

TOWN OF CLIFTON PARK TOWN BOARD MEETING

April 20, 2020

I. Call to Order/5:00 P. M.

Due to the current State of Emergency within the State of New York, and pursuant to Governor Cuomo's Emergency Executive orders affecting the conduct of public meetings, the Town Board meeting will be closed to the public but can be viewed live by visiting www.cliftonpark.org Scroll down to click on



II. Pledge to Flag

III. Roll Call

IV. Approval of Town Board Minutes

V. Communications/Announcements

VI. Business

- **Public Hearing – Dutch Meadows Sewer District – 5:05pm**
- **Public Hearing – Term Conservation Easement Renewals – 5:10pm**
- **Resolutions for Consideration**
- **Other Business**

VII. Open Public Privilege

NOTE:

The Town Board meeting will be closed to the public but can be viewed online. You can follow the steps listed above or go to www.cliftonpark.org Select Government from the drop down menu, select Town Board, select Meeting Video Archive to view videos posted immediately after the close of the meeting or select Meeting Stream during the live stream.

VIII. Adjournment

Resolutions for Consideration
Clifton Park Town Board Meeting
April 20, 2020

<u>SOURCE</u>	<u>RESOLUTION</u>	<u>CONTACT</u>
1. Supervisor	Authorize the renewal of existing term easements for properties located at 24 Harris Road and 35 Garnsey Road	P. Barrett
2. Supervisor	Schedule a public hearing on a proposed amendment to Section 125-10 Conservation Easements of the Town Code to eliminate the requirement for a public hearing on applications and renewals of existing Term Easements	P. Barrett
3. Comptroller	Authorize final budget transfers for the 2019 budget	P. Barrett
4. Town Board	Authorize the acceptance of a land donation within the Windhover Farms Subdivision	P. Barrett
5. Town Board	Classify the proposed action amending Town Code to establish a procedure for density bonus applications in Town Center and issue a statement of non-significance pursuant to SEQRA	P. Barrett
6. Town Board	Adopt Local Law No. ___ of 2020 to establish a procedure for density bonus(es) within the Town Center	P. Barrett
7. Town Board	Classify the proposed action to grant a density bonus and issue a statement of non-significance pursuant to SEQRA at 15 Park Avenue in the Town Center	P. Barrett
8. Town Board	Adopt Local Law No. __ of 2020 to grant a residential density bonus to Windsor Development within the Town Center	P. Barrett
9. Parks and Recreation	Authorize the hiring of Ann Marie Strife as Camp Site Director for the full day camp for 2020 summer season	P. Barrett

TOWN OF CLIFTON PARK
COUNTY OF SARATOGA
NOTICE OF PUBLIC HEARING
REGARDING AN EXTENSION TO THE
DUTCH MEADOWS SEWER DISTRICT NO. 1

Please take notice that the Town Board of the Town of Clifton Park will conduct a public hearing on Monday, April 20, 2020 at 5:05 p.m. in the Wood Memorial Meeting Room in the Town Hall, located at One Town Hall Plaza, Town of Clifton Park, County of Saratoga, State of New York, regarding an extension to the Dutch Meadows Sewer District No. 1. The proposed extension would add 5 properties to the District, generally known as 92, 94, 96, 98 and 102 Hubbs Road.

The annual cost of the proposed Extension to the typical property in the Extension is estimated to be \$556 per year, consisting of ad valorem assessments, and \$247 in sewer charges payable to the Saratoga County Sewer District No. 1, and \$160 for the Dutch Meadows Sewer District No. 1. The estimated maximum amount to be expended for the Improvements, including design, construction and administrative costs, is estimated to be \$28,200, and will be borne by the project owner/developer without capital costs or bonded indebtedness to the new extension. In addition, first year capital costs for each property owner within the proposed extension are up to \$10,000 for installation of individually owned grinder pumps necessary to make the system compatible with the existing gravity-based sewer system within Dutch Meadows Sewer District No. 1, as well as hook-up fees of \$1,000 per property.

A Map, Plan and Report with further description of the properties involved, total costs and means of financing, and other details are available at www.cliftonpark.org on the Sewer Department's page. Select Departments, then select Sewer.

