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Town of Clifton Park Planning Board
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PLANNING BOARD

DENISE BAGRAMIAN
Chairwoman

VIDA SHEEHAN
Attorney

PAULA COOPER
Secretary



MEMBERS
Emad Andarawis
Eric Ophardt
Heather Fariello
Mario Fantini

Keith Martin
Lisa Westrick

Planning Board Minutes
November 13, 2024

Those present at the November 13, 2024 Planning Board meeting were:

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

Those absent were: L. Westrick

Those also present were: J. Scavo, Director of Planning
W. Lippmann, M J Engineering and Land Surveying, P.C.
V. Sheehan, 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:

Ms. Fariello moved, seconded by Mr. Ophardt, approval of the minutes of the October 22, 2024 Planning Board meeting as written. The motion was unanimously carried. Mr. Andarawis and Mr. Fantini abstain.

Public Hearings:

#2024-037 675 Mac Elroy Rd 5 Lot Subdivision

SBL: 258.-2-3.11 Subdivide a 22.22 +/- acre lot with existing home into 5 lots, 675 Mac Elroy Rd Zoned: CR - Conservation Residential, Status: Preliminary Applicant: C&J Property Holdings, LLC, Consultant: GVG Land Surveyor, PLLC – K. Weed Last Seen On: 10/08/2024

Ms. Bagramian explained the review and approval process to those present, stating that the Board was required to render a determination pursuant to SEQRA (State Environmental Quality Review Act) prior to conducting a public hearing on this application. She explained that the Planning Board would assume Lead Agency status for the project and issue a negative declaration as a “formality” which neither granted nor implied approval of the subdivision application. Should it be determined that additional environmental review is required, SEQRA discussions will be reopened and a decision rendered when deemed appropriate.

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

Ms. Bagramian called the public hearing to order at 7:05 p.m. The Secretary read the public notice as published in the Daily Gazette on November 4, 2024.

Consultant/Applicant Presentation:

Pat Jarosz, representing the applicant, stated he is representing an applicant looking to subdivide a 22 acre parcel in the CR zone He stated there would be one parcel that would be 19.73 acres and have the existing home and outbuildings. He also noted there would be 4 more lots created and 75% of the land would remain untouched. He stated the new lots would have homes and would be as far away from the rear of the original lot to decrease stormwater impacts to the wetlands, also to the rear of the property and currently receive runoff. Mr. Jarosz stated the homes to the rear of this project is higher in elevation than the applicant’s property

Staff Comments:

The Environmental Conservation Commission and issued a memo recommending:

- The ECC recommends that the permanent open space be publicly held in order to ensure orderly enforcement of the deed restrictions.
- The ECC recommends that the applicant implement split rail fencing along the border of the deed restricted open space in order to clearly delineate the boundaries of this protected area without impeding wildlife movements.

John DeSimone, Fire Marshall, issued a memo stating:

- Please see Approved Postal Plans in documents. Assigned numbers will be 2,4,6, & 8.

Scott Reese, Zoning Administrator issued a memo stating:

- Notes #14 shall modify the section number to read "208-16 D. (2)"
- This application (Plans titled "Survey of Lands of C & J Properties, LLC" last revised 11/4/24) is complying with Town Code Chapter 208-16 E. (2) (b). The Planning Board should be presented how this proposed project addresses the key conservation principles for Western Clifton Park as outlined in Town Code Chapter 208-16 E. 13 (c) [2].

Scott Reese, Stormwater Management Technician issued a memo stating:

- The grading signature for elevation 364 should be corrected between lots #1 & #2.
- The limits of disturbance shall include the required tree planting and allow for the construction of the homes.
- Show the location of the three existing evergreen trees along Rolling Meadows Lane to see if they can remain or will need to be relocated.

Jennifer Viggiani, Open Space Coordinator issued a memo stating:

- I want to clarify that the minimum permanent open space (land area) is under 208-16 (E) (3) (a) "where permanent open space is proposed, it must include a minimum of 25% of the unconstrained land of the parcel." I understand "the parcel" to be the total parcel of 22.22 acres. So if the total parcel is 22.22 acres, and the applicant has said that the Unconstrained Land Area = 14.61 acres, then the permanent open space should include 25% of the 14.61 acres which is 3.6525 acres. So the Applicant seems to be incorrect in their "required" calculations below which show only 2.78 acres of unconstrained land is required. Total Permanent Open Space should be: Required 50% of 22.22 acres = 11.11 acres in total, of which the quality of permanent open space should be as follows: Unconstrained permanent open space (25% of 14.61 unconstrained acres) = 3.65 acres of unconstrained lands Constrained permanent open space: 11.11 acres minus the unconstrained 3.65 acres = 7.46 acres of wetlands/constrained lands So, the "provided" acreage - needs to be corrected to include a minimum of 3.65 acres of unconstrained lands.
- The layout of the additional, corrected total of unconstrained and constrained lands that comprise the minimum of 11.11 acres of Permanent Open Space should consider showing the additional unconstrained lands within permanent open space, to be added along the Rolling Meadows Lane side of the permanent open space

John Scavo, Director of Planning issued a memo stating:

- I recommend the installation of property pins at three points noted within the attached to provide more precise mark property boundaries for future reference that assist with lessening the likelihood of disputes between neighbors where one property ends and another begins.
- Add a notation to the subdivision plan stating that No further subdivision is allowed according to bulk and density standards prescribed under Section 208-16 of the Clifton Park Town Code. Any additional subdivision request will require additional Town review to determine the applicability of the zoning regulations at the time of a future request.
- Add a notation to the subdivision plan stating that Lots 1,2, 3, and 4 will be included in Long Kill Park District #1.

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- Add a note to the plan stating that No grading or construction for residential Lots 1, 2, 3, and 4 shall occur within the Land Conservation Zone and 100' adjacent buffer area to a regulated wetland.
- In accordance with Sec 86-10 of the Town Code, "The applicant shall be required to plant two new trees per living unit on the street side of new construction sites." As such please add the required trees to the Subdivision Plan prior to final stamping.
- Add a note to the plan stating that Allowable uses within the permeant Open Space shall be pursuant to those prescribed within Sec208-16(2) of the Clifton Park Town Code.
- As a condition of final approval, the plan shall not be stamped until the Planning Board receives the proof of the restriction on the open space land of a permanent conservation easement. A draft deed of permanent conservation easement should be provided to the Town for review and approval by Town Staff and the Planning Board Attorney.
- Attached is a completed Draft SEAF Parts II & III for the Planning Board's consideration in issuing a negative declaration pursuant to SEQRA for this submission application.

Professional Comments:

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

STATE ENVIRONMENTAL QUALITY REVIEW

1. No additional comments.

SUBDIVISION

2. The applicant is proposing 11.56 acres of permanent open space of which 3.43 acres is unconstrained. Per Section 208-16(E)(3)(a) where permanent open space is proposed, it must include a minimum of 25% of the unconstrained land of the parcel. Per the site statistics table there is a total of 14.61 acres of unconstrained land, therefore 25% of 14.61 equals 3.65 acres required for unconstrained open space. The applicant should revise the subdivision plan to meet this requirement.

Public Comments:

David Messenger, Denhelder Drive, stated the first driveway being proposed is 35 feet from the intersection and he stated this is a high risk for an accident when someone is backing out of the driveway. He stated someone will end up in an accident and there will be liability on a city level. He stated it is dangerous if people whom reside at the proposed homes park in the street as well and this would impact the school buses and emergency vehicles that may need to enter or exit the subdivision. Mr. Messenger stated the interference would most likely stack to the third driveway being proposed.

Debbie Botch, 4 Fieldstone Drive, stated she seconds the dangerous driveway and stated it impacts pedestrians as well. She stated there is ½ a car length between the driveway and the entrance and creates a one-way type of situation, and there will be a collision. She stated there is a pedestrian risk to this as well and going east to west on Rolling Meadows there is no pedestrian visibility. She stated she enters the subdivision slowly due to this and gets honked at all the time

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because the turn needs to be slow to ensure safety. She stated there needs to be a common driveway or a cul de sac for a solution.

Linda Seymour, 7 Nadler Road, representing the Historic Preservation Commission, stated in October the commission recommended to the Town Board to place the Mac Elroy home on the local historic registry. She stated the home was built around the 1830's and meets the criteria to be added to the registry. History includes having a notable doctor as an owner and being an award-winning farm in Saratoga County. Ms. Seymour stated the rear barn has hundreds of ribbons won by Dr. Mac Elroy from various events; the Commission has wanted to preserve this land for years.

Jane Monast, 691 Mac Elroy Rd., stated she lives across from the project and stated the culture of the Town should be preserved and the site was once a working farm. She stated cramming 4 homes here would ruin the natural beauty of Western Clifton Park. She asked when Clifton Park will change to an urban community. She stated that just because regulations say it can be done doesn't mean it should. She stated cluster subdivisions are taking over the rural parts of Clifton Park. She stated there were buyers in the past that wanted to buy the land for farming but she stated she thinks this owner has always had the intent to subdivide. She stated that when the land was purchased dry fill was brought into the property and DEC investigated.

