

Clifton Park Planning Board Meeting Minutes

December 12, 2000

Those present at the December 12, 2000 Planning Board meeting were:

Planning Board: K. O'Brien, R. d'Amico, B. Czub, K. Bowman , S. Bulger, J. Marzola, J. Romano

Also present were: K. Simmonds, Director of Planning, M. Bianchino, Clough, Harbour and Associates, J. Peller, Counsel

Mr. O'Brien called the meeting to order at 7:10 P.M. He announced that this was Kathy Simmonds' last Planning Board meeting, as she was leaving the Town of Clifton Park to take a position in the private sector.

Public Hearing 7:10 PM

[2000-046] Folmsbee, Scott and Cindy - Proposed (2) lot subdivision, Ashdown Road and Schauber Road - Preliminary public hearing and determination.

Mr. O'Brien called the public hearing to order. The Secretary read the public notice as published in the Daily Gazette on December 4, 2000.

Mr. David Flanders said there is a single family residence on the 5.5 acre lot. The subdivision proposes to subdivide the parcel into two lots; lot 1 with 2.8 acres and an existing house, and lot 2 with 2.7 acres which will be offered for sale for a single family residence. He asked the Board to waive the requirement for the septic design until a building permit is applied for. He said there will be on-site water, and the waste disposal will be a raised septic system.

Ms. Simmonds said a note should be added to the plan regarding a farm in proximity, and postal addresses should be added to the map.

Mr. Bianchino and the ECC had no comments.

Mr. O'Brien asked for public comments. Being none, he asked for Board comments.

Mr. Romano moved, seconded by Mr. d'Amico, to close the public hearing. The motion was unanimously approved.

Mr. O'Brien moved, seconded by Mr. d'Amico, to establish the Planning Board as Lead Agency for this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously approved.

Mr. d'Amico proposed Resolution #20, seconded by Mr. Bowman, to grant preliminary and final approval, conditioned on adding the standard farm in proximity note to the plan, and on adding postal addresses. The design of the septic system will be submitted at the time a building permit is issued. Ayes: d'Amico, Czub, Bowman, Bulger, Marzola, Romano, O'Brien. Noes: None.

Public Hearing 7:20 PM

[2000-049] Munro, Henry and Violet - Proposed (2) lot subdivision, 279 Vischer Ferry Road - Preliminary public hearing and determination.

Mr. O'Brien called the public hearing to order. The Secretary read the public notice as published in the Daily Gazette on December 4, 2000.

Mr. Gil Van Guilder presented the proposal to subdivide out a 1.25 acre lot from the 6.59 acre parcel, and leave 5.33 acres for future development. The property is located across from the entrance to Coburg Village. Public water will serve both lots. Sewer is not available, so there will be on-site septic for both lots. Mr. Van Guilder said site distance does meet standards. He said the proximity of the neighbor's residence is shown on the plan, which is approximately 225' away from the property line.

Ms. Simmonds reminded the Board that Mr. Clemens advised that there should be a note on the plan regarding the near proximity of the Clifton Park Fish and Game Club and the inherent noise associated with it's use. Approval should be conditioned on receiving a curb cut permit from the Saratoga County DPW. Ms. Simmonds said postal addresses and standard ECC notes should be added to the plan.

Mr. Bianchino asked what the soil conditions are. Review and approval of the proposed curb cut by the Saratoga County Highway Department is required. A fire hydrant, and apparently a watermain, is located across Vischer Ferry Road at the Coburg Village driveway. He asked where the existing watermain is located. Mr. Van Guilder said the existing water main is near the property line, and said the soil is mostly sandy.

Mr. O'Brien asked for public comments. Being none, he asked for Board comments.

Mr. Bowman said he saw a sold sign on the property and asked if the new people were aware of the subdivision going on. Mr. Van Guilder said they were, and he had met with them in the field.

Mr. d'Amico moved, seconded by Mr. Bowman, to close the public hearing. The motion was unanimously approved.

Mr. O'Brien moved, seconded by Mr. d'Amico, to establish the Planning Board as Lead Agency for this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously approved.

