

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

PLANNING BOARD

ROCCO FERRARO  
Chairman

ROBERT WILCOX  
Attorney

PAULA COOPER  
Secretary



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Emad Andarawis  
Eric Ophardt  
Ram Lalukota  
Andrew Neubauer  
Denise Bagramian  
Keith Martin

*(alternate)* Jennyfer Gleason

**Planning Board Minutes**  
**July 13<sup>th</sup>, 2021**

Those present at the July 13<sup>th</sup>, 2021 Planning Board meeting were:

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

Those absent were: K. Martin

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

COVID-19 Note: Executive Order No. 202.1 suspends Article 7 of the Public Officers Law (also known as the Open Meetings Law), to the extent necessary to permit any public body to meet and take such actions authorized by law without allowing the public to be physically present at the meeting. The order also authorizes public bodies to meet remotely by conference call or similar service. For the Public Hearing Agenda Items during these unprecedented conditions, the Planning Board will provide the public reasonable and meaningful opportunities to submit comments via online videoconferencing technology during the meeting and in writing via email or mailed written comments.

Mr. Ferraro, Chairman, called the meeting to order at 7:00 p.m.

Mr. Ferraro stated that in the absence of Mr. Martin, Ms. Gleason would be a voting member for tonight's meeting.

### **Minutes Approval:**

Ms. Bagramian moved, seconded by Mr. Ophardt, approval of the minutes of the June 22<sup>nd</sup>, 2021 Planning Board meeting as written. The motion was unanimously carried.

### **Public Hearings:**

#### **2020-044 Greene, Donald 750 Route 146A Subdivision**

Applicant proposes subdividing a 5.5 +/- acre lot (264.-3-37.3) into 2 new single family residential lots with the remainder to be merged with the 40.25 +/- acre parcel (264.-3-37.12) an adjacent parcel under common ownership. Proposed Lot 1 to be developed in the future with a residential dwelling and Proposed Lot 2 will have the existing dwelling and barns, 750 Rt 146A, Zoned: CR, Status: PB Preliminary Review with possible Final Determination

SBL: 264.-3-37.3      To be reviewed by: MJE      Consultant: EDP

Applicant: D. Greene      Last Seen on: 9-9-20

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

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

Mr. Ferraro, Chairman, called the public hearing to order at 7:10 p.m. The Secretary read the public notice as published in the Daily Gazette on July 3<sup>rd</sup>, 2021.

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

Joe Dannible – EDP – Mr. Dannible stated that the subdivision request is to keep the existing house with the existing barn on Lot #2 with an existing driveway curbed onto Rt. 146 and a

chicken coup shown on the plan is noted to be removed from the site. He then noted Lot #1 is proposed as a new 31,215 sq.ft. parcel for a new single family home to be serviced by a private septic system with public water and a new curb cut onto Rt. 146 for access. He stated that the remaining land is approximately 44 acres with fields and woods present behind and adjacent to proposed lots 1 & 2. Mr. Dannible stated that all variances needed for this project have been granted by the ZBA. He stated that the remaining lands would be donated to the other remaining Lands of Donald Greene which would total 6 acres of protected, deed restricted land. Mr. Dannible stated that Clifton Park Water Authority would hook up to the existing main and they have no issues with the project the applicant just needs to apply for laterals. He stated that there are no limiting topography contours and MJE comments can be addressed.

### **Staff Comments:**

#### **Steve Myers, Director of Building and Development issued a memo dated 6/24/21 stating:**

- Structure over the line on lot #1 not shown as being removed
- Area variances for lot widths and setbacks granted
- There was no discussion of a variance for lot #1 size due to what now shows as having a septic system. It has always assumed to be public sewer. 40,000 sf minimum is required for a property with septic. Another variance is required. This is also reflected in the TDE review along with other lot deficiencies.
- NYSDOT permits will be required for new curb cuts.

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

1. Postal verification

#### **Scott Reese, Stormwater Management Technician issued a memo dated 7/9/21 with the following comments:**

1. Show the Land Conservation Overlay Zone on the Plans.
2. Correct stream name under Subdivision Notes #2.

#### **The Environmental Conservation Commission held a meeting on 7/6/21 and issued a memo recommending:**

1. The ECC recognizes that Lot 1 does not meet the minimum requirements for subdivision of a lot with a proposed septic system. The code states that the minimum of 40,000 sf and on the plot plan Lot 1 is proposed to be 31,215 +/- square feet. Thus, this project should not go forward.
2. The ECC recognizes that Lot 2 does not meet the minimum requirements for subdivision of a lot with a septic system. The code states that the minimum of 40,000 sf and on the plot plan Lot 2 is proposed to be 33,294 +/- square feet. Since, this is being subdivided the project must meet current code requirements.

Mr. Scavo stated that in the zoning the minimum of 30,000 sf lot size is what is required for town water and this project meets this. Mr. Scavo stated that this has been verified by Mr. Myers.

**John Scavo, Director of Planning issued a letter dated 6/28/21 with recommendations he made:**

1. The Planning Board shall decide whether to include Lot 1 in the Sherwood Forest Park District whose boundaries are in the vicinity of the property to be subdivided.
2. Pursuant to §208-16F of the Clifton Park Town Code:  
A deed restriction or permanent conservation easement must be placed on the parcel and/or lot(s) with permanent open space.

The proof of such restriction of open space land in perpetuity is required and shall be supplied to the Town of Clifton Park Planning Board and filed prior to or concurrently with the final subdivision plat.

3. Add the following assigned 911 addresses to the final subdivision plat:
  - Lot 1 = 748 Rt. 146A
  - Lot 2 = 750 Rt. 146A
4. The Saratoga Co. Planning Board issued a recommendation noting:  
The project would have no significant county-wide or inter-community impact. However, the board commented that the remaining lands of the subdivision are being combined with a larger vacant parcel. The future plans for this parcel should be discussed with the Planning Board. These discussions will allow for future access to be property planned for along NYS Rt. 146A.
5. A onetime parkland mitigation fee in the amount of \$1,250.00 is due at the time of stamping the final plan.

**Professional Comments:**

**Walter Lippmann, P.E. of MJ Engineering in a letter dated 7/9/21 had the following comments:**

**SHORT ENVIRONMENTAL ASSESSMENT FORM**

1. No additional comments.

**SITE PLANS**

2. Provide contour lines at a minimum of two-foot intervals to United State Geological Survey datum within the parcel.
3. The applicant shall identify ownership of the proposed open space, a requirement of Section 208-16(E)(3)(c) of the Town's Zoning. If held in private ownership, preservation in perpetuity shall follow the requirements of Section 208-16(F) of the Town's Zoning.

