

Town of Clifton Park Planning Board
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PLANNING BOARD

ROCCO FERRARO
Chairman

ANTHONY MORELLI
Attorney

PAULA COOPER
Secretary



MEMBERS

Emad Andarawis
Eric Ophardt
Jason Beach
Andrew Neubauer
Denise Bagramian
Greg Szczesny

(alternate) Ram Lalukota

Planning Board Minutes
April 14th, 2020

Those present at the April 14th, 2020 Planning Board meeting were:

Planning Board: R. Ferraro, Chairman, E. Andarawis, D. Bagramian, J. Beach, A. Neubauer, E. Ophardt, G. Szczesny

Those absent were: R. Lalukota – Alternate Member

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

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

Minutes Approval:

Ms. Bagramian moved, seconded by Mr. Szczesny, approval of the minutes of the March 24th, 2020 Planning Board meeting as written. The motion was unanimously carried.

Public Hearings:

2020-006 Crescent Woods 77 Lot Subdivision

Applicant proposes to amend two prior approved projects, (project 2019-043 1573 Crescent Road 4 Lot Subdivision and 2012-030 Crescent Woods - 62 lots Subdivision) as well as multiple Lot Line Adjustments, to include 11 additional lots for a total of 77 lots (75 new and 2 existing) while also providing additional infrastructure revisions and design benefit to the Town of Clifton Park, 1573 Crescent Rd, Zoned: R-1, Status: PB Preliminary Review w/possible determination SBL: 283.-2-9 To be reviewed by: MJE Consultant: Lansing Applicant: Beverwyck Dev. Corp Last Seen on: 2-11-20

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. Ophardt moved, second by Ms. Bagramian, to establish the Planning Board as Lead Agency for this application, a Type I action, and to issue a negative declaration pursuant to SEQRA.

Mr. Ferraro, Chairman, called the public hearing to order at 7:08p.m. The Secretary read the public notice as published in the Daily Gazette on April 4th, 2020.

Consultant/Applicant Presentation:

Scott Lansing – Lansing Engineering- Mr. Lansing stated that the Board is familiar with this current project. He stated that in 2018, 62 lots were approved, in 2019, six acres were added to the project from an adjacent parcel that became available for purchase, making the project 48.72 acres. Mr. Lansing identified on the map the existing roadways and the approximation to the school. Mr. Lansing stated that there are 2 existing homes on the property, there are 5.01 acres of wetlands, and that this proposal is for a cluster subdivision and is an acceptable use for the zoning. Mr. Lansing stated that the overall parcel size is 48.72 acres, taking into consideration

wetlands, stormwater management areas, there is 36 acres of buildable uplands. He stated that this results in 83 total lots, but the proposal is for 77 in a cluster subdivision. In this cluster subdivision, Mr. Lansing stated that two of the homes are preexisting homes, 75 new building lots, and that each lot will be a minimum of 10,000 square feet, lot width is 60ft minimum, 30ft front yard setback, 10ft side yard setback, and a 15ft rear yard setback. Mr. Lansing stated that there would be two curb cuts on Crescent Road to service all of the lots, there is 5,475 linear feet of roadway and public water and sewer would be serviced by the Clifton Park Water Authority, and the Saratoga County Sewer District. Mr. Lansing stated there is some wetland disturbance, about .22 acres primarily for the roadway, near the entrances. There is public open space near the front of the parcel, and some throughout totaling 10.41 acres. There will be 415 less linear feet of roadway from the previous plan; the pump station has been removed from the previous plan. Mr. Lansing stated there would be an emergency access pathway with removable bollards on each end leading to Pico Road, the path would be 8 feet wide and on the edges there would be 6 foot grass paved system that would support a 75,000lb vehicle, which would make the look of it to be a pedestrian pathway. He also stated that the arch coverts in the previous plan have been replaced with typical coverts, landscape plans are as shown to the Board in the meeting. Mr. Lansing stated that there will be a note added to the plan stating that there will be no further subdivision to the plan after it has been approved. Mr. Lansing stated that the trails have been maintained throughout the project, and the 40 foot buffer around the subdivision has been maintained with this plan. He stated that all comments from the town staff and MJ Engineering can be addressed and he sees no conflict with any of them. The plan has a trail that leads to Patriot Circle that was included on the prior approved subdivision plan. A meeting was held with the Trails Subcommittee and Mr. Ferraro was present to work out all the trail placement details highlighted for the Board to see in the map presented. Mr. Lansing stated that the trail along Crescent Road will be concrete; as it goes through the project to the east it will be stone crusher run/stone dust pathway, Mr. Lansing then identified the remainder of the trails on the map for the Board. Mr. Lansing stated signage for the 40 foot buffer that was requested at the last meeting has been added to the plans and the traffic impact study has been updated and submitted to the Board. He stated the request to quantify the open space in the front of the parcel compared to the prior approved subdivision plan has been provided in a response letter to the Planning Board with the current submittal. Mr. Lansing stated his client is seeking final for the approval of the subdivision Application after the public hearing.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 4/8/20 stating:

- #11 does not reflect requirement.
- #20 footing drains shall drain by gravity to the storm sewer system. Locations where this is not feasible shall be evaluated in the field by the Building Department.

- #32 does not appear to verify requirement
- #33 fire district boundaries should be shown on the plans.
- #42 SWPPP cannot be complete since test pits are not completed. This applies to my comment #1
- Certification for driveway to lots #40 and #41 is still required.
- Slopes will be monitored during construction.
- The warning signs noted in response to my comment #4 talk about wading and swimming or if there is no standing water why are these needed. I believe fencing is still required.
- Foundation approval is still required.

Sheryl Reed, Chief of the Bureau of Fire Prevention:

1. Postal verification.

Scott Reese, Stormwater Management Technician issued a memo dated 4/10/20 with the following comments:

1. Before MS4 Acceptance Letter signed test pits are required at Stormwater Management Basin #3

The Environmental Conservation Commission held a meeting on 4/7/20 and issued a memo recommending:

1. The ECC previous comments were not addressed by the applicant. The ECC requests the applicant respond to the three listed recommendations for review by the planning board prior to approval.
 - a. The limits of (the LC Zone and 100-foot buffer zone, DEC Wetlands, Federal Jurisdictional Wetlands) shall be identified on the plot plan.
 - b. Federal jurisdictional wetlands have been identified on this site. Uses in this area are restricted. The Town of Clifton Park Building Department shall be notified before undertaking any land disturbance activities in Federal wetlands. The applicant should ensure no incursions into the wetlands on lot 40.
 - c. Due to the potential wetlands on Lot 41 the applicant will determine the location and extent of disturbance before a building permit is issued.

John Scavo, Director of Planning issued a letter dated 4/3/20 with recommendations he made:

1. The Saratoga Planning Board issued a recommendation letter dated March 19, 2020, that states the project will have no significant county-wide or intercommunity impact. The County Planning Board an additional comment stating, “The applicant needs to contact the County DPW to review the proposed town road curb cuts onto Crescent Road (CR-92). Sight distance information should be provided at that time. A county work permit will be needed for the proposed town road connections onto Crescent Road.”
2. Show the assigned 911 address on the final plat for each lot. The assigned 911 addresses shall be obtained from Sheryl Rees, Chief of the Town Fire Bureau.

