

01/28/25

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

PLANNING BOARD

DENISE BAGRAMIAN
Chairwoman

VIDA SHEEHAN
Attorney

PAULA COOPER
Secretary



MEMBERS
Emad Andarawis
Eric Ophardt
Heather Fariello
Mario Fantini

Keith Martin
Lisa Westrick

Planning Board Minutes
January 28, 2025

Those present at the January 28, 2025 Planning Board meeting were:

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

Those absent were:

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

Mr. Ophardt moved, seconded by Ms. Fariello, to approve the minutes of the January 14, 2025, Planning Board meeting as written. The motion was unanimously carried. Mr. Andarawis and Mr. Martin abstain.

01/28/25

Public Hearings:

None

Old Business:

#2024-024 610 Tanner Road Site Plan Amendment

SBL: 270.-2-3.11 Site One Amended Site Plan, 610 Tanner Rd, Zoned: B5 – Corporate Commerce, Status: Preliminary Applicant: Marta Church , Consultant: ABD Engineers – J. Hitchcock, Jr Last Seen On: 04/09/2024

Consultant/Applicant Presentation:

John Hitchcock, ABD Engineers, stated he is here was presenting on behalf of Site One Landscaping, which is on 21 acres of land in the B-5 Corporate Commerce zone and is looking for approval tonight. He stated that they are under a Certificate of Occupancy, now and leasing land outlined in blue on a map displayed at the meeting. He stated that Site One sells patio blocks and stone for outdoor landscaping treatment. Mr. Hitchcock stated that Sunshine Landscaping, the previous tenant, had plants on the property, so they are looking for a site plan amendment. He stated that the company works more with contractors than the public, but the public is welcome to shop. He stated about 50 vehicles of customers per week have been seen, but the company does mostly deliveries, approximately 10-15 per week in the busy months, and 5-8 in the slower months are the per week deliveries they would average. Mr. Hitchcock stated they have increased the gravel crusher run so stormwater will be modified to accommodate the additional impervious surface and they are adding a connection to the 21st Century Park site to allow most deliveries to access there and keep off of Tanner Road. Mr. Hitchcock stated that 21st Century Park has emergency access here, but when the road is built, this will be closed and one truck access route will remain across both parcels. Mr. Hitchcock went through the concerns brought up by the Vistas and Vistas West Homeowners Association regarding dust control, noise issues and truck traffic. He stated that no construction is being done currently at Site One and the reported noise may be coming from the 21st Century site as well as the dust since that is an active construction site adjacent to Site One. He stated that Site One close at 4:30 p.m., so there is no business after closing. He noted Site One agrees not have deliveries being before 7 a.m. Mr. Hitchcock stated that he feels all of MJE comments can be addressed as well. He stated they are looking for conditional approval tonight.

Staff Comments:

The Environmental Conservation Commission and issued a memo recommending:

- Due to the significant change in use of this property the ECC recommends that the Planning Board require the applicant to install additional screening along NY Rt 146 (i.e. vegetative berm). As an example, the planted berm along NY Rt 146 at the adjacent 21 Century site. This would provide a consistent look and feel to the travel environment.
- With regard to 208-54 (Space and Bulk Standards) the applicant has not demonstrated that Lot coverage "Structures, parking areas, including maneuvering areas, stormwater retention areas, and other site amenities that are an integral and necessary part of the use shall not occupy more than 50% of the total lot area." In addition, Site-One should be required to meet the standard of 208-54 or the entire parcel should have a deed restriction indicating this 50% greenspace requirement.
- The Applicant must indicate the proposed amount of greenspace for this project on the plan by shading the greenspace area.
- Due to the recently implemented NYS Wetland Regulations, the ECC requests that the Planning Board require the applicant to place markers indicating the boundaries of the ACOE wetlands.

