

**Town of Clifton Park Planning Board**  
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PLANNING BOARD

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Emad Andarawis  
Eric Ophardt  
Ram Lalukota  
Andrew Neubauer  
Denise Bagramian  
Greg Szczesny

(alternate) Keith Martin

**Planning Board Minutes**  
**January 12<sup>th</sup>, 2021**

Those present at the January 12<sup>th</sup>, 2021 Planning Board meeting were:

Planning Board: R. Ferraro, Chairman, E. Andarawis, D. Bagramian, R. Lalukota, A. Neubauer, E. Ophardt,  
Keith Martin – Alternate Member

Those absent were: G. Szczesny, absent for beginning of the meeting, arrived via Zoom at 8:40 pm, the Druthers Site Plan application.

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

Mr. Ferraro, Chairman, called the meeting to order at 7:00 p.m. Mr. Ferraro stated that the Planning Board meeting for tonight is being held remotely due to the current health crisis and inability to hold large gatherings in one place.

**Minutes Approval:**

Ms. Bagramian moved, seconded by Mr. Neubauer, to approve the minutes of the December 8<sup>th</sup>, 2020 Planning Board meeting as written. The motion was unanimously carried.

**Public Hearings:**

None

**Old Business:**

**2020-026 & 2020-027** **132/134 Lapp Road Site Plan & SUP** Applicant proposes to build two 2 family residential dwellings with separate driveways that will access to Lapp Road. Also involves parcel 284.13-1-18 (134 Lapp Road) Public Hearing previously held and closed on 10-27-20, 132 Lapp Rd, Zoned: R-1, Status: PB Prelim Review - Poss. Determination

SBL: 284.13-1-19

To be reviewed by: MJE Consultant: EDP Applicant: A. Massaroni **Last Seen on: 10-27-20**

**Consultant/Applicant Presentation:**

Anthony Massaroni – property owner – Mr. Massaroni stated he is here tonight looking for preliminary and final approval consideration for his proposed site plan and special use permit application. He stated that the property consists of two existing lots, located on the corner of Lapp Road and Crescent Road and was previously approved for two medical office buildings. Mr. Massaroni stated that as the comments offered by Town Staff and Planning Board Members from the last meeting, were addressed under the current submittal with landscaping on Lapp Road, front building elevation provided, and showed an example for the garage doors submitted. He stated the stormwater concerns have been addressed and provided the Board with the hydro cad modeling submitted for review. He stated that by grading, 4 grassy depressions, and 2 additional rain gardens the impacts of runoff to neighboring properties have been addressed and do not increase intensity or velocity of existing runoff conditions.

Mr. Ferraro asked if the applicant has had conversations with Scott Reese about the stormwater management. Mr. Massaroni stated that he has not but Owen Speculstra, P.E. from EDP has had conversations with both Mr. Reese and Mr. Lippmann on behalf of the application.

**Staff Comments:**

**Steve Myers, Director of Building and Development issued a memo dated 1/4/21 stating:**

1. Ensure deed restrictions note that none of the stormwater practices can be altered by current or future tenants without town approval (applies to rain gardens, pipes, swales).
2. The stormwater discussion from the engineer clearly states “stormwater flows directly to the low lying areas on the adjacent properties to the west”. The proposed grading design does not alleviate this issue and should not be approved.
3. Sewer connection for 132 Lapp Rd. needs to be shown
4. The town needs to take action regarding the runoff from 140 Lapp Road as part of this project
5. Use of the two easements for stormwater control should be further investigated
6. Vegetation to remain shall be clearly delineated prior to the start of work to avoid conflicts with the site work

**Wade Schoenborn, Chief of the Bureau of Fire Prevention:**

1. No comment

**Scott Reese, Stormwater Management Technician issued a memo dated 1/7/21 with the following comments:**

1. The applicant has provided stormwater management on the project site to keep postdevelopment stormwater runoff equal or below pre-development conditions. Deed restrictions are encouraged to protect the integrity of the stormwater management areas for this project.

**The Environmental Conservation Commission held a meeting on 1/5/21 and issued a memo recommending:**

1. The ECC recommends that the Planning Board require a deed restriction which prevents the property owner from altering the stormwater management facilities.
2. The Applicant should retain existing vegetation and/or use landscaping and grading to provide visual and auditory buffering between the project and the adjacent properties, including the homes to the rear of the project. 3. The ECC recommends that the planning board require a deed restriction to maintain the vegetation buffer to the adjacent properties.

**The Open Space and Trails Committee submitted the following comments for the Planning Board to consider in its decision making:**

1. Consistent with the recommendation from ECC, the OSTRC suggests retaining existing vegetation or utilizing landscaping that provides a visual and auditory buffer between the project and adjacent properties.
2. Consider installation of a public sidewalk along the Lapp road frontage within the Town Right of Way – connecting on south end to the two crosswalks on Lapp/Crescent allowing safe pedestrian access to the existing road crossings on Lapp/Crescent

intersection, and allowing connection to the existing path on the southern side of Crescent Rd.

**John Scavo, Director of Planning issued a letter dated 12/28/20 with recommendations he made:**

1. The Saratoga Co. Planning Board issued a letter dated November 20, 2020, stating that the project will have no significant county-wide or inter-community impact.
2. A Residential Driveway/Culvert Installation Permit Application was approved by the Town Highway Superintendent on September 16, 2020.
3. Prior to the issuance of a Certificate of Occupancy being issued by the Building Department, Town Staff will inspect the site to determine if the improvements conform with the approved site plan and any conditions attached to the Special Use Permit.

**Professional Comments:**

**Walter Lippmann, P.E. of MJ Engineering in a letter dated 1/8/21 had the following comments:**

**SITE PLANS**

1. No roof leaders are identified to service the buildings. The applicant shall indicate how roof runoff will be conveyed from these buildings. If gutters are going to be provided, the roof leader connections should be identified.
2. Within the plan set, provide a generic planting plan for the bioretention areas pursuant to Section 6.4.5 of the NYSSMDM.
3. Indicate the location(s) of sediment basins to direct runoff to during construction.
4. It is recommended that an impermeable liner be utilized in the rain gardens as it will ensure that the soil mix will remain segregated from the surrounding soils and ensure high groundwater will not compromise system functions.
5. On sheet 3 of 4, indicates two proposed 321 contours at the northwest corner of the northern most building, revise accordingly.
6. On sheet 3 of 4, provide the permanent check dams as the swale longitudinal slope is 7%.
7. Provide the anticipated velocity in the proposed vegetated swale.
8. On sheet 3 of 4, spot elevations inside the two rear depression areas appear to be higher than the surrounding contours. For example, the surrounding contour is 317.00, however spot elevation inside is 317.25.
9. On sheet 3 of 4, consider widening the proposed 317 contour in the rear of the northern most building as, it narrows down to just 1 foot.
10. Extend FES from SMA#3 closer to the start of the proposed swale leading to the rear depression area to ensure flow entry.
11. Provide a berm above contour 318 on the north end of Pond 1P to prevent overflow from jumping sides during all storms (1-year peak elevation is 318.09, 10-year is 318.19 and 100-year storm is 318.35).
12. Indicate the need for underdrains in the rear depression areas.

13. The foundation drains should not be discharging on to the adjacent properties. Due to the high groundwater table continuous flow could be problematic. Consider providing a depression area and rip rap.
14. Since the stormwater management area will be owned and operated by the applicant, a Town of Clifton Park Maintenance Agreement will need to be executed and filed with the Town.

### **Public Comments:**

Rich Tordirichi – 2B Easton Drive – He stated that there are other concerns with the proposal, including the drainage and asked if the conduit would be draining to Easton Drive. Mr. Massaroni stated that it would be draining to Daylight not Easton by a piped system. Mr. Tordirichi stated that this is a concern as he stated that there is a lot of water that travels through the area already. He stated that he also questions the application’s ability to meet the R1 zoning law that would allow duplexes but they need to build on 40,000 square feet per duplex parcel. Mr. Ferraro stated that on August 18, 2020 the Town Zoning Board of Appeals granted area variances for the two units. Mr. Scavo showed on the Zoom screen the variances granted and notes on the submitted site plan stating such.

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche asked if there could be an easement on Crescent and Lapp Road for a possible future trail, and if the applicant could keep vegetation on the corner as to screen the property from the roadway. He also asked if the home could be pushed more away from the intersection in case there is ever a roadway enlargement. Mr. Ferraro stated that that the easement for a future trail/sidewalk is shown on the plan and that the side yard is set back 10’ and meets the code.

Ralph Real – 13 Hiawatha Drive – Mr. Real stated that he spoke previously at the public hearing and is still concerned that this development is too much for the property and it is too small. He stated that there is a lot of traffic on Lapp Road and it will only increase by adding two, 2-family homes. Mr. Real stated that there are other vacant lots neighboring this and he is afraid that there will be more special use permits for them as well if this one is approved. He stated that he feels that the neighboring properties will lose value due the duplexes being built.