3. Per the map included in the project file for review, show the existing parcel boundary Tax Map ID# 283.12-6-44 and add a notation that the parcel is to be merged with Parcel 283.12-6-43 and transferred to the Town of Clifton Park.
4. Per the second attachment included in the project file for review, it appears a small arrow shaped parcel is proposed to be created to the rear of the common side boundary line of lots 27 & 28. The applicant should verify the need to create an additional lot. It is believed the prior approved and filed subdivision for Crescent Woods created a similar lot which was transferred and merged with Parcel ID #283.12-3-26 (aka 4 Shetland Green).
5. Also, per the second attachment included in the project file for review there is a parcel proposed to be created and given to the Town of Clifton Park between lots #36 &37. The parcel does not appear to have any public purpose and should be eliminated and incorporated into lots 36 & 37.

Mr. Lansing clarified Mr. Scavo's comment #5 identifying the area on the map and stating that the piece of land can be incorporated into the lots.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 4/10/20 had the following comments:

State Environmental Quality Review

1. As approvals are received from involved agencies, a copy of the documentation should be provided to the Town. Any approval that may be granted by the Planning Board shall be conditioned upon receipt of noted approvals.

Subdivision Plans

2. Any action on the application should be conditioned upon receipt of plan approval from the CPWA.
3. Any action on the application should be conditioned upon receipt of plan approval from the SCSD.
4. Provide correspondence from the NYSDEC Heritage Program and USFW Ipac in regard to State threatened and endangered species. Although this site may fall outside of the currently recognized occupied habitat for this federally-threatened species, the NYSDEC recommends that removal of any trees greater than 3 inches in diameter at breast height take place between November 1 and March 31 each year., if possible, in order to protect potential bat habitat. The ACOE permit should indicate the appropriate timeframe. A copy should be provided to the Town once received.

5. The applicant indicated an updated survey is being conducted to pick up these items. If any revisions are required due to these restrictions a revised plan should be submitted to the Town for review.
6. The Subdivision Plat shall show the bearings and distances of all proposed easements/conveyances. It appears additions labeling is required adjacent to Lot 39.
7. Sheet PP-3, consider realigning the proposed watermain to the street side of the guide rail for future accessibility.
8. Sheet LMG-2, provide pedestrian crosswalk where the proposed trail crosses Pembroke Street.
9. At Sta 25+00 of Fairmont Drive, it appears the proposed retaining wall will be sitting on top of the proposed 24-inch storm culvert. Please confirm.
10. With apparent shallow groundwater conditions as indicated by the mottling observed at shallow depths, it may be necessary to reexamine all grading and finished floor house elevations. Further discussion with the chief code official of the Town is warranted to discuss how the potential placement of homes with basements at or below seasonal high groundwater elevations may be reviewed and approved.

Stormwater Pollution Prevention Plan

11. The SWPPP shall include documentation that the project is eligible for permit coverage pursuant to Part I.F.4 of GP 0-20-001 with respect to threatened and endangered species. This includes both listed state and federal species. Provide any documentation received from agencies having jurisdiction, either database searches or correspondence that support permit eligibility within the SWPPP. This includes NYSDEC Natural Heritage and USFWS Ipac.
12. The applicant should provide in-situ soil testing information for stormwater basin 3 when complete.
13. As noted in Comment 42 of our February 7, 2020 review, once the additional testing is complete, the information should be indicated on the plans and reflected in the SWPPP.
14. Provide pre and post watershed drawings.
15. Upon completion of the design, Page 6 of the NOI will require signature from the engineer of record.

Public Comments:

Mr. Ferraro asked Mr. Scavo if any public comments were received in writing. Mr. Scavo stated no written comments from the public were received.

Jay McMahon – 17 Weston Drive – Mr. McMahon stated that areas around lots #40 and #41 do get standing water as well as the tennis courts. He asked what would be done about this and possible standing water. Mr. Lansing stated that there are wetlands surrounding the area noted by the resident, but he stated that the stormwater plan for the subdivision has a site just to the south of the indicated area, to address the issue being compounded from the impervious surface of the new development. Mr. Lansing noted the design details can be specifically found in the Stormwater and Pollution Prevention Plan and all new runoff from the subdivision is contained within the subdivision parcels. Mr. McMahon asked about drainage pipes for the lots, Mr. Lansing stated that there are drainage pipes for the lots to help push the water to the stormwater management area and it is outlined in the Stormwater Management Plan. Mr. McMahon stated that he does not see the 40 foot buffer on lots #40 and #41. Mr. Lansing stated that the lot sizes on these are larger than the rest so he felt it was not necessary as the home potential placement is a distance from the buffer as well as the placements in the adjacent properties. Mr. McMahon asked about the home placements in relation to the buffers. Mr. Lansing stated that the homes are conceptual in placement but the placement of the homes will take into consideration the buffer areas. Mr. McMahon asked what types of wetlands are on the property and what the impact would be to the wetlands. Mr. Lansing stated that they are Federal Wetlands and that there are 4 wetland impacts with .22 acres of impact, that requires a permit from the Army Core of Engineers, which is in place or close to being in place. Mr. Lansing noted the current proposal reduced the number of wetland impacts from 8 on the previously approved subdivision map, down to 4.

Tina Stroud – 40 East Haystack Road – Ms. Stroud asked how the 40 foot buffer will be enforced, and asked if it can be in the plans and on the deeds to protect homeowner from violating the buffer zone. Mr. Lansing stated that is in the plans to be stamped by the town if approved, and that it will also be noted in the plot plans for the sale of the homes. Mr. Ferraro asked for signage of the buffer as well. Mr. Lansing stated that there can be signage put on the property as well.

Wendy Hadley – 28 East Haystack Road – Ms. Hadley stated that she is pleased that most of her concerns about this application have been addressed. Ms. Hadley asked for clarification on the emergency path to Pico Road and if it could be used as a pedestrian pathway. Mr. Lansing stated that it is able to be used as a pedestrian pathway with the removable bollards for emergency vehicle use, and that it will be donated to the Town of Clifton Park. Mr. Ferraro asked if this is needed due to now having two entrances to the subdivision and if it could remain a pedestrian pathway only. Mr. Scavo stated that the fire department was still in favor of keeping the access

and if it were for pedestrian use only overgrowth would be troublesome without the 6' grass strips on either side of the path. As a multiuse pathway the Parks and Rec. department would help with the upkeep and maintenance of access. Ms. Hadley asked if there has been a traffic impact study as promised as she feels it will increase traffic. Mr. Lansing stated that it was previously done in 2018 and an update was complete before March 24, 2020. He stated that it showed that at peak times it would increase traffic by 12 trips in the morning and 16 trips in the evening, and that no roadway impacts were found, and that a stop sign at each exit of the subdivision is adequate to control traffic leading onto Crescent Road.

Glen Chase – 30 East Haystack Road – Mr. Chase asked if the curb cuts would be one way or if two way traffic is needed at both entrances/exits. Mr. Lansing stated that both roadways would be two way streets. Mr. Chase asked if the emergency access road would be paved. Mr. Lansing stated that it would have an asphalt center and be a grass/paved roadway on either side.

Ralph Reel – 13 Hiawatha Drive – Mr. Reel stated that he is concerned about the increased traffic this would generate. Mr. Scavo stated that it should not impact traffic on Crescent Road but only on the side roads exiting the subdivision where the delay is experienced by residents looking to enter onto Crescent Road. He also stated that the study shows that even if there were no new development on Crescent Road the traffic pattern would increase by 1% annually from existing background growth not related to any specific project along the roadway.

