

Clifton Park Planning Board Meeting Minutes

January 14, 2003

Those present at the January 14, 2003 Planning Board meeting were:

Planning Board: S. Bulger, Chairman, B. Czub, R. d'Amico, J. Larkin, J. Marzola, J. Russell

Absent: T. Karam

Those also present: J. Kemper, Director of Planning, J. Grasso, Clough, Harbour, and Associates, M. O'Brien, Environmental Specialist, P. Pelagalli, Counsel

Mr. Bulger, Chairman, called the meeting to order at 7:10p.m. He stated that he was pleased to be appointed as Chairman of the Planning Board by the Town Board at the organizational meeting held on January 6, 2003.

Public Hearings:

[2000-035] Belmonte, Peter – Proposed (16) lot subdivision, West Sky Drive – Reconvening of preliminary public hearing held on November 13, 2002 and possible determination.

Mr. Bulger explained that this application was withdrawn from this evening's agenda at the request of the applicant.

Old Business:

[2002-047] Stewart's Ice Cream Shops, Inc. – Proposed 3,600 SF rental building, 639 Grooms Road – Preliminary site plan review and possible determination.

Mr. Tom Lewis, Stewart's real estate representative, presented this project proposal for the Board's consideration. Although this plan has not been resubmitted to the Board since last January, Stewart's is now prepared to move forward with construction at this site. Mr. Lewis explained that the site plan has been revised in response to previous Board comments. The plan now shows one curb cut onto Grooms Road rather than the two originally proposed. Architectural plans have been revised to include a pitched roof rather than the prototype mansard design. The gas island has been reconfigured to allow for easier vehicle maneuvering throughout the site and 39 parking spaces, including four spaces at the gasoline pumps, have been provided. Lighting fixtures will be limited and directional in an effort to maintain all lighting on site and substantial landscaping will improve the aesthetics of the area. All of the comments and recommendations provided by Clough, Harbour, and Associates will be addressed. Mr. Lewis noted that the Zoning Board of Appeals approved six area variances for the site in order to accommodate the

proposed layout.

Mr. Kemper explained that this project last appeared before the Board for revised concept review on January 8, 2002. Among the outstanding items at that time were the variances from the Zoning Board of Appeals: they have since been granted. The date of approval should be added to the site plan. The proposed façade drawings should be supplied for the Board's consideration and colored architectural renderings should be included in the final site plan. Don Austin, Director of the Clifton Park Water Authority forwarded a letter to Lawrence Rutland on January 10, 2003 that outlined specifications and requirements of the water authority. A consolidation deed must be submitted for the adjoining two parcels now slated for development. A curb cut permit will be required from Saratoga County Department of Public Works. The strip of land to be conveyed to Saratoga County for highway improvements is labeled "easement to Saratoga County" must be corrected. Proposed screening for the dumpster locations should be described on the plot plan and plant sizes should be increased to 24" spread or height for ornamentals, and 3" caliper for deciduous trees. The proposed water line connection and erosion control measures must be depicted on the plot plan.

Mr. O'Brien, Environmental Specialist, reported that all ECC comments have been satisfied.

Mr. Grasso offered a number of engineering comments. Grading of the proposed berm along the north side of Grooms Road in front of the proposed new rental building should be reflected on the plans with proposed contours and the berm should be a minimum of three feet above the roadway at its lowest point in order to provide the intended screening. The proposed water service to the new rental building should be shown on the plans and appropriately detailed.

It appears that gravity service from the proposed rental building to an existing force main will not be possible. Construction and connection details must be submitted for review. Since this project will utilize reserve capacity within the sanitary sewer system constructed to serve the Vischer Ferry Road corridor, as was done for the Hidden Crest subdivision, engineers recommend that the respective sewer mitigation fee be applied.

The fee is determined as follows:

$$3,600 \text{ s.f.} \times 0.1 \text{ g.p.d./s.f.} = 360 \text{ g.p.d.}$$

$$360 \text{ g.p.d./}300 \text{ g.p.d./EDU} = \text{Approximately } 1 \text{ EDU (equivalent dwelling unit)}$$

$$\text{\$}3,314/\text{EDU} \times 1 \text{ EDU} = \text{\$}3,314.00$$

Additional deciduous trees should be provided in the area of the southeast corner of the site and along the north side of Grooms Road. "No Parking" signs are required in front of the handicapped parking access aisles and all handicapped signage must be mounted between five and seven feet from the ground to the bottom of the sign.

Clough, Harbour, and Associates has reviewed the "Conceptual Storm Water Calculations" prepared by Lawrence Rutland, Jr., PE, dated December, 2002 and offers several comments. The time of concentration calculations should be provided in order to

determine the appropriateness of the 15-minute values used for both the pre- and post-development conditions. The time of concentration travel paths should be shown for both pre- and post- developed drainage patterns. Pursuant to the Town Zoning Code, post developed peak discharge rates should be restricted to pre-developed peak discharge rates for the 2, 10 and 100-year storm events. A summary table comparing pre-developed and post-developed peak discharge rates for each of the design storms and each watershed area should be provided. The water quality volume (WQV) should be captured and treated in accordance with the 90% Rule as outlined in the New York State Stormwater Design Manual, dated October 1, 2001. Calculations, volumes, and methods of treatment should be specified. In order to verify existing soil conditions such as soil type, impermeable layers, high groundwater and percolation rates, test pits and percolation tests should be performed within in the vicinity of the two proposed drywells to a depth of two feet below the bottom the drywells. We recommend that design percolation rates be significantly slower than observed rates to account for frozen ground or saturated soil conditions. Additional clarification is requested for the 10-foot value used in computation of the infiltration mat area and trench capacity volume and details for the infiltration trench should be provided. The “Drywell Detail” depicts a rim elevation of 49.75, while the plans indicate top of frame elevations of 313.00. Clarification is required. The filter fabric should be a drainage fabric with high permeability rates. Additional information should be provided on the “Oil Water Separator Flow Restrictor Detail” including orifice material and elevation, top of tee elevation, top of frame elevation, etc. An orifice smaller than 3 inches in diameter is not recommended due to the potential for clogging. All construction details should be included in the plan set to ensure construction is completed in accordance with stormwater management system design. A Stormwater Pollution Prevention Plan with erosion and sediment control methods and details should be provided.