### **Planning Board Review:**

Mr. Neubauer stated he had concerns with the architecture on the elevations submitted previously but feels that the applicant now has addressed the concerns and finds them acceptable. Mr. Neubauer stated that he feels that there needs to be separation of the 2 sides of the duplex more than just the plantings and that he would like to see an offset of the garages. Mr. Massaroni stated that this can be done and reflected in the final plans and that there will be trees added along Lapp Road as well to help hide the garage doors. Mr. Ferraro stated that the façade

renderings do not show the same as what is in the site plan. Mr. Massaroni stated that he believes that the doors will be offset 2-3 feet and brown in color. Mr. Ferraro asked if there would be plantings between the doors as well as paneling as shown in the picture. Mr. Massaroni stated that there will be no plantings as they would not be efficient for winter snow plowing. Mr. Ferraro agreed with Mr. Neubauer that the offset would look better and should be a condition of approval.

Mr. Ophardt asked if the deed restriction that the ECC recommended in the rear would require maintenance and who would be responsible for it. Mr. Massaroni stated that he would be responsible for the maintenance. Mr. Ophardt asked if he were to sell in the future, it needs to be deed restricted as to who would continue maintenance and what the restrictions to the stormwater management are. Mr. Ferraro stated that he agrees that there needs to be a deed restriction for stormwater management and maintenance of buffered areas, swales, rain gardens, and a restriction of accessory structures including a swing set or similar structures in the area of the stormwater management area and it should be a condition of approval. Mr. Ophardt asked if there would be any patios or decks off the rear of the building. Mr. Massaroni stated that there will be decks off to the side of each building.

Mr. Ferraro stated that he has concerns about the comments made by Mr. Myers that the models do not alleviate the stormwater problems. Mr. Scavo stated that there is less than 1 acre of disturbance and that the applicant has gone above and beyond the town requirements which represent NYS DEC Stormwater requirements. Mr. Lippmann stated that the model shows all runoff going to the east to the rain gardens then west to the secondary treatment area. Mr. Ferraro stated that the applicant should put on the site plan, verbiage to make sure that the needs of stormwater are being met and will continue to be met, would be satisfactory for him. Mr. Ferraro also stated that he would like in the notes that existing vegetation in the buffer areas are to remain to the greatest extent possible, and be defined as well with signage and/or split rail fencing. Mr. Massaroni stated that the tree line can remain but the overgrowth and underbrush area may need cleaning up. Mr. Ferraro stated that signage needs to be on the property to clearly identify the buffer area as to not disturb it as well as split rail fencing to visually delineate the area for the future.

Mr. Ophardt offered Resolution #01 of 2021, second by Ms. Bagramian, to issue a resolution to waive the final hearing for this application and to grant preliminary and final approval of the special use permit, conditioned upon satisfaction of the comments offered by the Planning Board, Planning Department, and Town Designated Engineer, including submitting the landscaping plan for approval to the Planning Director prior to the stamping of the Special Use Permit.

Conditions:

1. Façade design has an offset at the garage doors.
2. Deed restrictions incorporated for each property for the stormwater management upkeep of the rain gardens, swales and the vegetative buffers and no disruptions to these areas will be made.
3. The applicant will work with the planning department for placement of do not disturb signage and split rail fencing depicting the buffer areas in the rear of the property.

## Roll Call:

Rocco Ferraro - Yes  
 Emad Andarawis - Yes  
 Eric Ophardt - Yes  
 Ram Lalukota - Yes  
 Andrew Neubauer - Yes  
 Denise Bagramian - Yes  
 Greg Szczesny - Absent  
 Keith Martin (alternate) – Yes

The Resolution 01 of 2021 was approved with 7 Ayes, 0 Noes from the Roll Call Vote.

Mr. Martin moved, second by Mr. Lalukota, to issue a motion to waive the final hearing for this application for the site plan review of 132/134 Lapp Road, 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 listened in the final comment letter issued by the Planning Department.

Conditions:

1. Façade design has an offset at the garage doors.
2. Deed restrictions incorporated for each property for the stormwater management upkeep of the rain gardens, swales and the vegetative buffers and no disruptions to these areas will be made.
3. The applicant will work with the planning department for placement of do not disturb signage and split rail fencing depicting the buffer areas in the rear of the property.

Ayes:   7  

Noes:   0  

The motion is carried.

**Old Business:****2020-037 Druthers of Clifton Park**

*Applicant proposes developing 5.3 acres with a restaurant/brewery. The plans will include outdoor dining areas that will provide opportunities for play area, casual seating, music and private events. Paved parking will be provided. The building will be connected to public sewer and water utilities and storm water will be managed on site, South Side Dr, Zoned: PUD (comm), Status: PB Poss. Final Determination*

SBL: 271.16-16.1

To be reviewed by: MJE    Consultant: EDP    Applicant: Druthers    Last Seen on: 11-10-20

Mr. Martin recused himself from this hearing. Mr. Ferraro confirmed.

**Consultant/Applicant Presentation:**

Joe Dannible – EDP – Mr. Dannible stated that he is here tonight for final approval for the new restaurant. He stated the project was last seen in November, at which time primary approval was granted and since then all outstanding comments conditioned for final approval consideration have been addressed. Mr. Dannible stated that there are now 17 land banked parking spots located nearest to the Bentley and there are more trees in the buffer area as well. He stated that the style of the ornamental fencing has been changed and Mr. Dannible showed on the Zoom screen a picture of what is now being proposed. Noted the design is in keeping with the theme of the building highlighting Clifton Park’s agricultural roots. He then noted that there will be gates for emergency access. Mr. Dannible stated that the photometric plan is updated and lighting is directed downward. Mr. Dannible stated that the sanitary sewer easement was looked into and it was found that the connection was never built and thus the easement does not exist. He stated that the site plan has been amended to show trees on South Side Drive and along the school district’s road access. Mr. Dannible stated that the outdoor dining area is not going to be bunched tables but rather spaced out with the outlay to change with seasons and special events, which has been reflected on the site plan. Mr. Dannible then highlighted the sidewalk along the building along half of the parking spaces to the handicapped parking area.

**Staff Comments:****Steve Myers, Director of Building and Development issued a memo dated 1/4/21stating:**

1. Since the access road from the Bentley has parking directly adjacent to it and it is considered a fire apparatus access road, the paved width of this road shall be 26’ per the NYSFC

2. The additional required hydrant noted in the last review is not shown. It will be required in the area of the outdoor bar building. A meeting with the fire chief was proposed to discuss hydrant placement but has not occurred to date. Discussions with CPWA have resulted in verbal approval to tap the water line on Windsor's property for this hydrant.
3. It appears other measures regarding SMA #1 are needed to ensure the required 4' separation to ground water is achieved. Further comments from Scott Reese shall be provided.

**Wade Schoenborn, Chief of the Bureau of Fire Prevention:**

1. Clearly specify all proposed and existing fire hydrant locations
2. Specify 911 address of 12 Southside Drive on Site Map
3. Bentley Fire Department access road must be 26' per NYSFC

**Scott Reese, Stormwater Management Technician issued a memo dated 1/7/21 with the following comments:**

No further stormwater comments.

**The Environmental Conservation Commission held a meeting on 1/5/21 and issued a memo recommending:**

1. The ECC recommends that the Planning Board require the applicant to record a deed restriction preserving the tree buffer, including maintenance, on the south side of the property adjacent to the Bentley.
2. The ECC recommends the applicant to provide a fence along Maxwell Drive to discourage foot traffic from pedestrians entering/exiting the site from Maxwell Drive. The ECC requests the applicant to provide information on the design and materials to be used for the fence along Maxwell Drive to the Planning Board.

**The Open Space and Trails Committee submitted the following comments for the Planning Board to consider in its decision making:**

1. The OSTRC would like to commend the applicant on a site plan application that provides an overall concept with outdoor seating that is highly positive for this location in the Town Center with proximity to the Town Center Park, nearby housing and other pedestrian generators.
2. This site provides a unique opportunity as a key connection between the Town Center and the Town Center Park f/k/a the "37 Acre Park." Sidewalks and crosswalks must be considered and are critically important on Southside Drive, Maxwell Drive Extension, School Drive – all of which lead directly to the Town Park. The crosswalks to Druthers and the sidewalks along the site should continue the strong pedestrian presence with a wider scale sidewalk (8-foot width is suggested) to continue across the frontage of the Druthers site.
3. The OSTRC strongly encourages the creation of a sidewalk along the south side of Southside Drive for direct access to the Town Center Park on the west and retail,

commercial and hotels on the east. This connection has the possibility for heavy-use and as a result should utilize larger than minimum sidewalks. OSTRC acknowledges the inclusion of sidewalks in the amended site plans. OSTRC recommends that the sidewalks be modified to 8 foot width.