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche asked if the 40 foot buffer would be no cut zone, or if the owners would be able to cut and/or remove dead trees. Mr. Lansing stated that it does permit removal of dead vegetation for safety reasons. Mr. Scavo stated that it is on the site plan and can be sent to Mr. LaFleche. Mr. LaFleche asked if the proposed sidewalk would be between the two entrances on Crescent Road and how far from the road would the path be? Mr. Lansing stated it would go between the entry roads and that it would be anywhere from 30-40 feet from the road. Mr. LaFleche stated he appreciated that as it will help keep the roadway clear in the winter when snow removal is done on Crescent Road. Mr. LaFleche asked if some of the trees that are existing in the rear yards and some of the front could be preserved. Mr. Lansing stated that there are some trees being preserved and they can be found on the site plan. Mr. LaFleche asked if the existing home is controlled by the current resident. Mr. Lansing stated that he is not sure if the home is or will be occupied by the same people now but the control over the lot will fall under the subdivision, not the homeowner. Mr. LaFleche asked if the walkway would end in a stub by Okte School. Mr. Lansing stated he believes it would but would also look into a connection.

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

Planning Board Review:

Mr. Ophardt thanked the applicant for adding more open space to the plan and asked if the open space would be proposed for dedication to the Town of Clifton Park. Mr. Lansing stated there would be dedication to the Town as proposed. Mr. Scavo stated that the Park District would oversee these areas of open space dedication, and the plan would notate these locations. Mr. Ophardt then asked if there would be Home Owners Association (HOA). Mr. Lansing stated there would not be an HOA. Mr. Ophardt asked why the walkway to Okte ended at the end of this projects property and does not continue to Okte, as the students would have to cross the street where the sidewalk ends to cross again to go to the entrance of Okte School. Mr. Lansing stated that it would indeed end at the property line but can look into extending it to meet with the back of the school property. Mr. Ferraro stated that possibly putting a gate to the back of the Okte fencing for the students to get to school would be beneficial. Mr. Ferraro asked the applicant to try to see if the school would be willing to accommodate this.

Mr. Ophardt asked about the culvert being removed on lots #37 and #36. Mr. Scavo stated that he thought it was eliminated therefore there was no need for the Town to take dedication of that portion of the land. Mr. Lansing stated that there was a culvert removed but not at that location and it does drain a significant amount, therefore the plan will still show that portion of land to be dedicated to Clifton Park.

Mr. Ophardt asked when the tree plantings would be installed as he has concerns due to previous applications. Mr. Scavo stated that in winter months the builder and owner would sign an agreement with the placement and species of the trees to be planted. Luke Michaels (owner) stated that there would be an escrow agreement that addressed placement of trees, lawns, sprinklers or anything else that cannot be done in the winter months, and if it is the warmer months everything will be completed. He stated that all of the land contracts will reflect this so that all of this will be identified to the potential buyer before the sale. Mr. Michaels also stated that there will not be clear-cutting of the property; it will be done and decided on a lot by lot basis.

Mr. Neubauer asked for more information on the Trails Subcommittee meeting. Mr. Lansing stated there was a meeting with the Committee that also included Ms. Viggiani, Mr. Scavo, and Mr. Ferraro on February 14th. The goals and objectives were discussed and how the community would be best served by the proposed pedestrian connections. Mr. Scavo stated the result of the meeting is reflected in the current proposal being presented today. Mr. Neubauer asked if the connection to Okte had been discussed in the meeting. Mr. Scavo also stated that the discussion was limited to what the applicant had land control over; it did not cover town or school property that would be deemed an off-site improvement. Mr. Scavo did state that there is a town grant that

may be able to be extended to the school connection, and he would look into this. Mr. Ferraro asked if the school could build a gate into the fence as it is already in place and for cost efficiency to just extend the walkway a few more feet to the gate. Mr. Neubauer stated that for security purposes, schools like to have one access point to the entrances and they may not allow this. Mr. Michaels stated that if school is willing to provide the gate he would be willing to add minimal footage needed to connect the sidewalk.

Mr. Andarawis asked if the triangular piece of land to the south of lot#1 would be donated to the town. Mr. Lansing stated it would be and it was a part of the trail proposal.

Mr. Neubauer asked what the trail from Pico Road would be, emergency use or not. Mr. Lansing stated he would be keeping it for emergency use or all the homes would need fire suppression systems. Mr. Michaels stated that per Appendix D of Fire Code any residential subdivision of 30 lots need two separate entrances and accessible within a certain distance. If not then the home would have to be sprinklered, leaving this project expensive as it would be an additional \$10,000 - \$20,000 to each home; therefore keeping this access would be more beneficial. Mr. Beach stated he feels that if the pathway were to become stone dust/gravel that it would be bad as it would not be kept up in the winter time and that is when more home fires occur, so to keep it as is should benefit the homeowners most in the event of an emergency.

Mr. Neubauer commented on the stormwater basin area closest to Crescent Road. He stated he would like to see a natural looking fence around it to help it blend into the area as much as possible, suggesting timber posts as a possibility. Mr. Lansing stated that the access is for maintenance use and needs to be in place, but the roadway will be gravel and over time he believes that it will blend into the area. Mr. Lansing stated that the fencing would be split rail timbers with metal mesh on the rear so it should blend with the area.

Mr. Ferraro stated he would like to see the wetland areas on lot #40 and #41 be identified with signage and no disturbance. He also stated that per requirements there will be no tree cutting in June and July due to endangered migratory bats animals. Mr. Scavo stated he can help provide guidance and the applicant needs to reconcile tree clearing with DEC recommendations.

Mr. Ferraro stated he would like signage to identify all federal wetlands.

Mr. Szczesny offered Resolution No. 5 of 2020, seconded by Mr. Ophardt to waive the final hearing for this application for the Crescent Road 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:

All comments by town staff are reconciled.

Roll Call:

D. Bagramian - Yes

E. Andarawis - Yes

E. Ophardt - Yes

J. Beach - Yes

A. Neubauer - Yes

G. Szczesny - Yes

R Ferraro - Yes

R. Lalukota – Alternate Member - Absent

Ayes 7

Noes: 0

The resolution is carried.

Public Hearings:**2020-004 Pasquariello 2 Lot Subdivision**

Applicant proposes to subdivide a 99.4 +/- acre parcel into two separate parcels. Parcel 1 shall be 3.6 +/- acres and Parcel 2 shall be 95.8 +/- acres (Remaining lands to be retained by Pasquariello, Rt 146, Zoned: B-5, Status: PB Preliminary Review w/possible SEQR Determination SBL: 270.-1-20.111 To be reviewed by: MJE Consultant: EDP Applicant: Arthur Pasquariello Last Seen on: 2-11-20

Mr. Neubauer recused himself from this application.

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. Szczesny moved, second by Mr. Beach, 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 9:00p.m. The Secretary read the public notice as published in the Daily Gazette on April 4th, 2020.

Consultant/Applicant Presentation:

Joe Dannible – EDP – Mr. Dannible stated that this parcel is a 99 acre parcel in a B5 Corporate Commerce Zoning District. The proposal is to subdivide 3.6 acres of the parcel on the corner of Waite Road and Route 146. Mr. Dannible stated that there is a possible future application for an office use, but at this time no site plan is being proposed. Mr. Dannible stated and indicated on his map shown to the Board, the possible layout of a office use as requested previously by the Board to demonstrate the parcel could accommodate the bulk and setback standards prescribed by the Zoning Code.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 4/8/20 stating:

- Contours are at least 10' instead of the required 5'
- Stream and stream LC Zone should be shown
- Not enough detail for full view

Sheryl Reed, Chief of the Bureau of Fire Prevention:

1. Postal verification.

Scott Reese, Stormwater Management Technician issued a memo dated 4/10/20 with the following comments:

1. No stormwater comments.

The Environmental Conservation Commission held a meeting on 4/7/20 and issued a memo recommending:

1. The limits of (the LC Zone and 100-foot buffer zone, DEC Wetlands, Federal Jurisdictional Wetlands) shall be identified on the plot plan.
2. Prior to any further site plan for development applicant shall provide wetland delineation and identification (federal / state) for the site.