4. Show the Town's LC location and boundaries which are defined by Section 208-69.1 of the Town's Zoning.
5. Indicate the location of the neighboring well to ensure proper setbacks from proposed septic system. Specific attention is to any wellbeing located on Lands of Rezucha and it not being within 100-feet of the proposed septic system on the newly created lot.
6. Provide the acreage of the constrained and unconstrained lands.
7. Indicate if any of the existing trees along route 146A will remain.
8. Provide the metes and bounds for all segments of the proposed deed restricted area.
9. Identify the date and by whom the wetlands shown on the plat were delineated.
10. The project proposes to service each new lot with public water from the Clifton Park Water Authority via extending a new public water main along Tanner Road. 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 subdivision application should be conditioned upon receipt of plan approval from the CPWA.
11. The applicant proposes to service the lot with an on-site septic system. The proposed septic system will be reviewed and approved by the Town Building Department.

### **Public Comments:**

Wendy Wagner – 608 Waite Road – Ms. Wagner stated the Clifton Park did not post the meeting agenda until the day before the meeting. Mr. Scavo stated he would look into this but since publication from the Gazette was within the required time frame per the law, the hearing can take place tonight.

There being no additional public comment, Mr. Ferraro moved, second by Mr. Neubauer, to close the public hearing at 7:30 p.m. The motion was unanimously carried.

### **Planning Board Review:**

Mr. Ferraro asked for note on plan to indicate what buildings would be demolished and which are on property lines for lot 2 and for lot 1 as well. Mr. Ferraro asked if there are any constrained lands on the property of 6 acres and if so where they are on the map. Mr. Dannible stated that there are wetlands shown on the map and that the permanent protected open space would be to the edge of those wetlands. He stated that there are no wetlands on the 4.5 acres of open space and it would be reflected on the site statistics map.

Mr. Scavo clarified that no additional variance is needed for the septic system since Section 208-16 E (5) states that with municipal water only, the minimum lot size is 30,000 square feet.

Mr. Andarawis asked of the remaining 40 acres, if 20 of those acres had to be held as open space plans for the future. Mr. Scavo stated that he does not know of any future plans for this area.

Mr. Ferraro asked if the subdivision would be included into the Sherwood Forrest Park District. Mr. Scavo stated that it is up to the Planning Board to decide.

Mr. Wilcox stated that since Mr. Ferraro is a part of the Board for the Sherwood Forest Park District that he should abstain from commenting and the decision made by this Board to include the subdivision or not.

Mr. Ophardt asked if other parcels on the west side are a part of the Park district. Mr. Scavo stated there are but nothing north of Dawson Lane. Mr. Ophardt stated he has no problem including this subdivision into the Park District.

Mr. Dannible asked if there are any annual fees for being a part of the Park District. Mr. Scavo stated that are ranging from \$10 to \$40 and this would be for new lots only.

Mr. Ferraro asked if Mr. Scavo feels there needed to be an additional easement for possible future trails. Mr. Scavo stated that he feels that there is currently sufficient room without an easement.

Mr. Ophardt offered Resolution No. 13 of 2021, seconded by Mr. Lalukota to waive the final hearing for this application for the Greene, Donald 750 Route 146A Subdivision approval, and to grant preliminary and final subdivision approval condition upon satisfaction of all comments, provided by the Planning Department, Town Designated Engineer, and all items listed in the final comment letter issued by the Planning Department.

**Conditions:**

1. 4.4 acres to be given to larger lot cannot be used for future development and documented on deed
2. Clifton Park Water Authority signs off on project.
3. New Lot #1 to be included in the Sherwood Forest Park District

**Roll Call:**

D. Bagramian - Yes  
 E. Andarawis - Yes  
 E. Ophardt - Yes  
 R. Lalukota - Yes  
 A. Neubauer - Yes  
 R Ferraro - Yes  
 K. Martin – Absent  
 J. Gleason – Alternate Member - Yes

Ayes 7

Noes: 0

The resolution is carried.

### **Public Hearings:**

#### **2021-027 51 Van Vranken 3 Lot Subdivision**

Applicant proposes subdividing 10.38 acre parcel into 3 lots, Lot 1 will be 3.79 acres, Lot 2 will be 4.34 and Lot 3 will be 2.25 acres. The parcel is currently divided by Van Vranken Road, 51 Van Vranken Rd, Zoned: CR, Status: PB Preliminary Review with possible Final Determination  
SBL: 288.-2-24.3      To be reviewed by: MJE      Consultant: ABD  
Applicant: E. Ganem      Last Seen on: 5-26-21

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

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

Mr. Ferraro, Chairman, called the public hearing to order at 7:58p.m. The Secretary read the public notice as published in the Daily Gazette on July 3<sup>rd</sup>, 2021.

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

John Hitchcock – ABD – Mr. Hitchcock stated that this is a 3 lot subdivision with no changes from the previous meeting; there will be 1 lot on the south side of the road and 2 lots on the north side. He stated that density calculations have been done per the Board’s request to show acreage of unconstrained lands is enough to subdivide for 3 parcels. Mr. Hitchcock stated that there are 97,000 square feet of constrained lands, which is 2.23 acres and open space would be privately

owned and he showed it on the Zoom screen map. Mr. Hitchcock stated that with buildable land being 8.15 acre, 2.69 units can be put on the site. He stated that 2.23 acres of constrained land would be part of the 50% open space. Mr. Hitchcock stated that this land is a part of the Southwick Meadows Development and that there is a sewer main in place that allows for hook ups for each lot and that the plans will note that the 3 lots must obtain grinder pump permits. Mr. Hitchcock stated that the option for the existing home to hook up as well is in place. Mr. Hitchcock showed a map and stated that the home placements are conceptual only and that there would be an easement for a shared driveway from the existing home so there would not be an extra curb cut. Mr. Hitchcock stated that there is a 15 foot easement for a possible future trail as well and each lot would have their own well and #51 has an existing well.

### **Staff Comments:**

**Steve Myers, Director of Building and Development issued a memo dated 6/24/21 stating:**

- Confirmation that the proposal meets the requirements of the 208-16E(2)[b] and 208-16E(3)[a] should be completed prior to approval.

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

1. Postal verification

**Scott Reese, Stormwater Management Technician issued a memo dated 7/9/21 with the following comments:**

1. No stormwater comments at this time.

**The Environmental Conservation Commission held a meeting on 7/6/21 and issued a memo recommending:**

1. The ECC has no comments at this time.

**John Scavo, Director of Planning issued a letter dated 6/28/21 with recommendations he made:**

1. Pursuant to §208-16F of the Clifton Park Town Code:

A deed restriction or permanent conservation easement must be placed on the parcel and/or lot(s) with permanent open space.