William Temple, 5 Heidi's Path, stated he is here tonight to address the water runoff from the subdivisions and stated they are a problem. He stated older homes had no water in the basements and now they do as well as standing water on the property and this is creating problems. He stated the residents have to spend money to pump water out of their homes or to divert the water with culverts. Mr. Temple stated his pump runs 12 months per year and this devalues the property as well. He stated the cost for the upkeep and installation of the mitigations is a big ask for the residents. Mr. Temple stated it is a sellers' market right now but it is not always true. Mr. Temple stated he gave out an email earlier for the Board to review as well. Ms. Bagramian stated to Mr. Temple that his time was over. Mr. Temple told Ms. Bagramian that he needed more time and he was entitled to it with a raised voice. Ms. Bagramian stated he was being rude and asked Mr. Temple to either stop or leave the meeting. Mr. Temple asked if he could have more time from another resident. Ms. Bagramian granted this request. Mr. Temple stated that Dutch Meadows was not notified of this subdivision and this will not address problems. He stated the project impacts both Dutch Meadows and Rolling Meadows. Mr. Temple handed out a map and stated the circled areas show where Blanding's Turtles, a threatened turtle species are as well as other turtles. He stated they lay their eggs in the area every year. Mr. Temple read from his letter attached in the application and stated a postage stamp does not matter when they are impacting more people and the map he gave out should show to the end of Guilder Place.

Amy Pelc, 49 Gretel Terrace, stated she had water come into her property after Rolling Meadows was put in and has had to constantly pump water out of their basement and the fire department

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has had to help as well. She stated that the area is overdeveloped there and the Town is losing quality land quickly. She stated it is dark on Mac Elroy Road and people speed, not knowing about deer crossing the road. She stated it can be icy in the winter and this is a recipe for disaster. Ms. Pelc stated her husband and child walk regularly to the Elks and there seems to be more and more homes coming closer to the entrance.

Kevin Gellata, Fieldstone Drive, asked if the Water Department was made to put in a pump for this and asked how this would affect Fieldstone as it is also a current problem. Mr. Gellata stated he would also like the driveway placements addressed for the application.

Dan McGuinness, Fieldstone Drive, stated he moved in with 6 homes in the area. He stated he also has had a pump installed and it runs intermittently throughout the day. He asked what was going on with the Elks Club as water lines are marked and spray paint indicating to the Elks. Mr. McGuinness stated he called the Town and they said the water line will extend to the Elks property. He stated there are forever wild areas through this area as well as a pond and a retaining wall so he is surprised. He stated he was surprised to hear there would be 4 more homes added to the water line as well as the Elks.

Lindsay Mendosa, Guilder Place, stated she never had the problem with water until 10 years ago and in the last 3 years she has had to get quotes to protect her basement. She stated she has young children and the bus is 15-30 minutes late daily and it would be later if they add more homes. She stated more development would further overwhelm the schools.

Peter Peterson, Guilder Place, stated that at the October 8 meeting Mr. Reese mentioned a grading plan that should not impact the new homes but asked how it would impact the existing homes. He stated that his son almost drowned in the back yard due to high water that now collects and it has gotten worse since then. Mr. Peterson stated his pump runs year-round as well and asked if the ACOE has issued their findings yet and stated he would like an environmental impact study done. Mr. Peterson stated they have had no rain for a month and his pump still runs and due to bugs he is unable to go outside and use his yard as his wife is allergic to mosquitoes. He stated that the Board should consider 50 people not just the applicant. He stated that water pressure is low and he cannot shower and do laundry at the same time and CPWA should be consulted before a decision.

George Liam Bruno, Fieldstone Drive, stated there is an increase risk to pedestrians and if this is allowed there should be no parking signage added for the street, the speed limit should be lowered and street lighting should be increased. He stated if his project is allowed then there should be solutions to help with the changes that come with it.

Jim Varso, Gretel Terrace, stated he has water pressure concerns. He stated he is at a dead end now so if circulation increases then the pressure shall; but it has not. He asked how far the

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pressure will drop before the problem is looked at and why are people not notified when work is being done that will affect them.

Diane Barno, 20 Guilder Place, stated she had to replace a basement wall due to water. She stated her pump runs when it's wet out. She stated she has forever wild land behind her home and there is also a stream there that can back up into her yard. She stated there seems to be a lot of wetlands on the applicant's property and wildlife has changed due to development in the area. She stated that the land and the neighbors are not being respected.

Michael Couse, 8 Guilder Place, stated he has lived for 40 years in his home and after Rolling Meadows was developed he had water 12 feet from his home and 3 feet deep. He stated he had lost 3/4 of his rear yard and the Town did nothing then. He stated other people are losing their property too. He has replaced 5 pumps and traffic has increased in the area. He asked when this will stop as properties are getting damaged.

Frank Berlin, Main Street, stated he has lived in Clifton Park for years. Mr. Berlin stated there is a Town ordinance that a stream has to have a 50 foot buffer from the high-water mark. He stated that they are fortunate to have natural streams in the area and this flows into Ballston Lake. He asked that the stream remains protected as well as the trees.

William Temple, 5 Heidi's Path, apologized for being confrontational earlier in the meeting. He stated that in his career he oversaw engineer's development for the Federal government. He stated that experts were consulted for development and he feels the drawings are lacking and that water is dynamic. Mr. Temple stated psi increases with the rise of the flow and it changes the span of the water and this is why it is ending up in Dutch Meadows. He stated water will travel where it is least resistance and the land further downstream from this needs to be looked at further.

Dennis Paterson, Rexford, stated he is not from this area but has friends that are residents of the Town and after it rains the sewers flood. With this in mind he asked how they will allow more. He stated he has worked for the State but this is a Town issue and it should be looked at or the land should not be developed. He stated that they are ignoring the citizens they are responsible for.

Diana Lyndhurst stated her side yard is a swamp and she lives across the road from the sewer access. She stated there are people there every day and she once found a geyser 15 ft tall of brown water coming from it. She stated this is a problem.

Donna Young, 685 Mac Elroy Road, stated Clifton Park is giving away the land. She stated she was walking today and a large buck was looking at her. She stated 3 deer were hit on Longkill Road and another by the cemetery. She asked if ENCON has looked at this project and she would like to see everything protected.

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There being no additional public comment, Mr. Ophardt moved, second by Mr. Fantini, to close the public hearing at 8:09 p.m. The motion was unanimously carried.

Planning Board Review:

Ms. Bagramian asked what would be going on with DEC as there are going to be changes. Mr. Jarosz stated they would be following the current regulations. Ms. Bagramian asked how high the water table is right now. Mr. Jarosz stated Mr. Weed highlighted the elevations on the plans and most homes are higher and the ones that are lower have the water moving away from them. Mr. Jarosz stated lots 3 and 4 would drain to the east and it would not change in the amount of rain, he stated the complaints tonight are from existing conditions. Ms. Bagramian asked where the water would go after the homes are built so there is a concern.

Mr. Ophardt asked which direction the Cooley Kill flows. Mr. Jarosz that that it flows left to right on the map toward the Long Kill. Mr. Ophardt asked what might be preventing surface water runoff from the Dutch Meadow neighborhood to the Cooley Kill. Mr. Jarosz stated there are storm water drains in the area, but they may be obstructed.

Mr. Fantini asked the applicant to speak about the safety concerns that were mentioned tonight. Mr. Jarosz stated he can propose no parking signs if the highway would permit. He stated that there are wetlands that dictate where the homes can go and traffic is up to the police to enforce.

Mr. Ophardt asked about the site distance with the intersection of MacElroy Road and Rolling Meadows. Mr. Jarosz stated he could install No Parking sign at the entrance to Rolling Meadows if the Town of Clifton Park Highway Department approved it.

Ms. Bagramian asked if the applicant could do shared driveways. Mr. Jarosz stated that based on the size of the lots this is the best layout. Ms. Bagramian asked if the 2 homes in the middle could share. Mr. Jarosz stated he can look into this and ask the applicant. Ms. Bagramian asked if the CPWA could look into the water pressure complaints that they have been hearing about tonight. Mr. Jarosz stated the existing line is sized with the thought of a building every 100 feet. Ms. Bagramian asked for the applicant to check anyway. Mr. Jarosz stated they have already gotten permission to hook up and elevation may be an issue, not the number of homes. Mr. Fantini seconds the motion to request the applicant go ask CPWA about the pressure.

Ms. Bagramian asked if the driveways were in the wetlands. Mr. Scavo stated they are not being shown in any. Ms. Bagramian asked for the map indicating where the turtles were and asked what they were. Mr. Jarosz stated they were catch basins on the Town road. Mr. Scavo stated those are checked regularly and cleaned out when needed. Mr. Scavo stated they received an email from Jed Hayden, NYS DEC about no Blanding Turtles found on the site or having any know occurrences in Clifton Park and the correspondence has been added to the project's file.

