also performs as an overflow for the adjacent stormwater management area to the north. The proposed underground infiltration system shall be designed to include the additional runoff volumes from off-site locations.

Jennifer Viggiani, Open Space Coordinator issued a memo stating:

- Recommend exploring potential for a basic, minimal cross-access (east-west) connection to the adjacent Lands of Clifton Country Mall, as depicted as a concept on the Town Center Code's "Regulating Plan" graphic, and the "Future Streets Map" that shows the concept for the cross-connection for future new road, or future multi-use path. Both maps are in this project file for your ease of review. This would allow local traffic (vehicle and pedestrian) to have an "internal" or "local" connection to Clifton Country Mall, and reduce local trips on Clifton Country Road and Clifton Park Center Road. This could be mutually beneficial to property owners. At minimum, a multi-use path, or wide sidewalk should be created to connect internally from the project site under review -- to and between the Clifton Country Mall property and to the existing pedestrian network there, for pedestrian and bicyclist transportation to and from residential to the mall property for the future residents.
- Please also include a future new road, or at minimum, a multi-use path, along/in the vicinity of the eastern border of the project site, north-south, between Lands of Clifton Country Mall and Clifton Park Center Road, as shown on the Future Streets Map for the Town Center Code.
- Clifton Park Center Road appears to be "G" a Perimeter Road, and layout should refer to the streetscape standards for Perimeter Streets. This should include the consideration of a multi-use path as the proposed concept for along the "Perimeter Streets" - which would continue the pattern along Clifton Park Center Road that starts at the intersecting Moe Road Trail, and continues easterly on Clifton Park Center Road to the intersection with the School Drive (to Arongen and Shatekon schools).
- Clifton Country Road, is described in the Town Center Plan as Clifton Park's evolving "Main Street" and the Town is planning a significant capital improvements project to upgrade the streetscape corridor to close the gaps in the existing pedestrian network in place, using grant funding. This project should contribute to the creation and evolution of the vision for "Main Street" along Clifton Country Road

John Scavo, Director of Planning issued a memo stating:

- The project should advance the streets regulating plan by proposing context-sensitive design elements that support the ability of pedestrians and cycles to benefit from the connection. As the design progresses, the applicant should tease out the look and feel of landscaping and sidewalk improvement proposed along the frontage with Clifton Park Center Road.

- The applicant - Park Plaza of Clifton Park LLC, proposes constructing a 33-unit multi-family residential building at tax parcel 271.-3-47.122. The parcel has an existing restaurant building and two commercial office buildings that will remain. The project is within the TC-2 Edge Zone. The applicant proposes access to the apartment building, office buildings, and restaurant from two existing curb cuts along Clifton Country Road. The 33-unit apartment building is an infill project between Clifton Park Center Road and an existing office building. Along with constructing the apartment building, the applicant proposes building a sidewalk along the parcel's frontage with Clifton Park Center Road. Other site modifications include a parking area adjacent to Clifton Country Road with underground stormwater infrastructure systems. Site parking would increase from 122 to 160 spaces to serve the existing office buildings, restaurant building, and proposed apartment building.
- The applicant should ensure the proposed improvements and landscaping do not hinder access and maintenance to underground utilities, i.e., water and sewer.
- As plans advance, a cross-section profile of the sidewalk improvement and landscaping adjacent to Clifton Park Center Road, a perimeter road within the FBC, should be provided for review and consideration.
- The proposed parking area requires a waiver by the Planning Board landscaping between the parking area and the multiuse path along Clifton Country Road should be vibrant and lessen impacts from a parking area adjacent to the public ROW.