The proof of such restriction of open space land in perpetuity is required and shall be supplied to the Town of Clifton Park Planning Board and filed prior to or concurrently with the final subdivision plat.

2. The Saratoga Co. Planning Board issued a recommendation noting, “The project would have no significant county-wide or inter-community impact.”

3. In lieu of a onetime parkland mitigation fee in the amount of \$2,250 due for the creation of 2 additional building lots, the applicant is showing a 15' easement to be provided to the Town of Clifton Park for a future multi-use path.

To convey the 15' easement agreement adjacent to Van Vranken Road, the applicant will be required to complete a TP-584 Form with a metes and bound description, and provide the appropriate Saratoga County Clerk's filing fees that will be submitted to:

Mr. Thomas McCarthy, Esq., Town Counsel

Clifton Park Town Hall

One Town Hall Plaza

Clifton Park, New York 12065

Please provide the Planning Department a copy of all materials submitted to Mr. McCarthy for filing (copy must be received by Planning Dept. to stamp the final subdivision plan). If there are any questions regarding the filing of the easement or materials needed, please contact Mr. McCarthy at 518-371-6651.

4. The calculations shown on the subdivision map accurately reflect a density yield of 3 dwelling units and provides 50% permanent open space, of which 57% is unconstrained.

Mr. Scavo stated 500 foot notices went out and neighbors came to the Town. Feedback was not negative at that time.

**Professional Comments:**

**Walter Lippmann, P.E. of MJ Engineering in a letter dated 7/9/21 had the following comments:**

SHORT ENVIRONMENTAL ASSESSMENT FORM

1. No additional comments.

SITE PLANS

2. Show the metes and bound of all segments of the 40' ingress/egress easement and open space areas.
3. A deed restriction or conservation easement for the open space should be provided to the Town for review.
4. The Planning Board may require signage or fencing at the permanently open space locations.

**Public Comments:**

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche thanked the applicant for the 15 foot trail easement.

There being no additional public comment, Mr. Ferraro moved, second by Mr. Ophardt, to close the public hearing at 8:11 p.m. The motion was unanimously carried.

**Planning Board Review:**

Mr. Andarawis stated his concerns are that the opens space and building envelopes are constrained. He stated that the open space is throughout the 3 lots and the building envelopes are close together. Mr. Hitchcock stated that sewer is being provided so that in the CR zoning 20,000 square feet is the minimum and that lot 3 is the smallest lot and is 41,500 square feet, with the other two times bigger than this. Mr. Andarawis stated that he does not like that open space is being used for a back yard.

Mr. Ferraro stated that he agrees with the concerns and asked about the area identified on the map as Clifton Park owned land to the west adjacent to the site and, if they are also open space maybe donating some of the land designated as permanent open space for this subdivision to the town would be appropriate rather than the land remaining in private ownership. Mr. Hitchcock stated that he had spoken to Mr. Scavo and that he would have to speak to the applicant as they may not want to give all of the land away as it is still useable land. Mr. Ferraro suggested to maybe donating a portion of the designated open space to the Town. Mr. Scavo stated the land on the adjacent parcel was donated to the town from the Southwood Meadows subdivision and if the town chooses to take the land designated as privately owned permanent open space for this subdivision, they would want to look at it first as slopes may be a concern. Mr. Hitchcock stated that the 10,000 square feet portion in the rear of Lot 2 beyond the sloped area can be donated per the applicant if the Town wants the land.

Mr. Lalukota stated he agrees with the Town donation and asked how this is done. Mr. Scavo explained a few of the steps including bringing it to the Town Board for approval.

Mr. Neubauer stated he supports the previous comments and supports trails to connect the communities within the Town and it would promote the Vischer Ferry Preserve as well.

Mr. Ophardt offered Resolution No. 14 of 2021, seconded by Mr. Lalukota to waive the final hearing for this application for the 51 Van Vranken 3 Lot Subdivision approval, and to grant preliminary and final subdivision approval condition upon satisfaction of all comments, provided

by the Planning Department, Town Designated Engineer, and all items listed in the final comment letter issued by the Planning Department.

**Conditions:**

1. 1. The North portion of Lot 2 to be donated to the Town of Clifton Park if the Town is interested.
2. Visual identifiers such as signage or split rail fencing to delineate protected lands.

**Roll Call:**

D. Bagramian - Yes

E. Andarawis - Yes

E. Ophardt - Yes

R. Lalukota - Yes

A. Neubauer - Yes

R Ferraro - Yes

K. Martin – Absent

J. Gleason – Alternate Member - Yes

Ayes   7  

Noes:   0  

The resolution is carried.

**Old Business:**

**2018-056 Waite Meadows 34 Lot Subdivision**

Applicant proposes to subdivide parcel into 34 lots for single family homes. This is a revised configuration of an already approved subdivision, Waite Rd, Zoned: CR, Status: PB Final Review  
 SBL: 270.-1-19.1      To be reviewed by: MJE      Consultant: EDP  
 Applicant: Waite Meadows, LLC Last      Seen on: 4-13-21

**Consultant/Applicant Presentation:**

Joe Dannible – EDP – Mr. Dannible stated that this application is for a 34 lot subdivision from a previously approved and filed 33 lot subdivision. Mr. Dannible stated that there has been a decrease in impervious surfaces and thus creating a true cluster subdivision. Mr. Dannible stated that the 7 conditions of preliminary approvals have been addressed and he stated that he has attached the full revised Environmental Impact Study for review. Mr. Dannible showed a map of

the area on the Zoom screen and stated that the open space, both public and private is identified. Mr. Dannible stated that updated subdivision plats have been done and also showed this on the Zoom screen. He stated that a note has been added to the plan for a future trail easement and indicated on all of the maps. He stated this will be donated to the Town. Mr. Dannible identified the wetlands on the map shown and stated that there is no indications of standing water on the foundations. Mr. Dannible stated that all plantings are shown including street trees and a full planting plan is attached to the project.

### **Staff Comments:**

#### **Steve Myers, Director of Building and Development issued a memo dated 6/24/21 stating:**

- It is believed the boulevard entrance has been significantly reduced from what was approved by the Fire Code Appeals Board
- Confirm all the houses will be fully sprinklered
- Acknowledge the high ground water may require regarding some lots

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

1. New subdivision does not address 18 lot limit per Town Code Section 179-25. Change entrance road per Variance granted 10/3/2006 by Fire Code Board of Appeals, or reduce the number of lots to 18 total, or specify all residence will be fully sprinklered per Steven Myers comments. Must comply Section P2904 of the NYS Residential Code.
2. Postal verification.