Due to the logistics involved in holding Town Board meetings during the current public health emergency, and pursuant to Governor Cuomo's Emergency Executive orders affecting the conduct of public meetings, the Town Board meeting will be closed to the public for in-person participation. However, access will be provided through electronic means. Comments may be sent in ahead of time to tbrobston@cliftonpark.org with subject Re: Public Hearing.

Teresa Brobston, Town Clerk

TOWN OF CLIFTON PARK
COUNTY OF SARATOGA
STATE OF NEW YORK
NOTICE OF PUBLIC HEARING REGARDING
RENEWING EXISTING CONSERVATION EASEMENTS
PURSUANT TO CHAPTER 125-10

Please take notice that the Town Board of the Town of Clifton Park will conduct a public hearing on the 20th day of April 2020 at 5:10 p.m. in the Wood Memorial Meeting Room in the Town Office Building, located at One Town Hall Plaza, Town of Clifton Park, County of Saratoga, State of New York to consider all applications submitted for renewing expiring existing Conservation Easements pursuant to Chapter 125-10(C) of the Town Code. Due to the current State of Emergency within the State of New York, and pursuant to Governor Cuomo's Emergency Executive Orders affecting the conduct of public meetings, the Town Board meeting will be closed to the public but can be viewed live by visiting www.cliftonpark.org. Scroll down to click on View Meetings. Comments may be sent in ahead of time to tbrobston@cliftonpark.org with subject Re: Public Hearing.

Copies of the applications are available by calling the Town Clerk's office during normal business hours – 518-371-6681.

Teresa J. Brobston, Town Clerk

Resolution No. _____ of 2020, a resolution renewing Existing Term Easements pursuant to Section 125-10 Conservation Easements of the Town Code.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the Town initiated a Term Conservation Easement Program in 1996, with Term Easements issued with a Minimum 15 Year Term thereafter; and

WHEREAS, the first Term Conservation Easements issued pursuant to Town Code Chapter 125 expired in 2011, and

WHEREAS, on February 6, 2012, the Town Board adopted Local Law No. 1 of 2012 providing for the streamlining of the process for holders of existing Term Conservation Easements to re-apply for Terms of their choice, and

WHEREAS, two applications were received from individual holders of existing Conservation Easements expiring in 2020 to renew the existing Conservation Easement, and

WHEREAS, Eric and Eva Tanski, have applied for renewal of a 20 Historic Preservation Conservation Easement for a home, located at 913 Route 146, Clifton Park, (SBL:271.-2-22.112), and

WHEREAS, Adam and Lisa Catalano, have applied for renewal of a 20 year conservation easement for a home, located at 35 Garnsey Road, Rexford, NY, (SBL:269.-2-56), and

WHEREAS, pursuant to Chapter 125-10 (C) the Town Board conducted a single Public Hearing on April 20, 2019 to consider all applications for renewal of Term Conservation Easements, and

WHEREAS, the public was given the opportunity to speak in favor of or against the renewal of expiring Term Conservation Easements; now therefore be it

RESOLVED, that the expiring renewal submitted for property at 24 Harris Road is hereby renewed for a 20 year term; and be it further

RESOLVED, that the expiring renewal submitted for property at 35 Garnsey Road is hereby renewed for a 20 year term.

Resolution No. _____ of 2020, a resolution scheduling a public hearing to consider an amendment to Chapter 125-10 of Town Code, eliminating the requirement for a public hearing on renewals of term conservation easements.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the Town maintains a temporary Conservation Easement program, which authorizes reduced assessments on farmlands for easements of a certain term of years, and

WHEREAS, the Town Board wishes to streamline the procedure for evaluation and consideration of renewal applications for term easements under the program, and

WHEREAS, the Town Board wishes to schedule a public hearing on a proposal to amend provisions of Chapter 125-10 of the Town Code, to eliminate the necessity for a public hearing in each case; now therefore be it

RESOLVED that the Town Board hereby schedules a public hearing for May 4, 2020 at 5:05pm on a proposal to amend Chapter 125-10 and remove the requirement for the Town Board to hold a public hearing on renewal applications of term conservation easements; and be it further

RESOLVED that the Town Clerk is directed to publish appropriate notice of the same.