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 are not necessarily limited to the following:
 - a. Town of Clifton Park Planning Board: Plan approval
 - b. Clifton Park Water Authority: Water Connection
 - c. Saratoga County Sewer District #1: SCSD Connection
 - d. NYS Historic Preservation Office: Archeological sensitive area

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

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

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. 13a. - The response indicates that a portion of the site or lands adjoining the site of the proposed action contains wetlands or other waterbodies regulated by a federal, state, or local agency. The applicant should provide documentation that confirms the presence or absence of federally regulated wetlands adjacent to the project site. Additionally, a 100' wetland buffer should be clearly shown on the plan to confirm the proposed action will not physically alter, or encroach into, any existing wetland or waterbody.
4. Part I. 17 – The applicant indicates that the action will disturb +/- 0.90 acres of land. The proposed action will create discharge from point or non-point sources. As such, it will not be subject to the NYSDEC Phase II Stormwater Regulations and General Permit GP-0-15-002. Therefore, a full SWPPP is not required.
5. No further comments at this time.

SITE PLANS

6. The project is located within the Town's Edge Zone (TC2) zoning district. The proposal for apartments appears is a permitted use as noted in Section 208-22(4)(A) of the Town's Zoning.
7. In reviewing the proposed site plan, it appears to be deficient in regards to meeting the minimum bulk lot requirements outlined in Section 208-22.1 of the Town's Zoning. The noted deficiencies are as follows:
 - a. Building-to zone: 10' min. to 15' max – Statistics table indicates 89 feet, however concept plan shows 7 feet. Revise accordingly.
 - b. Ground Floor Elev. Above Sidewalk: 24" min. – Plans show 18"
 - c. Parking Side Street Setback. There shall be a minimum front yard setback of 35 feet and the plans show 4 feet.
8. With the proposal for a residential apartment, there needs to be an analysis of the cumulative residential density as described in Section 208.22(B) of the Town's Zoning and it shall take into account the existing units on site.
9. It is suggested that the applicant meet with the TAC independently, if not already completed to review the site plan, building architecture and discuss modifications that may be required.
10. Section 208.26(1)(C) indicates the minimum parking requirements per use. Residence, multifamily (1-2 bedrooms) requires 1.5 spaces per unit and Residence, multifamily (3+ bedroom require 2 spaces per dwelling. Provide how many bedrooms will be in each unit to determine the parking requirements.
11. Provide information and/or summary of the pedestrian amenities that are to be provided consistent with Section 208-26(7) of the Town Zoning.
12. Show on the plans any additional ADA parking spaces requirements as part of this project.
13. If an additional garbage dumpster area is required, show its location on the plan.
14. Show where snow storage is being provided within the project site.
15. Provide contour lines at two-foot intervals, minimum United States Geological Survey datum.

16. Based upon the narrative, it appears that the total site disturbance is 0.90-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 plan does show proposed stormwater management area under the parking lot.
17. The submitted information indicates the project is proposing to connect to an existing water main(s) within proximity to the parcel. These mains are owned and operated by the Clifton Park Water Authority (CPWA). It is recommended that the Town be furnished with documentation that the CPWA is willing and capable of providing potable water to the project.
18. The submitted information indicates the project is proposing to connect to an existing sewer main(s) within close proximity to the parcel. These mains are owned and operated by the Saratoga County Sewer District No. 1 (SCSD). It is recommended that the Town be furnished with documentation that the SCSD is willing and capable of providing sanitary sewer service to the project.
19. The plan should show all existing utilities and current building connections. Indicate any proposed relocations due to the project.
20. Subsequent plans shall provide additional information to demonstrate conformance with 208- 26(6) of the Town Zoning with respect to site lighting. Light fixtures located within the interior asphalt area of a parking lot shall not exceed 30 feet in height. Light fixtures located along the perimeter edge of a parking area within 50 feet of a property line shall not exceed 15 feet
21. It is recommended that at a minimum the number of peak hour vehicle trips, including truck trips be provided.
22. Provide notation on subsequent plans indicating that all work proposed within the Clifton Country Road right-of-way are subject to a highway work permit issued by the Town of Clifton Park Highway Department.
23. Indicate whether roof top mechanical units are proposed and how screening may be incorporated to shield them from the public view.
24. Provide anticipated water and sewer usage information.
25. Clifton Country Road is defined as a Boulevard South in the Future Streets Map found in Section 208-23 of the Town Zoning. The following modifications may be necessary and shall be addressed as part of the next submission.
 - a. Parking Lot Landscaping - All parking areas abutting a public right-of-way or future street shall provide a front yard buffer at least 10 feet deep from the sidewalk, consisting of shrubbery, hedges, trees, decorative walls or fences, which creates a visual screen at least three feet high.
 - b. Front yard perimeter bulb-out. All parking areas abutting a public right-of-way or future street shall provide bulb-outs so that there are not more than 15 continuous parking spaces in a row uninterrupted along that frontage. The bulb-out should be equal in depth to the parking spaces, a minimum of nine feet wide, which includes flowers, shrubs, grass and/or trees where not more than 50% of the ground cover is mulch or gravel.

