

Clifton Park Planning Board Meeting Minutes

April 10, 2001

Those present at the April 10, 2001 Planning Board meeting were:

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

Also present were: J. Kemper, Director of Planning, M. O'Brien, ECC, J. Grasso, Clough, Harbour and Associates, P. Pelagalli, Counsel

Mr. O'Brien called the meeting to order at 7:10 P.M. He welcomed Paul Pelagalli, who is returning to the Planning Board as counsel. He congratulated Mr. Pelagalli on his recent appointment as Deputy County Attorney. Mr. O'Brien thanked Mr. Joel Peller for his fine work during his year as Planning Board counsel.

Public Hearing 7:10 PM

[2001-010] **Comtois, Susan** - 408 square foot in-law Apartment, 11 Cranberry Lane - Special use permit and site plan review.

Mr. O'Brien called the public hearing to order. The Secretary read the public notice as published in the Daily Gazette on March 31, 2001.

Ms. Susan Comtois requested a special use permit to add a bedroom, bath and small kitchen to her house. The one-story addition will be attached to the rear of the house and will be used for her elderly parents.

Mr. Kemper said the 500' notices were sent out on March 29, 2001. The Planning Department received no calls or inquiries in regards to the project.

The ECC and Clough, Harbour had no comments.

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

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

Mr. O'Brien moved, seconded by Mr. Bulger, to establish the Planning Board as Lead Agency for this application for a special use permit, an unlisted action, and to issue a negative declaration pursuant to SEQRA.

Mr. d'Amico moved, seconded by Ms. Czub, to approve the special use permit. The motion was unanimously approved.

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

Mr. Bulger moved, seconded by Mr. d'Amico, to grant preliminary and final site plan approval. The motion was unanimously approved.

Public Hearing 7:15 PM

[2001-005] **Teixeira, Carlos** - Proposed Dunkin' Donuts (renovation of existing 3,040 square foot restaurant), 1607 Balltown 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 March 31, 2001.

Mr. Dominick Arico, of Arico Associates, introduced Mr. John Phillips who represents Dunkin Donuts, and noted that Mr. Teixeira was available to answer questions. He said the site is located across from the Post Office and will be located in the existing Old World Pizza building. The existing building will be renovated, and reduced in size by 600 square feet. Two curb cuts will be maintained and a greenspace buffer will be provided. The building will have a peaked roof, and a brick façade, with light gray siding around the rest of the building. The roof will be architectural shingles, and the building will have all new windows. The sign on the front face is the only thing that will have the Dunkin' Donut color scheme. The original plan has been modified to include a drive-through, and there will be no parking directly in front of the building. Landscaping will be added on the side and front.

Mr. O'Brien thanked Mr. Arico for coming back with a plan that fits in with the rural character of the neighborhood.

Mr. Kemper said the 500' notices were sent out on March 29, 2001. The Saratoga County Planning Board approved the application on March 15, 2001, conditioned upon one entrance and one exit being provided to the site. The hours of operation, and hours and frequency of delivery should be placed on the plot plan. The distance from centerline of Route 146 should be indicated on plot plan to determine if a variance from section 208-98 is necessary. He asked if there were any other proposed vegetation in the front median area other than the spreading yew. Some additional Austrian Pines should be planted along the side property lines extending to the front property lines.

The ECC submitted the following comments: The ECC has reviewed the project information and offers the following comments and recommendations. The limits of the LC Zone, 100 foot buffer zone, DEC Wetlands and Federal Jurisdictional Wetlands should be identified on the plot plan. The following standard statements should be added to 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. The borders of all land that is to remain undisturbed shall be clearly marked on the site before site preparation begins. These on-site boundary markers shall remain until construction is completed and soils are stabilized. All erosion and water quality controls shall be put into place and maintained at the initial phase of site preparation. The applicant will control fugitive dust and debris during the construction/demolition phase of the project. Any new proposed lighting shall be directional and limited.