#### **Scott Reese, Stormwater Management Technician issued a memo dated 7/9/21 with the following comments:**

1. Impervious liners are strongly suggested in pocket ponds and micro-pools to limit stormwater interaction with groundwater.
2. Disconnection of Rooftop Runoff may only be applied when “filtration/infiltration areas” are incorporated in the site design to receive runoff from rooftops.
  - a. In the Stormwater Management Narrative, Table 4 (pg. 10) the engineers state “Slopes and soils on site are not conducive for buffers or vegetated filter strips”.
  - b. Since this site has C & D soils, soil enhancements and a spreading device may be needed if they are planning on using the lawn as a filter strip

#### **The Environmental Conservation Commission held a meeting on 7/6/21 and issued a memo recommending:**

1. The ECC has no comments at this time.

#### **John Scavo, Director of Planning issued a letter dated 6/29/21 with recommendations he made:**

1. Add assigned 911 addresses to the final plat for each Lot to be developed for single family dwellings and label the roadways with street names verified as acceptable to the Town's Fire Marshall.

The next two comments I previously noted in my prior April 2021 review letter for this project and they do not appear to be addressed on the current plan set:

2. Add a notation to the plan that states, "No further subdivision for the residential lots allowed pursuant to the residential density requirements prescribed by §208-16 of the Town Code titled, "Conservation Residential Zones." The objective is to ensure that future owners of Lots 1 & 2 do not have the impression that because their parcels are 6+ acres each in size, they can each create an additional building lot.

3. For the 5.57 acres of deed restricted private open space, add the following notes to the plan:

**DEED RESTRICTED PRIVATE OPEN SPACE**

- 1) Proof of preservation in perpetuity of permanent open space for lands in private ownership shall be made in accordance with §208-16(F) of the Clifton Park Town Code and shall not be subject to future amendments or modifications.
- 2) Allowable uses within the Permanent Open Space are limited to the provisions prescribed within §2016(D)(2) of the Clifton Park Town Code and shall not be amended otherwise.

**Professional Comments:**

**Walter Lippmann, P.E. of MJ Engineering in a letter dated 7/9/21 had the following comments:**

**STATE ENVIRONMENTAL QUALITY REVIEW**

1. No further comments at this time.

**SITE PLANS**

2. Pursuant to Section 6.1 of the NYSSWDM, maintenance access should be at least 12 feet wide (plans scale 8- 10 feet) to the forebay, safety bench, riser, and outlet.
3. Per discussions with the Town Highway Superintendent, the typical town road cross section on sheet 23 of 24 has been revised to be 3" binder and 1.5" top, course 6F.
4. The applicant has indicated the disturbance of greater than 5-acres will occur on site. A 5-acre waiver request should be provided to the Town for review.
5. Sewer plans and details should also be sent to the Town of Clifton Park Sewer District as the initial connection is to the Town system then conveyed to the Saratoga County Sewer District #1.
6. Provide a detail for the rooftop downspouts. Consider the installation of a gravel splash pad to prevent soil erosion.

**STORMWATER MANAGEMENT NARRATIVE**

7. No further comments.  
STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

8. No further comments.

**Public Comments:**

Michelle Bissonette – 604 Waite Road – Ms. Bissonette asked if the wetlands would still be restricted once the land is sold to the homeowner. Mr. Scavo stated that the permit from the appropriate jurisdiction would enforce the restrictions. He stated that the front estate lots will not be able to be disturbed by the homeowners and is deed restricted. Mr. Ferraro stated that he would like signage required to delineate these areas. Mr. Scavo stated that mowing and brush hogging would, generally be allowed in these areas. Mr. Ferraro stated that removal of dead trees is allowed and Mr. Scavo agreed. Mr. Peter Belmonte (builder) stated that the homeowner would be responsible for upkeep of any signage or fencing required if in the deed. Ms. Bissonette asked if the water pressure from the main would be enough to make it up the roadway to all the homes proposed. Mr. Dannible stated that water is proposed further into the site than this subdivision and that this has already been approved by the Clifton Park Water Authority.

Wendy Wagner - 608 Waite Road – Ms. Wagner asked if there is a time table for construction from beginning and end. Mr. Belmonte stated that they still need more approvals so work would more than likely start in the spring of 2022. He stated then it would be about 6 months for earth and roadwork, 3 to 6 months for utilities, and home construction would be late in 2022. Mr. Belmonte stated that total this is a 3 to 4 year construction schedule. Ms. Wagner asked if the covert pipe along the roadway would be replaced by the developer. Mr. Belmonte stated he is not aware of a pipe but he would look into this and confirm before approval.

**Planning Board Review:**

Mr. Ferraro asked if the drainage systems would be a part of the homes. Mr. Dannible stated they would not be a piping system to collect runoff, but the intent is to have it drain to the rear of the homes and travel to wetlands via rooftop connects. Mr. Lippmann stated he agrees and feels that the stormwater specifics can be worked out with Mr. Reese. Mr. Ferraro stated all the homes need to be noted on the plans to be sprinklered. Mr. Ferraro stated that he would like to have the approval stated that there is no further subdividing of lots 1, 2 and 34 and to have it on the deed.

Mr. Lalukota offered Resolution No. 15 of 2021, seconded by Mr. Ophardt to waive the final hearing for this application for the Waite Meadows 34 Lot Subdivision approval, and to grant preliminary and final subdivision approval condition upon satisfaction of all comments, provided by the Planning Department, Town Designated Engineer, and all items listed in the final comment letter issued by the Planning Department.

Conditions:

1. Lots 1, 2, & 34 are required to note within each deed that the lot cannot be further subdivided. A similar note shall be added to the final subdivision map.

**Roll Call:**

D. Bagramian - Yes  
 E. Andarawis - Yes  
 E. Ophardt - Yes  
 R. Lalukota - Yes  
 A. Neubauer - Yes  
 R Ferraro - Yes  
 K. Martin – Absent  
 J. Gleason – Alternate Member - Yes

Ayes 7

Noes: 0

The resolution is carried.

