

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

ANTHONY MORELLI
Attorney

PAULA COOPER
Secretary



MEMBERS

Emad Andarawis
DeniseBagramian
Jeffery Jones
Andrew Neubauer
Eric Ophardt
Greg Szczesny

(alternate) Teresa LaSalle

Planning Board Minutes
November 26th, 2019

Those present at the November 26th, 2019 Planning Board meeting were:

Planning Board: R. Ferraro, Chairman, E. Andarawis, D. Bagramian, J. Jones, A. Neubauer, E. Ophardt,
T. LaSalle – Alternate Member

Those absent were: G. Szczesny

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

Mr. Ferraro, Chairman, called the meeting to order at 7:00 p.m. All in attendance stood for recitation of the Pledge of Allegiance.

Mr. Ferraro announced that Mr. Szczesny will be late to the meeting in his absence Ms. LaSalle will be a voting member.

Minutes Approval:

Mr. Ophardt moved, seconded by Mr. Jones, approval of the minutes of the November 13th, 2019 Planning Board meeting as written. The motion was unanimously carried. Mr. Andarawis and Mr. Neubauer abstained from voting as they were absent from the meeting.

Public Hearings:

2019-051 451 Clifton Park Center Road 2 Lot Subdivision

Applicant proposes to subdivide the parcel into 2 lots in order to have the approved office building and the approved apartment building on 2 different parcels. Lot A will contain the Office Building (project

2018-052 Wall Street Office Building) and will have 27.7% green space. Lot B will contain the apartment building (project 2017-009 Clifton Park Center Road Apartments) and will have 58.7% green space, 451 Clifton Park Center Rd, Zoned: TC2, Status: PB Prelim Review - Poss. Determination SBL: 271.-3-76.1
 To be reviewed by: MJE Consultant: ABD Applicant: 451 CPC RD, LLC Last Seen on: 10/22/19

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 Reviewed 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.

Ms. Bagramian 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 for reasons stated in the written resolution declaring the negative declaration. The motion was unanimously carried.

Mr. Ferraro called the public meeting to order at 7:04 p.m. The Secretary read the public notice as published in the Daily Gazette on November 16th, 2019.

Consultant/Applicant Presentation:

John Hitchcock – ABD – Mr. Hitchcock stated that the plan has not changed from the last meeting; greenspace verifications have been made and are above the 15% required.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 11/21/19 stating:

- Still believe verification of 33.7% greenspace at 5 Wall Street is needed
- To date the waivers have been provided by planning for this proposal and now a fourth appears required. It does not seem adherence to the requirements is necessary especially since variances are no longer required for most issues in the town center zoning area.
- The applicant has only footing and foundation permits to date.
- Even if the site plan is approved if the required turning radius for emergency vehicles is not available the building permit will not be issued since the requirements of the building code will not be met.

Scott Reese, Stormwater Management Technician issued a memo dated 11/22/19 with the following comments:

1. Prior to issuance of Notice of Termination from the NYSDEC SPDES Permit each site will need its own Stormwater Management Practice Maintenance Agreement filed with Saratoga County.

The Environmental Conservation Commission held a meeting on 11/19/19 and issued a memo recommending:

The ECC has no comments.

Roy Casper of the Trails Subcommittee submitted the following comments for the Planning Board to consider in its decision making:

The Trails Subcommittee previously reviewed the site plan for the approved office building and apartment building including external pedestrian trail/sidewalk connections and the internal pedestrian circulation plan.

Note: The 2-Lot Subdivision proposal does not show a direct sidewalk connection from the entranceway sidewalk in front of the approved 2-Story Office Building to the future 6ft. multi-use path that will be adjacent to the office building and the parking lot on the west side of the property. This 20ft. long sidewalk section is important to provide a direct pedestrian connection from the office building to the project's internal and external trails and sidewalks. (Please see the attached 2 Lot Subdivision proposal with the recommended sidewalk connection.)

John Scavo, Director of Planning issued a letter dated 11/26/19 with recommendations he made:

1. The Plan has been updated to reflect the correct greenspace calculation for each lot. Each lot appears to meet the 15% minimum greenspace requirement.
2. As previously noted, a copy of the draft deed restriction shall be provided to the Town Planning Board Attorney for review and comment prior to stamping a final subdivision plan.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 11/22/19 had the following comments: State Environmental Quality Review:

1. No additional comments.

Site Plans

1. No additional comments.

Public Comments:

No public comments

There being no additional comments, Mr. Ferraro moved, second by Ms. Bagramian, to close the public hearing. The motion was unanimously carried.

Pam Marshall – 5 Furlong Court – Ms. Marshall asked if there was no sidewalk connection, how snow removal will occur. Mr. Andarawis agreed that a continuous walkway would be beneficial for snow removal.

Planning Board Review:

Mr. Neubauer asked if the applicant would be willing to complete the sidewalk to the trail that the Trails committee is asking for. Peter Murray – Murray Law Firm - stated that if that is what the town wants it can be accommodated. Mr. Ferraro stated he thought it was a picnic area, but there is no walkway. Mr. Murray stated he would look and make sure there is no conflict with the plantings and the walkway and

the picnic table should be able to be completed as requested by the Board. Ms. Bagramian and Ms. LaSalle agree as well that the sidewalk connection should be completed.

Peter Murray – Murray Law Firm

Mr. Ophardt offered Resolution No. 14 of 2019, seconded by Ms. LaSalle to waive the final hearing for this application for the 2 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:

Fill in the gap along the rear of the building with a sidewalk to the pathway to make a full connection as indicated by the Trails Committee.