4. The OSTRC acknowledges that this application is a PDD and not form-based code and Southside Drive is considered a type “C” or “Park Street.” Accordingly, the sidewalks should be 6 – 8 feet and set back from the street with a planted strip buffer. This includes a strong infill of medium street trees installed at 40-foot intervals. This presents an opportunity for an extension and transition of the greenspace presence beginning at the Town Park and transitioning to the Town Center.
5. The OSTRC strongly encourages a siting of the building, utilization of crosswalks/sidewalks, parking and utilization of existing vegetation within the concept to really maximize the integration of the site with the Town Center Park.
6. The OSTRC would encourage the applicant to consider using and implementing the existing “island of trees” on the otherwise cleared site to incorporate in their site plan and concept.
7. The OSTRC would request that the site plans clearly mark the property lines and ownership of the parcels to the west of the site, including the Town Center Park, to provide context for the Planning Board in considering the application.

**John Scavo, Director of Planning issued a letter dated 12/28/20 with recommendations he made:**

1. As requested in my previous review letter, A STOP Sign (MUTCD R1-1) with installation and mounting height details, should be added to the site plan at the egress from the private driveway onto Southside Drive. High Intensity Prismatic Reflectivity shall be the minimum standard for the sheeting material used.
2. There shall be no clearing, grading, construction, or disturbance of soil and/or native vegetation until the final plat has been signed and stamped, and an NOI Acknowledgement Letter from NYS DEC is received by the applicant.

**Professional Comments:**

**Walter Lippmann, P.E. of MJ Engineering in a letter dated 1/8/21 had the following comments:**

**STATE ENVIRONMENTAL QUALITY REVIEW**

1. No further comments at this time.

**SITE PLANS**

2. As per Comment 3 of our November 6, 2020 review, accessible parking spaces and access aisles shall be level with surface slopes not exceeding 1:50 (2%) in all directions pursuant to Section 4.6.6 of the ADA 2010 Standards. Provide spot elevations at these locations to confirm conformance.

3. The ADA parking spaces have been relocated from previous submissions. It is recommended that at least two of the spaces be relocated back to the front of the building as the accessible spaces must connect to the shortest accessible route to the building entrance. Where buildings have multiple accessible entrances with adjacent parking, the accessible parking spaces must be dispersed and located closest to the accessible entrances.
4. Confirm flush curbing in the front of building and side ADA spaces. If so, provide parking bumpers for each parking space along the flush curbing to prevent the car overhang from reducing the sidewalk width.
5. Provide spot elevations at along the accessible route from the accessible aisle to the accessible entrance to confirm each complies with the appropriate 2010 ADAAG standards.
6. Consider adding additional lighting in the overflow parking area.
7. Rain garden shall not be located within 10 feet of the foundation as per Section 5.3 of the NYSSDM.
8. Update elevations on detail 3 sheet 10 to match the grading plan and HydroCAD model.
9. Revise SMA#1 overflow weir call out on sheet 5 to 309.50 to match the grading plan and HydroCAD model.
10. Provide the appropriate easements on the plans for the culvert that extends from the adjacent property (Bently Condominiums) to the existing catchbasin within the Maxwell Drive ROW.

**STORMWATER POLLUTION PREVENTION PLAN (SWPPP) AND STORMWATER MANAGEMENT NARRATIVE**

11. Provide the stormwater maintenance agreement and easement to the Town.
12. Applicant indicated that IPAC and NYS Natural Heritage documentation will be provided within the SWPPP once received. To provide documentation regarding NYS Natural Heritage, it is suggested to review the NYSDEC Environmental Mapper for rare plants or animals. Attach a figure showing the project is outside of an area of concern to the SWPPP and this will satisfy the general permit requirements for NYS Natural Heritage. In addition, IPaC US Fish and Wildlife produces a report that can be added to the SWPPP text. Provide all documentation / correspondences within the SWPPP once received.
13. There is still a difference in the pre and post development watershed areas in the HydroCAD model. The pre and post watershed areas should be similar in size or an explanation provided within the text of the SWPPP as to why there is a substantial difference between pre and post development watershed areas.

**Public Comments:**

Bonnie Kowalski – Ms. Kowalski asked if the land banked parking would have to go back to the Board for approval if the applicant wants to make them useable and what trees would remain if the land banked parking were utilized. Ms. Kowalski asked if there could also be a sign on the emergency access road to let the public know that the road is not an access to the property. Mr.

Ferraro stated that the land banking will be addressed during the Board comments. Mr. Scavo stated that access will be controlled by the locked gate. Ms. Kowalski asked that a sign be put at the beginning of the road on Wall Street. Mr. Scavo stated that he can work with the Highway Department to see if it can be done. Mr. Ophardt asked what would keep the public from going around the gate. Mr. Scavo stated there are trees on the sides of the gate.

Joseph Nial – Bentley resident – Mr. Nial stated he would also like more detail on the land banking.

### **Planning Board Review:**

Mr. Ophardt asked the applicant if there are 150 seats in the outdoor area. Mr. Dannible stated no, there are 100 outdoor seats and 50 seats in the pavilion. Mr. Ophardt asked the applicant how the area would be managed as far as people from inside wandering around outside and the outdoor areas. Mr. Dannible stated that it is self-controlling as people who do not have seating would not be served and State Fire Code Occupancy Levels limits the people inside as well as limited parking would stop going over total capacity. Mr. Ophardt asked if the paved/gravel access would be impeded on the southeast corner for emergency access due to two parking spots are shown there as well. Mr. Dannible stated that the two parking stalls would have to be eliminated. Mr. Ophardt asked about the overflow area in the front of the building leading off site and if there is an easement needed. Mr. Dannible stated there will be an easement needed.

Mr. Neubauer stated that he appreciates the clarification for the sewer easement and feels that now that it is not in play he would like to see the building closer to South Side Drive. Mr. Neubauer stated that he would have liked to see more pedestrian access and circulation as well as setbacks more in line with Town Center Code. Mr. Dannible stated that this property is not required to conform to Town Center Code and the applicant has taken measures to help it fit in adjacent to the Town Center Zoning Area. Mr. Neubauer voiced his inability to support the final approval based on the siting of the building which is now learned is not constrained by a sewer easement previously shown and represented by the applicant.

Mr. Ferraro stated that with the easement not in place that the building placement on the lot could have been done differently if this was known at an earlier time that there were no restrictions in place. Though he would also prefer that the building placement be closer to South Side Drive side, at this stage of the review process, since preliminary approval has been given, he is reluctant to support the request that the applicant resubmit a new site plan. Mr. Dannible stated that circulation cannot happen if the building is pushed forward more than it is. Mr. Dannible stated that the site plan is zoning compliant.

Mr. Szczesny entered the Zoom meeting.

Mr. Ferraro stated that per staff comments that the access road should be 26' but he understands that this would interfere with the design of the site and understands that it is not required. Mr. Dannible stated that Mr. Myers said that 12' would be sufficient and they will keep this and make 26' of clearance of obstruction and vegetation and remove some land banked parking and bring the gravel out to 16-20'. Mr. Dannible stated that he is getting in contact with the Fire Chief to see what he would require and if what is proposed is satisfactory to them.

Mr. Ferraro stated that he believes that the land banking should be subject to Planning Board review and buffering reconciled. Mr. Ferraro stated that there are conflicting pages in the proposal on where the limit of clearing would be and this needs to be clarified. Mr. Dannible stated that the land banking should not be subject for further review but go before the Planning Department for approval for clearing, and if counsel needs to be consulted it can be but as far as he knows there has never been a condition like this before associated with land banked parking previously approved on any other site plan. Mr. Ferraro stated that he thought it was previously discussed that it would need to come back to the Board. Mr. Scavo pulled up on the Zoom screen the official minutes from the prior meeting to review the language noted under the conditions of preliminary plan approval. Mr. Szczesny stated that he feels that a land banking is always an alternative to parking but they have always been asked to come back to evaluate the applicants rationale for the need. Mr. Dannible stated that he disagrees.

Mr. Andarawis stated that the hope is the parking will not be necessary, as the Town Center continues to develop new alternatives such as structured parking such as new shared parking arrangements may become available.

Mr. Dannible stated that the stormwater has taken the land banked parking into account and would like this to be reflected in the plan so that if the applicant needs the parking then no stormwater re-evaluation is needed.

Mr. Andarawis moved, second by Mr. Ophardt, to waive the final hearing for this application for the site plan review of Druthers, and to grant final site plan approval conditioned upon satisfaction of all comments provided by the Planning Department, Town Designated Engineer and all items listened in the final comment letter issued by the Planning Department.

Conditions:

1. Future construction of the seventeen land banked parking stalls shall only be upon an application to and with review and approval of the Planning Board to further evaluate to what level additional buffering requirement or mitigation measures may be necessary due to the development of the land banked spaces with the knowledge that stormwater management has already been included with the 17 banked stalls.

2. Emergency access road is reconciled with town staff.

Ayes:   6  

Noes:   1  

The motion is carried.