Mr. d'Amico proposed Resolution #21, seconded by Mr. Bulger, to grant preliminary and final approval, conditioned on the comments of Ms. Simmonds, and on a note regarding the proximity of the Clifton Park Fish and Game Club, and conditioned on adding postal addresses and standard notes, and further conditioned on receiving a curb cut permit from the Saratoga County DPW. Ayes: d'Amico, Czub, Bowman, Bulger, Marzola, Romano, O'Brien. Noes: None.

Old Business

[2000-037] VanPatten, Robert - Proposed 8,000 square foot office use in (2) buildings, Plank Road - Preliminary site plan review.

Mr. Gordon Nicholson, Environmental Design Partnership, stated the application is relatively unchanged since receiving preliminary approval in October. He said all of Clough, Harbour's comments have been addressed. The Clifton Park Water Authority and Saratoga County Sewer District's concerns have been addressed.

Ms. Simmonds said Ms. Reed has asked for postal verification, and an additional hydrant located off Plank Road. Ms. Simmonds said the Clifton Park Water Authority has authorized the water line to come from Bent Pine Hollow, so an additional hydrant won't be available. She said the Water Authority has given their approval, and source and storage fees are due. She reiterated her comments of October 24 that there would be no HVAC on the roof, and the dumpster should have a wood enclosure. She asked to have the building lighting details submitted. Pines should be added along the Northway.

Mr. Nicholson said there would be soffit lights on the front of the building, and carriage lights on either side of the doorway, and the rest of the building will be unlit.

The ECC submitted the following comments: The ECC has reviewed the project information and offers the following comments and recommendations. The following standard statements should be placed on the plot plan. The borders of all land that is to remain undisturbed shall be clearly marked on the site before site preparation begins. These on-site boundary markers shall remain until construction is completed and soils are stabilized. All erosion and water quality controls shall be put in place at the initial phase of site preparation and shall be maintained until all construction ends and soils are stabilized. The Applicant will control fugitive dust and debris during the construction/demolition phase of the project. Federal jurisdictional wetlands have been identified on this site. The Town of Clifton Park Building Department shall be notified before undertaking any land disturbance activities in the wetland areas.

Mr. Bianchino said all previous comments have been addressed.

Mr. d'Amico asked if the Board had received any response from the County regarding the speed limit and signage on Plank Road. Ms. Simmonds said on November 16 the Town Highway Department forwarded the request for Jack McDonald to review these issues, but there has been no response.

Mr. O'Brien said there was a concern regarding traffic and asked if any information was submitted to Clough, Harbour. Mr. Bianchino said Mr. Nicholson addressed site distance, and Clough, Harbour did not feel the project would have any significant impact on traffic.

Mr. O'Brien asked about the neighbor's concern with having the project's proposed driveway directly across from his. Mr. Nicholson said the driveway for the proposed project will be located between the neighbor's two driveways.

Mr. Bulger said the driveway is too close to the curve, and he is concerned that there would not be enough time for drivers to stop in order to avoid an accident in slippery conditions. He doesn't feel that approval should be granted before speed limit concerns are addressed.

Mr. O'Brien moved, seconded by Mr. Bulger, to deny the final approval, based upon unresolved traffic issues. The motion was unanimously approved.

[1999-073] Belmonte, Peter - Proposed 62,000 square foot medical and general office use in (3) buildings, 1744 Route 9 - Preliminary site plan review.

Mr. Gordon Nicholson, Environmental Design Partnership, said the Planning Board had expressed concerns with the parking configuration and the size of the building which was originally proposed to be 70,000 square feet. The new plan proposed two buildings of 26,000 square feet and one building of 10,000 square feet, for a total of 62,000 square feet. The application has been revised to create a tree lined boulevard through the site. Mr. Nicholson said the site will be developed in phases, and he asked the Board to grant preliminary approval for the 10,000 square foot building which will be Phase I and will accommodate Belmonte's offices. There will be connections to adjoining parcels of land. Route 9 will be widened in the future to accommodate additional traffic related to future phases.