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Mr. Martin stated that he acknowledges SEQR was followed but he was not at the meeting on October 8. Mr. Martin stated the Blanding turtles are threatened and he quoted the DEC stating threatened by development. He stated this was not in the SEAF so it concerns him. Mr. Marin stated the water regimen and hydrology is also a concern for him and asked if the SEQR could be reopened.

Ms. Bagramian stated that they need to look into the turtles; but noted the state biologist stated they are not there. Mr. Martin stated some people question this and DEC says they are threatened and may be in our area and threatened by developments. Mr. Martin stated he would like to see a report and then if they need to reopen SEQR. Mr. Fantini and Mr. Andarawis seconds.

Mr. Martin sated that November probably won't see any active turtles and probably not until spring now. Ms. Bagramian stated it is fair to address valid concerns. Mr. Martin stated the member of the public has pointed out specific species in specific areas on the map so he credits the resident for the information.

Mr. Ophardt stated that it has been the common practice of the Planning Board to request signs and split-rail fencing be added, as necessary, to delineate LC zones on private property. Mr. Craig Monroe, applicant, stated he is trying to keep a more aesthetic look to his property. Mr. Ophardt stated the Planning Board would like to see the signs placed at 150 foot intervals or where there are turning points. Mr. Ophardt stated the visuals should primarily be on lot 4. Mr. Monroe agreed. Mr. Monroe and the Planning Board agreed to have signs and a split rail fence installed along Lot 4 to delineate the LC Zone.

Mr. Andarawis agreed the visuals should primarily be on lot 4. Mr. Monroe agreed to this. Mr. Andarawis thanked the applicant for staking the driveways and asked the applicant if he could move the southernmost driveway away from the intersection. He stated the northern most tip of the boulevard is not clearly defined and could easily be lost in the snow. He stated he would like to ensure the first driveway would not be used as a turn lane and it be at least one car length beyond the boulevard. Mr. Andarawis requested the fire hydrants be marked off by the fire department for the locations to be reviewed.

Mr. Andarawis asked how much grading would be needed on the lots and basement elevations in relation to the road. Mr. Jarosz stated minimal would be needed. Mr. Scavo stated he thought the homes would be on slab so there would be no basement, but he would verify the information for the next meeting. Mr. Andarawis stated a grading plan should be included in the plan. He stated there is a lot he likes about the plan including preserving 19 acres and the historical buildings but he is also understanding of the resident's concerns. Mr. Andarawis stated this meets the goals of the CR zone.

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Ms. Fariello stated there were calculation errors and asked how the applicant plans to mitigate this. Mr. Jarosz the errors were addressed already. Ms. Fariello asked if the applicant has water in his basement. Mr. Monroe stated he does not and he has a full 7 foot basement.

A resident stated the map shows Guilder Place is already lower than the proposal. Ms. Bagramian stated the applicant will be coming back with more topo information.

Mr. Lippmann stated a hydro CAD model and a pre and post layout may be needed.

Mr. Scavo made a list of comments given by the Planning Board for the applicant to address:

1. Investigate driveway consolidation
2. Report regarding Blanding Turtles (presence on-site)
3. Ensure adequate sight distance from the intersection to driveways (possible vegetation removal)
4. LC Zone Delineation Lot #4, post 100' along remaining historic property
5. Check with Highway Dept. on proposed curb cuts for snow removal around Blvd
6. Add a note to the plan stating that All footings shall have 2 feet of vertical separation to seasonal high groundwater. Field adjustments may be needed to accommodate this requirement.
7. Provide clarification if the proposed dwellings are proposed to have basements or slab-on-grade construction.
8. Provide verification from CPWA on intent to serve and water pressure adequacy
9. Show No Parking Signs along lots 1 to 4.
10. Provide the existing topographic elevation at the intersection of Guilder Place and Denker Drive
11. A Planning Board Member noted that Hydro-geology issues not addressed are significant environmental impacts that could influence approval or not and whether the Board can proceed without re-opening SEQR
12. Provide a Hydro CADD Analysis showing grading and stormwater direction Pre / Post Analysis.

Old Business:

#2023-016 1019 Route 146 Gas Station and Convenience Store Site Plan

SBL: 271.-1-11 Site Plan Submission for Project at 1019 Route 146, 1019 Rt 146 ,
Zoned: B3 - Neighborhood Business Status: Final Applicant: M & M Food Mart,
Consultant: Nolan Engineering, PLLC – R. Nolan Last Seen On: 03/12/2024

Consultant/Applicant Presentation:

Kevin Pultorak, Nolan Engineering, stated the application was submitted in September but the applicant found out that the easement would not be granted by the adjacent private landowner

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who previously gave verbal agreement for such. Mr. Pultorak stated the updated plan was given to the Planning Director and the applicant now plans to keep 2 curb cuts on Route 146 requiring the project to be reengineered. He stated that they are looking for a go ahead from the Planning Board for this conceptual layout consisting of 2 curb cuts.

Staff Comments:

The Environmental Conservation Commission and issued a memo recommending:

- In general, the ECC observes the liquid load of this site for fuel and water is on extremely unstable soils on a very small site. Geotechnical Engineers must take these variables into a collective evaluation of this site for environmental integrity of the area.
- The ECC requests the applicant to move the underground gas tanks further away from the Dwaas Kill to maximum extent practicable (i.e. Further away from the 50-foot buffer line to ensure minimum disruption to the Dwaas Kill.)
- The ECC notes the expansion of the current fuel storage capacity resulting in additional geotechnical pressure on the downhill slope leading to the Dwaas Kill. Therefore, the ECC requests engineering comment from a Geotechnical Engineer that ensures the integrity of the slope.
- In order to minimize erosion from the underground stormwater management area, the ECC recommends that the outfall be tied into the existing stormwater structure along NY Rt 146. This will provide for a single outfall into the Dwaas Kill, instead of the steep embankment.
- The ECC requests the Stormwater Management Officer to review the stormwater management area to ensure it is compliant with all codes prior to approval.
- The ECC notes that this is a Hot Spot as per NYSDEC and infiltration is not an allowed practice for stormwater management. Therefore, the ECC requests that the plans include oil / water separators and or appropriate filters prior to the stormwater management area
- Because this has been determined to be a Hot Spot area by the NYSDEC, the ECC requests that the future submission address how applicable EPA & NYSDEC regulations and standards for this application will be followed. The ECC requests the applicant to supply the removal plan and soil and water testing plans for the existing underground fuel storage tanks. The proximity of these tanks to the Dwaas Kill necessitates that the ECC examine soil and ground water conditions for historic fuel leakage. Therefore, the ECC requests that the applicant provides all such information related to the tanks in your possession.
- All of the above items should be done in completion to the satisfaction of the Planning Board prior to approval.

Scott Reese, Zoning Administrator issued a memo stating:

- Conditions of Area Variance Approval is to remove parking spaces 9 & 10 and the approval is contingent on the side access easement to NY Rt 146. The applicant has stated "An Easement Agreement is still in the process of being established by the property Owners. This agreement will be provided for reference by the Owner's legal counsel." Since the granting of the area variances is contingent on the getting the easement agreement, and the easement has not been obtained at this time, this project should not be given final approval till the access easement has been obtained. This

project should remain in a holding pattern until the easement agreement is finalized and submitted. Final approval can then proceed once all contingencies have been satisfied

- The 8 conditioned area variances are listed below: 1. Per Town Code Chapter 208-38 (B): the minimum net land area per establishment shall be 40,000 square feet, existing land area is 26,572 square feet. The variance for the net land area requested is 13,428 square feet. 2. Per Town Code Chapter 208-38 (C) Front yards. There shall be a minimum front yard of 80 feet, into which space there shall be no encroachment of structures other than a fence, a wall, or a sign not larger than 20 square feet and no encroachment of commercial usage other than parking space. The gas canopy is located 30 feet from the front lot line. The variance for a front yard setback is 50 feet for the gas canopy. 3. Per Town Code Chapter 208-38 (C) Front yards. There shall be no parking allowed within 30 feet of the front lot line. The parking area is located 23 feet from the front lot line. The variance for parking setback is 7 feet from the front lot line. 4. Per Town Code Chapter 208- 38 (D) Side yards. No automobile parking space shall extend nearer to a side property line than 20 feet. The parking area is located 10 feet from the side lot line. The variance for parking setback is 10 feet from the side lot line. 5. Per Town Code Chapter 208-38 (E) Rear yards. No building shall be placed closer to the rear property line than 30 feet with no encroachment by structures or parking. The proposed rear yard setback for the building is 10 feet. The variance requested is 20 feet from the rear lot line setback. 6. Per Town Code Chapter 208-38 (G): Green space shall be 35%. The proposed green space is 30%. The variance requested is 5% of the total green space required. 7. Per Town Code Chapter 208-93 (C) Public garages and automobile service stations: no gasoline pump shall be placed closer to any property line than 50 feet. The proposed gasoline pump setback is 35 feet. The variance requested is 15 feet. 8. Per Town Code Chapter 208- 98 Special setback lines: no building or part of a building, other than steps, eaves, and similar fixtures, shall extend nearer to the center line of the street or road than 100 feet in the case of a building in a residential district or 130 feet in the case of a building in any other district. The proposed gas canopy setback is 100 feet. The variance requested is 30 feet from the center line of the street setback.