**Old Business:****2021-014 Route 146 Technology Building Site Plan**

Applicant is proposing construction of a 10,520 SF two story Technology building with approximately 20 parking spaces with access onto NYS Route 146., Rt 146, Zoned: B-5, Status: PB Prelim Review - Poss. Determination SBL: 270.-1-20.111  
 To be reviewed by: MJE Consultant: EDP Applicant: Woodhaven Land Partners  
 Last Seen on: 6-8-21

**Consultant/Applicant Presentation:**

Gavin Vuillaume – EDP – Mr. Vuillaume stated that Mr. Dick Schlansker is also on the meeting to answer questions. Mr. Vuillaume stated that this was last seen in June and is a 10,500 square foot 2 story building. He stated that some of the changes include small parking area in the front of the building as well as a larger parking lot to the rear of the building with trailer turnaround and access to the rear as well. Mr. Vuillaume stated that he was consulting with Mr. Myers and he stated that a turnaround in the front of the building is not necessary for emergency vehicles. Mr. Vuillaume stated that there will be 3 stormwater management areas, one in the front of the building, one to the east side of the lot, and one to the rear of the building. He stated that they will be pocket ponds that are about 3-4 feet deep and have been designed along the wetlands as

recommended. Mr. Vuillaume stated that there will be a wing curb to the rear pond as the proximity to the wetlands require mitigation. Mr. Vuillaume stated that the building would be half storage and half office space. He stated that water and sewer will be brought into the property for the project and that vegetation along the frontage of Route 146 would remain with other plantings as noted in the plan and showed on the Zoom screen the elevations and landscaping plan.

**Staff Comments:**

**Steve Myers, Director of Building and Development issued a memo dated 6/24/21 stating:**

- No further comments

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

1. No comment

**Scott Reese, Stormwater Management Technician issued a memo dated 7/9/21 with the following comments:**

1. Please provide documentation from the NYSDEC that there are no classified streams located on or near the project's boundaries.

**The Environmental Conservation Commission held a meeting on 7/6/21 and issued a memo recommending:**

1. The ECC strongly urges the Planning Board to withhold further review until such time where the DEC determines the source and course of the impacted stream.
2. The ECC is concerned with the use of the proposed project relative to the traffic situation of NYS Route 146. The ECC request an evaluation by the Highway / Safety Committee for traffic evaluation.

**John Scavo, Director of Planning issued a letter dated 6/25/21 with recommendations he made:**

The applicant has adequately addressed my nine prior comments previously offered at the June 8<sup>th</sup> Planning Board Meeting. Therefore, I do not have any additional comments concerning this site plan application.

Mr. Scavo stated NYSDOT is evaluating the request by the town and residents to decrease the speed in the area of Route 146 and Waite Road.

**Professional Comments:**

**Walter Lippmann, P.E. of MJ Engineering in a letter dated 7/9/21 had the following comments:**

## STATE ENVIRONMENTAL QUALITY REVIEW

1. No additional comments.

### SITE PLAN

2. Per Comment 22 of our June 4, 2021 review, Section 6.4.2 of the NYSSMDM require a minimum 2-foot separation between the bioretention filter bottom and groundwater. Based on the test pit information provided the seasonal high groundwater table elevation would not provide the required separation.
3. Per Comment 23 of our June 4, 2021 review, it is recommended that an impermeable liner, be utilized as it will ensure that the soil mix will remain segregated from the surrounding soils and ensure high groundwater will not compromise system functions.
4. The pocket pond should be designed in accordance with Section 6.1 of the NYSSMDM.
  - a. A sediment forebay is important for maintenance and longevity the treatment pond. The forebay shall consist of a separate cell, formed by an acceptable barrier.
  - b. The forebay shall be sized to contain 10% of the water quality volume (WQv), and shall be four to six feet deep.
  - c. A fixed vertical sediment depth marker should be installed in the forebay to measure sediment deposition over time.
  - d. Maintenance access should be provided with at least 12 feet wide, and be appropriately stabilized to withstand maintenance equipment and vehicles. The maintenance access should extend to the forebay, safety bench, riser, and outlet and be designed to allow vehicles to turn around.

### STORMWATER MANAGEMENT NARRATIVE AND STORMWATER POLLUTION PREVENTION PLAN

5. Include long term operation and maintenance for the proposed pocket pond.

#### **Public Comments:**

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche asked if an easement for a bike trail could be provided. Mr. Vuillaume stated that an easement for a trail is being provided and showed it on the map on the Zoom screen.

Wendy Wagner 608 Waite Road – Ms. Wagner stated that she was the resident that requested a traffic study to be done for the corner of Route 146 and Waite Road and asked that the speed be reduced. She stated that it took 10 minutes for her to take a left onto Route 146 from Waite road at 11:30 am on a weekday.

Michelle Bissonette – 604 Waite Road – Ms. Bissonette stated that she is concerned with a tractor trailer making a turn onto the roadway with heavy traffic moving at 45 mph. Mr. Vuillaume stated that there would only be one trailer per week for the property. Ms. Bissonette asked about the vegetation in front of the building and the entrance visibility out of the site. Mr. Vuillaume stated that the grounds would be maintained and mowed regularly.

**Planning Board Review:**

Mr. Ferraro thanked the applicant for addressing all professional comments and concerns. He stated that he would like to see more evergreens to the east of the front of the property. Mr. Vuillaume stated that this can be done. Mr. Ferraro noted that the cover sheet is not directly reflective of the actual site plan. Mr. Vuillaume stated he is correct and can fix it.

Mr. Neubauer stated his approval would depend on renderings and material used for the building and would like to see them. He stated that this is in a Corporate Commerce Zone and feels that this project is decent for this zoning and fits the intention of the zone. Mr. Ferraro asked if any of the building facades change or the materials change would it come back to the Board. Mr. Scavo stated that if it determined administratively that the changes change the intent of the building then it would come back to the Board.

Mr. Ophardt asked if the 3 bio retention areas are pocket ponds. Mr. Vuillaume stated that there would be 2 bio retention areas and one pocket pond. He stated that the pocket pond is designed to hold water 90% of the time.

Mr. Ferraro stated that he is concerned about the overall lack of planning for the future development of Commerce Park and, given the traffic issues on Route 146, the need to address access issues as parcels are developed as well as a more comprehensive evaluation of existing environmental features located throughout the Park. He stated that there needs to be a more comprehensive plan that includes an internal circulation system for the entire site and an updated GEIS needs to be done that involves the Town and property owners of Commerce Park.

Mr. Ophardt moved, second by Mr. Neubauer, to establish the Planning Board as Lead Agency for this application, an Unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was carried unanimously.

Mr. Ophardt moved, second by Mr. Lalukota, to waive the final hearing for this application for the site plan review of Route 146 Technology Building Site Plan, and to grant preliminary and final site plan approval conditioned upon 1. Plant 3 more conifers within the vegetative opening east of the driveway curb cut along the parcels frontage on Route 146 near where the water and sewer laterals are extended into the site and 2. 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.

Ayes: 7

Noes: 0

The motion is carried.