### **New Business:**

#### **2020-057 & 2020-058 Blue Barns Solar Development SUP & Site Plan**

*Source Renewable LLC proposes installing a 2.5 MW-AC solar farm on the approximately 36 acre vacant CR property. The 19 Acre project area will consist of about 237 free-standing, tracking solar tables (total 19,206 modules/panels) to be installed. Anchored into the ground via H-Piles, each row of solar tables will be about 5.5 ft in height, 6.5 ft in width. Ground disturbance will be about .8 acres. Low-growth pollinator-friendly seed mix will be planted underneath the tables. An access road will enter the site from Blue Barns Road. Both underground and overhead electrical lines will be installed. Other project elements include minimum setbacks of 75 ft Front, 25ft Rea, 10 ft side from all property lines, agricultural fencing, small operational & control structures, and mostly unimproved access roads. Source Renewables, LLC will participate in the NYSERDA NY-Sun Initiative to provide clean energy to local businesses, Blue Barns Rd, Zoned: CR, Status: PB Concept Review*

SBL: 263.-2-80

To be reviewed by: MJE    Consultant: Labella Assoc    Applicant: Blue Barns Solar

### **Consultant/Applicant Presentation:**

Drazen Gasic – Labella Assoc. – Mr. Gasic stated that Mr. Andrew Day with Source Renewables is on the meeting as well if there are any questions he can address. Mr. Gasic stated that this application is for a 2.5 mw solar array on 16 acres of wooded land and the parcel is a total of 36.1 acres in a CR zone. He stated that this is on the east side of Blue Barns Road near railroad tracks. Mr. Gasic stated that there were 125 panels eliminated from the submission due to wetland impacts to the southwest. Mr. Gasic stated per DEC regulations, if the modules are spaced out 9 foot or more intervals the panels are not considered impervious, and therefore not a part of the SWPPP plan. He stated that the panels will be accessed by a gravel roadway with clean stone fill. He stated there is one equipment pad on site with no battery storage area. Mr. Gasic stated that the ground disturbance will not go further than 4 feet and the piles would go no further than 8-10 feet. He stated the array will be surrounded by a 6 foot chain link fence for security purposes. Existing vegetation will be used as much as possible for screening and more added where it may be needed. Permanent ground disturbance would be 0.8 acres. Mr. Gasic

stated disturbance for the posts have been limited to federal wetlands only. Setbacks are 75 ft. front, 10 ft. side, and 25 ft. rear setback, and that the solar is used for the community.

**Staff Comments:**

**Steve Myers, Director of Building and Development issued a memo dated 1/4/21 stating:**

1. The entire project should be shown on one sheet
2. Fire department access roads will be required in significantly more areas than currently depicted
3. Significant wetlands appear to be covered with panels. Approval from NYSDEC will be required
4. A full SWPPP will be required
5. Access around the entire perimeter of the array between the fence and the panels will be required
6. Access road(s) shall be a minimum of 20' wide and certified to support a 75,000lb vehicle load.
7. Pull offs for emergency vehicles will be required every 500' of access road at minimum. The pull offs shall be a minimum of 10' wider than the road and 50' long
8. Turnarounds for the access road(s) shall comply with Appendix D of the NYSFC

**Wade Schoenborn, Chief of the Bureau of Fire Prevention:**

1. Provide a full and complete set of plans to include fire apparatus access roads with full apparatus maneuver clearance details with pull off s every 500' (20' and 75000lb apparatus load)
2. Provide access gate details with Knox Box for fire department access

**Scott Reese, Stormwater Management Technician issued a memo dated 1/7/21 with the following comments:**

1. Additional emergency access may be required for this project. This may increase the impervious surfaces that will need to be treated for stormwater where a FULL SWPPP will be necessary. All stormwater shall be treated prior to reaching the wetlands that exist on the site.
2. Approvals / documentation from the NYSDEC and ACOE will be required for any placement of the solar panels in the wetlands and the NYSDEC 100' adjacent area bordering the NYS wetlands.

**The Environmental Conservation Commission held a meeting on 1/5/21 and issued a memo recommending:**

1. The application shows solar panels being placed in designated NYS Wetlands and the 100' adjacent wetland buffer areas as well as Federal Wetlands. Standards for Special Use Permits (208-79E(1)(d) states "The use will be in harmony with and promote the

general purposes and intent of the Comprehensive Plan and this chapter.” The Comprehensive Plan – Environment Goals state that “to protect wetlands and stream corridors for their benefits to wildlife habitat, flood and stormwater control, ground water protection, erosion control, and recreation.” This project contravenes these goals as well as other goals in the Comprehensive Plan.

2. Projects should be carried out in an ecologically sound manner that protects environmental sensitive areas. This project does not support that goal.
3. In view of the size and scope of the proposed project, the ECC recommends that the Planning Board consider issuing a positive declaration under SEQRA and that the Applicant be required to prepare a Draft Environmental Impact Statement.
4. Per the “New York Solar Guidebook for Local Governments”: "Wetlands are one of the most commonly encountered regulated environmental resources in New York State. Wetland regulations significantly limit what can be done within wetland boundaries or buffers. Wetlands should be avoided to the greatest extent practicable."

**The Open Space and Trails Committee submitted the following comments for the Planning Board to consider in its decision making:**

1. No comments

**John Scavo, Director of Planning issued a letter dated 12/28/20 with recommendations he made:**

In addition to the Special Use Permit Application Fee already provided, the Planning Department will need to receive the following site plan review fees:

1. \$50.00 Conceptual Site Plan Application Fee, made payable to the Town of Clifton Park.
2. \$500.00 Engineering Review Fee, made payable to the Town of Clifton Park. This fee is to cover conceptual review by the Town’s Designated Engineer, MJ Engineering. Additional Site Plan and Engineering review fees will be collected at the time of Preliminary Plan Submittal.

Relative to the submittal, initial technical comments offered by Town Staff include:

1. SEQR Long Environmental Assessment Form Part I – Page 3 of 13 – C.4 Existing Community Services, Question (c) should be modified to note “Rexford Fire District” instead of the Clifton Park Fire Department.
2. SEQR Long Environmental Assessment Form Part I – Page 6 of 13 – D.2 Project Operations, Question e. iv., should be answered “yes” or “no”.
3. Please confirm if there are any proposed disturbances to the federally designated wetlands.
4. Town Planning Staff will refer the preliminary application to the Saratoga Co. Planning Board since the project is adjacent to County Route 110.

**Professional Comments:**

**Walter Lippmann, P.E. of MJ Engineering in a letter dated 1/8/21 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 1” action per 6 CRR-NY 617.4.b(6)(i) . If the Planning Board is to request Lead Agency status under SEQRA, the need to undergo a coordinated review is required. Under a coordinated review, involved / interested agencies to be engaged may include, but is not necessarily limited to the following:
  - a. Town of Clifton Park Planning Board: Site Plan approval
  - b. Saratoga County Planning: 239m and n referral due to location along County Route 110
  - c. Saratoga County IDA: PILOT Agreement
  - d. NYSERDA: grant funding
  - e. U.S. Army Corps of Engineers: Wetland permit
  - f. NYS Dept of Environmental Conservation – permit coverage under stormwater SPDES

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

**FULL ENVIRONMENTAL ASSESSMENT FORM**

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

1. Part 1. B.e – The Saratoga County Planning Department should be included to reflect the County 239m referral.
2. Part 1. C.4 – The question should be modified to note “Rexford Fire District” instead of the Clifton Park Fire Department”, per the review letter from John Scavo, Director of Planning, dated 12/28/2020.
3. Part 1. D.1.b(b) – The applicant indicates that the action will disturb 19 acres of land. As a result, a Storm Water Pollution Prevention Plan (SWPPP) will be required.
4. Part 1. D.2.b(i) – the applicant indicated that the proposed action will cause or result in the alteration of, increase or decrease the size of, or encroachment of wetlands on the project site, including two state mapped wetlands, three federal mapped wetlands and two streams. All wetlands should be documented on the site plan and may require state or federal wetland permit coverage. The applicant should also confirm if there are any proposed disturbances anticipated to the designated wetland areas.
5. Part 1. D.2.e – The applicant indicates that the proposed action will disturb up to 19 acres of land. As, such the answer should be changed from “no” to “yes” to indicate a disturbance of more than one acre of land.
6. Part 1. E.2.o – The applicant indicated that the project site does not contain any species of plant or animal listed by NYS as rare or as a species of special concern. 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.
7. No further comments at this time. Additional comments may be forthcoming as the project advances.