John DeSimone, Fire Marshall issued a memo stating:

- Existing postal number will cover this project. 610 Tanner Road

Scott Reese, Zoning Administrator issued a memo stating:

- This parcel is located within the Corporate Commerce Zoning District (B-5). Per Town Code Chapter 208-53 A. (9). Light manufacturing, processing, assembly and fabrication facilities, equipment maintenance, warehouse and storage facilities are a permitted use on this parcel. Per Town Code Chapter 208-53 A. (11) Accessory retail is a permitted use on this parcel. It was determined by the town that Sunshine Meadows Nursery & Landscape Supply uses were allowed on this parcel based on the two cited chapters. SiteOne Landscape Supply, a landscape company with outdoor storage has similar uses of the previous operation. SiteOne Landscape Supply is primarily a retail business and the wholesale is ancillary. Therefore, we can confirm that the activities of SiteOne Landscape Supply's operations are consistent with the Town's B-5 zoning code.
- The applicant is including the stormwater management areas in the green space calculations. Per Town Code Chapter 208-54 B. The applicant shall prove that the stormwater retention area will be improved to form an integral part of the landscaping scheme and would enhance the overall aesthetics and thus serve the purpose of the green space requirements of 50% green space coverage.

Scott Reese, Stormwater Management Technician issued a memo stating:

- I support MJ Engineering's comment letter dated January 24, 2025, comment # 11 regarding amending the SWPPP. The amended report shall address the current outlet that is installed of basin #1 and how it works for the design of this project.

Jennifer Viggiani, Open Space Coordinator issued a memo stating:

- This project is proposed on the approved, "Amended Site Plan Sunshine Landscaping, NYS Route 146 & Tanner Road" that was approved by the Town of Clifton Park Planning Board, and ultimately stamped and signed by the Planning Board Chair on 10/18/2019, and is in this project file in CitizenServe for all Planning Board members to view. On this approved Sunshine Landscaping site plan, there are labels for: 1) a 15-Foot Conveyance of a strip of land along NY 146 frontage; and, 2) for a 15-Foot Conveyance

01/28/25

of a strip of land along Tanner Road, for the purpose and public intent of future roadway improvements and future trail improvements. Please kindly ensure that these required/approved conveyances of land are completed immediately as part of the existing site plan for future roadway improvements and future trail improvements, that are part of the existing approved site plan for Tax Parcel #270.-2-3.11 (21.22 acres). Please provide the Metes and Bounds and all documentation required by the Town of Clifton Park Town Attorney and the standard Planning Board processes, for the 15-foot conveyances along the entire frontage along NY 146 and along Tanner Road as was required by Town of Clifton Park Planning Board approval, on the Sunshine Landscaping Amended Site Plan, stamped October 18, 2019 by the Planning Board Chairman. Please kindly ensure that this requirement of the existing site plan is accomplished in a timely manner, and is recommended for completion in the next 60 days, to ensure timely completion, if not immediately

Mr. Scavo stated in the meeting that he received 2 correspondences expressing concerns with the site plan, one from the Vistas West HOA and another from a resident of Vistas West. Mr. Scavo noted copies of each have been shared with the applicant and Planning Board for review and consideration. He asked the applicant if any additional plantings were proposed. Mr. Hitchcock stated there were none. Mr. Hitchcock stated there are trees along the west and south border on the original plan that Site One intends to plant, and the addition of a berm on 146 is not an issue.

Professional Comments:

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

STATE ENVIRONMENTAL QUALITY REVIEW

1. It is understood that this application is an amendment to a previously approved plan. The Planning Board as the SEQRA Lead Agency can either make a determination that this amendment is consistent with the Board's prior SEQRA findings and no further action is required or alternatively may re-initiate a new SEQRA review process specific to the amendments and make independent findings.