- c. Street trees within required tree lawns or planters shall be shade trees (not ornamental) with a minimum caliper of three inches and a minimum height of eight feet.
26. 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 closest hydrant to the site is or where the fire department connection may be. Additional hydrants may be necessary.
 - d. The plans indicate a building height of 40 feet. Since greater than 30-feet in height above the average grade plan, aerial apparatus access shall be provided that is between 15 and 30 feet of one entire side of the building in accordance with Appendix D105 of the NYSFC. If aerial apparatus access is required, its location shall be identified on the plans
 - e. Provide a turning template analysis for the largest emergency vehicle that may respond to an event at the site.
27. 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.
28. Subsequent submissions shall include information as outlined in Section 208-115 of the Town zoning specific to lighting, site grading, landscaping, erosion control and stormwater management to fully assess the design and its compliance to the applicable standards.

Public Comments:

No public comment.

Planning Board Review:

Mr. Martin asked if the open space was included in the plan. Mr. Scavo stated there is no green space on the parcel.

Ms. Bagramian asked how much space is between the existing building and the apartment proposal and how many units would be in the proposed building. Mr. Vuillaume stated it is about 30' between buildings, and there would be about 33 units with a mix of studios, 1,2, and 3 bedrooms. Ms. Bagramian asked what the width of the building is being proposed as. Mr. Vuillaume stated it is 50'-60'.

Mr. Ophardt stated there was a similar proposal on the mall property and feels this accommodates the front of the TC zone. Mr. Vuillaume noted that architecture is critical in this project and would be similar to the building done further down the road. Mr. Ophardt stated he feels this may feel like a three story wall along the road and asked how the applicant may mitigate this. Mr. Vuillaume stated they may be able to do parking along the roadway. Mr. Ophardt stated it may help, but there may not be enough room to accommodate parking and asked if the applicant thought about swales. Mr. Vuillaume stated they were thinking of a lawn area.

Mr. Andarawis asked how heavily utilized is the parking lot now. Mr. Peter Marine, representing the applicant, stated that the parking lot is never full and always within the existing building and restaurant. He stated that they would utilize the parking closest to the building. Mr. Andarawis asked if the applicant could get a reciprocal agreement with Homewood Suites for parking. Mr. Vuillaume stated they could look into this and possibly land bank the front row of parking proposed. Ms. Bagramian asked if the owner had been approached yet. Mr. Vuillaume stated not yet but they can ask. Mr. Ophardt stated that creating a connection to the Homewood Suites also makes sense.

Ms. Bagramian asked if there would be any amenities for the apartments. Mr. Vuillaume stated no, just apartments due to gyms and pools available within walking distance, such as the YMCA. He stated that other buildings' feedback has shown that tenants do not raise concerns about amenities.

Mr. Martin stated this seems like a wide concrete area with green space. Mr. Martin read from the TC zoning code and said he struggles with the building being placed right up to both roads, and it feels like a barrier and may be viewed as confrontational. Mr. Vuillaume showed a vicinity map on the screen and stated that he felt it fit there.

Ms. Westrick stated she also feels this is too close to the road and would feel like a barrier.

Ms. Bagramian asked if the plan is also to change the existing buildings into apartments. Mr. Marine stated there are no current plans to do this, but it does give the potential down the road.

Mr. Martin stated the frustration of the Board may not match the purpose or intent, but it is to code and he feels the overall scheme is not there.