Mr. Bulger noted that although most of the issues had been addressed, it appeared that the lack of information regarding the water connection was significant. Though, in his opinion, preliminary approval was acceptable, final plans should include all the required site statistics and details. Other members agreed.

Ms. Czub moved, seconded by Mr. d’Amico, 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 unanimously carried.

Mr. Marzola moved, seconded by Mr. Larkin, to grant preliminary approval to this application conditioned upon the satisfaction of the comments issued by Mr. Kemper and Mr. Grasso and the addition of water connection details to the plan. The motion was unanimously carried.

[2002-068] Chili’s Restaurant – Proposed 5,555 SF restaurant, 5 Northside Drive – Preliminary site plan review and possible determination.

Mr. Rob Spiak, Bohler Engineering, presented this application, stating that it remains generally as presented at the November 13, 2002 Planning Board meeting. A detailed

project narrative, describing the development area as a 2.2 acre parcel currently owned by Firehouse Road Associates, LLC., was presented to the Board members for their consideration. The project site is located east of the recently-constructed Comfort Suites Hotel in a B-4 zone. Site development consists of the construction of a 5,611 SF one-story wood framed building for use as a restaurant and bar. The building will contain a 213-seat restaurant, kitchen, bar, office, and merchandise storage areas. The applicant projects that 50 employees will be required for efficient operation. The remainder of the site will contain a paved parking area for 125 vehicles, a stormwater drainage system, wastewater disposal system, water service, and landscaping. A masonry service yard enclosure will be provided. Colored façade renderings were presented for the Board's review and Mr. Spiak emphasized that the rear of the building would compliment the front of the restaurant.

Mr. Spiak explained that the Clifton Park Water Authority will provide water service to the site and that connection will be made to the Saratoga County Sewer District. Stormwater management controls, designed for the existing motel and proposed future development, have been partially installed on the project site.

Access to the site will be provided from Northside Drive, a private road currently maintained by the developer. This drive is accessed from Fire Road, just north of its intersection with NYS Route 146. Owners of the restaurant expect that the hours of operation will be from 11:00a.m. to 1:00a.m... Since the property is located in close proximity to major arterials and other commercial facilities, it is not expected that the business will significantly impact existing traffic conditions. Mr. Spiak said that this project will have no significant adverse effects on the environment and "pose no drainage, traffic, noise, visual, or any other problems for adjoining properties or the community." He concluded by expressing the applicant's willingness to comply with all comments offered by Clough, Harbour, and Associates with the exception of the cross-easement recommendation. He noted that since the Comfort Suites property has been conveyed to a new owner who has verbally agreed to a pedestrian connection between the two sites, the owners will not agree to vehicular access.

Mr. Kemper explained the project was presented to the Board on November 13, 2002 for conceptual site plan review. The major issues of concern included access to the hotel and the rear of the building, the number of parking spaces, and the presentation of the details of the building's facade. Mr. Don Austin, Director of the Clifton Park Water Authority, has forwarded a letter to the applicant that outlines the concerns and requirements of the water authority. The project will require a signoff from Sheryl Reed regarding access for emergency services' vehicles. Signoffs from the S.C.S.D. and C.P.W.A. are also required prior to the stamping of the plans. The Saratoga County Planning Board approved the project on November 21, 2002. Colored façade renderings will have to be incorporated into the final site plan and samples of the proposed building materials should be submitted for the Board's review. At the time hotel construction began, it was agreed that the stormwater management facilities would be constructed in their entirety when the adjoining parcel was developed. Prior to the issuance of a C.O. for this project, all stormwater improvements must be completed. Handicap parking and unloading zone

signs should be depicted on the plot plan. Since it appears that the number of proposed parking spaces is excessive, the option of using a parking lot expansion area should be evaluated. Erosion control measures should be depicted on the plot plan. The proposed planting sizes should be increased to 3" caliper for deciduous trees, and 24" spread or height minimum for ornamentals. In response to Mr. Kemper's question concerning the incorporation of a large chili pepper as part of the signage, Mr. Spiak replied that such a display was part of Chili's image and would be displayed on the front of the building. Plantings should be provided in the parking lot islands. During the subdivision approval for this project it was stated that cross access between parcels would be necessary: no vehicular or pedestrian access between the two projects is currently shown on the plans.

Mr. O'Brien, Environmental Specialist, asked that the following standard statements should be added to the plot plan:

- o The borders of all land that is to remain undisturbed shall be clearly marked on the site before site preparation begins. These on-site boundary markers shall remain until construction is completed and soils are stabilized.
- o All erosion and water quality controls shall be put into place at the initial phase of site preparation and shall be maintained until all construction ends and soils are stabilized.
- o The applicant will control fugitive dust and debris during the construction/demolition phase of the project.

Mr. Grasso offered several comments regarding the application. The contours shown on the plan do not accurately represent existing field conditions. In particular, the stormwater management area located on the lot labeled "for future development" has not been fully constructed as originally designed. It is assumed that the currently proposed project will utilize this area for stormwater management and that the stormwater management area will need to be constructed as originally designed.

There were several other comments from the Town Engineer. In accordance with the NYS Building Code, "No Parking" signs should be installed in front of all handicapped parking access aisles and all aisles are to be eight feet wide. In order to control traffic circulation, granite or concrete curbing should be provided around the islands along Northside Drive.