Roll Call:

D. Bagramian - yes
 E. Andarawis - yes
 E. Ophardt - yes
 J. Jones - yes
 A. Neubauer - yes
 G. Szczesny - absent
 R Ferraro – yes
 T. LaSalle - yes

Ayes: 7 (Seven)

Noes: 0 (Zero)

The resolution is carried.

Old Business:

None

New Business:

None

Discussion Items:

2019-044 940/942 Route 146 Professional Park Expansion

Applicant proposes to redevelop the properties at 940 and 942 NYS Route 146. The Capital Care Pediatrics building will remain and the existing parking lot will be expanded. The Play Care will be demolished and relocated to a new 11,000 sf building located at the rear of 940 Route 146. The Sara Marie building will remain and the parking lot will be expanded. The new parking lots will provide for improved circulation. Project also includes parcel 271.-4-11.

This is a discussion item for recommendation to the Zoning Board of Appeals, 940 Rt 146, Zoned: B-1, Status: PB – Discussion SBL: 271.-4-11

To be reviewed by: No Review Consultant: EDP Applicant: Winfield Company, LLC Last Seen on: 9-24-19

Consultant/Applicant Presentation:

Joe Dannible – EDP – Mr. Dannible stated that the new proposal will be for smaller buildings connected by corridors, rather than larger buildings. Mr. Dannible stated that there will be a turnaround for school bus drop off in the middle of the property. There is also a parking area in front of the proposed school that has parking but may turn into a drop off lane for parents. Mr. Dannible stated this gives the school and daycare single points of entrance and thus keeping the buildings more secure. He stated that every building will have separate utilities so if the tenants change and the buildings are separate so will be the utilities. Mr. Dannible stated that enclosed corridors connecting the buildings would have a lower roof line than the building themselves, and landscaping would help buffer the buildings as well. The front parking lot will be eliminated as well to add greenspace to the proposal.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 11/21/19 stating:

- Variance request resubmitted due to new configuration. Will be heard at the Zoning Board of Appeals on December 3, 2019. Area variances are required for the connected buildings and a setback variance for building 300 is required.

The Environmental Conservation Commission held a meeting on 11/19/19 and issued a memo recommending:

1. Per article IV B1 is intended to preserve the infrastructure of the transportation system along NYS146 by limiting density and thereby reducing the traffic impacts associated with high density uses.
2. Per Section 208-33 D., the appearance of long massive structures within an area of residentially sized buildings shall be discouraged.

Roy Casper of the Trails Subcommittee submitted the following comments for the Planning Board to consider in its decision making:

The Trails Subcommittee does not have any comments or recommendations regarding this proposal at this time.

John Scavo, Director of Planning issued a letter dated 11/22/19 with recommendations he made:

1. The applicant should be required to consolidate the parcels into one large parcel to eliminate area variances associated with parking setbacks and landscaped buffers from the side yard setback for each lot.
2. The connector corridors still trigger the need for a variance based on the fact that the buildings are connected and therefore considered a single structure. However, the applicant has attempted to minimize the extent to which the look and appearance of the proposed buildings honor the maximum 4,800 sq. ft. cap on any one structure.
3. If the applicant is successful in obtaining area variances, a trip generation report and limited traffic analysis should be provided by the applicant as part of the Planning Board's Site Plan

Review. This layout appears to remove existing conflicts with pick-up and drop-off to and from the daycare and school facility that hinder the flow of traffic to the other uses within the complex.

Professional Comments:

No professional comments

Planning Board Review:

Mr. Ophardt asked about the cafeteria/gym that is proposed for one of the buildings that will be connected to the school. Mr. Dannible stated that the gym and cafeteria will be a shared space in a building.

Mr. Weiner asked if there would be any loading docks. Mr. Dannible stated there will not be and deliveries will be done after hours.

Mr. Ferraro asked how many stories the building will be. Mr. Dannible answered they will be single story buildings.

Ms. Bagramian asked what the front buildings closest to Route 146 would be. Mr. Dannible stated they will be medical/mixed use but will not be retail or food service buildings.

Mr. Ophardt stated he believes that the older concept makes more sense, even though it does not meet code.

Mr. Neubauer stated that he appreciates the applicant's creativity in working within the limits of the town code for the design of this plan and his intent to get the zoning variances needed. Mr. Dannible stated that it is the applicant's intent to try to keep the tenants they have in the facility and happy with what it has to offer. Mr. Neubauer also stated he has some reservations on the school as in the future the school district in the town may offer a full day kindergarten, which would decrease the demands for these types of facilities.

Ms. Bagramian asked how many square feet the corridors would add, and what the intended look of them would be. Mr. Dannible stated that each corridor would add approximately 800 square feet, and the corridor would have a 3 foot wall from the ground, another 5 foot glass wall and then the roof.

Mr. Jones stated he has some concerns for the size of the PlayCare facility. Mr. Dannible stated that this would be a phased project.

Mr. Ophardt asked if the driveway 100ft back and have a full entrance as opposed to a boulevard entrance. Mr. Ophardt also asked for a traffic study to be done inside the property. Mr. Dannible stated that they will be able to do an elevated crosswalk/speed table.

Conclusion:

The six Planning Board Members and one alternate Planning Board Member present were in overall support of the new layout. Members also agreed that a trip generation report and limited traffic analysis should be completed if variances are granted. One of the members expressed support only for the variances associated with the school but felt they were less critical for the daycare to proceed forward at 4,800 sq.ft.

Mr. Neubauer moved, seconded by Ms. Bagramian, adjournment of the meeting at 8:15 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on December 10th, 2019.

Respectfully submitted,

Paula Cooper

Paula Cooper, Secretary