Resolution No. _____ of 2020, a resolution authorizing 2019 Final Budget Adjustments as specified in Exhibit A.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the Comptroller has recommended that certain budget adjustments contained in Exhibit A be made to address the needs of all funds as well as other miscellaneous expenditures as set forth in Exhibit A; now therefore be it

RESOLVED, that the Budget Adjustments specified in Exhibit A be adopted per the Comptroller's recommendations.

Resolution No. _____ of 2020, a resolution authorizing the acceptance the conveyance of land within the Windhover Farms Subdivision identified as SBL: 276.-1-84.11.

Introduced by _____ who moved its adoption, seconded by _____.

WHEREAS, as a condition of approval for the Windhover Farms Subdivision on August 12, 2016, the applicant agreed to convey 2 parcels of land totaling 95+/- acres to the Town of Clifton Park for open space and park purposes, and

WHEREAS, Planning Director, John Scavo recommends acceptance of the land for the purposes as stated by the Planning Board in their site plan notice of decision for Windhover Farms; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the acceptance of the conveyance of land from Beverwyck Development Corporation, described in attached Schedule A for open space and park purposes; and be it further

RESOLVED, that this conveyance is expressly conditioned upon receipt of an approval by the Town Attorney of all necessary documents including review of the recorded Deed in the Saratoga County Clerk's Office, metes and bounds description of the conveyance and retained easements, provision of title report, provisions for payment of all taxes, recording fees, and assessments which are acceptable to the Town Attorney; and be it further

RESOLVED, that there be appended to the within resolution, a copy of the recorded conveyance after it has been filed with the Saratoga County Clerk to effect transfer of Title to the property to the Town.

Resolution No. of 2020, a resolution determining that proposed amendments to Town Code to establish a procedure for density bonus(es) within the Town Center is an unlisted action for purposes of the New York State Environmental Quality Review Act.

Introduced by _____ who moved its adoption, seconded by _____.

WHEREAS, the Town Board is considering the amendment of Section 208-22, and the repeal of Section 208-72 3 E of the Town Code, to replace the Planned Development District procedure for the consideration of residential density bonus applications in Town Center, and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations"), the Town desires to comply with the SEQR Act and the Regulations with respect to the Project; and

WHEREAS, the proposed amendments to the Town Code are consistent with the Town Center Plan and zoning, and will eliminate the potential for conflicting development district regulation in Town Center; now, therefore, be it

RESOLVED, by the members of the Clifton Park Town Board as follows:

1. The Project constitutes an "Unlisted Action" under 6 NYCRR § 617.2(ak), as it constitutes a streamlined legislative procedure only.
2. This Resolution shall take effect immediately.

Resolution No. _____ of 2020, a resolution adopting a local law amending Chapter 208-22 of the Town Code relative to procedures for residential density bonus applications above allowable base levels in Town Center

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, by Resolution #63 of 2015, the Town Board adopted Local Law No. 4 of 2015, establishing Form Based Zoning Code within Town Center, and

WHEREAS, pursuant to Section 208-22 6 A of the Town Code, the allowable base density for residential development within the Town Center zones was established at 10 dwelling units per acre, up to a maximum of 50 such dwelling units per project, and

WHEREAS, pursuant to section 208-22 6 B, and 208-72 3 E, the Town Board retained the authority to consider and grant additional density above allowable base levels within the Town Center Zones, and

WHEREAS, Section 208-72 3 E provides that the procedure for density bonus applications would follow those for Planned Development Districts within the Town, and

WHEREAS, The Planning Staff recommend replacing the Planned Development District procedure with a streamlined procedure to avoid conflicts with the Goals and effects of Form Based Zoning throughout the Town Center Area, and

WHEREAS, on August 19, 2019, the Town Board held a Public Hearing on the proposal to establish a more efficient process by which the Town Board may consider applications for Residential Density Bonuses for projects within Town Center, and

WHEREAS, on June 21, 2019, the Saratoga County Planning Board provided its review of the action under Section 239-m of the General Municipal Law, recommending approval of the proposed procedure, and

WHEREAS, the proposal retains the requirement that such applications are granted only by Local law following Public Hearing; now therefore, be it

RESOLVED that the Local Law No _____, a Local Law amending sections 208-22 (6) of the Town Code is hereby enacted, as attached, effective immediately; and be it further

RESOLVED, that Section 208-72 (C)(3)(E) is hereby repealed; and be it further

RESOLVED, that the Town Clerk is directed to file the amendments with the New York Secretary of State and to publish due notice hereof.