Since the overall Abele property was to be designed for continuity from site to site, vehicular and pedestrian connections should be provided between the restaurant and the hotel to the east. The vehicular connection should be provided as previously proposed. Due to the excess number of parking spaces provided on the Chili's site, the loss of a few parking spaces on the hotel site should not cause a significant impact.

The Grading and Drainage Plan indicates a partial filling of the existing stormwater detention area along Rte. 146. The impacts associated with the loss of storage will need to be addressed. Silt fence should be provided along the downslope limits of grading. Proposed pipe materials should be specified on the utility plan and the consultant should verify that adequate separation can be maintained between the proposed sanitary sewer, gas, and storm drainage pipes in the area immediately east of the proposed grease traps.

This should be appropriately noted on the plan.

Due to the lack of vegetation on the site because of past clearing activities, significant additional deciduous and evergreen trees are recommended around the southwest and southeast corners of the site and street trees are recommended within the proposed islands along Northside Drive. Cut sheets should be provided for the proposed pole-mounted lighting fixtures showing the use of flat glass lenses. The Water Supply Notes, Sanitary Sewer System Notes, and General Lighting Notes should be project-specific. The “Total Lot Area” differs from the “Zoning Analysis Table” to the “Site Statistics”. Clarification should be provided.

Mr. Bulger expressed his dismay that the project proposal did not contain a vehicular connection to the hotel parking lot and he encouraged the applicant to provide such a connection to the adjoining parcel to the west. Mr. Ed Abele, site developer, addressed the Board. He stated that national restaurant chains such as Chili’s are “extremely protective of parking” and he asked the Board to consider each parcel on a site-specific basis since each will be developed individually. He added that since there is currently no negotiated lease for the additional lot, it would be difficult to determine the best location for cross-access locations. Mr. d’Amico asked for clarification regarding the access to the hotel parking lot. Mr. Abele stated that the hotel has been sold and he no longer has control over such access: the hotel owner has agreed that a pedestrian connection would be acceptable. Mr. Larkin spoke in support of pedestrian connections between the parcels.

Although Mr. Pelagalli advised that no vehicular access was likely to be negotiated with the hotel owners, the Board could consider providing for cross-easements for the two remaining properties. Mr. Bulger encouraged Board members to incorporate cross-easements in the site plan approval in an effort to achieve improved traffic circulation when the future application is submitted. Board members noted that although variances would be required for the size of the signs, they would approve the incorporation of the chili pepper within the sign’s design.

Mr. Larkin moved, seconded by Mr. d’Amico, 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 unanimously carried.

Ms. Czub moved, seconded by Mr. d’Amico, to grant preliminary approval to this application conditioned upon satisfaction of the comments issued by Mr. Kemper and Mr. Grasso, incorporation of appropriate language on the site plan that assures the cross-easement that will provide for vehicular movements between the remaining adjoining properties, and the submission of the agreement between the developer of Chili’s and the owner of the hotel that provides for the installation and maintenance of a pedestrian access between the two properties. The motion was unanimously carried.

[2002-059] Cumberland Farms – Proposed demolition of existing convenience store and construction of 4,134 SF store with (6) gasoline dispensers and canopy – Preliminary site

plan review and possible determination.

Mr. Rob Spiak, Bohler Engineering, presented this proposal for the redevelopment of the existing Cumberland Farms store at the intersection of NYS Route 146 and Vischer Ferry Road. The .65 acre project parcel is located in a B-3 zone. Mr. Spiak explained that the plan calls for the demolition and removal of the existing 1,900 SF store, gasoline dispensers, and underground storage tanks. This will permit the construction of a 4,134 SF Cumberland Farms' store, six new gasoline dispensers under a new canopy, and new underground storage tanks. A new asphalt parking lot will be installed along with new curb cuts from Vischer Ferry Road and NYS Route 146. The current entrance closest to the intersection of Route 146 will be eliminated. Greenspace will be slightly reduced from 36% to 35%. Connection will be made to the Clifton Park Water Authority system and to the Saratoga County Sewer District. Dumpsters will be located on the south side of the building and substantial screening will be provided. New landscaping will be installed throughout the site and "shoe box" style light fixtures on 14' poles will be installed along the perimeter of the parking lot. Stormwater calculations have been submitted with the preliminary application: pre- and post- stormwater volumes are essentially the same since there is an insignificant change to the amount of impervious area on the site.

Mr. Spiak briefly discussed the plan proposed by Clough, Harbour, and Associates at the previous meeting, stating that the plan did not meet his client's needs. He has consulted with Mark Kennedy, representative of NYSDOT, and has received verbal approval for proposed curb cut onto Route 146 at the eastern portion of the site as located on the project plan. The curb cut onto Vischer Ferry Road has been reduced in width.

Mr. Kemper explained that the project last appeared before the Planning Board on October 8, 2002. At that meeting the board expressed concern with the proposed density of the site, the number of variances required to provide for project development, and utilizing a cross access easement with neighboring properties. Since then, the variances have been granted by the ZBA: the density of the site remains the same. The project will require a written signoff from N.Y.S.D.O.T. The Saratoga County Planning Board disapproved the project at their October 15, 2002 Board meeting with the following comments:

"Due to the number of variances required for the proposed project, the [County] Planning Board feels that the existing site is inadequate for the intensity of development proposed, by increasing the square footage of the store road setbacks, parking spaces, greenspace requirements cannot be met. Renovating the existing store with no increase in square footage could potentially lessen the variances required. Shifting the Route 146 access towards the intersection of Route 146 and Vischer Ferry Road raises an issue with traffic flow and safety. Proposed signage for the site could also be reduced utilizing the canopy signs to serve as the site signage. Any proposed access onto Route 146 should be as far away from the intersection as possible and approved by N.Y.S.D.O.T. We suggest reducing the side and rear yards contiguous to the existing parking lot to the minimum required for maintenance."