Scott Reese, Stormwater Management Technician issued a memo stating:

- In addition to MJ Engineering comment letter dated October 4th, 2024:
- In addition to MJ's comment #4 for two treatments prior to the infiltration structure, would recommend a practice that would address capturing the hydrocarbons that would runoff into each catch basin (i.e. catch basin snouts or filters).
- Encourage relocating the proposed outlet of the underground chambers to the existing location of previous catch basin outlet to minimize erosion of the embankment of the Dwaas Kill.

John Scavo, Director of Planning issued a memo stating:

- The Saratoga Co. Planning Board previously issued a recommendation noting no significant county-wide or intercommunity impacts.
- The applicant's response letter notes there will be no exterior storage of propane tanks. If such exterior storage is desired in the future the property owner will be subject to future town review and approvals for such modifications.

Professional Comments:

STATE ENVIRONMENTAL QUALITY REVIEW

1. No further comments at this time.

SITE PLAN

2. The applicant is working with the adjacent property owner to obtain an ingress/egress easement. Once secured a copy of the easement agreement should be provided to the Town. The easement should be in place prior to final site plan approval.
3. It is noted that while this site may not be subject to the NYSDEC Stormwater Regulations, the use of infiltration practices at a stormwater hotspot require special attention and those provisions shall be incorporated into any proposed stormwater management systems.
4. Two treatment practices in series (non-infiltration standard SMP followed by an infiltration practice) shall be provided for hotspot treatment.
5. On Sheet SMP-1 show the elevations of the proposed stormwater chambers to confirm the bottom of the practice is at least 2 feet above the bottom of the test pit that was performed.
6. The plans show a break in the asphalt curb where an existing catch basin is to be removed at the Route 146 driveway, this should include curbing to contain runoff.
7. Provide the size of the proposed CDS Unit.
8. The site plan indicates an existing guiderail along the east side of the site, however the majority of that guiderail appears to be in disrepair. This guiderail should be replaced in kind.
9. Subsequent plans should show the Town's LC location and boundaries on all drawings for reference.
10. The waters edge on the survey map does not represent the high-water mark. The applicant should re-visit the site to determine this mark as the 50-foot buffer should start from the high-water mark which may affect the site. The high-water mark on the shore should be established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation and, the presence of litter and debris.
11. Based on the previous comment, the applicant should consider relocating the underground fuel tanks further away from the Dwaas Kill.
12. Indicate on the plans if the existing well will be decommissioned per NYSDOH standards.
13. The landscaping plan proposed predominately deciduous trees. To provide some blend of species and to have continual green outside of the normal growing season, it is recommended that coniferous species be considered.
14. Erosion control measures should be provided on the stormwater outfall down to the Dwaas Kill.

STORMWATER MANAGEMENT REPORT

15. List the source of the rainfall data for the stormwater modeling performed.
16. The report should mention that the site is considered a hot spot and should describe the stormwater management practices and how it will treat the runoff.
17. The SMR should reference the applicable erosion and sediment control measures typical of a construction project as called out on the plan sheets.

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TRAFFIC

18. The trip generation numbers all checked out and the turning templates for both fire equipment and fuel delivery vehicles appear to adequately service the site.

Public Comments:

No public comment.

Planning Board Review:

Mr. Ophardt asked if the applicant could still go to one curb cut. Mr. Pultorak stated he can look into this. Mr. Ophardt stated one less would be better.

Ms. Fariello stated there is already two curb cuts there. Mr. Pultorak stated he can look at making the cut 40' on center.

Mr. Andarawis stated he would like to see the curb cut moved further to the east.

Ms. Bagramian asked the applicant if they are just looking to adjust to the new circumstances. Mr. Pultorak stated they are.

Mr. Andarawis stated it is appropriate to revisit the number of fueling station. Ms. Bagramian second the suggestion. Mr. Scavo looked into the application file for a tank inspection report and stated he will make sure it is available for review by the Planning Board.

Mr. Ophardt asked of the applicant would consider moving their existing gasoline tanks from the east side of the site to the west sign to increase their distance away from the Dwaas Kill.

Mr. Scavo stated the plans can note that if the proposed road is adopted by the Town then the applicant could gain future access. Mr. Scavo stated that the applicant can talk to the developer of the apartments to see if the sidewalk could be moved to the other side of the street for easier pedestrian access.

Mr. Scavo made a list of comments given by the Planning Board for the applicant to address:

1. Investigate possible tank location to the west side of the site
2. Investigate possible reduction to the number of pumps and diesel fueling location based on the reconfiguration.
3. Update traffic analysis and turning template
4. Investigate one access (curbcut).
5. Contact Scott Reese, Town Zoning Administrator, to discuss the status of granted area variances with conditions.

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New Business:

#2024-042 492 Clifton Park Center Rd Two Family Dwelling SUP

SBL: 271.-3-87 Proposed construction of a two family dwelling, 492 Clifton Park Center Rd Zoned: R1 - Residential, Status: Concept Applicant: Boni, Consultant: GVG Land Surveyor, PLLC – K. Weed

Consultant/Applicant Presentation:

Pat Jarosz, VanGuilder, stated he is here tonight for a duplex to be built on the property. He stated the property is in the R-1 zoning and is allowed. He stated there is B-2 zoning down the road and mixed uses in the area so the project would fit in. Mr. Jarosz showed a picture of the proposed lot and stated it would fit in the mixed uses such as the school, residents, apartments and other facilities in the immediate area.

Staff Comments:

John DeSimone, Fire Marshall, Issued a memo stating:

- See approved postal verification in documents. Assigned postal numbers for two family will be 490 and 492

Scott Reese, Zoning Administrator issued a memo stating:

- This Special Use is permitted per Town Code 208-10 B. (10)(a)[7] identifies a Dwelling, two-family and/or semidetached as a special use pursuant to chapter 208-79. The proposed land area exceeds the minimum area requirement.

Scott Reese, Stormwater Management Technician issued a memo stating:

- The Federal Emergency Management Agency (FEMA) is in the process of updating their Flood Insurance Rate Map (FIRM), in the document folder 492 CPCR FEMA Floodplain.jpg shows the proposed boundaries. It appears that the Flood Elevation may be around elevation 301+. The applicant should be aware and plan accordingly.

Jennifer Viggiani, Open Space Coordinator issued a memo stating:

- Would it be possible for the Town of Clifton Park and the Town's Historic Preservation Commission to park on the driveway (maybe have a maintenance easement) to access the historic cemetery which the Town of Clifton Park and Town's Historic Preservation Commission need to maintain periodically for mowing, stone restoration, tree / vegetation management?

Professional Comments:

No professional comments.

Public Comments:

No public comments.

Planning Board Review:

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Ms. Bagramian stated she would like to see elevations and a landscape plan for the application. She asked if there would be side garages or front loads. Mr. Larry Boni, applicant stated he is planning to do this application like other duplexes he has done before and only one garage would be visible from the road.

Mr. Andarawis asked if the applicant could show on the next submittal where the driveway splits.

Mr. Martin asked if the property was near any LC zones. Mr. Scavo pulled up the map to show everyone in attendance. Mr. Jarosz stated he does not anticipate problems with meeting guidelines for the SUP.

Mr. Ophardt asked what Ms. Viggiani is looking for in her comments regarding cemetery access. Mr. Scavo stated just access to maintain the property. Mr. Boni stated they can put in some crusher stone next to the driveway for a car to park and he is willing to condition it to the deed.

Mr. Scavo made a list of comments given by the Planning Board for the applicant to address:

1. Attached Building Elevations have been included in the project file for review by the Planning Board as requested.
2. Provide a small stone parking area for access to maintain the cemetery by Town Staff and volunteers. Add a note to the plan stating the stone parking area is to allow access for maintaining the cemetery.

New Business:

#2024-043 Kinns Rd Office/Warehouse Buildings on 3 Lots Site Plan (Synergy Park)
SBL: 265.-5-12 Proposed construction of three (3) office/warehouse buildings on 3 separate lots, Kinns Rd Zoned: B5 - Corporate Commerce Status: Concept Applicant: Synergy Park, LLC, Consultant: Lansing Engineering, C. Jarvais

Staff Comments:

The Environmental Conservation Commission and issued a memo recommending:

- The ECC notes that the building and parking area of lot A-1 appear to be less than 40 feet to the ACOE wetlands. It is ECC's understanding that a minimum of 40 foot buffer was to be maintained. The ECC requests that the Town Engineer validate whether a 40 foot buffer is a required minimum per deed restriction.
- The ECC notes that the complexity of the slopes in the area of Lot A-1 and are concerned with erosion into the ACOE wetlands which are tributaries of the NYSDEC protected Dwaas Kill.