**New Business:**

**2021-040 Horstman MacElroy Rd Subdivision**

Applicant proposes multiple lot line adjustment and a subdivision between 4 existing parcels with single family homes to create 2 new parcels for construction of single family homes, 627

Mac Elroy Rd, Zoned: R1, Status: PB Concept Review SBL: 258.12-3-1

To be reviewed by: MJE Consultant: GVG Applicant: J. Horstman

**Consultant/Applicant Presentation:**

Duane Rabideau – Van Guilder – Mr. Rabideau stated that the applicant owns 3 adjoining properties and would like to adjust the lot lines and subdivide a parcel along MacElroy Road to be able to make a new single family lot. He stated that they would like lot 1 to have a home as well as creating lot 2 which would be added along Horstman Lane (a private road) at the end of the right of way. Mr. Rabideau stated that they would also need a lot line adjustment for lot 2 and the Lands of Wheeler to convey 7,100 square feet to the Wheeler parcel. There are also lot line adjustments along MacElroy Road as well to allow lot 1 to gain the required footage.

**Staff Comments:**

**Steve Myers, Director of Building and Development issued a memo dated 6/24/21 stating:**

- The current lot status does not match the county mapping. Here is an existing parcel SBL #258.12-3-19 that is part of “Hortsman Lane” that shows as part of the Wheeler property. The Wheeler property is SBL #258.12-3-20 not #258.12-3-1 as shown. The “Original Division Line” on the Wheeler parcel is the end of SBL #258.12-3-1.
- The proposed new lot #2 is a keyhole lot and the building envelope needs to be 50’ on all sides since Hortsman Lane is not a public road
- All the property is zoned R-1 and the proposal appears to meet the minimum 40,000 sf requirement for septic systems.
- New lot #2 will be required to have permanently deeded access on Hortsman Lane, Lands of Johnson
- I have been told of possible changes to the east side of Hortsman Lane as well but not shown.

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

1. Postal verification

**Scott Reese, Stormwater Management Technician issued a memo dated 7/9/21 with the following comments:**

1. No stormwater comments at this time.

**The Environmental Conservation Commission held a meeting on 7/6/21 and issued a memo recommending:**

1. The ECC endorses Steve Myers June 24, 2021, comments.

**John Scavo, Director of Planning issued a letter dated 6/28/21 with recommendations he made:**

1. Please review the attached Tax Map showing Parcel #258.12-3-19 circled in red which appears not to be present on the conceptual subdivision map. Review the subdivision map and provide clarification to address this discrepancy.
2. A parkland mitigation fee of \$2,500 (\$1,250.00 X 2 new dwelling lots) is due at the time of stamping the final plan.
3. Prior to construction of the new dwelling unit adjacent to MacElroy Road, the property owner shall contact the Town Highway Superintendent to determine if a driveway culvert pipe and drainage ditch within the Town's Right-of-Way will be required. If required, the property owner shall coordinate such installation with the Town's Highway Department. Add a note to the plan that states, "Any work within the MacElroy Road right-of-way will require permitting from the Town of Clifton Park Highway Department prior to construction."
4. Soil investigations including deep test pits and percolation tests should be conducted in the area of the proposed wastewater disposal systems to verify the adequacy of the soils to accept an on-site wastewater disposal system.

**Professional Comments:**

**Walter Lippmann, P.E. of MJ Engineering in a letter dated 7/9/21 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 approval

SHORT 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.13a – The response indicates that a portion of the site or lands adjoining the site of the proposed action, contains wetlands or other waterbodies regulated by a federal, state or local agency. The applicant should provide documentation that confirms the presence or absence of federally regulated wetlands adjacent to the project site.

Additional comments may be forthcoming as the project advances.

## SITE PLANS

1. The project is located within the Town's Residential 1 District (R-1). The proposal for single family homes is a permitted principal use within the CR District as noted in Section 208-10(B)(2) of the Town's Zoning.
2. In our review of the concept plan submitted, it would appear that the bulk lot requirements as outlined in Section 208-11 of the Town's Zoning are satisfied.
3. Provide contour lines at a minimum of two-foot intervals to United State Geological Survey datum within the parcel.
4. The proposal is for on lot septic systems and wells. Without contours it can not be determined whether the placement of these features is appropriate. Septic systems shall be 100 ft from wells, and 200 feet from wells when downgradient of the septic system.
5. An on-site septic systems are proposed. Subsequent submissions shall include the percolation and test pit results.
6. Verify location of proposed septic system including the 50% expansion area. Confirm it meets the setbacks required of Appendix 75-A of the State Sanitary Code.
7. Subsequent plans shall identify whether driveway culverts will be required at MacElroy Road to adequately convey roadside drainage.
8. All lot grading shall be such that drainage is directed away from the homes and towards lot lines and ultimately to an approved drainage course as required by Section 86-7(A)(5) of the Town Code. In order to demonstrate conformance to the stated regulations, an overall project grading plan must be developed for review.
9. It is proposed to have shared driveways. A shared driveway maintenance agreement will be required. A draft of the agreement shall be provided to the Planning Board's legal counsel for review.
10. The shared driveway layout shall be reviewed by the responding emergency service agencies. Subsequent plans shall include appropriate information demonstrating compliance with the NYS Fire Code.
11. Pursuant to Section 86-10 of the Town Zoning, the applicant shall be required to plant two trees per living unit on the street side of new construction sites. Provide planned species to be planted for review.
12. 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).
13. 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.
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. Considering this plan is conceptual in nature, subsequent comments will be provided with a preliminary plan submission.

**Public Comments:**

No public comments.

**Planning Board Review:**

Mr. Ferraro asked that the next plan have environmental features both current and changes as well as disturbance areas. M. Ferraro stated Horstman Lane is a private road with homes and stated that he has concerns putting another home on it. Mr. Scavo stated that the homes are under family ownership and Horstmen Lane is owned by a private owner separate from the homeowners but they do have easements for ingress and egress and is required to meet fire code for private roads. Mr. Ferraro asked if there was another project to the east per professional comments. Mr. Rabideau stated he does not know of any. Mr. Ferraro stated he has some concerns about the proposed subdivision to create 2 new lots and adjusting lot lines to enable the project to progress more than what already exists.

Mr. Andarawis asked if lot 2 would be a landlocked parcel if approved. Mr. Scavo stated it may not be considered land locked due to the private road. Mr. Scavo stated he would look into this and get back to the Board.