Since the county disapproved the plan, a super majority will be required from the Clifton Park Planning Board in order to approve the project.

Mr. Kemper commented that the proposed size of the building and number of pumps seem excessive for the size of the parcel. The applicant was asked to clarify the status of the discussion with the adjoining property owner regarding the requested cross access. Plant sizes should be increased to 3" caliper minimum for deciduous trees, 24" inch spread or height minimum for ornamentals, and 6 ft. height minimum for evergreens. Handicapped parking and unloading zone signs should be depicted on the plot plan.

Mr. O'Brien, Environmental Specialist, noted that the ECC reiterated the previous comments regarding traffic concerns. Members also agreed that the following standard statements should be added to the plot plan:

- The borders of all land that is to remain undisturbed shall be clearly marked on the site before site preparation begins. These on-site boundary markers shall remain until construction is completed and soils are stabilized.
- All erosion and water quality controls shall be put into place at the initial phase of site preparation and shall be maintained until all construction ends and soils are stabilized.
- The applicant will control fugitive dust and debris during the construction/demolition phase of the project.
- If hazardous materials will be stored on-site, the applicant must submit a plan addressing handling and storage and spill response to the Town of Clifton Park Environmental Specialist before such materials are stored.

The ECC also recommends that the applicant comply with all required procedures of the NYSDEC for removal of underground petroleum storage tanks, and that the applicant notify the Town of Clifton Park when said tanks are being removed.

Mr. Grasso reported that although the required variances appear to have been granted, Clough, Harbour, and Associates continues to have concerns about the layout and operation of the proposed site plan. The proposed site plan appears to represent significant expansion for the use of the site. In order to allow vehicles accessing and leaving the site make use of the striped median, the access onto Route 146 needs to be as far away from the intersection as possible. A shared access drive with Price Chopper is recommended. This modification will require significant changes to the site plan. In addition, we continue to recommend that the curb cut onto Vischer Ferry Road be shifted away from the intersection. Approval of the site plan as proposed is not recommended. The applicant should submit the plans to NYSDOT for review and comment.

A "No Parking" sign should be installed in front of the handicap accessible aisle.

Since the proposed method of stormwater management is solely infiltration, test pits and percolation tests should be performed at the locations of the drywells. Silt fencing should be provided along the downslope limits of grading. The plans should provide additional street trees along the project site's road frontage spaced not more than thirty feet on center and all trees should be a minimum of 3 1/2" caliper. Taller evergreens should be provided along the rear façade of the building.

Although the canopy lighting style is acceptable, the lighting levels beneath the canopy appear to average over 75 foot-candles, thus exceeding recommended levels. In addition, the pole-mounted lights should utilize flat glass lenses to reduce the amount of glare.

Mr. Bulger emphasized that the Board would require written approval from NYSDOT for the curb cut and that written response from the adjoining property owner regarding the possibility of a cross easement should be submitted. Mr. d'Amico asked Mr. Spiak to discuss the rationale for the substantial increase in the store's floor area. Mr. Spiak explained the larger store is necessary to accommodate ADA standards, add needed storage, and reflect the new corporate image. Mr. Larkin asked Mr. Spiak to explain his reluctance to incorporate the design prepared by Clough, Harbour, and Associates. Mr. Spiak stated that, in his opinion, the design was not feasible: engineering requirements and grading as presented by Clough, Harbour, and Associates could not be reasonably applied to the site design. Mr. Bulger summarized the concerns of the Board, noting that traffic flow on the site was of paramount concern.

Mr. Lipinski, legal representative for the applicant, noted that the Zoning Board of Appeals granted all of the required variances thus allowing his client approval of the application as presented. Mr. Pelagalli explained that the Board was concerned about traffic flow on the site – a factor they were obligated to consider to ensure the health and safety of Town residents. The Board took no action on this application.

[2002-041] Quinn Master Plan – Medical Park – Proposed 28,800 SF medical office use in (6) buildings, Route 146 – Preliminary site plan review.

Mr. Tom Davis, ABD Engineers and Surveyors, presented this preliminary application that calls for the construction of six office buildings on a 7.1 acre parcel pursuant to the Verbeck Frank PUD that was approved by the Town Board in 1996 and amended in 1997. The plan remains basically unchanged from the initial submission that was reviewed by this Board on October 22, 2002; however, the items of concern identified in Clough, Harbour, and Associates' letter have been addressed. Additional landscaping has been provided along the northern property boundary, the detention pond will meet or exceed requirements for major storm events, the traffic study has been submitted to NYSDOT for their review, and several minor technical revisions have been made to the plan.

Mr. Kemper reported that Don Austin, Director of the Clifton Park Water Authority, has submitted a letter that outlines the concerns and requirements of the water authority. He also reported that he had received a letter dated January 12, 2003 from Jim and Heidi Reale, residents of 7 Robinwood Drive and asked Mr. Bulger to read the letter in its entirety. Briefly stated, their concerns include the extension of the fence from the existing Clarebridge facility along the rear property border, assurance that the designated no cut buffer will be respected, that established garbage pick up times be adhered to, and that the lighting and architectural designs of the buildings compliment the existing buildings on the site. Colored façade renderings with building materials will need to be included in the final site plans. The project will require a signoff from N.Y.S.D.O.T. The parking lot

located between buildings 3 and 4 may allow headlights shine into homes in the Robinwood Development. To reduce this impact, the building may be shifted so that the parking lot is behind the berm, substantial plantings may be provided, and/or the existing fence may be extended. The dumpster locations should be depicted on the plot plan. The plan labels a 44' wide emergency fire access easement on the east side of the plan, though measurement shows it to be only 25 ft. wide: clarification should be provided. Sheryl Reed's memo dated January 14, 2003 states that approval from the fire district regarding the gated access is required, that the accurate width of the emergency access lane should be shown on the plans, and that an additional hydrant near the main entrance adjacent to buildings 1 & 2 should be installed. The project will require final signoff from her office.