SITE PLANS

2. Clarify the source of the topographic information shown. All topography data shall be based upon an actual field survey as it appears the current stormwater management area, access road location, and road crossings of drainage swale are not as they appear on site.
3. It is noted that the parcel will be subdivided by a lease limit line, as part of this application the property owner should indicate what the proposed use will be on the north side of this lease line.
4. It is noted in the traffic study that the retail portion of the business will remain at use along with the proposed wholesaling. Please confirm the uses on the entire parcel. It should shown on the plans the anticipated truck routing for delivery and pick up.
5. It is noted in the plans under Town of Clifton Park Notes, Note No. 4 indicates that the outside storage areas are not to exceed 12 feet in height, this should be considered as part of the Planning board review.

01/28/25

6. Show the proposed entrance to 21st Century to ensure the proposed ingress/egress does not interfere with the boulevard entrance. If so, the boulevard entrance stripping may need to be revised.
7. Subsequent submissions should include delineation of the conservation easement with signage/fencing, etc. as seen fit by the Planning Board.
8. Orange construction fence should be placed around the ACOE wetlands to avoid construction vehicles from encroaching
9. The applicant shall consider additional landscaping along Tanner to provide a screen at Vista Courts.
10. It appears the project currently has permit coverage under NYR11E880 dated 3/9/2019 and is still active, therefore an amended SWPPP should be submitted to the Town for review showing the proposed improvements. These improvements include the gravel surface proposed for all the bulk materials.
11. The applicant should provide signage on the plans to direct trucks towards NYS Route 146 entrance and off of Tanner Road. The entrance on Tanner should be utilized for the retail portion of the business only.
12. The emergency access driveway should be provided with a breakaway gate on each end to discourage daily or accidentally use by delivery trucks.

Public Comments:

No public comment.

Planning Board Review:

Mr. Fantini asked if the applicant feels that the HOA requests are reasonable as the times they perceive are inaccurate. Mr. Hitchcock stated he is not a Site One everyday but he was told there is no construction going on within the site. Mr. Fantini asked if there was a number for residents to call if a noise ordinance is not followed. Mr. Scavo stated he believes the ordinance is from 10pm to 7 am but he has to verify and the residents can call security if they have concerns

Ms. Bagramian asked if there was a noise ordinance for the Town. Mr. Scavo stated there is and that is why the applicant is not doing work until 7am. Ms. Bagramian stated the gravel and crusher create dust as well and they should have a sprinkler system in place. Mr. Hitchcock stated agreed a sprinkler would help and the crusher is essential for the forklifts and larger truck to drive on. Ms. Bagramian stated there should be a sprinkler system that turns on at noon.

Mr. Ophardt asked if there is a management plan for the site. To keep dust down, the gravel should be wetted down every morning and then again at noon.

Ms. Bagramian stated the berm on Route 146 needs to match the one on Tanner Road as requested.

Ms. Fariello stated that when the project was approved Mr. Martin had specifically requested a robust screening. Mr. Hitchcock stated the berm is 4' high and has trees on top. He stated if you

01/28/25

park at the Vistas you cannot see into the site except for the peak of the roof and feels that Tanner Road is sufficient.

Mr. Martin stated he remembers seeing a 2' hump of mulch on Tanner Road. Mr. Hitchcock stated a new berm was put on Tanner Road. Mr. Martin stated on 146 today, there is one, but not as good of an impression of a berm that is present on Tanner, and affirmed it is lacking.

Mr. Ophardt stated that neighbors on the Vista are complaining of noise and dust, but a berm would mitigate this, so something more robust should be done.

Ms. Bagramian stated that the wind blows masonry dust easily so trees and bushes would help catch this.

Mr. Andarawis stated that Route 146 is a major thoroughfare, and landscaping is also important there. Mr. Hitchcock stated he would bring the landscaping up to what was agreed upon in the original approval. He stated that 146 is lower than the site, so as plantings grow, it will be less visible.

Ms. Bagramian stated that these are landscapers, so landscaping should be nice. She asked what the applicant was planning to put in. Mr. Hitchcock stated they are putting in junipers, red maples about 6'-7' installed, and other plantings. Mr. Scavo pulled up the plan that indicated what other plants are being proposed. Mr. Hitchcock stated there is no fir trees on route 146, but they can put some along there.