John DeSimone, Fire Marshall, issued a memo stating:

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- Please show utility plan and location of hydrants. Assure hydrant location is within 100' to FDC connection.
- Still working with Saratoga County emergency services. Postal verification will be resolved the week of 11/11/24 and uploaded when completed.

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 filed plan (M2017016) at Saratoga County for Lots 1 & 2 show not having a direct vehicular link between the proposed shared entrance off NY Rt 9 and Synergy Park Drive. This application does have a vehicular connection between Synergy Park Drive and NY Rt 9, will this proposed connection impact the traffic flow previously approved?

Scott Reese, Stormwater Management Technician issued a memo stating:

- Lots 1 & 2 are showing the conceptual location of the proposed stormwater management areas, describe or show where the SMA will be for Lot A-1.
- Verify what can be done in the deeded buffer along the Federal Wetlands. The proposed structure on Lot A-1 is built right up to both sides of the wetland buffer

John Scavo, Director of Planning issued a memo stating:

- The proposed project is subject to Section 239 of General Municipal Law, so the Planning Staff is referring the application to the Saratoga Co. Planning Board for a recommendation. Planning Staff is also sending to the Town of Halfmoon due to the proximity of the Town Boundary with the adjacent municipality.
- Since the site plan for review this evening is of conceptual design, I will hold off on providing technical comments until the review of the preliminary plan is available to compare the proposed improvements with the requirements under Article VII of the Clifton Park Town Code.
- Previously, as part of the SEQR review, the Planning Board completed an analysis of a comprehensive build-out plan for the development of Synergy Technology Park and issued a Negative Declaration. The concept plan represents details for advancing a site plan and subdivision for some of the lots within the park. The Planning Board should continue its review and considerations for potential significant impacts. However, the Board may rely upon its prior SEQR findings, confirming that this application does not present impacts not previously considered and mitigated. Previous mitigation includes assigning a wetlands buffer from ACOE wetlands and traffic improvements associated with adding a dedicated right turn lane on Kinns Road to the NYS Route 9 Intersection.

New Business:

#2024-044 Kinns Rd 3 Lot Subdivision (Synergy Park)

SBL: 265.-5-12 Proposed subdivision for the construction of three (3) office/warehouse buildings on 3 separate lots Kinns Rd., Zoned: B5 - Corporate Commerce, Status: Concept Applicant: Synergy Park, LLC, Consultant: Lansing Engineering, C. Jarvis

Consultant/Applicant Presentation:

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Paul Lubera, Lansing Engineering, stated he is here for initial feedback. He stated this application is in the Tech Park in the B-5 Corporate Commerce Zone and the land is vacant. He stated the proposal is for two 75,000 sf buildings and one 30,000 sf building with 10% office space and 90% warehouse space. Mr. Lubera stated they would be connected to Synergy Park Drive and they meet the green space and parking requirements. Mr. Lubera showed a map of the project and stated the road with Phase I is expected to be completed and tied into Phase II with the project development.

Staff Comments:

Scott Reese, Zoning Administrator issued a memo stating:

- The creation of Lot A-1 will landlock 11 Synergy Drive. The filed plan (M2017016) at Saratoga County shows Lot A-1 as a stormwater management area, the project narrative should go further into detail how the removal of the SMA will be mitigated in other areas of the Tech Park. On the same filed map 11 Synergy Drive is shown as a "Open Space" with nature trails and boardwalks, will this still be the case for this submittal? If it remains a permanent open space then provide an access easement on Lot A-1 to 11 Synergy Drive, if 11 Synergy will be a building lot then a minimum 40 foot wide property strip will need to access the roadway.

Scott Reese, Stormwater Management Technician issued a memo stating:

- The creation of lot A-1 is the area where a stormwater management area was proposed for the development, including the roadway. The applicant shall provide an updated stormwater report on how the runoff from the roadway will be treated.

John Scavo, Director of Planning issued a memo stating:

- 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
- Previously, as part of the SEQR review, the Planning Board completed an analysis of a comprehensive build-out plan for the development of Synergy Technology Park and issued a Negative Declaration. The concept plan represents details for advancing a site plan and subdivision for some of the lots within the park. The Planning Board should continue its review and considerations for potential significant impacts. However, the Board may rely upon its prior SEQR findings, confirming that this application does not present impacts not previously considered and mitigated. Previous mitigation includes assigning a wetlands buffer from ACOE wetlands and traffic improvements associated with adding a dedicated right turn lane on Kinns Road to the NYS Route 9 Intersection.

Professional Comments:

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

STATE ENVIRONMENTAL QUALITY REVIEW

1. Based upon our review of Part 617 of NYS Environmental Conservation Law, the project appears to be a "Type I" action per 6 CRR-NY 617.4.b(6)(i). 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. Saratoga County Planning: 239-m County Referral
 - e. New York State Department of Environmental Conservation: Stormwater Permit
 - f. NYS Historic Preservation Office: NYS Heritage Area
 - g. NYS Department of Transportation: Proximity to a State Route (Route 9)
2. Part C.2.b – the applicant indicates that the action is within a designated NYS Heritage Area (Mohawk Valley Heritage Corridor). The applicant should review the Heritage Area plan and confirm their proposal is within the guidelines laid out in the plan and maintains the surrounding community character of the area.
 3. Part D.1.b - The applicant indicates that the action will disturb +/- 11.85 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-0-20-001. Therefore, a full SWPPP will be required that addresses 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.
 4. Part D.1.d.i – Applicant needs to clarify purpose of subdivision – residential, industrial, commercial, etc.
 5. Part E.2.h - 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 other waterbodies.
 6. Part E.2.l – The response indicates that the project site is located over, or immediately joining a Principal Aquifer, Sole Source Aquifer, please identify the name of the aquifer.
 7. Part E.2.m – Please indicate the predominant wildlife species that occupy the site.
 8. Part E.2.o - The report indicates that the project site may contain species of animals or associated habitats, listed by the State or Federal government as threatened or endangered, including the Karner Blue and Frosted Elfin. The applicant will need to provide correspondence from the permit staff at the NYSDEC Region 5 Office to confirm the presence or absence of the listed species and for any permit considerations. The applicant should also provide correspondence from the NY Natural Heritage Program to confirm the presence or absence of rare plants or animals and significant natural communities as well as the US Fish and Wildlife Service IPaC database
 9. Part E.3.e- 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 or archeologically sensitive resources.

10. Part G – The applicant shall provide an updated EAF with all questions completed and signature included.
11. 11. No further comments at this time.

SITE PLANS/SUBDIVISION

12. 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.
13. The project also proposes a subdivision of three existing parcels to four reconfigured parcels
14. Provide a bulk table showing the resulting conditions of proposed Lot 1, 2 and A-1 in terms of existing and proposed bulk lot requirements.
15. Show the building setback lines for each parcel boundary.
16. The subdivision map should indicate any cross-connection easements between the two lots.
17. Subsequent submissions shall include the metes and bounds of the affected lots and right-of-way. This plat shall be prepared by a surveyor licensed to practice in the State of New York.
18. The plan shows both NYSDEC and USACOE regulated wetlands on the site. Provide notation regarding when and by whom the regulated wetlands were delineated.
19. Provide documentation that the NYSDEC and/or USACOE have reviewed and determined that the wetland boundaries shown to be accurate. If a jurisdictional determination has been issued, provide copies to the Town for their records.
20. Provide the turning template to show that a tractor trailer can back into each of the eleven (11) docks provided.
21. Show all ingress/egress doors.
22. Show any required ADA drop curbs and/or ramps
23. The plan shows work within the NYS Route 9 right-of-way and is subject to the review and approval of NYSDOT as part of a utility work permit. The applicant shall submit the plans to the NYSDOT for initial review as early as possible to gain feedback. The final plans shall incorporate any technical comments issued by the NYSDOT.
24. The following comments are specific to the site layout and compliance with the Fire Code of New York State (FCNYS).
 - a. Section 503.1.1 requires a fire apparatus access to extend within 150-feet of all portions of the facility and all portions of the exterior walls of the first story of the building. It should be noted that depending upon what type of materials are planned for storage within the warehouse, it may require additional measures be included as part of the project's fire service features as may be required by the NYSFC.
 - b. Confirm whether the building will require an automatic sprinkler. If the building is to be sprinklers, show the location of the fire department connection.
 - c. Show the location of the required Knox Box.
 - d. In the event the proposed building is greater than 30-feet in height, aerial apparatus access would be required and other provisions of Appendix D of the Fire Code of New York State would apply.
 - e. The location and layout of the fire apparatus access and aerial apparatus access shall include turning templates for the largest responding emergency vehicle and shall be reviewed by the responding agency(s).