John Scavo, Director of Planning issued a letter dated 4/7/20 with recommendations he made:

1. The Saratoga Co. Planning Board noted in a letter dated, February 21, 2020, the Project will have no significant county-wide or community-wide impact.
2. Assigned 911 addresses are to be added to each lot prior to stamping the final subdivision plat.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 4/10/20 had the following comments:

State Environmental Quality Review

1. No additional comments.

Subdivision

2. Since the applicant is proposing to subdivide the property and make no improvements at this time, we suggest that the following sentence be added to the plan: Lots 1 & 2 will be subject to additional regulatory review for compliance with Town Zoning at a future point in time when development of those parcels are considered.
3. Identify the date and by whom the wetlands shown were delineated. Verify if any wetlands are under the jurisdiction of the USACOE.
4. The final subdivision plat shall be sealed by a surveyor licensed to practice in the State of New York pursuant to New York State Education Law.
5. In reviewing the conceptual plan for Lot 1, keep the following in mind when developing future layouts:
 - a. It appears greater than one acre will be disturbed, therefore adequate space for stormwater management will be required.
 - b. Without showing proposed grading limits, it appears wetlands will be disturbed.
 - c. With the majority of the site being wetlands, the usable space on Lot 1 appears to be approximately 0.8 acres.

Public Comments:

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche asked that if in the future easements would be needed if they should be requesting them now or if it is better to wait for the site plan

application. Mr. Scavo stated that he prefers to see it done with the site plan proposal as more site specific plan elements are identified such as access, final grading, utility placement, and building placement.

Michelle Bissonet – 609 Waite Road – Ms. Bissonet asked if the secondary roadway shown would provide access to the prior approved Waite Meadows Subdivision. Mr. Ferraro stated the site plan development shown is conceptual; it is not part of the proposed subdivision application this evening. Mr. Ferraro noted it was shown to demonstrate the potential future development for each lot. Ms. Bissonet stated that the roadway looks to be going through wetlands. Mr. Ferraro stated it would, but this roadway shown is conceptual and the proposal tonight does not approve any roadways only the subdivision. Ms. Bissonet asked about an entrance to the larger lot from Route 146. Mr. Scavo stated that this proposal is different from 21st Century Park and is separated by a different parcel that is part of a utility corridor. Mr. Scavo stated that NYS preference would be to limit curb cuts onto Route 146, so the preference would be off of Waite Road for future access. Mr. Dannible stated that for this subdivision, the focus was on the corner proposed lot and Waite Road. He stated that there is a portion of the lot that is only accessible from Route 146 so there potential to have a curb cut there but have not yet been explored. Ms. Bissonet stated that traffic turning onto Route 146 from Waite Road is difficult, especially taking a left hand turn onto Route 146. Mr. Ferraro stated that he does see a left hand turn being problematic, but site plan is conceptual and will be addressed when an actual site plan application is proposed. Ms. Bissonet stated that she does not feel it is right to have a lot zoned commercial around residential sites. Mr. Ferraro stated that the zoning is in place and that no zoning has changed. Mr. Ferraro asked Mr. Scavo why this was zoned as commercial in a residential area. Mr. Scavo stated that this zoning was done in the 90's, and more residential was anticipated. Mr. Dannible stated that GEIS not only looked at the corporate area but also traffic in the area as well.

There being no additional public comment, Mr. Ferraro moved, second by Mr. Ophardt, to close the public hearing at 9:18p.m. The motion was unanimously carried.

Planning Board Review:

Mr. Ferraro stated that he has concerns about the environmental constraints and that the Corporate Commerce Zone standards (B5 Zoning) need to be sensitive to visual impacts per Section 208-55 of the Town Code. Mr. Ferraro stated he also has concerns about the traffic concerns already mentioned, potential parking, internal impacts in the site and internal roadways, and the need for variances in the future when a site plan application is presented. Mr. Dannible stated that the 3.6 acre lot has over 1 acre of buildable land which is over the minimum required

for the zone. He stated that access from Route 146 and Waite Road has been provided so that when the site plan is proposed it can be evaluated with both access routes. Mr. Dannible indicated the grey area on the map presented to the Board and identified it as wetlands. He also stated that there is no direct access to Century 21 as there is a utility owned land between the two parcels.

Mr. Ferraro stated that Mr. Myer's comment about stream and stream LC Zone he does not see, Mr. Dannible indicated the stream corridor on the map.

Mr. Andarawis stated the he does see that this is zone compliant but would like to see them back for future development and for development of the corner lot with the building placements, parking ect., as he does not know what could be built on 1 acre of land. Mr. Andarawis stated for now he is in approval for the subdivision. Mr. Dannible stated that this subdivide location is the most logical point to subdivide.

Mr. Ophardt offered Resolution No. 6 of 2020, seconded by Mr. Szczesny to waive the final hearing for this application for the Pasquariello 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:

All comments from town staff are reconciled

Roll Call:

D. Bagramian - Yes

E. Andarawis - Yes

E. Ophardt - Yes

J. Beach - Yes

A. Neubauer – Abstain

G. Szczesny - Yes

R Ferraro - No – Mr. Ferraro stated that he feels that this site has too many constraints and that in the future variances will be needed for further development.

R. Lalukota – Alternate Member - Absent

Ayes 5

Noes: 1

The resolution is carried.

Public Hearings:

2020-001 Schreifels Waite Road 2 Family SUP

Applicant proposes constructing a 2-Family home. Water will be provided by an existing on-site well and wastewater will be handled by a new raised-bed septic system. The parcel located at 563 Waite Road lies in the R-3 Residential zone which allows multi-family residence with the approval of a Special Use Permit, 563 Waite Rd, Zoned: R-3, Status: PB Preliminary Review w/possible determination SBL: 270.-1-23.3 To be reviewed by: MJE Consultant: ABD Applicant: Scott Schreifels Last Seen on: 1-28-20

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. Ophardt moved, second by Mr. Beach, 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 9:50 p.m. The Secretary read the public notice as published in the Daily Gazette on April 4th, 2020.

Consultant/Applicant Presentation:

John Hitchcock – ABD Engineering– Mr. Hitchcock stated that this application is for a side by side duplex with garages that share a split driveway off of Waite Road. He stated there will be mulch planting areas at the split of the driveway and that there will be three trees removed from the road edge for this project, but there is still a tree buffer remaining along the frontage with Waite Road. Mr. Hitchcock stated that septic will be dug and there is an existing well that will be used for the duplex. Mr. Hitchcock stated there would be a 15 ft. easement for a possible future trail.

Staff Comments:**Steve Myers, Director of Building and Development issued a memo dated 4/8/20 stating:**

- Well will be required to meet the requirements for two-dwelling for quality & quantity. Only one well could create future issues if subdivision desired.
- Septic design is based on number of bedrooms. One 1000 gallon tank may not be sufficient.
- It appears that only one septic discharge for structure proposed. This will affect any future desire to further subdivide and sell dwellings as separate parcels.
- Basement floor elevation is estimated at 332.00 which appears to be lower than septic field.
- The required separation distance to any wetland is 100'. The standard does not specify it is only required to DEC wetlands.
- There is no trail easement shown on the plans.

Sheryl Reed, Chief of the Bureau of Fire Prevention:

No comments

Scott Reese, Stormwater Management Technician issued a memo dated 4/10/20 with the following comments:

1. It appears that the limit of disturbance line type overlays the proposed silt fence line type, please adjust lines so both are legible.
2. The proposed disturbance is less than one acre, therefore no NYSDEC FULL SWPPP is required. The plans do show erosion and sediment control best management practices to protect the adjacent wetlands.