Mr. Martin stated he hopes to see a mix so that the site is really screened. Mr. Hitchcock stated that what got transitioned into the plan from approval may be different here and asked Mr. Scavo to help mitigate this.

Mr. Andarawis stated that the visuals have changed since 2018, but they are still looking for a buffer and need to see what needs to be done.

Mr. Martin stated that more dense screening would help mitigate the neighbors' concerns. Mr. Hitchcock stated he could add more plantings.

Mr. Ophardt stated that Site One is wholesale and not retail. Mr. Hitchcock stated that they are not wholesale but resell to contractors in large amounts, like pallets. Mr. Scavo stated that they are competitive with contractors, and their competitors are Home Depot and Lowes. This is based on other sites and what they have now.

Ms. Bagramian asked if contractors needed Vendor Identification Numbers to purchase or if anyone could just walk in. Mr. Hitchcock stated anyone could walk in but they may pay more as a personal buyer than a contractor as they sell in larger quantities.

01/28/25

Mr. Andarawis stated that they had previously talked about the northern line of the site. The site is at 57% green space without the outdoor storage, and it is being developed to the north and south of the line, so there is not a lot of room to work with to stay over the 50% threshold. Mr. Hitchcock stated that if other projects happen, they would need to be taken into consideration.

Mr. Fantini asked the applicant to address the ECC marker concerns. Mr. Hitchcock stated that on the northwest side of the stormwater pond, there is protected land. There would be no room for construction there, so it would remain untouched, and there is no access.

Mr. Martin stated that they are asking for an inexpensive one-time marker for the land. Ms. Fariello stated that a sign could be put in and is practical. Mr. Scavo stated that a sign for no disturbance past the stormwater pond may be sufficient. Mr. Hitchcock stated that he thinks the applicant would agree to this.

Mr. Ophardt stated he still has concerns about traffic, mitigation, access, and maintenance. He would like a maintenance agreement in place for the access road and signage for truck traffic to use 21st-century access.

Mr. Andarawis stated that there are other parts of the site that the Board does not have precedent for, such as signage and lighting. Mr. Scavo stated that Mr. Reese is looking at these, and if necessary, the applicant will be referred to the ZBA.

Mr. Ophardt asked how much lighting would be needed at night. Mr. Hitchcock stated enough for security and he is unsure of what is on the original plan

Ms. Fariello moved, seconded by Ms. Westrick, to establish the Planning Board as the Lead Agency for this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA.

Mr. Ophardt moved, second by Mr. Fantini, to waive the final hearing for this application for the site plan review of 610 Tanner Road Site Plan Amendment, and to grant preliminary and final site plan approval conditioned upon satisfaction of all comments provided by the Planning Department, Town Designated Engineer, and all items listed in the final comment letter issued by the Planning Department.

Conditions:

1. No vehicle noise before 7 a.m. (Add Noise Ordinance to site plan). Add the following statement to the final site plan: Per Town Code Section 149 of the Town's Noise Ordinance: No person shall make, cause, allow, or permit the operation of any source of sound in any public space or right-of-way in such a manner as to create a sound level that exceeds 50 dBA for more than five minutes duration between the hours of 10:00 p.m. and 7:00 a.m. when measured at or within the real property line of the receiving property.

01/28/25

2. The applicant agrees to provide water for dust control measures over gravel areas with non-vegetative cover as a condition of site plan approval.
3. Add a Berm along Route 146 with plantings per the original plans.
4. Truck Access to be constructed in Spring 2025 through the 21st Century Complex. Provide positive guidance to commercial deliveries for Route.
5. Mix white fir species into the southern boundary in addition to the western property boundary with additional quantities of plantings spaced closer.
6. Delineate by signage the limits of construction disturbance heading towards the federally designated wetlands.
7. Add Additional plantings along the eastern boundary to control dust, light, and noise.
8. Upon completion of site plan improvements, provide the Town with a letter of compliance issued by the design professional certifying all improvements have been constructed per the approved site plan.