**New Business:****2021-041 3 Synergy Park Drive Site Plan**

Applicant proposes to construct 2 office/warehouse buildings. One 30,000 sf building will be located at the westerly end of the site and one 10,000 sf building will be located on the easterly side of the site. 64 parking spaces for both buildings are proposed, 3 Synergy Park Dr, Zoned: B-5, Status: PB Concept Review SBL: 265.-5-4 To be reviewed by: MJE  
 Consultant: ABD Applicant: Synergy Park, LLC

**Consultant/Applicant Presentation:**

John Hitchcock – ABD - Mr. Hitchcock stated that the site is a vacant lot on the corner of Synergy Park Drive and Kinns Road and has frontage on I87. Mr. Hitchcock stated that there are wetlands on the northern boundary and U-Haul building is adjacent. He stated that the proposal is for 2 buildings, one on the west side of the property would be 37,000 square feet and the second building would be to the east and be 10,000 square feet with a warehouse and 1,000 square feet of office space and 2 dock doors and one overhead door. Mr. Hitchcock stated that there would be 16 spaces for parking for building 2 and the 37,000 square foot building would have their own parking of 48 parking spaces in the middle and 6 in the front of the building and as well as 3 dock doors and 3 overhead doors. He stated there are no tenants yet and that

elevations are not worked out; he did show an example on the Zoom screen. Mr. Hitchcock stated that the building with frontage to Kinns Road would be an office look and there would be grinder pumps for the sewer hook ups to Synergy Park Drive. He stated that the buildings would be sprinklered as required and a hydrant would be added to the plan as well as 26 foot wide lanes for trucks. He stated that stormwater would be handled on site similar to others in Synergy Park. Mr. Hitchcock stated that there is a designated dumpster area for the west side of the property but not for the east but there will be.

**Staff Comments:**

**Steve Myers, Director of Building and Development issued a memo dated 6/24/21 stating:**

- Depending on the occupancy the 10,000 sf warehouse may require a sprinkler system
- A full SWPPP will be required
- Appears to be an allowed use in the B-5 zone

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

1. no comment

**Scott Reese, Stormwater Management Technician issued a memo dated 7/9/21 with the following comments:**

1. Provide deep test hole with seasonal high-water elevations, percolation tests if needed according to NYS Stormwater Management Design Manual.
2. Provide a Full SWPPP when the plans progress.

**The Environmental Conservation Commission held a meeting on 7/6/21 and issued a memo recommending:**

1. The ECC requests the proposed trail from the original proposed plan along Kinns Road be added to these plans. This project should be referred to the Trails Committee for their comments.

**John Scavo, Director of Planning issued a letter dated 6/29/21 with recommendations he made:**

1. It appears this project will exceed the 50% build-out threshold for the Synergy Technology Park Complex. Therefore, the construction of the dedicated right turn lane must be installed concurrently with this project. The applicant shall contact NYS DOT Traffic and Mobility and Saratoga County Public Works to begin the process to obtain highway work permits to construct the improvement.
2. Add a note to the plan that notes a Certificate of Occupancy shall not be issued until such time the required off-site mitigation for the dedicated right turn lane from Kinns Road to NYS Route 9 is constructed and dedicated. This should also be a condition of the final approval by the Planning Board.
3. Clarify if the E-1 Grinder Pump location shown is to be within the limits of a federal wetland. Also, clarify if the hatched area shown on the plan is the associated buffer from

the original Synergy Technology Park Subdivision Plan the property owner agreed to at the time.

4. The applicant should provide information with a future preliminary plan submittal to address all development standards pursuant to §208-55 of the Clifton Park Town Code. Additional comments will be provided at that time.
5. A referral to the Saratoga Co. Planning Board will be made once the preliminary plan set is received.

### **Professional Comments:**

**Walter Lippmann, P.E. of MJ Engineering in a letter dated 7/9/21 had the following comments:**

#### STATE ENVIRONMENTAL QUALITY REVIEW

1. The Synergy Technology Park was previously reviewed by the Planning Board as part of a master plan development. As part of that review, the Planning Board completed a comprehensive review and issued a negative declaration under SEQRA. This application represents a detailed site plan application for one of the lots within the park. The Planning Board shall continue with its review. However, the Board may rely upon its prior SERA findings, confirming that this application does not present impacts not previously considered and mitigated, if mitigation was required.
2. Should the Board not initiate an independent and new SEQRA review, but rather validate and confirm its prior findings, it still will be a requirement that the application is referred to Saratoga County Planning under a 239m due to the project's proximity to U.S. Route 9, County Route 109 and Interstate 87.
3. The short environmental assessment form submitted indicates that more than one acre of land will be disturbance. As such, a stormwater pollution prevention plan (SWPPP) addressing water quality, quantity and green infrastructure is required. It is noted that the activities associated with the roadway, utilities and storage facility construction currently have an active SWPPP. Confirm whether this application will be a stand along SWPPP or an amendment to the existing SWPPP.
4. The project proposes to provide potable water to the new building from the Clifton Park Water Authority (CPWA). During the review of the Synergy Technology Park the applicant previously provided the Town documentation indicating the CPWA's ability and willingness to provide additional potable water to the project.
5. The project proposes to provide sanitary sewer service to the new building from the Saratoga County Sewer District No. 1 (SCSD). During the review of the Synergy Technology Park the applicant previously provided the Town documentation indicating the SCSD's ability and willingness to provide additional potable water to the project.
6. It is noted in Section 208-54(D) of the Town's Zoning, any building or structure proposed over 35 in height, the Planning Board will conduct a visual assessment and require the applicant to complete Appendix B of the State Environmental Quality Review, Visual EAF Addendum for its consideration. The Planning Board shall also require a line-of-sight-profile with control points to be determined by the Board.

#### SITE PLANS

7. The project resides within the Town's B-5, Corporate Commerce District. In our review of Section 208-53(9) of the Town's Zoning in its entirety, it appears that the proposed warehouse/office facility is a permitted use within the B-5 District.
8. In our review of the concept plan submitted, it would appear that the bulk lot requirements as outlined in Section 208-54 of the Town's Zoning are satisfied.
9. Identify the date and by whom the wetlands shown were delineated. Based on the date of the delineation and/or prior NYSDEC correspondence, the wetlands may require a re-delineation if expired.
10. The site contains substantial wetlands which may or may not be impacted as a result of the planned improvements. Placement of the proposed stormwater facilities will need to be closely examined considering what may be a shallow groundwater table.
11. Consider reducing the middle parking lot throat width to the main driveway to direct cars from cutting directly in front of the loading docks of the northerly building.
12. As per the previously approved plans, a traffic impact report including peak vehicle trips and sight distance analysis should be prepared with each site plan application.
13. Section 503.1.1 of the IFC requires an approved fire apparatus access road be provided that shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measures by an approved route around the exterior of the building. In reviewing the concept plan, it appears the 10,000 SF building may not provide the appropriate access. This arrangement needs to be reviewed by the Fire Dept.
14. Dead-end fire apparatus access roads in excess of 150 feet shall be provided with width and turnaround provisions in accordance with Table D103.4 of Appendix D of the IFC. Identify on plans the fire apparatus route.
15. Indicate whether the proposed 10,000 SF building will be equipped with automatic sprinklers.
16. 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.
17. Subsequent plans shall show how the project will satisfy the requirements of Section 208-55(B) of the Town's Zoning are being satisfied with respect to lot landscaping.
18. Elevations and materials of construction for the proposed building should be submitted to the Planning Board for review to ensure the requirements of Section 208-55(C) of the Town's Zoning are being met.
19. Subsequent submissions shall include information as outlined in Section 208-115 of the Town zoning specific to lighting, site grading, landscaping, erosion control and stormwater management to fully assess the design and its compliance to the applicable standards.