The Environmental Conservation Commission held a meeting on 4/7/20 and issued a memo recommending:

1. The applicant shall clarify if the existing well will be shared between the existing home and the two proposed two-family dwellings.
2. ECC requests that the applicant specifies the distance between the septic field and the freshwater wetland on the NYS Department of Health permit application.

John Scavo, Director of Planning issued a letter dated 4/7/20 with recommendations he made:

1. The parcel's current configuration meets all bulk and setback requirements required by the R-3 Zoning District.
2. Per the Postal Verification Form provided by Sheryl Reed, Chief of the Town's Fire Bureau – Label:
 - a. Unit #1 to reflect 563-A Waite Road; and
 - b. Unit #2 as 563-B Waite Road.
3. The applicant has adequately addressed all my prior comments.

Professional Comments:

No professional comments.

Public Comments:

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche thanked the applicant for the 15 ft. trail easement. Mr. LaFleche asked what types of trees are being proposed to be planted and if the applicant could push the trees back more so that the rooting system would not have the potential to be damaged. Mr. Hitchcock stated there are not trees being planted along the roadway as these trees are existing.

There being no additional public comment, Mr. Ferraro moved, second by Mr. Beach, to close the public hearing at 9:57p.m. The motion was unanimously carried.

Planning Board Review:

Mr. Ferraro stated that this review is for the Special Use Permit (SUP) and Site Plan Approval

Mr. Ophardt stated that this is the only duplex in the area that he knows of and this is always a concern for him, as it does not keep with the character of the area. Mr. Hitchcock stated that he is not aware of any other duplex in the area but there is a five story apartment complex north of the parcel, an industrial trucking operation south of the parcel, and the nearest home is 200+ feet away. He also, noted per the R-3 Zoning District the use is permitted by way of obtaining a Special Use Permit.

Mr. Andarawis stated he would like to see more landscaping to minimalize the visual impact as he stated he feels that the landscaping plan is not being used to its full potential. Mr. Hitchcock stated he does not know how much more landscaping can be done as there are trees throughout the property as well as other plantings and the building is hidden behind the existing wall of trees. Mr. Andarawis stated he would like to see the garages on the sides of the duplex and not on the front of the building. Mr. Ferraro stated that there is a duplex on Grooms Road that Mr. Hitchcock can use as an example to be more sensitive to the roadway view. Mr. Hitchcock stated that a side load garage could be achievable to the north side of the building. He also stated that he can plant more trees on the back side of the easement, planting trees in between the existing trees. Mr. Beach stating he would like to see at least one of the garages side loaded. He also would like to see more trees closer to the road front to make the site more visually appealing. Mr.

Neubauer also agrees with Mr. Andarawis and would like to see the consistency of duplexes that the Board has been requesting to have them fit into the communities they are in. Mr. Neubauer stated that he feels the elevations of the project need to be considered also.

Mr. Ferraro stated that he is aware there is a senior apartment complex up the road from this proposal, but no duplexes in this part of town.

Mr. Ferraro stated that based on Board feedback he suggests to take no action tonight and requested the applicant to take feedback and to resubmit the site plans and the landscaping plans. He also stated that the driveway design and building façade will need to be adjusted by a design professional that would be acceptable by the Board. Mr. Ferraro stated that since the Public Hearing has been closed, action needs to be taken within 62 days or an extension request will need to be filed.

Public Hearings:

2018-071 Synergy Phase 2 (1902 Route 9 Commercial Subdivision)

Applicant proposes to subdivide the property into 3 lots to allow for construction of office/warehouse buildings to be built in phases starting with a 100,000 square foot building on one of the lots, 1902 Rt 9, Zoned: L 2, Status: PB Prelim Review w/ Possible SEQR Determination SBL: 259.-2-47 To be reviewed by: MJE Consultant: Lansing Applicant: MJ Properties, Inc Last Seen on: 2-25-20

2018-070 Synergy Phase 2 (1902 Route 9 Commercial Site Plan)

Applicant proposes the construction of 203,400 sf of office/warehouse buildings which is a permitted use in the LI-2 zone pursuant to Section 208-64B of the Town Zoning Code. The buildings may be developed in phases, 1902 Rt 9, Zoned: L 2, Status: PB - Prelim Review w/possible SEQR Determination SBL: 259.-2-47 To be reviewed by: MJE Consultant: Lansing Applicant: MJ Properties, Inc Last Seen on: 2-25-20

Mr. Ferraro stated that Synergy Phase 2 Subdivision Public Hearing and Site Plan Review will be heard together.

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. Szczesny moved, second by Mr. Ophardt, to establish the Planning Board as Lead Agency for this application, a Type I action, and to issue a negative declaration pursuant to SEQRA.

Mr. Ferraro, Chairman, called the public hearing to order at 10:23p.m. The Secretary read the public notice as published in the Daily Gazette on April 4th, 2020.

Consultant/Applicant Presentation:

Scott Lansing – Lansing Engineering – Mr. Lansing identified the existing conditions for the land is 127.7 acres total including the Raylinski property which is 57.94 acres which has the town line going through the Raylinski parcel, the Martin parcel which is 22.49 acres and a portion of that is on Halfmoon as well, and there is the Country Club acres that is 19.5 acres, then there is the 19 Synergy parcel that is 27.77 acres. Mr. Lansing identified Route 9 and I87 on the map for the Board, he stated that they are looking to consolidate the parcels and he also stated that Roberts Road has been abandoned by the Town of Halfmoon and has been taken over by the applicant. Mr. Lansing stated that Lot 1 of the consolidation is in Halfmoon, lot 2 is in Halfmoon and contains the right of way, and lot 3 has been eliminated and has become part of lot 4. Previously, most of Lot 3 was located within the 100 year flood plain. He state that lot 1 will be 2.1 acres in the Town of Halfmoon, lot 2, 7.2 acres, lot 4, 8.3 acres, lot5, 12.7 acres, and lot 6, 8.3 acres, lot 7 is 17.3 acres, and lot 8 is 25.1. For site plan review, Mr. Lansing stated that they are focusing today on lots 4, 5, and 6, he explained that lot 4 is proposed for 50,400 sq/ft warehouse with loading docks and overhead doors and parking on the facility, lot 5 is 104,000 sq/ft of warehouse and office space (4,000 sq/ft) with loading docks and overhead doors. He stated that lot 6 would be 32,000 sq/ft of warehouse and office space (3,200 sq/ft) and would be the same layout as lot 5. Mr. Lansing said that parking would be 213, required parking is 211, and there will be 45 banked parking spots if needed in the future. He stated that this proposal would be done in phases starting from Route 9 and working towards I87, so lot 4 would be developed first, then 5 and 6. Mr. Lansing stated the required green space is 40% and the proposal is now between 61.9% - 74.1%. He said that infrastructure has access from Roberts Lane and the bridge is currently maintained by the County and the applicant is working with the County to have that abandoned to the applicant as well. The roadway will be owned, operated and maintained by the applicant. Secondary access was questioned so Mr. Lansing showed the Board a map with roadways and an access road connecting to Synergy Phase 1 to keep within fire access code, and there is an emergency access drive that is 20 ft. wide and does comply with

fire codes as well. Mr. Lansing said that an informal meeting was held on March 10, with town staff on hand and some comments were made and addressed such as concerns on the development of lot 3, so the lot was absorbed by another; second point of access was also a concern, and the second access point was added; NYS DOT feedback related to traffic was completed and submitted back to DOT. DOT sent back that there were no concerns with trip generations or site distance or on the highway and that can be shared with the Board; Mr. Reese's stormwater comments have been addressed and his new comments can be addressed as well. Regarding the concern of the potential need for a parking variance, Mr. Lansing showed the map indicating the setbacks and parking that have been modified and lot lines adjusted so that there is no parking in the setbacks.