Mr. Andarawis stated that it is not a placement issue for him, but TC-5 is not yet built out for them to be able to compare. Mr. Scavo recommended the Board and the applicant look at the code table and see how they can meet the example requirements given. Mr. Vuillaume stated he could look into this and possibly make the building smaller.

Ms. Bagramian stated that offices and natural light are essential here and asked if any gardens are being proposed. Mr. Vuillaume stated there is a possible courtyard area, and green space will also be available.

New Business:

#2024-023 28 Synergy Park Drive Warehouse Site Plan

SBL: 265.-5-11

Proposed construction of a 50,000 SF Warehouse , 28 Synergy Park DR Zoned: B5 - Corporate Commerce, Status: Concept

Applicant Synergy Park LLC Consultant: ABD Engineers, LLP – J. Hitchcock

Consultant/Applicant Presentation:

John Hitchcock, ABD, stated this application is for 28 Synergy Park Drive on the corner of Route 9 in the B-5 and LC zone. Mr. Hitchcock stated that most of the property is in Clifton Park but some of the site is in Halfmoon. He stated they want to change the address to 17 Synergy Park Drive, which would have a 50,000 sf warehouse with office space. He stated there are 34 parking spots provided on the site, and ten are banked on the east side, belonging to the Town of Halfmoon. Mr. Hitchcock stated there is an existing catch basin to the west that would handle the site and is currently being constructed. He stated there would be landscaping along Route 9 and on Synergy Park Drive, consistent with the rest of the development. Mr. Hitchcock stated that he contacted Halfmoon about the project today.

Staff Comments:

Scott Reese, Zoning Administrator issued a memo stating:

- This project is within the Corporate Commerce Zoning District (B-5). The project appears to be in conformance with Town Code Chapters 208-53 A. Permitted Uses (9) light manufacturing, processing, assembly and fabrication facilities, equipment maintenance, warehouse and storage facilities.
- The stormwater management areas need to form an integral part of the landscaping scheme and enhance the overall aesthetics. Individual Planting Plan's should be provided for all the Stormwater Management Practices.
- Easements may be required where it appears that Synergy Park Drive and utilities encroach onto the southern portion of this project.

Scott Reese, Stormwater Management Technician issued a memo stating:

- This project will require a Full SWPPP in accordance with the NYSDEC SPDES General Permit GP-0-20-001.
- The Full SWPPP shall include the redesign of the existing stormwater basin to verify that it meets the requirements outlined in the GP-0-20-001 and the NYS Stormwater Management Design Manual.

John Scavo, Director of Planning issued a memo stating:

- The original SEQR determination and approval for Synergy Technology Park Subdivision requires the applicant to construct a dedicated right-turn lane from Kinns Road onto U.S. Route 9. The build-out threshold for the construction of such improvement is met. Therefore, the applicant must provide a construction schedule, status, and timeline for completing the required mitigation
- The proposed project is subject to Section 239 of General Municipal Law and will be referred to the Saratoga Co. Planning Board for a recommendation.
- The applicant should contact the Town of Halfmoon to determine if any local approvals from that municipality are required.
- I will provide additional comments as plans advance to detailed design.

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 are not necessarily limited to the following:
 - a. Town of Clifton Park Planning Board: Plan approval
 - b. Town of Halfmoon Planning Board: Site partially in Halfmoon
 - c. Clifton Park Water Authority: Water Connection
 - d. Saratoga County Sewer District #1: SCSD Connection
 - e. Saratoga County Planning: 239-m County Referral
 - f. New York State Department of Transportation: Proximity to Route 9

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

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

2. Part 1. 13a. - The response indicates that a portion of the site or lands adjoining the site of the proposed action contains wetlands or other waterbodies regulated by a federal, state, or local agency. The applicant should provide documentation that confirms the presence or absence of federally regulated wetlands adjacent to the project site. Additionally, a 100’ wetland buffer should be clearly shown on the plan to confirm the proposed action will not physically alter, or encroach into, any existing wetland or waterbody.
3. Part 1. 15 – The response indicates that the project site contains species of plant or animal listed by NYS as rare or as a species of special concern, 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.