Ms. Simmonds said Ms. Reed asked to have a hydrant located at the Route 9 entrance, and to provide adequate accessibility for fire apparatus to the rear of the building, and Don Clemens expressed concern with the parking layout, but Ms. Simmonds noted that this revised plan had just been submitted and has not been seen by Mr. Clemens, Ms. Reed or the ECC. Ms. Simmonds asked for a lighting plan with footcandles and building fixtures. She asked for substantial buffering along property lines and the Northway. Trees that can be saved for Phase I should be identified. The Clifton Park Water Authority asked that a 12" line be run up Route 9 and then an 8" line on site, with a easement provided for them across the site. Source and storage fees are due. She said she spoke with an adjoining neighbor, who asked to have his property buffered because the two story building would be close to his property line. He asked if he could have water and sewer service because he has a substandard lot. Ms. Simmonds said she has no problem with giving preliminary approval for the 10,000 square foot building.

The ECC submitted the following comments: The ECC has reviewed the project information and asked the applicant to delineate the amount of greenspace for this

project, and to have the greenspace consolidated. Standard notes should be added to the plan.

Mr. Bianchino said most of his comments were technical in nature, and many were related to the prior plan. Existing vegetation should be maintained as much as possible and a limit of disturbance should be shown.

Mr. O'Brien said the plan is much improved, and the proposed building is a very attractive structure. He suggested taking a SEQRA action for Phase I and said he likes that the plan is to develop the site in phases. He felt it was premature to give preliminary approval since the revised plan has not been reviewed.

Ms. Margaret Catellier suggested putting the smaller building closer to the concerned neighbor. Mr. O'Brien said that was good suggestion and should be considered.

Mr. O'Brien moved, seconded by Mr. Romano, to establish the Planning Board as Lead Agency for Phase I of this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously approved.

Mr. Tim Iacubucci, 1748 Route 9, is the owner of the adjoining residence. He asked that a buffer be maintained along his property line, and said he would prefer to have the smaller building near him. He said he owns the driveway, and the adjoining neighbor has an easement access that goes through his property. Mr. Iacubucci expressed concerns with the water table, and said he would like to have connection to public water and sewer.

Mr. O'Brien said the revised plan will be reviewed, and he asked Mr. Nicholson to relay the Board comments to Mr. Belmonte.

[1999-061] Vucetic, Ostoya - Clifton Park Driving Range, 1759 Route 9 - Proposed 1,500 square foot garage - Amendment to final site plan approval granted September 14, 1999 and extended September 13, 2000.

Mr. Gordon Nicholson said the building will be moved as suggested by the Planning Board, and will be conditioned on having no living quarters in the building.

Ms. Simmonds, Mr. Bianchino and the ECC had no comments.

Mr. O'Brien moved, seconded by Mr. Marzola, to establish the Planning Board as Lead Agency for this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously approved.

Mr. Romano moved, seconded by Ms. Czub, to approve the amendment and to grant preliminary and final site plan approval, conditioned on having no living quarters in the building. The motion was unanimously approved.

New Business

[2000-051] Massaroni, David - Proposed (18) lot subdivision, Grooms Road - Conceptual review.

Mr. Ivan Zdrahal said Mr. Massaroni is under contract to buy land from Tom Galentino. There would be a subdivision of existing two parcels of land into a total of 18 lots; 1 modified around the existing dwelling, and the remaining 17 for new single family dwellings. The proposed subdivision will adjoin the Bristol Gates subdivision, and a right of way will be provided for a possible future connection. Water and sewer is available at Grooms Road.

Ms. Simmonds said the Latham Water District will provide comments, but have not done so at this time. They wanted to make sure that any structure was 200' away from the 260 contour which surrounds the Stoney Creek Reservoir.

The ECC submitted the following comments: The ECC has reviewed the project information and offers the following comments and recommendations. The Applicant should illustrate the precise location of the Stoney Creek Reservoir and the LC Zone associated with it on the plot plan. The following standard statements should be placed on the plot plan: The Land Conservation (LC) Zone shall be delineated in accordance with Section 208-69 of the Clifton Park Town Code. Uses in this area are restricted. The Town of Clifton Park Building Department shall be notified before undertaking any land disturbance activities in the LC Zone. No salts, fertilizers, pesticides or other material may be used on this property where they will contaminate any wetland areas or surface water through runoff, leaching or in any other manner which violates the New York Environmental Conservation Law (ECL). That borders of all land that is to remain undisturbed shall be clearly marked on the site before site preparation begins. These on-site boundary markers shall remain until construction is completed and soils are stabilized. All erosion and water quality controls shall be put in place at the initial phase of site preparation and shall be maintained until all construction ends and soils are stabilized. The Applicant will control fugitive dust and debris during the construction/demolition phase of the project.