Mr. Ferraro asked about the emergency access road and if it would be open to the public or if it would be controlled, Mr. Lansing stated that at this time it is an industrial type road now but could implement it being restricted if the Board would like. Mr. Ferraro also asked about the banked parking and where it would be located if needed. Mr. Lansing indicated on the map the location of the banked parking.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 4/8/20 stating:

- Parking easements do not remove the need for variances
- Proposed emergency access road shall be a minimum of 26' wide and be able to support a 75,000 lb. vehicle. Road construction & surface shall be approved by the building department. Year-round maintenance of the emergency access road will be required.
- Although somewhat addressed in this submittal, the steep slopes are still expected to be very challenging during construction especially considering their close proximity to the buildings, parking & road access.

Sheryl Reed, Chief of the Bureau of Fire Prevention:

1. Postal verification
2. Emergency Access Road shall be a minimum of 26 feet wide and be able to support 75,000 lbs.
3. Emergency Access Road shall of signage IFC and have a maintenance agreement.
4. Provide code compliant hydrant placement per IFC.

Scott Reese, Stormwater Management Technician issued a memo dated 4/10/20 with the following comments:

1. No stormwater comments for the commercial subdivision

Comments for Site Plan

1. Stormwater Management Area #1 Forebay has an outlet pipe and an emergency spillway that is directed onto the private road. The emergency spillway should be piped under the roadway.
2. In the SWPPP, Appendix D - Total WQv worksheet has the Total Acres at 34.14. Can this total be clarified? It the total sub-catchments 1A, 1C-1F, 2B, and 2C? If so, would the conservation area be added onto the total area as it is in sub-catchment 1B & 2A?
3. Show the permanent check dams on the Layout, Materials & Grading Plan. There are portions of roadside swales with a slope at 10% on sandy soils, even with the permanent check dams the velocity can scour the bottom the swales and create maintenance issues. Consultant should consider adding permanent stabilization measures to the swales.
4. The SWPPP will need Section 11.0 Post Construction Inspection & Maintenance for review.
5. The SWPPP Conclusion will need to be revised to reflect this project.
6. Grading Limit Line label is on the Grading Plans, but not shown.
7. Grading appears to enter into the Flood Plain Area in the Town of Halfmoon.
8. At station 8+00 fill slopes down towards the Dwaas Kill has a 3:1 slope, then steepens to a 2:1 slope in the Flood Plain Area, is a retaining wall more suited to protect the slopes along this area?
9. In the SWPPP Section 6.2 page 23 of 52, does the post-development in the table equate to the runoff prior to stormwater control measures specifically for Design Point #1 – 100-Yr Storm?
10. On sheet DT-1 there is a table for Stone Fill Apron Sizing for the contractor to decipher. The plans should show the stone dimension, apron size, and the flow splitter dimensions for each pipe outlet.
11. In the HydroCAD calculations, expand the time span of 0.00 – 24.00 hrs till the inflow values reach equative results.

The Environmental Conservation Commission held a meeting on 4/7/20 and issued a memo recommending:

1. The ECC has no comments on the subdivision at this time.

Comments for Site Plan

2. The ECC notes that sensitive environments exist on both the proposed site and the properties adjacent to the project site, thus there is a potential for significant erosion impact on these areas. As such the Applicant's Drainage, Stormwater and Erosion Control Plans should be protective of these environments, during construction and occupation of the project. The ECC recommends careful review of these plans by the Town Engineer.
3. The ECC notes that the project includes extensive paving adjacent to, or in the vicinity of the Dwaas Kill The ECC recommends that the Planning Board require the Applicant to incorporate sediment traps and oil water separators with appropriate capacity to limit the migration of vehicular contaminants into these sensitive environments. The Dwaas Kill is

a Class C(T) stream and a listed 303(d) segment impaired by pollutants related to construction activity.

John Scavo, Director of Planning issued a letter dated 4/7/20 with recommendations he made:

1. Any final approvals must be conditioned upon the applicant receiving the necessary approvals from the Town of Halfmoon Planning Board. Under normal circumstances Planning Staff from both Communities would have met in-person to discuss the preliminary plan submissions and timeline. However, we are currently operating under unordinary conditions and therefore such meeting did not take place. The applicant is responsible to obtain the necessary approvals from each community.
2. It appears the following Standard Notes are not applicable to this project: #36, #42, #45, #46, #48, #49, #50, & # 51.
3. The assigned 911 addresses obtained from Sheryl Reed, Chief of the Town's Fire Bureau shall be added to the site and subdivision plans prior to final stamping.
4. The applicant should provide the Planning Board with a status to receiving approval from the Clifton Park Water Authority. The attached letter is the last correspondence included for the Town's Planning Board Project Records.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 4/10/20 had the following comments:

State Environmental Quality Review

1. No additional comments.

Site Plans/Subdivision

2. Subsequent submissions shall include the metes and bounds of the affected lots, right-of-way and conservation area. This plat shall be prepared by a surveyor licensed to practice in the State of New York.
3. The applicant should consider rotating the light fixture at the east access driveway to avoid spillage onto the adjacent roadway.
4. The applicant should consider additional site lighting to the access road around the 32,000 SF facility.
5. As noted in Comment 6 from our February 21, 2020 review, provide spot elevations at handicap accessible parking areas and routes to verify slopes meet the requirements of ADAAG.
6. On Sheet LMG-2, consider moving the handicap parking spaces to the new parking lot as the accessible space must connect to the shortest accessible route to the building entrance.

7. 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. The applicant should provide documentation from the Fire Dept. indicating their approval of the request.
8. Projects having a gross building area of up to 124,000 square feet that have a single approved fire apparatus access road where all buildings are equipped throughout with approved automatic sprinkler systems as outlined in Appendix D, Section D104 of the Fire Code of New York State (FCNYS). A note should be added to the plans indicating that once the project is going to exceed this square footage threshold the second access road should be constructed prior to commencing the next facility.
9. As noted in the project narrative, the roadway will be privately owned, therefore does not have to meet the Town zoning requirement of 7% maximum grade. The maximum slope identified is 8.5%, which does meet the fire code requirement of 10%. Since this project will utilize the use of numerous trailer trailers will any safety precautions need to be considered in these steeper locations.

Stormwater Pollution Prevention Plan

10. As per Comment 29 of our February 21, 2020 review, include in Section 2 of the SWPPP that discusses permit eligibility with respect to Part I.F.4 (state / federal threatened and endanger species) and I.F.8 (historic properties) of the General Permit. Provide any documentation received from agencies having jurisdiction, either database searches or correspondence that support permit eligibility within the SWPPP.
11. Indicate on the plans the location of the proposed retaining wall.
12. Section 11 of the SWPPP appears to be missing. Ensure this is referenced in this section.
13. As per Comment 40 of our February 21, 2020 review, Appendix H which included post construction maintenance requirements shall be modified to include the following:
 - a. Any maintenance activities associated with the subsurface infiltration system
 - b. Specify how the natural area vegetation within the Conservation of Natural Areas shall be managed (this would also be part of the required easement)

Sewer Report

14. No additional comments.

Water Report

15. No additional comments.

Slope Stability Evaluation

16. No additional comments.

Traffic Evaluation

17. No additional comments.

Public Comments:

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche asked for the identification of the National Grid power lines and if National Grid has access to these lines for maintenance. Mr. Lansing stated that the power company will have access to the lines for their needs; buildings will not interfere with the power lines and indicated the locations of the lines on the map for Mr. LaFleche.