**SITE PLANS**

8. The project is located within the Town's Conservation Residential (CR) zoning district. Based upon information provided by Town staff, it is understood that the proposed use is permitted under a special use permit.
9. The Planning Board shall review the proposal following the criteria outlined in Section 208-79(E) of the Town's Zoning as it relates to the special use request.
10. Provide a site plan of the entire property on a single sheet to better see the overall concept plan including showing all wetlands.
11. It is recommended that the applicant avoid clearing trees within the wetlands while laying out the solar arrays.
12. The Site Plans shall show the extent of the L-C boundaries pursuant to Section 208-69.1 of the Town Zoning.
13. Upon the illustration of the L-C boundary on the plans, should the proposed improvements reside within the L-C district, the applicant shall provide sufficient data to demonstrate that the proposed activity will not result in any of the changes noted in Section 208-69.3 of the Town's Zoning.
14. The site plans shall note the individual/firm that completed the wetland delineation and date of delineation being completed.
15. The site plans indicate a combination of tree cutting and stump removal and permanent improvements within the NYSDEC wetlands, adjacent areas and USACE wetlands. The applicant shall provide the Town with all permitting associated with work within the NYSDEC wetlands and adjacent areas and USACE wetlands.
16. The total area of disturbance associated with the project is anticipated to be more than 1-acre, including impervious surfaces (access roads) and a substantial amount of tree clearing changing the ground cover from wooded to grass, therefore a full SWPPP should be prepared with permanent stormwater management systems. This is consistent with the NYSDEC SWPPP Guidance Memo dated April 5, 2018 which is specific to large scale solar installations.
17. Provide a site statistics table demonstrating the existing and proposed space and bulk standards.
18. The proposed access road is shown only to the concrete pad area and not throughout the arrays. The applicant shall provide acceptance from the local fire jurisdiction as they have the authority to require supplementary requirements.
19. Subsequent submissions shall show how site disturbances will occur without exceeding 5-acres of ground disturbance at one time.
20. The proposed access road and turn around shall be reviewed by the responding emergency services to ensure it is adequate.
21. Provide the turning movements of an emergency vehicle along to access road to verify the road widths are adequate.
22. Add a note to the Plans indicating all work within the Blue Barns right-of-way is subject to permitting by the Saratoga County Highway Department.
23. The plans show a gated access to the solar arrays. The Town's emergency services may consider a Knox Box to ensure access in case there is a need to response to an event at the facility.

24. In the areas where the solar arrays or access road are in close proximity to the property line, applicant shall consider additional landscaping to buffer views from neighboring properties.
25. The Planning Board may consider a visual simulation be provided as to how the solar arrays will be viewed from various vantage points.
26. Provide a decommissioning plan to the Town for review.
27. Considering this plan is conceptual in nature, subsequent comments will be provided with a preliminary plan submission.

### **Public Comments:**

Jim Ruhle – Mr. Ruhle stated that he felt that the application is not creditable and that the applicant was trying to establish a new plan while there is a town moratorium for solar farms. Mr. Gasic stated that this is what he felt would be a discussion and that the next meeting will have grading SWPPP and other more concrete information for the Board to review. He noted the applicant followed the Town Code’s requirements for what is required to appear for conceptual site plan consideration before the Planning Board. Mr. Ferraro stated that he found the application a challenge to review as he did not have enough information on maps. Specifically, the scale of the plans does not allow to evaluate the array and improvements without flipping from page to page in the plan set. Mr. Gasic agreed but noted the scale shown was based on the minimum scale requirement prescribed by the Town Code for a conceptual plan submittal. With the Planning Board’s concurrence the applicant agreed to show the array on one sheet at a reduced scale below the Code’s prescribed requirements for ease to evaluate the improvements.

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche asked why there was a curvy entrance proposed and not a direct entrance to the site. Mr. Gasic stated that the curve is due to trying to avoid disturbing wetlands on the property and running the road parallel to the main road is a requirement of the power company. Mr. LaFleche asked if the area that is to be cleared is heavily wooded. Mr. Gasic stated there are woods in the area. Mr. LaFleche asked if the terrain is above grade or below the grade of the main roadway. Mr. Gasic stated that the proposal is above the main roadway and this is why they are keeping as much vegetation as possible and screening will be in place. Mr. LaFleche asked if there could be a larger easement considered for the right of way.

### **Planning Board Review:**

Mr. Martin stated that he has seen the EAF and some of the sheets have the location of some of the panels in wetlands. He cautioned the applicant that he is not in favor of impacts and siting of panels within wetlands.

Ms. Bagramian stated that she agrees and the map does not show clearly the wetlands which appear to be extensive on the property. She also stated that the access road seems troublesome as

an emergency access road to manage a possible fire or other issue. She stated that she has concerns also on chemicals or hazardous materials going into one of the water sources.

Mr. Ferraro asked for clarification on what the requirements are for access roads for these types of projects. Mr. Ferraro also stated that he has some concerns as stated by Mr. Myers comments as well as Ms. Bagramian and Mr. Martin. Mr. Gasic stated that there are differences in wetlands from Army Corps and DEC regulations. Mr. Gasic stated that the Army Corps regulated wetlands allow poles to be put in. He stated that the poles would be helical pile driven to minimize disturbance. He stated that they are putting the panels where they are permitted for that reason. Mr. Gasic stated that the most concern with the fire is the equipment pad or an inverter. He stated that access around the facility is 15 feet so that a pick-up truck or brush fire vehicle can drive around the perimeter of the array but is not for larger fire trucks. Mr. Gasic stated that if there were a road inside the fence then there would be much more wetland impacts.

Mr. Ophardt stated that there are no Army Corps wetlands depicted on the map, only DEC. Mr. Gasic stated that DEC stated they need to avoid the wetlands in the plan as well as the buffer, Army Corps wetlands allows for installation of the poles. Mr. Gasic stated that the next package will have more definitively labeled wetlands.

Mr. Andarawis stated that the size of the project and the location of it between rail road tracks make it a good use for a solar array. He stated that it does however have a lot of constraints and is in the CR zone. He stated that the CR zone is more of a concern with wildlife impact, visual look, among other concerns and that he feels the CR zoning makes this a challenging project. He stated he likes the project but the constraints are a concern to him.

Mr. Andarawis stated that the location of the project between railroad tracks make it a good use for a solar array. He stated that it does however have a lot of constraints and is in the CR zone. He stated that in the CR zone there is more of a concern with wildlife impact, visual look, and wetland impacts among other concerns and that he feels the CR zoning makes the size of this project challenging given the constraints that exist on the site. He stated he likes the project but the constraints are a concern to him.

**New Business:**

**2021-001 DCG Wood Road 3 Lot Subdivision**

*Applicant proposes subdividing the 16.01 +/- acre lot into three new lots which will be utilized for light industrial zoning development, Wood Rd, Zoned: L 2, Status: PB Concept Review*

SBL: 259.-2-74.2

To be reviewed by: MJE

Consultant: EDP

Applicant: DCG

**Consultant/Applicant Presentation:**

Joe Dannible – EDP – Mr. Dannible stated that this application is for a 3 lot subdivision that is located about ¼ mile from Route 9 and Ushers Road intersection, and is adjacent to the Nortrax subdivision. Mr. Dannible stated that that this is a 3 lot subdivision of 16 acres for future light industrial development. Lot 1 would be the southernmost lot and would be 2.1 acre, Lot 2 would be 2.75 acre parcel and the subject of the site plan application to follow, and Lot 3 to the remaining north is about 11 acres and would remain in ownership of DCG. Mr. Dannible stated that this subdivision would not have any environmental impacts and that he has letters from both entities; Army Core and DEC; stating this. Mr. Dannible showed on the Zoom screen a map indicating wetlands and stated that wetlands are on the northwestern side of the map.

**Staff Comments:**

**Steve Myers, Director of Building and Development issued a memo dated 1/4/21 stating:**

1. No stormwater comments at this time.

**Wade Schoenborn, Chief of the Bureau of Fire Prevention:**

1. No comment

**Scott Reese, Stormwater Management Technician issued a memo dated 1/7/21 with the following comments:**

1. No stormwater comments at this time.

**The Environmental Conservation Commission held a meeting on 1/5/21 and issued a memo recommending:**

1. The ECC recommends the applicant review the proposed lot lines in accordance with established wetland boundaries, and to ensure ease of access with minimal impact to the wetlands.

**The Open Space and Trails Committee submitted the following comments for the Planning Board to consider in its decision making:**

1. Consider providing the Town with a future Right-of-Way easement for the possibility of a multi-use path or pedestrian sidewalk along the frontage of Wood Road.
2. This parcel offers a unique opportunity to create a publicly desired bike route connection and/or access corridor to the Zim Smith Trail from Ushers Road. If the landowner is willing, a public access easement would be an ideal method of creating and preserving a bike route/pedestrian connection from Ushers Road to the Zim Smith Trail.

As referenced in the 2012 Trails Concept Plan, this potential connection would provide a safer and more direct route to the Zim Smith Trail access in Round Lake (via Wood Road and Herlihy Road) as it would eliminate crossing US Route 91.

The Open Space, Trails and Riverfront Committee (“OSTRC”) would request that the landowner consider granting the Town of Clifton Park a public access easement through the parcel.