Mr. O'Brien, Environmental Specialist, reported that the ECC reiterates the comments made on the July 2, 2002 meeting regarding traffic and lighting. He also asked that the following standard statements should be added to the plot plan:

- The borders of all land that is to remain undisturbed shall be clearly marked on the site before site preparation begins. These on-site boundary markers shall remain until construction is completed and soils are stabilized.
- All erosion and water quality controls shall be put into place at the initial phase of site preparation and shall be maintained until all construction ends and soils are stabilized.
- The applicant will control fugitive dust and debris during the construction/demolition phase of the project.

Mr. Grasso explained that Clough, Harbour, and Associates has reviewed the site plan dated November 2002 for this project as prepared by ABD Engineers and Surveyors, and the Traffic Study prepared by Creighton Manning Engineering. He noted that the several comments from the July 1, 2002 review letter remain to be addressed.

A project narrative should be provided that discusses how the proposed project fits within the framework of the previously approved P.U.D. and site plans on the project site. The narrative should also include discussion of impacts on adjoining properties, traffic, utilities, etc. A copy of the final P.U.D. legislation and a new Full Environmental Assessment Form should be provided within the narrative as attachments.

The original traffic study prepared for the Verbeck Frank P.U.D. provided an analysis that was predicated on a signal being installed at the intersection of Route 146 and Bruno Road. The traffic study provided for the current project demonstrates that signal warrants are met at the Bruno Road/Route 146 intersection and this project, as well as the previously developed phases of the Verbeck Frank P.U.D., have impacted the operation of the Bruno Road intersection. As such, this project should be responsible for installation of the signal or other traffic improvements that will mitigate the impacts associated with additional development within the Verbeck Frank P.U.D. NYSDOT has been consulted regarding the review of the traffic study; however, the study has not been sent to the agency. Project plans and the traffic study should be sent to NYSDOT by the applicant prior to additional consideration by the Planning Board.

A copy of the S.C.S.D. #1 letter accepting flows from the proposed office buildings should be provided.

Mr. Grasso provided the following additional comments. Additional layout information should be provided on the plans that will allow proper construction and inspection of the improvements. Because grading and clearing work is proposed within the 100-foot buffer area along Robinwood Estates, a continuous defined clearing and grading limit line should be established on the plans. Dimensions for all access aisles and critical radii, and setbacks for all buildings should be shown.

The height of the proposed buildings and light poles will be greater than thirteen feet above the top of the berm that buffers the proposed development from the homes in Robinwood Estates. As such, we recommend that the amount of proposed landscaping on the berm be significantly expanded in an effort to reduce the visual impacts from the proposed development.

A detail should be provided for the proposed method of connection to the existing sanitary force main. If the proposed buildings will utilize wood frame construction, the proposed finished floor elevations should be verified to ensure that adequate separation to the ground is provided. There is no outlet shown for the catch basin proposed in the southwest corner of the parking area in front of Building #1.

Although the P.U.D. legislation states that a photometric plan of the site lighting should be provided, based on the lighting layout acceptable lighting levels are anticipated so the need for a photometric plan may be waived. House side shields should be provided on the lights along the 100-buffer. In addition, the cut sheet provided indicates an eighteen foot mounting height, while the plans indicate a twenty foot mounting height. Clarification is required. The frame elevation of the drywell on the south side of Building #2 appears to be too high to guarantee that runoff will enter the structure. The proposed water main lies within four feet of the trunk of the 24" maple tree that is slated to remain. In order to reduce potential impacts to the tree during construction, the main should be located a minimum of fifteen feet from the tree.

The plan indicates a 44-foot wide emergency access easement but the easement is shown approximately 25 feet wide. Clarification is requested.

Mr. Grasso offered the following comments on the Stormwater Management Report. Since the entire stormwater management report is relying on infiltration, it is recommended that representative test pits and percolation tests be performed in the location of the stormwater management areas. Soil test pit logs and percolation results should be provided. Calculations should be provided documenting the adequacy of the size of the proposed closed drainage system. The closed drainage system should be sized based on a 10-year storm using the Rational Method for computing peak discharge rates. Peak water elevations during the 100-year storm event within each of the retention areas should be provided so the impacts may be evaluated. More clear pre- and post-developed drainage area maps should be submitted that include the time of concentration of travel

paths. Since the project will involve the disturbance of more than 5 acres of land, the applicant is required to submit a Notice of Intent (NOI) pursuant to the State Pollution Discharge Elimination System (SPDES).

Clough, Harbour, and Associates also reviewed the traffic report prepared for this project. The capacity analyses show that traffic delay at the intersection of Route 146 and Bruno Road will increase by 15% as a result of the traffic generated by the project, further exacerbating an existing LOS F condition. Traffic volumes, projected delays, and queuing should be considered in evaluating the signal warrant criteria. A crash history analysis should also be provided for the assessment of the need for signal control at this intersection.

The operations analysis for the intersection of Emma Lane and Route 146 shows that the delay for vehicles exiting the site will be more than three times greater than in the existing condition. These analyses also show that the vehicle queues of exiting traffic could impede the internal circulation of site traffic, which could also have a negative affect on traffic entering the site. Such an impediment to entering traffic could consequently create conflict and congestion on Route 146 at the access. It is recommended that on-site circulation and the driveway access be modified to accommodate the design queues indicated by the traffic report.

Tom Pratico, representative of Bast-Hatfield, presented the façade renderings and explained that the developer will add additional fencing or landscaping in areas adjacent to the residential area and install traffic improvements at the Bruno Road intersection as required by the Planning Board and/or NYSDOT. Minor engineering issues identified by Clough, Harbour, and Associates will be addressed.