Ayes: 7

Noes: 0

The motion is carried.

Old Business:

#2023-011 967 Riverview Road 3 Lot Subdivision (Lee)

SBL: 269.-3-28 Three lot subdivision, 967 Riverview Rd, Zoned: HR - Hamlet Residential, Status: Final Applicant: Virginia Lee, Consultant: C. Pagan Last Seen On: 11/26/2024

Consultant/Applicant Presentation:

Chad Pagan stated he was last here before the Board in November of 2024. He stated that at the time, the Planning Board had recommendations, including having one driveway shared. He stated that this has been done and reflects the plans. Mr. Pagan stated on January 7, 2025 the ZBA granted the needed variance for the project on Lot 3 and he is here tonight for approval.

Staff Comments:

Scott Reese, Zoning Administrator issued a memo stating:

- An area variance was granted on January 7th, 2025 by the ZBA to reduce the required 40 foot width of the strip of land to 25 feet wide.

Scott Reese, Stormwater Management Technician issued a memo stating:

- No further comments other than supporting MJ Engineering's comment letter dated January 24, 2025, regarding the Stormwater Pollution Prevention Plan modifications.

Mike OBrien, Sewer Review issued a memo stating:

- This Proposed Subdivision will be served by the Rivercrest Sewer District Ext. 1 Sewer District. This sewer system flows to the Town of Glenville and the Town of Glenville will need to approve the additional flows.

Professional Comments:

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

STATE ENVIRONMENTAL QUALITY REVIEW

1. No further comments.

SUBDIVISION

2. As noted in Comment 3 of our November 22, 2024 review, provide proposed contour lines at a minimum of two-foot intervals in order to verify the limits of disturbance and wetland disturbances.

STORMWATER POLLUTION PREVENTION PLAN

3. As noted in Comment 7 of our November 22, 2024 review, The report should include the total impervious coverage (both existing and proposed) in the project description.
4. As noted in Comment 8 of our November 22, 2024 review, The eNOI page 2/15, Project Location should be DEC Region 5.
5. As noted in Comment 9 of our November 22, 2024 review, Appendix E – Erosion and Sediment Control plan - Wherever grading is to occur adjacent to regulated wetlands, provide orange construction fence as an added protection and barrier.

Public Comments:

No public comment.

Planning Board Review:

Mr. Andarawis stated that he agrees with the home's historical significance and the Town registration. He feels this is a unique piece of the Town, and even though he does not like keyholes, he feels it should be considered over demolishing the historical buildings. He stated that he appreciates the applicant merging the driveways and the owner trying to connect to the side road even though they cannot.

Ms. Bagramian stated she agreed with Mr. Andarawis' comments.

Mr. Martin stated there are specific formulations to keyhole lots and feels Mr. Andarawis' articulations adequately address them.

Ms. Fariello stated that she is happy with the changes that were made.

Ms. Fariello offered Resolution #03 of 2025, seconded by Mr. Fantini, to waive the final hearing on this application and grant preliminary and final approval of the special use permit, conditioned upon satisfaction of the comments offered by the Planning Board, Planning Department, and Town Designated Engineer, including submitting the landscaping plan for approval to the Planning Department prior to the stamping of the Special Use Permit.

Roll Call:

01/28/25

D. Bagramian - Yes
L. Westrick – Yes
H. Fariello – Yes
E. Andarawis – Yes
E. Ophardt – Yes
K. Martin – Yes
M. Fantini - Yes

The motion is carried.

New Business:

None

Discussion Items:

None

Ms. Fariello moved, seconded by Ms. Westrick, adjournment of the meeting at 8:10 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on February 11, 2025.

Respectfully submitted,

Paula Cooper

Paula Cooper, Secretary