There being no additional public comment, Mr. Ferraro moved, second by Mr. Szczesny, to close the public hearing at 10:56p.m. The motion was unanimously carried.

Planning Board Review:

Mr. Ferraro asked the applicant what the required width of the emergency access roadway was, Mr. Lansing stated that the roadway is 20ft wide, even though Mr. Myers comment says 26ft, this only applies if the road is a dead end or has a hydrant on it and this roadway has neither. Mr. Lansing stated that the code can be sited for the Board if requested. Mr. Lippmann stated it in Appendix D of the fire code.

Mr. Ferraro asked what the façade would be for the buildings. Mr. Lansing stated the center building will be secluded and the LI Zone fits. Mr. Neubauer stated that the façade of the middle building only was provided to the Board, but the buildings look to be prefabricated, and suggested all to be similar styles, and he has no objections to them.

Mr. Ferraro stated that lot 1 is close to the Dwaas Kill, and has concerns about future development and its impact. Mr. Lansing stated that it is close to the DwaasKill and in the future there may be development there but it is not a part of this proposal. Mr. Ferraro asked about lot 2 and the development on that lot. Mr. Lansing stated that lot 2 will be developed for roadway. Mr. Ferraro thanked the applicant for addressing previous concerns and for working on the landscaping. Mr. Ferraro stated that on page 3 of 4 of the project narrative, eight lots was stated

and then lot 7 lots, Mr. Lansing stated he would correct the error to 7 lots being proposed since Lot 3 was eliminated.

Mr. Ophardt asked if the traffic study represented all of the sites in the proposal for 2021. Mr. Lansing stated it is unclear on what developments are included but no traffic impacts were noted. Mr. Ophardt asked who would be responsible for monitoring the traffic as the sites develop. Mr. Lansing stated that it is unclear if Synergy would modify the traffic or NYSDOT. Mr. Scavo stated that any more site plan proposals would bring about more traffic studies.

Mr. Ophardt offered Resolution No. 7 of 2020, seconded by Mr. Szczesny to waive the final hearing for this application for the Synergy Phase 2 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. Mr. Myers determines no variance is needed.
2. All technical stormwater issues are reconciled to the satisfaction of town staff.
3. Subdivision and site plan approvals are conditioned upon the Town of Halfmoon approving the subdivision and site plan within their jurisdiction as well and the Town of Clifton Park receives notification of the approvals.

Roll Call:

D. Bagramian - Yes

E. Andarawis - Yes

E. Ophardt - Yes

J. Beach - Yes

A. Neubauer - Yes

G. Szczesny - Yes

R Ferraro - Yes

R. Lalukota – Alternate Member - Absent

Ayes 7

Noes: 0

The resolution is carried.

Old Business:**2020-009 GR Lewis Construction, Co 6 Lot Subdivision**

Applicant proposes subdividing a 26.08 acre parcel into 6 single family home residential lots with private septic and public sewer. The property is zoned R-3 agricultural/residential and all lots meet or exceed the zoning requirements. The lots range in size from 2.3 acres to 9.25 acres, Vischer Ferry Rd, Zoned: R-3, Status: PB Prelim Review w/ Possible SEQR Determination to schedule Public Hearing SBL: 283.-1-1.2 To be reviewed by: MJE Consultant: Lansing Applicant: Rod Lewis Last Seen on: 2-25-20

Consultant/Applicant Presentation:

Jason Dell – Lansing Engineering – Mr. Dell stated that this proposal is for a subdivision of a 26 acre parcel and is in the R3 zone. He stated that there would be 6 residential lots each with its own driveway to an existing Public ROW, 2 on Englemore, 4 on Vischer Ferry Road, there will be public water and septic systems on the lots. Mr. Dell stated that a revised concept has been submitted and he has a CPWA letter and SHPO no effect letter as well. He stated that a cul-de-sac proposal was submitted to the Highway Superintendent, and the response was that he was not in favor of the cul-de-sac layout. On the last meeting there was one lot that was 5 acres and modified to 5.01 acres as to not create a realty subdivision. Mr. Dell stated he feels all technical comments provided can be addressed.

Staff Comments:**Steve Myers, Director of Building and Development issued a memo dated 4/8/20 stating:**

- Mottling or evidence of high ground water at 4 of the 6 proposed lots. This could result in raised septic systems on the lots and foundations raised above the water table
- Basic SWPPP submitted since only 4.5 acres of disturbance claimed. This needs to be certified. If the proposal approved the disturbance limits will be closely monitoring.
- Cul-de-sac proposal removes any chance of a buffer with the Sportsman’s Club and may increase the runoff issues they already have.
- As stated previously it is difficult to believe single family homes on this parcel are viable
- Significant notes identifying the Sportsman Club and the Transfer Station. There is not any note about the Sportsman Club. Map provided to understand proximity of proposed residences to shooting bench at the Sportsman’s Club.
- No septic plans have been submitted for review by the Building Department. They will be reviewed with the building plans.
- Site distances are needed for driveways into Englemore Road.

Sheryl Reed, Chief of the Bureau of Fire Prevention:

No comments.

Scott Reese, Stormwater Management Technician issued a memo dated 4/10/20 with the following comments:

1. No stormwater comments.

The Environmental Conservation Commission held a meeting on 4/7/20 and issued a memo recommending:

1. The parcel (subdivision) is located in an area which may be impacted by the adjacent Sportsman Club (Gun Club) activity. Impacts may include Firearm noise. The ECC recommends that the Planning Board require that this warning be included in the Final Plot Plan.
2. The ECC notes that Vischer Ferry Road is a highly traveled thoroughfare and there is the concern of 4 additional driveways entering onto the Vischer Ferry Road. ECC requests that the applicant shall consider consolidating the driveways.

John Scavo, Director of Planning issued a letter dated 4/8/20 with recommendations he made:

1. The Saratoga County Planning Board noted in a letter dated February 21, 2020, "The project will have no Significant County-Wide or Inter-Community Impact."
2. Per the applicant's response letter, the project has been modified to no longer meet the definition of a Realty Subdivision as defined by the NYS Public Health Law. Thus, the project can be classified as an unlisted action pursuant to SEQR. Coordinated review is therefore optional.
3. All my prior comments from review of the previous conceptual plan have been adequately addressed.
4. A conceptual cul-de-sac layout was provided, per the Planning Board's request. Copies of both layouts have been provided to Dahn Bull, Town Highway Superintendent, for his review and recommendation.
5. Attached is a copy of the 911 addresses. Please add the 911 addresses to the final plan.
6. The project is currently before the Planning Board for revised concept, the applicant has advanced details and provided additional information such as a SWPPP Report, CPWA Service Letter, and SHPO Letter of No Effect for the project record. Based on outcomes of the April 14th Planning Board Meeting and comments offered by Town Staff, advisory committees, and Planning Board Members, the Board may choose to schedule a final SEQR Determination and preliminary plan public hearing with possible final determination for the review process to move forward.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 4/10/20 had the following comments:

State Environmental Quality Review

1. As per Comment 5 of our February 21, 2020 review, Part I. 13a – The applicant indicated that there are no state or federally regulated wetlands in or adjacent to the project area. This response is inconsistent with a review of the DEC Environmental Assessment Form (EAF) Mapper, located at www.dec.ny.gov/eafmapper/. The applicant should change the answer to “yes” and provide documentation to confirm the presence or absence of state or federally regulated wetlands on or adjacent to the project site. A revised SEAF should be submitted for review.
2. As per Comment 6 of our February 21, 2020 review, Part I. 15 – The applicant indicated that the site of the proposed action contains species of animals or associated habitats listed by the State of Federal government as threatened or endangered. This answer is inconsistent with a review of the of the DEC Environmental Assessment Form (EAF) Mapper, located at www.dec.ny.gov/eafmapper/. The applicant should change the answer to “no” for the next submission. A revised SEAF should be submitted for review.