### **Public Comments:**

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche asked how steep the trail is from the southernmost point. Mr. Hitchcock stated that from Kinns Road it comes to a depression but he does not have elevations and the trail was done by the overall application for the site. Mr.

LaFleche asked if there could be a connection from the parking lot to the trail. Mr. Hitchcock stated that he can talk to the applicant about doing that. Mr. LaFleche asked about the tractor trailers and if they have enough room to back up and not be too hazardous. Mr. Hitchcock stated there should be enough visibility for them to move and there will not be large amounts of trucks going into the site but signage for trucks can be added as well. Mr. Lipmann stated that he thinks that cars coming from the middle parking lot and going towards the small building at the narrowing would be an area of concern. Mr. Hitchcock stated that they can pull back on the curvature of the road to make it more visible for entering and exiting traffic as well as the thru traffic.

### **Planning Board Review:**

Mr. Neubauer stated that from conceptual views it looks to be consistent with the original master plan. He stated that when the master plan was rolled out it helped the Board to visualize the overall development and the trails are already in place which makes it more helpful for review.

Mr. Hitchcock stated that as a part of the project the existing billboards will be removed from the site and he indicated the location on the Zoom screen map.

Mr. Ophardt stated that the access for pedestrians was working into the master plan and asked if there would be a path that leads to the furthest building even if it were just for recreation. Mr. Hitchcock stated that they prefer to look for a connection to Kinns Road not the Synergy Park Drive trail. He stated that there is more truck traffic than car traffic in this area within the Park. Mr. Ophardt asked what the trucks turnaround is closest to I87. Mr. Hitchcock stated it would be for emergency vehicle access. Mr. Ophardt asked why there are 6 loading docks when Mr. Hitchcock stated there would not be a lot of truck traffic on the site. Mr. Hitchcock stated he does not know what the traffic would be as there is not tenant yet for the building. Mr. Ophardt asked about signage for the tenants. Mr. Hitchcock stated that signage would depend on what the tenant wants.

Mr. Ferraro stated that he would like the EV charging stations for both of the buildings identified. Mr. Ferraro stated he would also like to see on the site plan the exiting plantings and the landscaping plans as the project progresses.

### **Discussion Items:**

#### **2021-042 Exit 9 Self-Storage Phase 2**

Applicant proposes a 3 story 12,000 sf climate controlled self-storage building located at the northwest corner of Sitterly Road and Crossing Blvd, 101 Sitterly Rd, Zoned: TC5, Status: TAC Concept Review. This site plan is consistent with the proposed future build-out on the previously

approved site plan for Phase I Project #2019-012. Planning Staff will give an outline of the review process that will occur under the purview of the Town Center Code Advisory Committee who will work with the applicant on perfecting the application to meet the intent of the Form Base Code prior to consideration for preliminary review by the Planning Board.

SBL: 272.-1-52.1      To be reviewed by: MJE      Consultant: Lansing Eng.

Applicant: Exit 9 Self Storage, Inc.

**Staff comments:**

**Steve Myers, Director of Building and Development issued a memo dated 6/24/21 stating:**

- Property is now zoned TC-5 and self-storage is an allowed use
- Septic system will be evaluated when the building plans are submitted
- More comments to follow with later submissions

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

1. Submit fire apparatus access plan
2. Postal verification

**The Environmental Conservation Commission held a meeting on 7/6/21 and issued a memo recommending:**

1. As a discussion item the ECC concurs with Keith Martins comments submitted on June 30, 2021.
2. The ECC reserves the prerogative of making additional comments as this project proceeds through the planning process.

**John Scavo, Director of Planning issued a letter dated 6/28/21 with recommendations he made:**

1. In accordance with a condition of final site plan approval for Project #2019-012, Exit 9 Self-Storage Plan, the applicant has submitted a site plan to construct the 2nd self storage building which will require additional review and approval from the Town Center Technical Advisory Committee (TAC) and Clifton Park Planning Board.
2. Town planning staff will coordinate a meeting with the TAC and applicant in accordance with §208-21 (6)(C)[1] of the Clifton Park Town Code that states:

If the Planning Director determines that an application requires interpretation or discretionary judgment with respect to compliance with the standards and guidelines of this chapter, the application shall be referred to a Technical Advisory Committee (TAC), hereby established.

- a. The Technical Advisory Committee (TAC) shall consist of: the Chairperson (or Vice Chairperson) of the Planning Board, a Director of Building and Development, the Planning Director and the Planning Board Attorney. This review committee may be augmented as deemed necessary by the Planning Director with other Town officials and the Town-designated engineer (TDE) and Town-designated design professional (TDP) consulting firms.
3. The applicant should complete the attached TC-5 Form Based Code Checklist which will be provided to the TAC prior to our meeting. In addition, the applicant should provide a narrative to address how additional stormwater will be addressed. The applicant is also encouraged prior to the TAC Meeting to consider and provide documentation on how the architectural standards prescribed by §208-25 and site design standards within §208-26 have been met.

Mr. Scavo read from his letter what was sent to the applicant. He stated that the biggest concern would be the building façade. He stated that the applicant is looking to have at grade garage doors for the ability to store customers higher end vehicles as there is a demand for this now that they were not aware of. Mr. Scavo stated that details for the garage need to be mitigated. He stated that he would like 2-3 Planning Board members for the TAC as well as Town Board members and ECC members. Mr. Scavo stated he would provide the Board members with updated information as the TAC meetings progress.

Mr. Ophardt moved, seconded by Mr. Neubauer, adjournment of the meeting at 11:15 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on August 10<sup>th</sup>, 2021.

Respectfully submitted,

*Paula Cooper*

Paula Cooper, Secretary