25. 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.
26. 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.
27. 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.
28. Subsequent plans shall describe or illustrate the project's proposed landscaping to ensure conformance with Section 208-55(B) of the Town Zoning. The overall intent of this section is to promote and achieve, where possible, a well-landscaped site that takes into consideration the surroundings and the total environment. Consideration shall be given to preservation of natural and existing vegetation as well as new plantings throughout an entire site including along Route 9.
29. Subsequent submissions shall include building elevations to demonstrate conformance with Section 208-55 (C) of the Town Zoning.
30. Show any proposed free standing or building mounted lights. If any are proposed, provide proposed footcandle values at pavement levels.
31. Considering the plan submitted is conceptual in nature, we will reserve further comments until more detailed plans and reports are submitted. Subsequent submissions shall include information as outlined in Section 208-115 of the Town zoning specific to site grading, lighting, erosion control and stormwater management to fully assess the design and its compliance to the applicable standards.

Public Comments:

No public comments.

Planning Board Review:

Ms. Bagramian clarified that it is office and warehouse with an ancillary office space. Mr. Lubera confirmed.

Mr. Ophardt stated he could not find the original approved plans for this project. He stated he recalled that lot 11 was set aside for recreational space and asked why they are coming in for a building. Mr. Scavo stated he can look at Phase I. Mr. Lubera stated that stormwater had been modified to accommodate the buildings with recreational space behind it.

Ms. Bagramian stated she wants a condition to bring water and sewer down from Route 9. Mr. Scavo stated on November 20 at 6p.m. there will be a review of the plan and the map and report will follow so the Board can see.

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Mr. Ophardt asked whether the existing right-of-way has been narrowed to accommodate the proposed buildings. Mr. Lubera stated it was not narrowed, just shifted to accommodate the new buildings. Mr. Ophardt asked about the status of the approved 10-foot shared use pathway parallel to the existing roadway. Mr. Lubera stated they would look into this and he was just going by what was previously approved.

Ms. Bagramian asked if there would be dock doors and if they would be ground height. Mr. Lubera stated there would be but he doesn't have specifics off hand. Ms. Bagramian stated she would need to see the turning radius.

Mr. Lippmann stated that access shows a connection to Route 9. Mr. Lubera stated it is not connecting; this is just a fire apparatus staging area.

Mr. Andarawis asked for the buffer for Route 9 be adequate as he has visual concerns. He stated that banked parking may be appropriate here. Mr. Lubera stated that they will look into banked parking as they are currently over-parked to demonstrate compliance with Town Code calculations.

Mr. Scavo made a list of comments given by the Planning Board for the applicant to address:

1. Provide responses to town staff, MJ Engineering, and advisory committee comments (40' deed restrictions offset from regulated wetlands).
2. Planning Staff will send original Phase I Synergy Plan to Planning Board Members
3. Show the Shared Use Path Location relative to the proposed site plan and subdivision and status to construct.
4. Provide the number of proposed loading docks and verify the turning radius
5. Define the area of mature tree buffer along Rt. 9 and evaluate shifting buildings west as far as possible to increase the buffer's integrity.
6. Change the building label to read warehouse/ancillary office.
7. Land bank parking where possible
8. Provide Building Elevations at the time of preliminary plan submittal.

New Business:

#2024-045 1759 Route 9 Automotive Center Site Plan

SBL: 272.1-2-4 Proposed construction of an Automotive Center, 1759 Us Rt 9 Zoned: B4A - Highway Business/Restricted Retail Status: Concept Applicant: Amedore Golf Park, LLC, Consultant: Advanced Engineering – N. Costa

Consultant/Applicant Presentation:

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Nick Costa stated he is here with the applicant, Patrick Ryan. He stated that the application is on 12.5 acres of land and some of in the land is in Halfmoon but this site plan is entirely within Clifton Park's boundaries. Mr. Costa stated that the application is for a car dealership with 528 parking spaces and they plan to develop 8.24 acres of the total land and it is in the B-4 zone and within code requirements.

Staff Comments:

The Environmental Conservation Commission and issued a memo recommending:

- The ECC requests the applicant to provide a light plan with a future submission. The lighting plan should be in compliance with International Dark Sky Standards.
- The ECC requests that the applicant to provide a planting plan with an emphasis on provision of greenery and mature trees to the greatest extent possible as per the Town Code and consistent with our status as a Tree City USA

John DeSimone, Fire Marshall, issued a memo stating:

- Existing postal verification will remain for this project. 1759 US Route 9

Scott Reese, Zoning Administrator issued a memo stating:

- This project is within the Highway Business / Restricted Retail Zoning District (B-4A). The project appears to be in conformance with Town Code Chapters 208-50.2 B. Permitted Uses include automotive sales establishments and car washes.
- On the Zoning and Land Use chart please correct the District from B-4 to B-4A Highway Business / Restricted Retail.
- The proposed layout shows the main public throughfare connection onto NYS Rt 9. In order to comply with Town Code 208-50.4 the access to Biette Road shall be an exit only or for emergency vehicles only.

Scott Reese, Stormwater Management Technician issued a memo stating:

- The concept plan is proposing all the parking areas that include car display areas, customer & employee parking, service vehicle parking, and inventory storage parking appear all to be on asphalt pavement. The applicant should consider for future submittals Green Infrastructure Practices for the inventory storage parking areas to reduce the amount of impervious surfaces, and propose porous pavement, permeable pavers, and/or porous concrete if conditions warrant.

John Scavo, Director of Planning issued a memo stating:

- 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 Parcel is within the B-4A Highway Business-Restricted Retail Zoning District. According to 208-44 of the Town Code, the B-4A zone is established to provide areas for business uses mainly oriented to the automobile.
- According to Section 208-50.2 of the Town Zoning Code, Automotive Sales Establishments are permitted within the B-4A Zoning District.

- As the site plan advances beyond the conceptual design level, please add a site statistics table that displays the required and provided information to address Space and Bulk Standards for the B-4A Zoning District under Section 208-50.3 A-G.
- As the landscaping plan is developed with a preliminary plan submittal, the applicant shall demonstrate compliance with Section 208-50.5 of the Town Code, which states that 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.
- As the lighting plan advances for the lighting of the parking areas, luminaires shall be aimed straight down, have no up-light, and shall meet IESNA full-cutoff/fully shielded criteria. For the lighting of predominantly non-horizontal surfaces, such as, but not limited to, building facades, landscaping, business signs, and vehicle displays, luminaires shall be adequately shielded and shall be installed and aimed so as to not project their output into the windows of neighboring properties, adjacent uses, past the object being illuminated, skyward or onto the public roadway. Cut-off shields may be necessary to meet building/wall pack lighting requirements.
- The applicant should verify that a car carrier can access and maneuver through the site and provide more specifics regarding anticipated car carrier specifications and turning radius needs with future submissions.
- Car dealerships generally have cars parked in various locations throughout the site so the board and town staff will consider customers' needs to get through the site.
- The applicant should contact the NYS Office of Parks Recreation and Historic Preservation to determine if the site warrants further archeological investigation based on the SEQR Part 1 Response to Question 12-b. The States Cultural Resources Information System (CRIS) appears to have a survey record number 13SR62467 associated with the project site containing Phase I Cultural Resources Survey, Site Assessment, and Field Documentation on file.

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: SCSO Connection
 - d. Saratoga County Planning: 239-m County Referral
 - e. New York State Department of Environmental Conservation: Discharge and NOI

- f. New York State Department of Transportation: Proximity to NYS Route 9
 - g. 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 I.17 – The response indicates that the proposed action will create stormwater discharge. The Short EAF identified the total area of disturbance is +/- 6.75 acres. 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 addresses 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.
4. No further comments at this time.

SITE PLANS

5. The applicant should revised the "Zoning and Land Use" chart to reflect B-4a the Town's Highway Business/Restricted Retail (B-4a) zoning district.
6. The project is located within the Town's Highway Business/Restricted Retail (B-4a) zoning district. The proposal for automotive sale is a permitted use as noted in Section 208-45 of the Town's Zoning.
7. Revise the site statistics table to reflect the Town's Highway Business/Restricted Retail (B-4a) zoning district.
8. The existing conditions map shall include all the lands that will be developed. It appears areas are missing neat Biette Road
9. 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.
10. 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.
11. 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.
12. The project proposes access onto NYS Route 9, which includes construction of a widened curb cut and utility connections. This proposed work is subject to the review and

- approval of the NYSDOT. The applicant shall coordinate with the regional office of the NYSDOT and obtain permitting in advance of construction.
13. The project also proposed access onto Biette Road, which includes an improved curb cut. This work should be coordinated and reviewed by the Town Highway Department.
 14. Show the new water and sewer laterals that will service the site and the connection to public mains adjoining the site.
 15. It is recommended that at a minimum the number of peak hour vehicle trips, including truck trips be provided.
 16. 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.
 17. Indicate whether roof top mechanical units are proposed and how screening may be incorporated to shield them from the public view.
 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 comments.

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Planning Board Review:

Ms. Fariello asked if Keeler is buying the property and she is concerned about subdivision in the future. Mr. Costa stated Keeler is buying the property and there are several lots involved so there will be lot line adjustments with the application. Mr. Costa stated this is just the first portion of the site being developed.