**John Scavo, Director of Planning issued a letter dated 12/28/20 with recommendations he made:**

1. On the Subdivision Plan, note the limits of an easement for the 2’ sanitary sewer force main traversing the remaining lands of the master parcel.
2. Add 911 addresses to the Subdivision Plan, once assigned and provided by the Town Fire Marshall.
3. Denote on the Subdivision Plan, the location of previously documented Lupine Habitats and encompassing 50’ buffer area.
4. Based on previously reviewed plans for this location, the area within Parcel #1 may be constrained due to the presence of Federal Wetlands (See Attached – Prior Site Plan).
5. Access to proposed Parcel #1, may result in the need to disturb federally protected wetlands. The applicant should note the approximate location of federally regulated wetlands so the potential for disturbance to these sensitive areas can be evaluated and minimized by future site development.
6. Denote on the subdivision plan the previously agreed to easement for a future multi-use pathway.
7. Pursuant to GML §239(m)&(n), a referral to the Saratoga Co. Planning Board is required due to the parcel’s proximity to both I-87 and State Route 9.

**Professional Comments:**

**Walter Lippmann, P.E. of MJ Engineering in a letter dated 1/8/21 had the following comments:**

**STATE ENVIRONMENTAL QUALITY REVIEW**

Based upon our review of Part 617 of NYS Environmental Conservation Law, the project appears to be an “Unlisted” action. 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: Subdivision Plan approval
- b) Saratoga County Planning: 239m referral is required due to the parcel’s proximity to both I-87 and State Route 9.

**ENVIRONMENTAL ASSESSMENT FORM**

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

1. Part I.12b – 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.

2. Part I.13a – The response indicates that a portion of the site or lands adjoining the site of the proposed action, contains wetlands or other waterbodies regulated by a federal, state or local agency. The applicant should provide documentation that confirms the presence and location of federally regulated wetlands adjacent to the project site.
3. Part I.15 – The response 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 Frosted Elfin and Karner Blue Butterfly. The applicant will need to provide correspondence from the Permits staff at the NYSDEC Region 5 Office to confirm the presence or absence of these listed species and for any permit considerations for future projects. 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.
4. No further comments at this time.

#### **SUBDIVISION**

5. The project is located within the Town's Light Industrial District (L-2). The proposal for a warehouse is a permitted principal use within the L-2 District as noted in Section 208-64(B)(6) of the Town's Zoning.
6. Provide the metes and bounds for all proposed lot lines.
7. Provide a complete subdivision layout on a single sheet as it appears the western portion of Parcel 3 is off the page.
8. Since the applicant is proposing to subdivide the property and make improvements only on one parcel at this time, we suggest that the following sentence be added to the plan: Lots 1 & 3 will be subject to additional regulatory review for compliance with Town Zoning at a future point in time when development of those parcels are considered.
9. Identify the date and by whom the wetlands shown were delineated.
10. 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.
11. 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. Any action on the application should be conditioned upon receipt of plan approval from the SCSD.
12. It is recommended that at a minimum the number of peak hour vehicle trips, including truck trips and sight distance at the project entrance be provided.
13. There may be a need to provide a drainage culvert at the new driveway to support existing drainage along Wood Road. The applicant will need to coordinate with Clifton Park Highway Department for any such improvements. If required, show the location, size and materials of construction.

14. 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.
15. The final subdivision plat shall be signed and sealed by a surveyor licensed to practice in New York State.
16. Considering this plan is conceptual in nature, subsequent comments will be provided with a preliminary plan submission.

### **Public Comments:**

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche asked the applicant to indicate on the map the access that was created from Ushers Road to Wood Road from the previous project. Mr. Dannible showed on the map the location. Mr. LaFleche stated that it would be good to extend a trail access from the access down Wood Road along all three parcels.

### **Planning Board Review:**

Mr. Ferraro stated that he has a concern with the environmental constraints and the wetlands. Mr. Ferraro asked Mr. Dannible about the wetlands on the map and if they have a jurisdiction. Mr. Dannible stated they are non-jurisdictional wetlands and the town has been provided with letters confirming this. Mr. Ferraro stated that there were previous concerns with the Karner Blue Butterfly and asked what the status is on the impact of them. Mr. Dannible stated that the area of concern is not located on parcel 1 or 2 and is only located on the lands of DCG and the area has been monitored for many years and the butterfly has not been seen for 15 years. Mr. Ferraro asked that future plan submittals show where these environmental features are located and to include the remaining lands of Donald Greene in its entirety. Mr. Ferraro stated that the gray area on the map is not identified and he would like it to be labeled as the dedicated easement and look into the possibility of an easement on Wood Road.

Mr. Ophardt asked if the easement was required to the north of the last application that was to the northwest that is a landscaping business and if the easement should be carried over to this as well. Mr. Martin stated that in order to get to the Zim Smith Trail from Ushers Road you would have to go through rough terrain. Mr. Ophardt stated that if there is an existing easement to the north then adding one to this application would makes sense to be able to connect. Mr. Scavo will check files tomorrow to verify the possible easement from Peak landscaping. Mr. Dannible stated that he would have to work with the individual members of the parcels as they are developing the site.

Mr. Donald McElroy – DCG – Mr. McElroy asked if the trail was to come who would be liable for this if anything were to happen, the town or the property owner. Mr. Scavo stated that he believes that although every entity associated with the parcel would likely be sued, the property owner's liability should be limited. Mr. Wilcox stated that the state law generally goes for unimproved land, and there would need to be a dangerous situation that the path created, the easement would be covered by the contractor to the town or the town even though everyone would get sued.

**Mr. Ferraro asked Mr. McElroy if he would be comfortable pushing the last two agenda items to the next meeting and they will be heard first. Mr. McElroy stated he is comfortable with this as long as the applications are heard first. Mr. Ferraro stated they would be.**

**New Business:**

**2021-005 Solar Foundations Site Plan**

*Applicant proposes construction of a 20,000 sf warehouse & light manufacturing structure on the vacant lot, Wood Rd, Zoned: L 2, Status: PB Concept Review*

SBL: 259.-2-74.2

To be reviewed by: MJE

Consultant: Insite Eng

Applicant: Solar Foundations, LLC

**Consultant/Applicant Presentation:**

John Romeo – Insight Northeast – Mr. Romeo stated Solar Foundations USA is based currently in Ballston and is looking to move to Clifton Park. He stated that they would like to build 20,000 sf of light manufacturing and warehousing space and 4,000 sf of office space and mezzanine. He stated that this company builds and manufactures racking systems that are used for solar arrays; they do not manufacture the panels. Mr. Romeo stated that the parcel would be 2.75 acres in the L2 zone and they are looking to acquire it from DCG. Mr. Romeo stated that the use would apply perfect to this zone. He stated that test pits were done and the ground is suitable for filtration. Mr. Romeo stated tree clearing at the rear of the property as well as other vegetation and that they are keeping under the allotted 60%, and utilizing the green space for stormwater management. Mr. Romeo showed on the Zoom screen a map of the area and stated that 5,800 cubic yards of soil to be moved but stay on site. He stated that there are no wetlands on the site. Mr. Romeo showed on the Zoom screen the site plans and showed the 21 proposed parking spaces with the calculations. Mr. Romeo stated that he believes that he is over parked as the applicant does not have clients entering the property and has only 8 employees. Mr. Romeo stated that there is a loading dock and a retaining wall. He stated that the warehousing space would hold the materials but some may be stored outside at times when ready for pickup. Mr.

Romeo stated that the runoff will be managed by a vegetative swale and a dry swale before it is routed into an infiltration basin. He stated that there is a 26 foot drive to accommodate larger vehicles. Mr. Romeo stated that the comments given tonight to the prior application impacts them greatly as they did not take into account an extra easement that the Board is requesting and the parcel is maximized now based on necessity.

**Staff Comments:**

**Steve Myers, Director of Building and Development issued a memo dated 1/4/21stating:**

1. Apparently subdivision of this parcel is also proposed (see next agenda item DCG Wood Road 3 lot subdivision)
2. Proposal appears to be an allowed use in Light Industrial 2 Zone
3. A full SWPPP will be required
4. More comments to follow with more detail

**Wade Schoenborn, Chief of the Bureau of Fire Prevention:**

1. Obtain Planning Board approval for subdivision
2. Specify location of fire department connection
3. Specify location of fire hydrants in relation to the building and the fire department connection
4. Specify 911 address on site map pending approval

**Scott Reese, Stormwater Management Technician issued a memo dated 1/7/21 with the following comments:**

1. The test pit data provided lists water found depth, verify if this is the seasonal high-water elevations.
2. On the Erosion & Sediment Control Plan, show the location and size of the sediment trap / basin.
3. When plans progress, submit the FULL SWPPP documentation for review.

**The Environmental Conservation Commission held a meeting on 1/5/21 and issued a memo recommending:**

1. The ECC will hold comment until the information requested by John Scavo is provide to the Planning Department for review.