Board members were particularly concerned with traffic flow in the area, noting that congestion at the NYS Route 146 and Bruno Road intersection was particularly problematic. Discussion focused upon solutions for the traffic problems at that intersection. Mr. d'Amico asked if alternatives to a traffic signal (i.e. turning lanes) might improve levels of service. Mr. Pelagalli, referencing his personal experiences at the intersection, stated that he would consult with NYSDOT in an effort to improve levels of service in the area.

Residents of the adjoining subdivision offered comments on the application. Mr. Reale, 7 Robinwood Drive, asked about the easement provided near his property for utility connections. Mr. Davis stated that no work would be necessary within Mr. Reale's property boundary. Mr. Anthony Arrao, 14 Robinwood Drive, commented that he would like to see the lighting be similar to that provided at the Harbour instead of the taller fixtures shown on the plan. Robinwood residents were generally concerned with early-morning noise from trash haulers, establishment of a clearing-limit line, and extension of the protective berm and/or fencing.

Though Mr. Pratico explained that potential tenants were concerned with the length of the approval process, Mr. Bulger pointed out that the members' concerns focused on traffic

safety issues that were of concern to all community residents. The Board will attempt to accommodate the needs of the potential tenants while assuring the health, safety, and welfare of others.

New Business:

[2003-001] The Crossing, LLC – Proposed (3) lot subdivision of Lots #48 and 54, Crossing Boulevard – Conceptual review.

Mr. Paul Goldman, legal representative for the applicant, described this application that calls for the subdivision of lands within the existing Crossing shopping center. Lots will be 10.8 acres, 11.4 acres, and 5.1 acres, respectively. Mr. Goldman explained that he has forwarded legal documents regarding reciprocal easements and other items to Mr. Pelagalli for his review. The subdivision is basically designed to separate the proposed Kohl's retail store from adjoining businesses within the Crossing.

Mr. Kemper asked that a note be added to the plans stating that the subdivision is part of an integrated site plan and that the Zoning Board of Appeals' variances were granted on that basis.

Mr. O'Brien, Environmental Specialist, said that the ECC had no comment on this application.

Mr. Grasso read the prepared comments from Clough, Harbour, and Associates. The proposed project appears to be an unlisted action pursuant to SEQR, and, as such, coordinated review is optional. Involved agencies are expected to include the following: Planning Board - Subdivision approval; Zoning Board of Appeals – Area Variance; Saratoga County Planning Board – Section 239 Referral.

The subdivision plan proposes a zero lot line situation with no side yard setbacks: a side yard setback variance appears required for lots 54A and 54B. Lot statistics should be provided for the three proposed lots. If adequate parking or greenspace is not provided on each lot, additional variances may be required.

Since the existing private sanitary sewer system will now serve multiple properties, the line will need to be made public. It should be dedicated to the Saratoga County Sewer District as a public sanitary sewer system. A letter from the S.C.S.D. #1 stating that they are willing to accept the lines should be provided and appropriate easements will be required.

Mr. Grasso further advised that since the shared parking and access arrangements will be required across the three parcels, a copy of the draft declaration of reciprocal easements, restrictions, and maintenance agreement for the subdivision should be submitted to the Town attorney and Clough, Harbour, and Associates for review. Site plan amendments for the parcels to be modified as a result of the Kohl's construction should be submitted or, alternatively, the plan should reflect the proposed Kohl's improvements. The Town's

standard subdivision notes and certification statement should be added, as applicable.

Though the Board appeared satisfied with the proposed subdivision, Mr. Bulger noted that the applicant must receive approval from the ZBA for variances related to the separation of parcels within an integrated site plan. Mr. Pelagalli will consult with Paul Dorsey, County Attorney for the Saratoga Sewer District, to determine if the ownership and maintenance agreements for the existing sewer system are acceptable.

[2003-003] Krawiecki, Vincent – Proposed (2) lot subdivision and land transfer, 931 Grooms Road – Conceptual review.

Mr. VanGuilder, consultant for the applicant, described this proposal that calls for the subdivision of 107 acres of land that is bisected by Grooms Road. The property is located west of the Grooms Road and Droms Road intersection, east of Appleton Road. Mr. Vincent Krawiecki, applicant, proposes to subdivide 11.37 acres from the family farm. Additionally, .78 acres will be transferred from a 4.8 acre parcel owned by Edward P. and Betty Jean Krawiecki to become part of the 11.37 acre lot. The new lot will be served by an on-site well and septic system. All required setbacks have been respected. Mr. VanGuilder explained that the owners will continue to farm the land as they have done in the past. He further agreed to add the sight distance information along Grooms Road to the plan.

Mr. Kemper offered several comments on the application. The airport note and the standard note for lots with wells should be added to the plans. An ingress/egress easement should be provided over the field drive. Deep test pit and perc test information should be completed to ensure that the soil consistency is adequate for installation of the septic system.

Mr. O'Brien, Environmental Specialist, stated that the ECC recommends that the following standard statements should be added to the plot plan:

- The Land Conservation (LC) Zone has been delineated in accordance with Section 208-69 of the Clifton Park Town Code. Uses in this area are restricted. The Town of Clifton Park Building Department shall be notified before undertaking any land disturbance activities in the LC Zone.
- Due to the potential for federal wetlands on this parcel, the Applicant will determine the location and extent of disturbance of federal wetlands before a building permit is issued.
- The borders of all land that is to remain undisturbed shall be clearly marked on the site before site preparation begins. These on-site boundary markers shall remain until construction is completed and soils are stabilized.
- All erosion and water quality controls shall be put into place at the initial phase of site preparation and shall be maintained until all construction ends and soils are stabilized.
- The applicant will control fugitive dust and debris during the construction/demolition phase of the project.