Resolution No. of 2020, a resolution determining that proposed granting a residential density bonus to Windsor Development within the Town Center is an unlisted action for purposes of the New York State Environmental Quality Review Act.

Introduced by _____ who moved its adoption, seconded by _____.

WHEREAS, the Town Board of the Town of Clifton Park, Saratoga County, New York, (the "Town") is an increase in residential density bonus for multi-family dwelling units at 15 Park Avenue, and

WHEREAS, pursuant to the New York State Environmental Quality Review Act (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations"), the Town desires to comply with the SEQR Act and the Regulations with respect to the Project; and

WHEREAS, the proposed density bonus at 15 Park Avenue is consistent with the Town Center Plan and zoning legislation; now, therefore, be it

RESOLVED, by the members of the Clifton Park Town Board as follows:

1. The Project constitutes an "Unlisted Action" under 6 NYCRR § 617.2(Ak), as it constitutes the replacement, rehabilitation or reconstruction of equipment, in kind, on the same site, and no further action under the SEQR Act and the Regulations is required.
2. This Resolution shall take effect immediately.

Resolution No. _____ of 2020, a resolution Adopting a Local Law approving a Residential Density Bonus for 15 Park Avenue, SBL 272.-3-81, at the former K-Mart Property Site

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, pursuant to Section 208-22 (6) of the Town Code, base residential density for projects within Town Center is a maximum of 50 Units per project, and

WHEREAS, the Town Board has authority to increase the allowable density for residential housing within the Town Center Zones under Section 208-22 6 E-G of the Town Code, and

WHEREAS, on October 18, 2018, Windsor Development applied for a bonus allowance for an additional 50 residential Units in allowed residential density for a planned redevelopment project on the 13 + acre site of the former K-Mart property at 15 Park Avenue, within the TC-5 zone, and

WHEREAS, the proposal would allow for a redevelopment project to include up to 100 Residential Units on the 13 acre site, and

WHEREAS, on August 16, 2019, the Saratoga County Planning Board provided its review of the action under Section 239-m of the General Municipal Law, recommending approval of the proposal, and

WHEREAS, on August 19, 2019, the Town Board held a Public Hearing to solicit public comment on the proposal for such a residential Density Bonus; now therefore, be it

RESOLVED that Local Law No _____ of 2020, a Local Law authorizing the residential density bonus of an additional 50 units for a total project density authorized of up to 100 residential units to be constructed on the site at SBL 272.-3-81, also known as 15 Park Avenue, per the attached amendment to Chapter 208-22 G, attached, and be it further

RESOLVED, that the Town Clerk shall publish, and post notice thereof, as attached, and is directed to file the amendments with the New York Secretary of State.

Resolution No. _____ of 2020, a resolution authorizing the hiring of a Camp Site Director for the full day camp for the 2020 season.

Introduced by _____, who moved its adoption, seconded by _____.

WHEREAS, the Town Board wishes that staff be hired by the Department of Parks and Recreation to operate the Town of Clifton Park 2020 summer recreation programs, and

WHEREAS, Myla Kramer, Director of Parks, Recreation and Community Affairs, has recommended that Ann Marie Strife be hired as Director of the Full Day Camp for the 2020 summer season; now, therefore, be it

RESOLVED, that Ann Marie Strife, 23 Grissom Drive, Clifton Park, NY, shall be hired as Camp Site Director for the Town of Clifton Park's full day camp program; and be it further

RESOLVED, that Ms. Strife is hired at a rate of \$1,262.00 per week to be paid from A-7320-E9000 (Summer Rec Full Day Camp - Director), effective June 29th – August 21st, 2020.