**The Open Space and Trails Committee submitted the following comments for the Planning Board to consider in its decision making:**

1. No comments

**John Scavo, Director of Planning issued a letter dated 12/28/20 with recommendations he made:**

1. The proposed project is located within the limits of the Wood Road Corridor GEIS Study Area. As such, if the proposed project is deemed consistent with the findings of the GEIS, no additional SEQR action may be required.
2. Pursuant to the Wood Road Corridor FGEIS Findings Statement, the following issues should be addressed:
  - a. Per Finding No. 34, traffic mitigation fees are required to address cumulative impacts of the proposed development. The applicant's consultant should submit an analysis of the projected trip generation using ITE Standards, so the respective mitigation fee can be assessed.
  - b. A mitigation fee is due for the original review of the DGEIS in the amount of \$74.28 per acre. Based on a 2.75-acre site, the respective mitigation fee is \$204.27.
  - c. Per Finding No. 40 and No. 41, the habitat of the Karner Blue Butterfly is protected and that no site plan proposal will be approved if such would involve the destruction of or disturbance to the habitat. Because significant time has passed since the original investigation, an updated investigation of Karner Blue Butterfly habit should be performed within the limits of the project.
  - d. Per Finding No. 73, a Phase I Environmental Audit shall be conducted and submitted at the initiation of site plan review.
  - e. Per Finding No. 78, the applicant shall contact NYSOPRHP regarding historic sites and archeologically sensitive resources near the project area. Copies of the correspondence should be sent to the Town.

Please note, some of the information requested may have previously been submitted by DCG the property owner of record with the prior DCG Shovel Ready Project Site Plan. Relevant documents from that project may be used by this applicant to respond to the current request.

3. In accordance with GML §239(m)&(n), a referral of the preliminary site plan will be made to the Saratoga Co. Planning Board for a recommendation.
4. The applicant should note on the site plan if any of the paved area around the building is intended for stockpiling of materials and equipment.
5. It is understood that the current plan is before the board for conceptual consideration. As future submittals are advanced the applicant should review and provide documentation for compliance with the Development Standards prescribed by §208-66 (b)(c) &(d) of the Clifton Park Town Code.

Mr. Scavo asked the applicant if he could measure the distance from the ROW to the pavement line. Mr. Romeo stated that he measured about 15.5 feet.

**Professional Comments:**

**Walter Lippmann, P.E. of MJ Engineering in a letter dated 1/8/21 had the following comments:**

## STATE ENVIRONMENTAL QUALITY REVIEW

Based upon our review of Part 617 of NYS Environmental Conservation Law, the project appears to be an “Unlisted” action. If the Planning Board is to request Lead Agency status under SEQRA, the need to undergo a coordinated review is optional. Under a coordinated review, involved / interested agencies to be engaged may include, but is not necessarily limited to the following:

- a) Town of Clifton Park Planning Board: Site Plan approval
- b) Saratoga County Planning: 239m referral is required due to the parcel’s proximity to both I-87 and State Route 9.
- c) NYSDEC: Stormwater permit approval and confirmation of threatened or endangered species
- d) Town of Clifton Park connection to municipal water
- e) Saratoga County Sewer District #1 connection to public wastewater infrastructure

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:

1. Part 1.3b The response indicates that the proposed action will disturb more than one acre of land. As such a Stormwater Pollution Prevention Plan (SWPPP) will be required.
2. Part I.12b – 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.13a – The response indicates that a portion of the site or lands adjoining the site of the proposed action, contains wetlands or other waterbodies regulated by a federal, state or local agency. The applicant should provide documentation that confirms the presence of federally regulated wetlands adjacent to the project site.
4. Part I.15 – The response 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 Frosted Elfin and Karner Blue Butterfly. The applicant will need to provide correspondence from the Permits staff at the NYSDEC Region 5 Office to confirm the presence or absence of these listed species and for any permit considerations for future projects. 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.
5. Part I.17 – The response indicates that the proposed action will create stormwater discharge. A stormwater analysis should be conducted to ensure there will be no adverse impacts to adjacent or down gradient properties.
6. Part I.20 – The response indicates that the proposed action has been the subject of remediation for hazardous waste. Remediation has been performed on adjacent properties and an Environmental Site Remediation Database Search document is included.

7. No further comments at this time.

## **SITE PLAN**

2. The project is located within the Town's Light Industrial District (L-2). The proposal for a warehouse is a permitted principal use within the L-2 District as noted in Section 208-64(B)(6) of the Town's Zoning.
3. 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-0-15-002. 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.
4. 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.
5. 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. Any action on the application should be conditioned upon receipt of plan approval from the SCSD.
6. It is recommended that at a minimum the number of peak hour vehicle trips, including truck trips and sight distance at the project entrance be provided.
7. Provide a detail of the proposed porous pavers.
8. Provide information on the plans to indicate how potential sump pump laterals may be positioned which shall be in conformance with Section 86-7(A)(6) of the Town Code.
9. There may be a need to provide a drainage culvert at the new driveway to support existing drainage along Wood Road. The applicant will need to coordinate with Clifton Park Highway Department for any such improvements. If required, show the location, size and materials of construction.
10. 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.
11. The final subdivision plat shall be signed and sealed by a surveyor licensed to practice in New York State.
12. Considering this plan is conceptual in nature, subsequent comments will be provided with a preliminary plan submission.
13. Subsequent plans shall describe or illustrate the project's proposed landscaping to ensure conformance with Section 208-66(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.
14. There needs to be a determination if the proposed building construction and use will warrant automatic sprinklers as prescribed in the Building Code of New York State. This information is needed to determine whether an on-site hydrant is required to satisfy the requirements of Section 508.8 of the FCNYS.

15. 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.
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 Clifton Park Highway Department (driveway, culvert, water service, sewer).
17. Confirm the proposed driveway radius is adequate for tractor trailer to access the site.
18. Subsequent submissions should include architectural renderings of the building along with identification of materials of construction. There should also be indication whether or not roof top units are expected and how they may be screened from the public right of way.
19. 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 lighting, erosion control and stormwater management to fully assess the design and its compliance to the applicable standards.

### **Public Comments:**

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche asked if the right of way means that the town has the right to build in that area. Mr. Scavo stated that is correct, the town has ownership. Mr. LaFleche stated that the trail may be able to be road shared as the roadway is not made for larger traffic so a larger shoulder may be sufficient. Mr. Scavo agreed that it could be done if they chose to.

### **Planning Board Review:**

Mr. Neubauer stated that he would like to see an architectural elevation as the project develops as it will be very visible from Wood Road. Mr. Romeo stated that they weren't sure if the Board Members if they wanted specific architectural elements or if they were looking for an architectural block look. Mr. Neubauer stated that he would like to see something that fits within the zone and its surroundings. Mr. Neubauer stated that there are properties nearby that have been approved that look a lot like the image that Mr. Romeo has showing on the Zoom screen.

M. Andarawis asked the applicant while there will be no clients on site is there a possibility that the applicant would have a display or demonstration area for arrays on-site and if so such should be shown on the site plan.. Mr. Romeo stated that there is no direct sales and none foreseen in the

future. Mr. Andarawis asked about the pavers and the location and as to why the property line cannot be moved a few feet to accommodate the turnaround radius of the trucks. Mr. Romeo stated that the owner of the property was not willing to give up that land as to preserve for the Karner Blue butterfly and be able to keep the third lot viable. He will follow up and revisit the issue.

**New Business:**

**2021-002 Ushers Rd (256-262) Medical Buildings**

*Applicant proposes construction of a 40,000 SF two story Medical Office Building on a 3.79 acre parcel with parking. Project includes access on Ushers Road. Also includes parcel: 259.-2-42.1, 262 Ushers Rd, Zoned: B-3, Status: PB Concept Review*

SBL: 259.-2-41.2

To be reviewed by: MJE    Consultant: EDP    Applicant: DCG

**Consultant/Applicant Presentation:**

Gavin Vuillaume – EDP- Mr. Vuillaume stated that this parcel is located on the corner of Route 9 and Ushers Road. He stated that the project includes 2 parcels with vacant buildings; one has a vacant bank building on the corner about 1.7 acres and has existing parking, with access to Ushers Road. This access would be eliminated and no longer needed. He also noted no direct access to Route 9 is planned. He stated the second parcel has as an old restaurant on it, the rear of the parcel is a wooded area and like the other parcel would be eliminating the existing parking and building and road access. Mr. Vuillaume showed on the Zoom screen a site plan for the proposal with one curb cut on Ushers Road and the new building is as close to the roadway as possible when considering the front set back requirements from both Ushers Road and Route 9. He stated that the majority of the parking is to the rear or the aide of the building. Mr. Vuillaume stated that there may be a canopy for the building. He stated there will be 220 parking spaces and feels it is consistent with the requirements needed for medical offices at the building size. He stated the site will maintain access to another building to the south of the proposed building and the easement would be relocated around the parking but would be maintained. Mr. Vuillaume noted that stormwater management areas were highlighted on the map and he showed on the Zoom screen where some sandy soils would need to be removed from the site to achieve the necessary grading for the improvements. He stated that there will municipal water and sewer connections and landscaping will be done along Ushers Road and Route 9.