Mr. Grasso read the comments prepared by Clough, Harbour, and Associates. The proposed project appears to be an unlisted action pursuant to SEQR, and as such,

coordinated review is optional. Involved agencies are expected to include the following: Planning Board - Subdivision approval; Saratoga County Planning Board - Section 239 Referral; Saratoga County DPW – Highway Work Permit.

The application indicates that a new well is proposed for the lot, though an existing well is shown. Clarification is required. Consideration should be given to the establishment of land preservation areas over the environmentally sensitive portions of the site. Soil investigations including deep test pits and percolation tests should be conducted in the areas of the proposed wastewater disposal system to verify the adequacy of the soils to accept on-site wastewater disposal systems. The existing swale to the east of the wastewater disposal system is expected to contain federal wetlands. As such, the location of the system does not provide the minimum separation of 100 feet. An ingress/egress easement should be provided over the existing field drive if it will continue to be used by the adjacent property owner. The adequacy of the site distance should be verified at the proposed drive location. The final subdivision plan should include the stamp and signature of a Licensed Land Surveyor. The Town's standard subdivision notes and certification statement and a north arrow should be added, as applicable.

Mr. VanGuilder indicated that the applicant will comply with all comments and recommendations of the Planning Department and the Town Engineer. Board members found the proposal acceptable.

[2003-002] Belmonte, Peter – Proposed 5,200 SF office building, 1 Old Plank Road – Conceptual site plan review.

Mr. Mike Hale, Environmental Design Partnership, presented this application on behalf of Mr. Belmonte. The project proposal calls for the demolition of an existing building on the .73 acre parcel at the intersection of Fire Road and Old Plank Road and the construction of a 5,200 SF one-story office building with parking for 33 cars. The building will be served by the Clifton Park Water Authority and the Saratoga County Sewer District. An on-site stormwater management plan, clearing and grading limits, and appropriate landscaping will be provided with preliminary plans.

Mr. Kemper stated that a January 14, 2003 memo from Sheryl Reed requests that since Fire Road is actually Old Route 146, the plan be revised. The date of Zoning Board approvals and numbers of the variances should be included on the site plan. A signoff will be required from Saratoga County Sewer District. Façade renderings should be included with future submittals. The building should be designed such that the side that faces the intersection is aesthetically pleasing.

Mr. O'Brien, Environmental Specialist, asked that the applicant submit a stormwater management plan for review by the Town's Engineer and the ECC. In addition, the following standard statements should be added to the plot plan:

- The borders of all land that is to remain undisturbed shall be clearly marked on the site before site preparation begins. These on-site boundary markers shall remain until construction is completed and soils are stabilized.

- All erosion and water quality controls shall be put into place at the initial phase of site preparation and shall be maintained until all construction ends and soils are stabilized.
- The applicant will control fugitive dust and debris during the construction/demolition phase of the project.

The Commission also asked that any proposed exterior lighting should be directional and limited.

Mr. Grasso reported that the proposed project appears to be an unlisted action pursuant to SEQRA, and as such, coordinated review is optional. The involved agencies are expected to include: Clifton Park Planning Board -Site Plan Approval; Clifton Park Zoning Board of Appeals - Area Variance; Saratoga County Sewer District – Sewer Connection Permit; Clifton Park Water Authority – Water Connection Permit.

The proposed building and parking setbacks should be shown on the plan. In addition, the plan should state the type of office space proposed. If the use is to be medical office, the plan does not provide the required 1 parking space per 150 SF of office area.

It appears as though an existing depression is to be filled to construct a portion of the access drive from Fire Road. The drainage impacts and grading impacts on the adjacent property should be addressed in the design and evaluated in the stormwater management report. Improved drainage should be provided along the roads and the need for driveway culverts should be investigated. The size of the proposed and existing water and sewer services should be shown on the plan.

It appears that landscaping is proposed over the existing asphalt parking lot of the Clifton Park United Methodist Church. The proposed limits of this parking lot should be shown on the plan. The limits of clearing and grading should be shown on the plan. In addition, the existing trees to remain should be identified.

Although Mr. d'Amico expressed some concern with the placement of the building and the visual impact of the rear of the building that fronts on the intersection, Board members generally responded favorably to the project plan.

[2002-074] Special Projects Development, Inc. – Proposed 8,900 SF of medical office space in two buildings, 947 Route 146 – Conceptual site plan review.

Mr. VanGuilder, consultant for the applicant, described this project plan that calls for the construction of 8,900 SF of medical office space on a 1.71 acre parcel in a B-1 zone. Two buildings of 4,800 SF and 4,100 SF, respectively, and 45 parking spaces will be constructed. The office buildings will connect to public water and sewer. A lot width variance will be required since the lot is only 151 feet wide: Section 208-98 requires 180 feet at the building line. Greenspace accounts for 61% of the site. The applicant will provide easements to adjoining properties should the Board find this desirable. The architecture design will “blend” with other office buildings along NYS Route 146. Mr. VanGuilder stated that the applicant will consult with Sheryl Reed and emergency

services' representatives to develop a workable plan that will provide access to both buildings.

Mr. Kemper reported that the Saratoga County Planning Board approved the project at its December 19, 2002 but noted that the applicant will need to obtain a N.Y.S.D.O.T. permit for the proposed curb cut onto Rt. 146. The Town of Clifton Park LC Zone should be depicted on the plot plan. Future plan submissions should include cross access easements, landscaping, handicapped and no parking signs, and façade renderings. The project will require a signoff from Sheryl Reed and emergency services. The project will need a variance from the ZBA for lot width at the building line. The project will require signoffs from N.Y.S.D.O.T., the C.P.W.A., and the S.C.S.D.