Site Plans

3. On Sheet DT-3, there are two Detail 1’s. Please revise accordingly.
4. On Sheet DT-4, the sump pump detail indicates discharging into a catch basin. The plans indicated discharging to the surface, please verify.
5. Confirm that adequate site distance will be provided for each driveway, based on Vischer Ferry Road (County Road 90) design speed. Most importantly confirm that the drive to proposed Lot 2 will have adequate site distance due to the vertical curvature of Vischer Ferry Road.
6. The proposed water service lateral shown for the newly created lot is subject to the review and approval by the Clifton Part Water Authority (CPWA) The Town shall be provided a record of approvals received from CPWA prior to issuance of a building permit.
7. Provide a work zone traffic control plan associated with the watermain work shown along Vischer Ferry Road.
8. 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.
9. The final subdivision plat shall be signed and sealed by a surveyor licensed to practice in New York State.

Stormwater Pollution Prevention Plan

10. The SWPPP shall include documentation that the project is eligible for permit coverage pursuant to Part I.F.4 of GP 0-20-001 with respect to threatened and endangered species. This includes both listed state and federal species.

Mr. Dell stated that in regards to Mr. Lippmann's comment on the wetlands, the property was walked and there were no wetlands found so the EAF stated that there are no wetlands per Mr. Kevin Weed (wetland scientist). Mr. Lippmann stated that the response is acceptable.

Mr. Ferraro asked Mr. Dell about Mr. Myer's comment about high ground water. Mr. Dell stated he looked at water monitoring and none of the systems will be a full fill system and that the soil is sandy so filtration should not be an issue. Mr. Ferraro also stated that Mr. Dahn Bull sent out a letter stating that he is not in favor of the cul-de-sac.

Public Comments:

Ben Botelho – Attorney representing Sportsman's Club – Mr. Botelho stated that his client has concerns with the eastern parcel being close to the shooting range. Lots 6 and 3 have homes that could possibly be pushed forward on the property as they back up to the property lines of the Club. Mr. Botelho stated that he would like to have the deeds state the proximity to the shooting range so potential buyers are aware. Mr. Botelho stated his client has had noise complaints from adjacent properties even though the shooting range is a pre-existing use.

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche asked if where the houses shown are where they will actually be built. Mr. Dell stated that the placement of the homes are conceptual, the buyers of the property can adjust the placement of the homes, but it is cost effective to keep them as shown on the map. Mr. LaFleche asked how far back the homes were from the roadway. Mr. Dell stated 100ft from Vischer Ferry Road and 50ft. from Englemore Road. Mr. LaFleche asked if the 2 homes on Englemore be pushed back to 200ft.

Planning Board Review:

Mr. Ferraro stated he would like not only on plot plans but on each deed indicating the proximity of the shooting range, the flight path of planes from Albany International Airport and the proximity to the transfer station, and have this as a condition.

Ms. Bagramian stated that you cannot shoot a firearm within 500ft of a dwelling. What is the closest distance from the shooting range to a proposed home? Mr. Dell stated it is about 360ft from home to property line. He is unsure of the shooting range from the property line but can move the home to increase the distance.

Mr. Ophardt asked for clarification from Mr. Myers comment on measurements. Mr. Scavo stated that he did not receive that map, and Mr. Dell stated that lot lines can be adjusted to keep within law.

Mr. Szczesny asked who would be responsible for the distance, the home builder/owner or Sportsman's Club? Mr. Ferraro stated that the applicant can ask Sportsmen's Club to accommodate but cannot force them to move the shooting position away from the adjacent property. Mr. Botelho stated that he feels it would be the residences responsibility to make sure the requirement is met. Mr. Botelho stated his firm can look into who is responsible and what the actual laws are and work directly with the applicant.

Mr. Andarawis asked if the property adjacent to the club were only 500ft would it still be a buildable lot. This may be a way to create the mandatory buffer. Mr. Ferraro stated that this does need to be reconciled before the project can move forward. Mr. Ferraro stated that Mr. Frank Hill stated via chat that the shooting positioning is a fixed structure on the Sportsman's Club property.

Ms. Bagramian asked what the applicant would do to ensure that children don't wander into the range or within the shooting area. Mr. Szczesny second that question. Mr. Dell stated that he would be show an aerial of the shooting lanes and the direction of the shooting.

Mr. Andarawis asked if the law is only covering a home or does a pool or shed count as a dwelling or structure that needs to be at least 500ft. away. Mr. Beach provided an excerpt stating that the law also includes barns, dwellings, or structures. Mr. Szczesny stated that he needs clarification on who is responsible for following the DEC.

Mr. Morelli stated that it is not clear on what the law states and what is included however, he can look into this and come back with findings.

Mr. Neubauer suggested moving lot 6 not knowing if this would make things worse or better as it moving the driveway more towards an intersection.

Mr. Ferraro stated that lot 6 may have to be eliminated. Mr. Dell stated that the house can be moved, rotated and push the driveway on the other side of the property and thinks he can accommodate this easily. Mr. Ferraro stated he still has concerns with the side yard and the proximity to the shooting structure, so the shooting structure needs to be located and direction identified.

Old Business:**2020-011; 2020-012 Appleton Road Solar Array Site Plan & SUP**

Applicant proposes construction of a 5.0 MW AC ground-mounted solar energy generating facility. The facility will cover approximately 27.7 acres and be surrounded by a 7' fence and an associated road will cover an additional 1.42 acres, 94 Appleton Rd, Zoned: CR, Status: PB Preliminary Review w/possible SEQR determination to schedule Public Hearing
 SBL: 270.-1-50.1 To be reviewed by: MJE Consultant: Borrego Solar
 Applicant: Jeanne Lindsey Last Seen on: 2-25-20

Due to time restraints, the application was not able to be heard and will be rescheduled for the next meeting on April 28th, 2020 and be seen first on the agenda.

New Business:**2020-021 Nortrax Site Plan**

Applicant proposes to construct a 26,000 sf building with 70 parking spaces, outdoor storage area, and equipment testing area. The facility will be for sales and service of heavy machinery. The property will be accessed from a private road sharing access with other property within the future commercial light industrial park. The property will be serviced by both municipal sewer and water supplies and Stormwater will be managed on site, 279 Ushers Rd, Zoned: L 2, Status: PB Concept Review SBL: 259.-2-74.3 To be reviewed by: MJE Consultant: EDP
 Applicant: Nortrax, Inc.

Due to time restraints, the application was not able to be heard and will be rescheduled for the next meeting on April 28th, 2020 and be seen second on the agenda.

New Business:**2020-020 DCG Ushers Rd 3 lot Subdivision**

Applicant proposes to subdivide the 33.6 acre parcel into 4 lots. Three of the lots will be utilized for zoning compliant site developments and one lot will be merged with an adjacent parcel under common ownership. A 60 ft wide private road ingress/egress and utility easement will be established for use by all 3 parcels. Stormwater management will be provided for the new impervious areas, 279 Ushers Rd, Zoned: L 2, Status: PB Concept Review SBL: 259.-2-74.3
 To be reviewed by: MJE Consultant: EDP Applicant: DCG

Due to time restraints, the application was not able to be heard and will be rescheduled for the next meeting on April 28th, 2020 and be seen second on the agenda.

Discussion Items:

None

Mr. Szczesny moved, seconded by Mr. Ophardt, adjournment of the meeting at 12:08 a.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on April 28th, 2020.

Respectfully submitted,

Paula Cooper

Paula Cooper, Secretary