**Staff Comments:**

**Steve Myers, Director of Building and Development issued a memo dated 1/4/21 stating:**

1. Application is to combine two parcels in the B-3 zone in order to construct a 40,000 sf medical building
2. This is an allowable use in the B-3 zone
3. A full SWPPP will be required
4. Setbacks appear to be met at this time

**Wade Schoenborn, Chief of the Bureau of Fire Prevention:**

1. Provide a complete fire department access plan with full apparatus maneuver clearance details
2. Specify the location of the fire department connection
3. Specify fire hydrant locations in relation to the building and FDC

**Scott Reese, Stormwater Management Technician issued a memo dated 1/7/21 with the following comments:**

1. It appears that significant amount of grading will be required to construct this project. When the SWPPP is being prepared include in the narrative where the haul routes and location of where soil material is being brought to or from.
2. Some of the stormwater management areas (SMA) are where large cuts or fills will take place. When test pits and percolation tests are being performed, the depth should be four feet below the designed bottom elevation of the SMA

**The Environmental Conservation Commission held a meeting on 1/5/21 and issued a memo recommending:**

1. The parcel is located in an area which may be impacted by railroad traffic activity. Impacts may include noise and/or vibration.

**The Open Space and Trails Committee submitted the following comments for the Planning Board to consider in its decision making:**

1. Please consider the addition of a bike rack to encourage client and employee bike-commuting.

**John Scavo, Director of Planning issued a letter dated 12/29/20 with recommendations he made:**

1. Since the project is adjacent to State Route 9, the Preliminary Site Plan will be referred to the Saratoga Co. Planning Board for a recommendation, in accordance with GML §239(m)&(n).
2. Add the following notes to the Site Plan:
  - a. The applicant should consider as an aspect of the new construction, accommodations to install the conduit under the pavement to designated parking stalls for preparation of future EV Charging Stations. Such infrastructure accommodations at the time of new construction will further the goals of the 2016, "Capital District Electric Vehicle Charging Station Plan". The costs to run conduit at the time of new construction

- greatly decreases costs to install EV Charging Stations in the future since pavement within the parking area will not need to be torn-up to run electrical connections.
- b. The applicant, when working with a structural architect for the building design, may want to identify an electrical panel location for convenient PV system inter-connections, and keep space available in the electrical panel for a PV circuit breaker. It is easier and more cost effective to plan at the time of new construction for future green infrastructure accommodations such as PV Systems.
  3. The applicant should note on the site plan, site distances for drivers looking east and west along Ushers Road from the driveway location and verify adequacy of sight distances using ITE Standards. It may be necessary to work with the Town Highway Superintendent to authorize tree and vegetation removal within the Town's ROW west of the project site to improve sight distance.
  4. A work permit to be issued by the Town's Highway Superintendent within the Town's ROW is required to be obtained by the applicant. If work is proposed within the NYS DOT ROW that would necessitate a highway work permit from that agency.
  5. The applicant should address how access to 256 Ushers Road will be provided through the shared access easement during construction. A separate temporary construction entrance may be necessary to avoid conflicts.
  6. Add a note to the plan that states, "All construction and demolition material exported from the subject parcel shall be transferred to an approved NYS DEC facility. Load/transfer tickets shall be provided to the Town of Clifton Park Building Department for the project's record."
  7. As an exterior lighting plan is designed, it is recommended the applicant pursue energy efficient lighting options that are dark sky friendly (International Dark-Sky Friendly Fixtures can be research at [www.darksky.org](http://www.darksky.org)).
  8. Additional comments will be provided as more detailed plans advance. The applicant at preliminary plan submittal, should provide a Landscaping Plan that satisfies §208-40 of the Clifton Park Town Code.

**Professional Comments:**

**Walter Lippmann, P.E. of MJ Engineering in a letter dated 1/8/21 had the following comments:**

**STATE ENVIRONMENTAL QUALITY REVIEW**

Based upon our review of Part 617 of NYS Environmental Conservation Law, the project appears to be an "Unlisted" action. 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: Subdivision Plan approval

- b) Saratoga County Planning: 239m referral is required due to the parcel's proximity to State Route 9
- c) NYSDEC: Stormwater permit approval and confirmation of threatened or endangered species
- d) NY State Historic Preservation Office: correspondence with SHPO to ensure no archeologically sensitive resources on project site

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:

1. Part I.12b – 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.
2. Part I.15 – The response 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 Frosted Elfin and Karner Blue Butterfly. The applicant will need to provide correspondence from the Permits staff at the NYSDEC Region 5 Office to confirm the presence or absence of these listed species and for any permit considerations for future projects. 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.

Part I.17 – The response indicates that the proposed action will create stormwater discharge. A stormwater analysis should be conducted to ensure there will be no adverse impacts to adjacent or down gradient properties.

3. No further comments at this time.

#### **SITE PLAN**

4. The project is located within the Town's Neighborhood Business District (B-3). The proposal for medical offices is a permitted principal use within the B-3 District as noted in Section 208-64(B)(3) of the Town's Zoning.
5. Based upon a review of the lot configuration, it appears the minimum bulk lot requirements as identified in Section 208-38 of the Town's Zoning are satisfied.
6. 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.
7. 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. Any action on the application should be conditioned upon receipt of plan approval from the SCSD.

8. 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.
9. Subsequent submissions shall include building elevations to demonstrate conformance with Section 208-115(D) of the Town Zoning.
10. The plan shows providing 220 parking spaces. Provide a narrative on how they were derived.
11. It is recommended that at a minimum the number of peak hour vehicle trips, including truck trips and sight distance at the project entrance be provided.
12. There needs to be a determination if the proposed building construction and use will warrant automatic sprinklers as prescribed in the Building Code of New York State. This information is needed to determine whether an on-site hydrant is required to satisfy the requirements of Section 508.8 of the FCNYS.
13. 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.
14. 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 Clifton Park Highway Department (driveway, culvert, water service, sewer).
15. 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:**

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche thanked the applicant for the right of way on Ushers Road and asked if there would ROW on Route 9 as well. Mr. Vuillaume stated that this would be up to NYS since they control the highway. Mr. LaFleche asked the applicant if there was a need for a left turn lane for traffic from Ushers Road into the site. Mr. Vuillaume stated he did not think so as most traffic would be coming from I-87. Mr. LaFleche asked if the roadway was a loop around the building, Mr. Vuillaume stated it is. Mr. LaFleche asked how high the building would be and how far away from the roadway would it be. Mr. Vuillaume stated that it is about 30 feet and closest to Ushers Road is 130 feet to the center line and it is the same as Route 9.

### **Planning Board Review:**

Mr. Ferraro stated that he made a site visit and is concerned about the sloping on the west side of the property and questioned how stormwater will be managed. Mr. Vuillaume stated they are not showing topography mapping yet but there is equipment to remove the sandy soils to level out the site. Mr. Ferraro asked if there would be a need for a retaining wall. Mr. Vuillaume stated he does not think so but he can look into that and will have a full grading plan for the next meeting. Mr. Ferraro asked if there would be a traffic study done; Mr. Vuillaume stated that there can be trip generation and distribution mapping done for the proposal. Mr. Ferraro stated he would like to see turning movements as well as left and right out of the property. Mr. Vuillaume stated that he believes that most traffic would be coming and going from Interstate 87. Mr. Ferraro stated that he would like to see charging stations for EV installed and this should be automatically shown on plans now. Mr. Vuillaume stated this can be done and is on most plans he completes.

### **New Business:**

#### **2021-004 DCG Tallow Wood Subdivision**

*Will be seen first at next meeting on January 26, 2021*

*Applicant proposes to subdivide the 8.15 acre lot into 2 lots which will be utilized for zoning compliant site developments, 855 Rt 146 & 3 Tallow Wood Dr, Zoned: TC4, Status: PB Concept Review SBL: 271.-3-67.1*

To be reviewed by: MJE      Consultant: EDP      Applicant: DCG

### **New Business:**

#### **2021-003 22/42 Clifton Country Rd Subdivision**

*Will be seen first at next meeting on January 26, 2021*

*Applicant proposes subdividing the 23.1 acre lot into 3 lots to be utilized for Town Center zoning compliant site developments., 22 Clifton Country Rd, Zoned: TC5, Status: PB Concept Review*

*SBL: 272.-1-45.1 To be reviewed by: MJE      Consultant: EDP      Applicant: DCG*

### **Discussion Items:**

Mr. Ferraro stated there was a proposed moratorium brought up at the Town meeting last night and at the next meeting he would like to discuss the outcome of the Town meeting. Mr. Scavo stated that he can highlight what the town would be investigating over the next 6 months of the moratorium and the impacts on the GEIS it has and what the Board can do to help with the impacts in the western part of town.

Mr. Szczesny moved, seconded by Mr. Martin, adjournment of the meeting at 11:55 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on January 26<sup>th</sup>, 2021.

Respectfully submitted,

*Paula Cooper*

Paula Cooper, Secretary