4. Part I. 17 – The applicant indicates that the action will disturb +/- 3.5 acres of land. The proposed action will create discharge from point or non-point sources. As such, it will be subject to the NYSDEC Phase II Stormwater Regulations and General Permit GP-0-15-002. Therefore, a full SWPPP is required as part of this project.
5. No further comments at this time.

SITE PLANS

6. The project resides within the Town's B-5, Corporate Commerce District. In our review of Section 208-53(9) of the Town's Zoning, it appears that the proposed warehouse/office is a permitted as of right use within the B-5 District.
7. Update the site statistics table to account for the special setback requirements from NYS Route 9 as defined in Section 208.98 of the Town's Zoning. It would appear that the building placement meets the noted setback of Section 208.98.
8. Provide contour lines at two-foot intervals, minimum United States Geological Survey datum.
9. The plan indicates the wetlands were delineated in November 2020. Based on the date of the delineation and/or prior NYSDEC correspondence, the wetlands may require a re-delineation if expired. Please jurisdiction determination from USACE to confirm delineation is still valid.
10. The following comments are relative to the site plan and its conformance to the NYS Fire Code. The Town Fire Official shall have final authority on the applicability of these comments to the proposed site layout:
 - a. 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.
 - b. Section 503.1.1 of the International Fire Code (IFC) requires an approved fire apparatus access road be provided for every facility, building or portion of a building and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measures by an approved route around the exterior of the building. Confirm that there is adequate fire access being provided in the rear of the building.
 - g. Provide a turning template analysis for the largest emergency vehicle that may respond to an event at the site.
11. 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.
12. 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.
13. Provide the turning template of the tractor trailers for backing into the loading dock areas.
14. It is recommended that the traffic impact study be verified that this development has been included as part of the peak hour vehicle trips. The findings of the study should be provided to the Region 1 office of the NYSDOT for input.
15. Additional free-standing lights may be required as the parking spaces that front Synergy Drive appear to get zero coverage based on the proposed building mounted fixtures.

16. It appears a portion of sitework is within the Town of Halfmoon. Any improvements planned within the Town of Halfmoon are subject to the review and approval by the Town of Halfmoon Planning Board and other Town departments.
17. 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.

NARRATIVE

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.
19. The applicant should provide a copy of the SWPPP especially the post construction watershed map that shows this parcel and the included impervious surfaces to confirm original numbers are adequate. Show the breakdown of all impervious areas between Synergy Drive modifications, 15 Synergy Drive and this project to better access the total impervious areas.

Public Comments:

No public comment.

Planning Board Review:

Ms. Bagramian asked how large the doors being proposed would be and if they had tenancy in mind yet. Mr. Hitchcock stated they might lease out to 1 or 2 tenants and have 2 ground levels, which would look similar to 1 Synergy Park Drive. He said that there would be a curtain wall so tractor-trailers would be hidden.

Mr. Ophardt asked if a buffer would be created along Route 9. Mr. Hitchcock stated the whole site slopes down so the trees would help with the buffer, and he showed elevations and the eastern border along Route 9.

Mr. Andarawis stated the north side may be visible from Route 9. Mr. Hitchcock stated there is a home in the area, wetlands, and a pet lodge.

Ms. Bagramian stated that the plan seemed pretty clear to her.

Discussion Items:

Mr. Scavo stated the Route 9 medical office applicant has asked for a 1-year extension. He noted the approval expires in August, so he will put it on the agenda for the next meeting for discussion.

Mr. Wilcox stated there is no primary in June and asked if the meeting could be moved back to Tuesday from the previous Thursday. Mr. Scavo stated that unfortunately, it has been posted already and scheduled with the Town. Ms. Bagramian stated we could keep it as is.

Mr. Andarawis moved, seconded by Mr. Ophardt, adjournment of the meeting at 9:31 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on June 11, 2024.

Respectfully submitted,

Paula Cooper

Paula Cooper, Secretary