Mr. Bianchino had the following comments: We have reviewed the concept subdivision plan for the above project, prepared by Ivan Zdrahal Associates PLLC, dated November 21, 2000 and offer the following comments: The proposed project appears to be an "Unlisted" action pursuant to SEQR, and as such, coordinated review is optional. Involved agencies are expected to include the following: Town of Clifton Park Planning Board - Subdivision Approval, Saratoga County Planning Board - Subdivision Approval Recommendation, Saratoga County Department of Public Works - Highway Work Permit, Saratoga County Sewer District #1 - Public Sanitary Sewer System Approval, NYSDOH - Realty Subdivision Approval and Public Water Supply System Approval, NYSDEC - SPDES Permit and Public Sanitary Sewer System Approval. In order to ensure a second means of access to the proposed subdivision, the Bristol Gate Subdivision as well as the large tract of undeveloped adjacent land owned by Robert Van Patten, we recommend the consultant evaluate the desirability of connecting the proposed

subdivision to Emmons Drive. This connection would eliminate the need for another intersection onto Grooms Road should the adjacent lands of Van Patten be developed. If a connection to Emmons Drive is not possible at this time, we recommend a right of way stub be provided to permit a future connection to either Emmons Drive or the lands of Van Patten. Clarification is requesting regarding the rights of access for the lands of Van Patten and lands of Galentino over the 100' wide lands of Van Patten and Reznkova. The proposed roadway connection to Grooms Road (County Road 91) will require a Highway Work Permit from the Saratoga County Department of Public Works. The site distance at the proposed intersection on Grooms Road should be verified. According to the Town Construction and Design Standards, a tangent of at least 150 feet shall be required between reverse curves. This requirement is not met at the proposed Town Road Sta. 4+50. The Town Zoning Map depicts the Land Conservation (LC) District at the southeastern portion of the subject property. The consultant should identify the location of the LC District on the plan. The building setback lines for each parcel should be shown on the plan. It should be noted that Grooms Road is subject to a 100' special setback and Lots #7 and #12 are keyhole lots and thus require 50' rear and side yard setbacks. The standard note for keyhole lots should be shown on the final subdivision plan. As a result of the proposed subdivision, it appears that the existing residence on the Lot #18 would not comply with the minimum 25' rear yard building setback requirement. We recommend Lot #18 configuration be revised to provide access to the proposed Town Road south of Lot #1. Access to all lots should be by connection to the proposed Town Road a minimum of 100 feet from Grooms Road. The location of the existing house and driveway on the adjacent lands of Margaret Denner Gibson should be shown on the plan in order to evaluate the potential impact of construction of the proposed Town Road. Future concept subdivision plan should contain the following: General proposed utility and drainage layout including the method of water supply, sanitary service and storm drainage, the size and location of the existing water main and sewer main along Grooms Road should be shown on the plan, the topography at two-foot intervals based on a field survey or USGS data, wetlands, streams or other drainage corridors, if applicable, flood hazard areas (from FEMA flood insurance rate map), if applicable. He noted that this plan does address concerns regarding the second access.

Mr. O'Brien said some neighbors were in attendance, and noted that they have submitted comments and concerns relative to the development. He asked Mr. Zdrahal to review their comments, and said they would be addressed at a future meeting. Mr. O'Brien said there will be a public hearing and an opportunity for residents to ask questions at that time.

Mr. O'Brien said it should be noted boldly on the plan that there might be a second right of way, so that when the lots are sold, the purchasers will be fully aware about the right of way. Mr. Bowman asked if it would be feasible to have a discussion with Wayne VanPatten regarding building a road. Mr. Massaroni said his past discussions with Wayne VanPatten regarding a roadway have not been productive.

Ms. Simmonds said Wayne Van Patten has a PUD application pending at the Town Board level. She suggested addressing the right of way when and if the application is

referred to the Planning Board.

Discussion Item:

Ms. Simmonds showed the Board the renditions for the office building in Executive Woods. Board members were pleased

Discussion:

Mr. O'Brien said he had hoped that Ms. Simmonds would never leave her position as Director of Planning, and said he would miss her terribly. He said she has made the job much easier for him and the members of the Planning Board, and said he knows of no one who has been more devoted to their work and taken their job more seriously than she has. He said she is a tribute to the Town. The entire Board thanked Kathy for her years of assistance and dedication and wished her well.