Ms. Bagramian stated she would like elevations submitted with future submittals.

Mr. Andarawis stated he wants the stormwater management area moved to the front of the lot to be made part of the landscape. Mr. Costa stated they can look at this but not all of the stormwater management area could be moved there. Mr. Andarawis stated he would like the look of this softened since the frontage is on Route 9. Mr. Ophardt seconds the comment.

Mr. Ophardt asked if the applicant thought Route 9 would be the best entrance. Mr. Costa stated it is and the intent is to utilize the existing entrance on the property. Mr. Ophardt stated the entrance should be lined up more with Parkwood Plaza on the opposite side of US Route 9 so they don't conflict. Mr. Ophardt stated that the easement on Biette Road should only be an exit since it is an older nonstandard roadway. Mr. Scavo stated they do not want to see trucks parked on the side of the road for delivery off-loads.

Ms. Bagramian asked if there would be signage on the road or the building. Mr. Costa stated there would be. Ms. Bagramian stated she would like it on the landscape plan.

Mr. Scavo made a list of comments given by the Planning Board for the applicant to address:

1. Provide building elevations with a future submittal
2. Show lot line adjustment existing and proposed map
3. Verify adequacy and location of existing driveway onto Rt. 9
4. Develop stormwater design for providing information that includes the look and feel of management areas, locations, and elevations.
5. Develop landscaping along Rt. 9 Frontage in conjunction with a free-standing sign location.

New Business:

#2024-046 Pierce Road Medical Building (Smile Lodge) Site Plan

SBL: 265.-1-12.13 Proposed construction of a 16,000 sf medical building on 8.07 acres within an existing office park Pierce Rd, Zoned: L1 - Light Industrial 1, Status: Concept Applicant: Dwaas Kill Fens, LLC, Consultant: EDP Partnership – G. Vuillaume

Consultant/Applicant Presentation:

Gavin Vuillaume stated he is here for the Smile Lodge. He stated that Dr. McDonald has done a good job with the group practice and the original building was constructed in 2012 in the center of the property. He stated the building has parking on 3 sides and a sedation center was added to the front of the property in 2019 with additional parking. Mr. Vuillaume stated the applicant would like a play area in the field for kids and a 16,000 sf building added. He stated they may need to adjust a lot line to accommodate this and parking would be shared with the original building. Mr. Vuillaume stated there would be a total of 230 parking spots for 2 buildings and if more parking is needed they could use the playfield.

Staff Comments:

The Environmental Conservation Commission and issued a memo recommending:

- The ECC requests that the applicant indicate where, if any, outside medical waste storage will be located.

Mike OBrien, Sewer Review, issued the following memo:

- Town Sewer Department will need information regarding flows and system design for review. This project discharges to a Town owned Sewer Main and capacity must be verified.

Scott Reese, Zoning Administrator issued a memo stating:

- Applicant is proposing a lot-line adjustment along with the modified site plan. Future plans shall show the building and parking setbacks from the proposed lot line and the existing lot line that will remain.
- The existing and proposed lot areas shall also be shown on the lot line adjustment plans. This parcel is located in the Light Industrial 1 Zoning District (LI-1). Per Town Code Chapter 208-64 A. (1) (i) offices and office parks are a permitted use.

Scott Reese, Stormwater Management Technician issued a memo stating:

- Applicant to have the SWPPP and stormwater management report revised to reflect the proposed changes.
- Applicant to show all wetland boundaries on the site plan.

Jennifer Viggiani, Open Space Coordinator issued a memo stating:

- Noted the consolidation of two buildings at 8,000 sf into one building at 16,000 sf. Please describe the nature of the "play fields" proposed. Will these be landscaped areas? Will there be fencing? How will this be created as play areas for children? There could be environmental educational play -- to connect the kids to learning about the nearby Dwaas Kill stream (a trout stream) and nearby wetlands. Play area could include native plants landscaping and bring nature into the play area -- for consideration. Another angle is learning about water and watersheds -- and rain and stormwater.
- Will there be any trees planted, or benches added for caregivers/parents? The Town has a nearby, 250-acre, Dwaas Kill Nature Preserve, on the opposite side of Pierce Avenue, so appreciate the outdoors / play area for the children, to encourage being outside in nature. Will the project incorporate pervious / permeable pavement for parking areas to help reduce stormwater impacts?

John Scavo, Director of Planning issued a memo stating:

- 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.
- A traffic analysis prepared by GPI and dated November 2011 was previously reviewed under Planning Board Project No. 2011-033, which considered the full build-out of the proposed medical office complex, including the build-out of this parcel with the current proposed intensity.
- The conceptual site plan appears to meet the L-1 District zoning, space, and bulk standard requirements.
- Clarify if this lot will likely contain an exterior refuse container.
- As the plan advances with detailed design, show where the new water and sewer laterals for each building will tie into existing utility extensions into the site.
- Clarification should be provided as to who delineated the wetlands, when they were delineated and correspondence from USACOE and/ or NYSDEC should be provided to confirm agreement of the wetland delineation identified on the site plan.
- It appears this final phase of the site's overall development will not result in any adverse impacts to regulated wetlands. Please confirm.
- Attached is a copy of the FEAF reviewed initially and completed with Planning Board Project No. 2011-033. The negative declaration issued by the Planning Board at that time contemplated this site plan for future build-out. The current proposal does not appear to exceed the thresholds established then, which would warrant a new SEQR review and determination.

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. Saratoga County Planning: GML 239-m County Referral
 - c. Clifton Park Water Authority: Water Connection
 - d. Saratoga County Sewer District #1: SCSD Connection
 - e. New York State Department of Environmental Conservation: Stormwater NOI PermitAdditional 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. 2 – The applicant indicated that the proposed action will require a permit, approval or funding from another government Agency. The applicant will need to select yes since permitting agencies were identified.
3. Part 1. 13.a. – The response indicates that wetlands or other waterbodies regulated by federal, state or local agencies adjoin or are contained within the project site per the EAF Summary Report. The applicant should provide documentation that confirms the presence or absence of federally regulated wetlands adjacent to the project site. Should this change as the project design progresses, additional approvals and permits may be required.
4. Part 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 Frosted Elfin and Karner Blue. The applicant should ensure that this response is inclusive of the U.S. Fish and Wildlife Service IPaC tool to ensure no federally identified species of concern.
5. Part I.17 – The response indicates that the proposed action will create stormwater discharge. The project will also disturb more than 1-acre of land. As such, it will be subject to the NYSDEC Phase II Stormwater Regulations and General Permit GP-0-20-001. Therefore, a full SWPPP will be required that addressed water quantity and quality controls. As the project proceeds through the Town’s regulatory review process, a fully conforming SWPPP shall be provided for review.

SITE PLANS

6. The project resides within the Town’s L1, Light Industrial District. In our review of Section 208- 64(a)(1)(i) of the Town Zoning, the proposed office is a permitted principal uses within the L-1 Zoning District.
7. Provide a site statistics table utilizing Section 208-38 Space and Bulk Standards. Information should include the standard and what is being proposed for each.
8. The plan shows providing 138 parking spaces. Provide a narrative on how they were derived utilizing Section 208-99 of the Town code.
9. Subsequent submission shall provide the required amount of ADA parking spaces per the 2010 ADA Standards for Accessible Design. Depending on the type of medical use, additional ADA spaces maybe required.
10. 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.
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. Any action on the application should be conditioned upon receipt of plan approval from the CPWA.
12. The project proposes to provide sanitary sewer service to the site from the Town of Clifton Park Sewer District #2 / Saratoga County Sewer District No. 1 (SCSD). The

- applicant shall provide the Town documentation indicating the Town's Sewer District and SCSD's ability and willingness to provide additional sewer service to the project.
13. Show the new water and sewer laterals that will service the site and the connection to public mains adjoining the site.
 14. Show how roof drainage is being captured and routed to the on-site stormwater system.
 15. Future plans shall incorporate appropriate illumination plan showing footcandle values.
 16. The site plans shall note the individual/firm that completed the wetland delineation and date of delineation being completed.
 17. It is recommended that a traffic impact study be completed that assesses peak hour vehicle trips, site distance and accident data. Given the curb cut is on County Road 92, the findings of the study should be provided to the Saratoga County DPW for input.
 18. Subsequent submissions should include architectural renderings of the building along with identification of materials of construction.
 19. Subsequent submissions should include a landscaping plan per Section 208-66B of the Town code.
 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. 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 507.5.1.1 of the NYSFC requires a fire hydrant to be located within 100-feet of the building's fire department connection. It is not clear from the plans where the closes hydrant to the site is or where the fire department connection may be. Additional hydrants may be necessary.
 - c. Show or note the location of any required Knox Box associated with the building.
 - 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. 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. Considering the plan submitted is conceptual in nature, we will reserve further comments until more detailed plans and reports are submitted. Subsequent submissions shall include information as outlined in Section 208-115 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.

Public Comments:

No public comments.