Mr. O'Brien, Environmental Specialist, presented the comments issued by the ECC. This Commission recommends that any public water connection should be brought along route 146 within the public right-of-way. The following standard statements should be added to the plot plan:

- The borders of all land that is to remain undisturbed shall be clearly marked on the site before site preparation begins. These on-site boundary markers shall remain until construction is completed and soils are stabilized.
- All erosion and water quality controls shall be put into place at the initial phase of site preparation and shall be maintained until all construction ends and soils are stabilized.
- The applicant will control fugitive dust and debris during the construction/demolition phase of the project.
- No salts, fertilizers, pesticides, or other materials may be used on this property where they will contaminate any wetland areas or surface water through runoff, leaching, or in any other manner which violates the New York State Environmental Conservation Law (ECL).

The Commission further requests that the applicant should provide a stormwater management plan for review by the Town's Engineer and the ECC.

Mr. Grasso stated that the proposed project appears to be an unlisted action pursuant to SEQRA, and as such, coordinated review is optional. The involved agencies are expected to include: Clifton Park Planning Board - Site Plan Approval; Clifton Park Zoning Board of Appeals - Area Variance; NYSDOT - Curb Cut Permit; Saratoga County Planning Board – Section 239 Referral; Clifton Park Water Authority – Water Connection Permit; Saratoga County Sewer District #1 – Sewer Connection Permit.

Mr. Grasso further explained that the Town Code requires one parking space per 300 square feet of general office space or one space per 150 square feet of medical office space, including dental office space. Based on the size of both buildings, thirty spaces would be required if both buildings were general office space and sixty spaces would be required if all space were medical and dental offices. The plan indicates 45 parking spaces and only indicates that the plan is for dental offices. As such, the plan does not provide adequate parking. A note should be added to the plan stating that no more than 50% of the buildings shall be used for medical or dental offices or the plan should

demonstrate that it can support more parking. Since the parcel does not meet the 180' minimum frontage, the plan correctly indicates that a variance is required.

The engineering firm recommends that the architectural design and choice of exterior facades and building materials should take into consideration the character of the area as they pertain to the transition zone between commercial uses and residential properties. Building elevations should be provided for review and comment. In light of the recent trend of converting the existing single family homes along Route 146 to commercial office space, it is recommended that ingress and egress easements be established over the proposed driveway to adjacent properties in order to limit the number of future curb cuts on Route 146. It is recommended that the plan accommodate a future driveway parallel to Route 146 that will serve multiple properties and could eventually connect to Bruno Road, thus allowing access to a possible signal at this intersection.

The proposed layout should provide a minimum of twenty feet between the proposed buildings and the top of bank to allow building construction without disturbance to the slopes at the rear of the site. Given the steep slopes and stream in the rear of the site and the fact that the site is bordered by Town park land to the rear, consideration should be given to conveying the area to the rear of the site to the Town as open space. The amount of land conveyed could continue to be counted to the site's greenspace.

It is recommended that a crosswalk be provided from the handicap-parking stall to the front door of the 4,800 S.F. building. Due to the lack of islands within the parking area, it does not appear that emergency vehicles would be able to maneuver around the site if the parking areas were full: the layout should be revised accordingly.

The application provides various options with respect to water and sewer service. A conceptual plan (11"x17" drawn to scale) showing all of the various options should be submitted for review in order for the involved agencies to adequately consider each alternative.

Board members found this proposal acceptable. Mr. d'Amico encouraged the applicant to pursue the use of a combined access point for this site and adjoining properties and to establish necessary easements.

Discussion Items:

North Country Commons – Site Plan Amendment

The Boat and RV Warehouse requests approval to remove a 166-foot long planter that is located to the east side of the building along Vischer Ferry Road. Mr. Kemper reported that Mr. Clemens, Director of Building and Development, would approve the removal of the structure if the owner provides substantial landscaping along the northern property boundary. Mr. Hickey, representative of the owner, explained that maneuvering large vehicles around the planter was very difficult, often resulting in damage to the boats and recreational vehicles serviced at the site. He agreed to increase landscaping near the tire

center. Board members agreed that this change to the approved site plan was acceptable.

Shen Medical Park Awning – (formerly the Ball and Grossman Building)

Owners of this building located at 961 and 963 NYS Route 146 have requested approval of an addition to the entry way. The design plan proposes a pitched-roof entry with glass side panels designed to add interest and enhance the building's appearance. Board members approved this revision to the site plan.

Mr. Bulger moved, seconded by Mr. Larkin, to appoint Ray d'Amico as Vice-Chairman, Paul Pelagalli as Counsel, and Janis Dean as Secretary to the Board, and to establish the 2003 Planning Board schedule as published, with meetings generally held on the second and fourth Tuesdays of the month. The motion was unanimously carried.

Minutes Approval:

Ms. Czub moved, seconded by Mr. Larkin, approval of the December 10, 2002 minutes as written. The motion was unanimously carried.

Mr. Kemper said that because no projects were submitted to the Planning Department for the January 28, 2003 meeting, it will not be necessary to hold the meeting as scheduled. Planning Board members agreed that the meeting would be cancelled.

Mr. Russell moved, seconded by Mr. Larkin, adjournment of the meeting at 10:00p.m. The motion was unanimously carried.

Janis L. Dean,

Secretary

cc: Planning Board Members, Planning Department, Clough, Harbour, and Associates, Supervisor, Town Administrator, Assessor, Zoning Board, Department of Building and Development, Town Clerk, Town Board Members, Highway Superintendent, Joel Peller, Town Attorney, Oscar Schreiber, Town Attorney, Jim Trainor, Town Attorney, Paul Pelagalli, Town Attorney, Department of Parks and Recreation, ECC, Saratoga County Planning Board, Shenendehowa Central School, Clifton Park Water Authority, Fire Districts.