Ms. Margaret Catalier said she is happy to be at Ms. Simmonds' last meeting so she could wish her well. She said Kathy has done such a good job, and the Town will have a difficult job finding someone to follow in her footsteps.

Minutes Approval:

Mr. O'Brien moved, seconded by Mr. Bulger, to approve the minutes of September 26, 2000 as written. The motion was approved. Mr. d'Amico, Mr. Marzola, and Mr. Bowman abstained.

Mr. d'Amico moved, seconded by Ms. Czub, to approve the minutes of October 24, 2000 as written. The motion was approved. Mr. O'Brien and Mr. Bulger abstained.

Mr. d'Amico moved, seconded by Ms. Czub, to approve the minutes of November 28, 2000 as written. The motion was approved. Mr. Romano, Mr. Marzola and Mr. Bowman abstained.

Mr. Bulger moved, seconded by Mr. Romano, to adjourn. The motion was unanimously approved. The meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Elaine Hughes
Secretary

cc: Planning Board Members, Planning Department, Clough, Harbour, and Associates, Supervisor, Town Administrator, Assessor, Zoning Board, Department of Building and Development, Town Clerk, Town Board Members, Highway Superintendent, Joel Peller,

Town Attorney, Oscar Schreiber, Town Attorney, Jim Trainor, Town Attorney, Paul Pelagalli, Town Attorney, Department of Parks and Recreation, ECC, Saratoga County Planning Board, Shenendehowa Central School, Clifton Park Water Authority, Fire Districts.

Resolution #20

PRELIMINARY AND FINAL APPROVAL

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on December 12, 2000, at 7:10 P.M. there were:

Present: K. O'Brien, R. d'Amico, B. Czub, K. Bowman, S. Bulger, J. Marzola, J. Romano

Mr. d'Amico offered Resolution #20 and Mr. Bowman seconded, and

Whereas, an application has been made to this Board by Scott and Cindy Folmsbee for a (2) lot subdivision, Ashdown Road and Schaubert Road, and

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on December 12, 2000 in the Town Office Building, and

Whereas, the Planning Board was established as Lead Agency for this application, an unlisted action, and a negative declaration was issued pursuant to SEQRA, and

Whereas, it appears to be in the best interest of the Town that said application be approved,

Now therefore, be it resolved that the final plat entitled Scott and Cindy Folmsbee - (2) lot subdivision, Ashdown Road and Schaubert Road, is hereby granted preliminary and final approval, conditioned on adding the standard farm in proximity note to the plan, and on adding postal addresses. The design of the septic system will be submitted at the time a building permit is issued.

RESOLUTION #20 passed 12/12/00

Ayes: d'Amico, Czub, Bowman, Bulger, Marzola, Romano, O'Brien.

Noes: None

Kevin O'Brien
Chairman

Resolution #21

PRELIMINARY AND FINAL APPROVAL

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on December 12, 2000, at 7:10 P.M. there were:

Present: K. O'Brien, R. d'Amico, B. Czub, K. Bowman, S. Bulger, J. Marzola, J. Romano

Mr. d'Amico offered Resolution #21 and Mr. Bulger seconded, and

Whereas, an application has been made to this Board by Henry and Violet Munro for a (2) lot subdivision, 279 Vischer Ferry Road, and

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on December 12, 2000 in the Town Office Building, and

Whereas, the Planning Board was established as Lead Agency for this application, an unlisted action, and a negative declaration was issued pursuant to SEQRA, and

Whereas, it appears to be in the best interest of the Town that said application be approved,

Now therefore, be it resolved that the final plat entitled Henry and Violet Munro - (2) lot subdivision, 279 Vischer Ferry Road, is hereby granted preliminary and final approval, conditioned on the comments of Ms. Simmonds, and on a note regarding the proximity of the Clifton Park Fish and Game Club, and conditioned on adding postal addresses and standard notes, and further conditioned on receiving a curb cut permit from the DPW.

RESOLUTION #21 passed 12/12/00

Ayes: d'Amico, Czub, Bowman, Bulger, Marzola, Romano, O'Brien.

Noes: None

Kevin O'Brien
Chairman