Planning Board Review:

Mr. Andarawis asked if the applicant would match the architecture of the original building. Mr. Vuillaume stated they are and renderings would be provided at the next meeting.

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Mr. Ophardt asked what the footprint of the new building would be and asked if there would be issues getting fire hoses around the building. Mr. Vuillaume stated it would be about 8,000 sf and he foresees no issues with access. Mr. Ophardt asks how the patrons would get to the building. Mr. Vuillaume stated there would be a path similar to the sidewalk there is now or even the boardwalk. Mr. Ophardt asked what the concept of the play area is. Mr. Scavo stated that some of the procedures take time and if a bus of foster children comes this would be a place they could utilize while waiting for others in the group.

New Business:

#2024-047 700 Carlton Rd 3 Lot Subdivision

SBL: 265.-1-92 Proposed subdivision of a 3.24 acre parcel into 3 separate lots. 700 Carlton Rd , Zoned: R1 - Residential Status: Concept Applicant: W. Beale, Consultant: Lansing Engineering, PC – C. Lansing

Consultant/Applicant Presentation:

Paul Lubera, Lansing Engineering, stated he is here tonight for a parcel on the corner of Carlton Road and Kinns Road. He stated the existing home on the property was demolished and there are DEC wetlands on the site. He stated the wetlands are not proposed to be disturbed and all 3 proposed lots are meeting the minimum requirements. He stated there would be a shared driveway and water and sewer will be provided with less than 1 acre of disturbance.

Staff Comments:

The Environmental Conservation Commission and issued a memo recommending:

- The ECC recommends that the applicant remove the existing crushed stone driveway.

Scott Reese, Zoning Administrator issued a memo stating:

- This parcel is located in the Residential District (R-1) where one-family dwellings are a permitted use. The subdivision appears to meet Town Code Chapter 208-11 space and bulk standards. The building setbacks from Kinns Road appear to meet Town Code Chapter 208-98 special setback lines.
- Utility easements should be shown on future plans.

Scott Reese, Stormwater Management Technician issued a memo stating:

- The applicant shall show and label future soil disturbance areas and provide the area of disturbance. The disturbance areas should include the removal of the existing driveway and keep out of the 100-foot adjacent area of the NYSDEC Wetlands if they have determined them jurisdictional.
- If the soil disturbances are greater than one-acre then a Basic SWPPP will need to be done for this project

John Scavo, Director of Planning issued a memo stating:

- 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.
- Add the following to the subdivision plat: STANDARD NOTE FOR LOTS WITH COMMON RIGHTS OF INGRESS /EGRESS: The proposed perpetual ingress-egress easements shown hereon shall be used in common by the owners of lot (s) numbered [insert relevant lot numbers per proposed map]. All such easements shall be in effect and binding upon the owners of said lots, their heirs, successors, and assigns and all future owners of said lots, their heirs, successors, and assigns upon the filing of this subdivision plat in the Office of the Saratoga County Clerk.
- A note must be added to the plat indicating any work within the Prior to work commencing within the public right-of-way, the property owner shall obtain a permit for construction of a Driveway from the Saratoga Co. Department of Public Works.
- Attached please find a County Permit for Construction of a Driveway for the applicant's use.
- On the EAF Form, Part 1 / Question 12b [Archeological Sites] is answered – Yes. Therefore, please provide correspondence with the New York State Historic Preservation Office (SHPO) to determine the presence and significance of archeological sites in your project area.

Professional Comments:

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

STATE ENVIRONMENTAL QUALITY REVIEW

1. Based upon our review of Part 617 of NYS Environmental Conservation Law, the project appears to be an “Unlisted” action. In Town Code Section 208.95(F)(9): Subject to and in accordance with the State Environmental Quality Review Act (SEQRA), the Planning Board shall be the lead agency for the purpose of conducting the environmental review of the application for a site plan. The Planning Board shall conduct an integrated comprehensive environmental review of the proposed project in combination with its review of the application under this article. If the Planning Board is to request Lead Agency status under SEQRA, the need to undergo a coordinated review is optional. Under a coordinated review, involved / interested agencies to be engaged may include, but is not necessarily limited to the following:
 - a. Town of Clifton Park Planning Board: Plan approval
 - b. Saratoga County Planning: GML 239-m County Referral
 - c. Clifton Park Water Authority: Water Connection
 - d. Saratoga County Sewer District #1: SCSD Connection
 - e. NYS Historic Preservation Office: Archeological sensitive area
 - f. NYSDEC: Stormwater General Permit, Endanger/Threatened Species

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

2. Part 1. 12.b. – The response indicates that the project site is located within or adjacent to an area designated as sensitive for archeological sites on the NY State Historic Preservation Office (SHPO) archeological site inventory. The applicant should provide a

correspondence letter from SHPO to confirm the presence or absence of archeologically sensitive resources.

3. Part 1. 13.a. – The response indicates that wetlands or other waterbodies regulated by federal, state or local agencies adjoin or are contained within the project site per the EAF Summary Report. The applicant should provide documentation that confirms the presence or absence of federally regulated wetlands adjacent to the project site. Should this change as the project design progresses, additional approvals and permits may be required.
4. No further comments at this time.

SUBDIVISION

5. The project is located within the Town's Residential District (R-1). The proposal for single family homes is a permitted principal use within the R-1 District as noted in Section 208-10(B)(2) of the Town's Zoning.
6. In reviewing the proposed lot configuration, the created lots appear to be deficient in regard to meeting the minimum standard requirements outlined in Section 208-11 of the Town's Zoning. The noted deficiencies are as follows:
 - a. Front yard setback from Kinns Road is 100 feet. It appears the house layout on Lot 1 is located within the setback.
 - b. It is noted that Lot 2 does not have frontage along a public street. Per Section 179-26 the subdividing of the land shall be such as to provide that each lot abuts a public street which provides satisfactory access via public streets to an existing public street or highway
7. The concept plan indicates that a NYSDEC wetland extends onto the parcel with the 100-foot adjacent area extending into the development area of the project. Provide boundary validation by NYSDEC.
8. The project proposes approximately 1 acre of disturbances associated with the lot development and therefore must gain coverage under General Permit GP-0-20-001 and prepare a Stormwater Pollution Prevention Plan. Since this project is for a single-family home, will have less than 5- acres of disturbance and will have 25% or less impervious cover at total site build-out, pursuant to Table 1 of GP-0-20-001, the SWPPP prepared only needs to include erosion and sediment controls.
9. The proposed point of access to Kinns Road should be verified to ensure proper AASHTO site distance is achieved. There should be an indication on the plan what the required and provided turning site distances are based upon the posted speed limit of Kinns Road.
10. It appears the 3-lots will share a driveway. Provide any easements (ingress/egress, etc.) on the subdivision plat and a draft copy of the language should be provided to the Town attorney for review.
11. The proposed shared driveway shall comply with the IRC and New York Supplement. Details or description of the proposed drive materials of construction shall be provided, confirming it will can support the load of the responding emergency vehicles.
12. The submitted plans provide no proposed contours. Subsequent submissions shall include sufficient data to support the area of disturbances noted.
13. Subsequent plans shall identify whether a driveway culvert will be required at Kinns Road to adequately convey roadside drainage.

14. 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.
15. The submitted information indicates the project is proposing to connect to an existing sewer main(s) within 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.
16. Provide notation on the plan as follows:
 - a. No Utilities shall be installed beneath the proposed driveways.
 - b. Any work required within the Town right-of-way shall be subject to any permitting from the Town of Clifton Park Highway Department (driveway, culvert).
17. Pursuant to Section 86-10 of the Town Zoning, the applicant shall be required to plant two trees per living unit on the street side of new construction sites. Provide planned species to be planted for review.
18. Prior to approval or filing of the subdivision plat with the Saratoga County Clerk, the appropriate 911 emergency response numbers must be obtained for and assigned to each lot created and placed on the filed plat.
19. Considering this plan is conceptual in nature, subsequent comments will be provided with a preliminary plan submission.

Public Comments:

No public comments.

Planning Board Review:

Mr. Andarawis asked why the drive would be off Carlton or Kinns. Mr. Lubera stated this is to minimize the traffic flow and site disturbance on Carlton Road.

Mr. Martin stated there is no pedestrian access in the area and there is only a stubbed path on Kinns Road and Van Patten Drive. Mr. Scavo stated there is an easement for a multiuse path here. Mr. Lubera stated the applicant would be amenable to putting in an easement. Mr. Ophardt stated he would like to see a path connecting Van Patten Drive to Kinns Road.

Discussion Items:

Mr. Scavo stated there is an upcoming Planning Conference.

Mr. Scavo stated the 2025 schedule should be coming out for the Board to review.

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Ms. Bagramian stated she would like to get Board input on moving the meeting times. Mr. Scavo stated he can send out a Doodle Poll.

Ms. Fariello moved, seconded by Mr. Martin, adjournment of the meeting at 10:53 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on November 26, 2024.

Respectfully submitted,

Paula Cooper

Paula Cooper, Secretary