Mr. Grasso had the following comments: We have reviewed the preliminary site plan dated March 21, 2001 and Final Narrative Report dated March 20, 2001 for the above project, prepared by Arico Associates Engineers and Consultants. The following comments identified in our March 13, 2001 concept site plan review letter have not been addressed: The project narrative indicates that the proposed use may generate “approximately 50 and less than 120 (trips) during peak hours”. We recommend that more detailed traffic generation data be provided. The data should also make an estimate as to how many of the trips are expected to be “new” trips as opposed to “pass-by” trips. Additional analysis regarding the need for a left-turn lane along the site’s frontage should also be completed. It is our understanding that NYSDOT is planning improvements to Balltown Road near the project site. As was done for the Stewart’s project, future plan submissions should graphically show any proposed improvements to Balltown Road across the site’s frontage so that associated impacts can be accommodated in the site design. Given the strong need for access management along this section of highway, it does not appear that two curb cuts are required for safe access to this site. As such, we recommend consolidating the curb cuts into one central location, designing the curb cut in accordance with NYSDOT standards for commercial drives, and investigating the need for shared access with the adjoining properties. Wastewater disposal is proposed by use of an on-site septic system. Given the typically high wastewater flow rates associated with this type of establishment, additional information including deep test pits, percolation tests, and preliminary design information should be provided before the acceptability of this method of wastewater disposal can be determined. Based on the zoning map, it appears an L-C Land Conservation zone may cover a portion of the project site. The associated environmental feature (wetland, stream, etc.) should be shown as well as the limit of the L-C zone. We offer the following additional comments: The revised site plan indicates a bump out on the front of the building, which extends closer to Balltown Road than the existing building. This is not apparent on the attached building elevations. If this is part of the building, it does not appear that the required 130’ front yard setback from the centerline of Route 146 is met in accordance with section 208-98 of the zoning regulations. Any proposed curb cut to the site should not encroach upon the frontage of adjoining properties. Upon further review, we recommend that cross-access easements be provided across the proposed curb cut and continue to the adjoining side property lines. The narrative indicates that the proposed development will result in an increase in runoff from the project site. The plan should indicate how the proposed increases will be mitigated to reduce the potential for downstream impacts (i.e. detention, infiltration, etc.). The proposed landscaping plan does not indicate any proposed trees within the first eighty feet from Balltown Road. We recommend that appropriately sized street trees be provided approximately thirty-five feet from Balltown Road at a maximum

of thirty feet on center (approximately six trees). The size of the proposed deciduous trees should be increased to 3" caliper minimum and the height of the coniferous trees should be increased to seven feet minimum. The site light detail and photometrics specifies use of a 250-watt metal halide fixture. The proposed site plan, however, specifies use of a 400-watt luminaire. Clarification is requested. In addition, we recommend the use of high-pressure sodium lighting rather than metal halide to remain consistent with other lighting in the area and reduced visual impact. Copies of any recent or future correspondence with NYSDOT should be provided to the Town and to our office for coordination of our review. We recommend that the proposed electric service be underground, consistent with what is provided on other new development sites in the Town. Future preliminary or final site plan submissions should contain the following: Detailed water supply, wastewater disposal, stormwater, erosion/siltation control, lighting, layout and grading information. Finished Floor elevation. Method to control roof runoff. Traffic control signage. Location of the closest fire hydrant to determine if an additional fire hydrant is required.

Mr. O'Brien asked for public comments.

Mr. Clark Wilson said the whole corridor is a traffic nightmare, especially during the morning and evening rush hours. He suggested restructuring and limiting access during those hours.

Mr. O'Brien asked for Board comments.

Mr. Bulger asked if there were any wetlands on the site and noted that the northeast corner of the building has water ponding. Mr. Arico said he would take a look at it, but noted that it might be a drainage issue and is not a wetland area.

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

Mr. O'Brien said the Board could go forward with preliminary, but needs to look at the traffic issues. He asked Clough, Harbour to review traffic studies and advise the Board. Mr. d'Amico said Clough, Harbour should also review drainage issues.

Mr. Bulger asked when the DOT improvements were scheduled. Mr. Arico said he didn't know.

Mr. O'Brien moved, seconded by Ms. Czub, 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.

Ms. Czub moved, seconded by Mr. Bulger, to grant preliminary approval conditioned on the comments of Mr. Kemper, Clough, Harbour and the ECC. The comments made by Mr. Wilson will be researched. The motion was unanimously approved.

Public Hearing 7:20 PM

[2000-006] **Hoffman, Jean** - Countrymen Estates North, Proposed (115) lot subdivision, Lapp 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 March 31, 2001.

Mr. Gordon Nicholson, Environmental Design Partnership, said much work has been done with the ACOE, NYSDEC, the Clifton Park Water Authority, and State Parks and Recreation since the March 2000 conceptual review. An extensive traffic study has been done. A draft permit has been received from the NYSDEC, and ACOE permits are forthcoming. New York Fish and Wildlife has signed off. Mr. Nicholson said 14 acres will be deeded to the Town of Clifton Park for active recreation. A multi-use pathway will be created. There are two accesses proposed on Lapp Road, one to Maple Leaf Estates, one to Countryman Estates, and one to Village Lane in Village Green. The access to Maurice Lane in on behalf of the Clifton Park Water Authority for their access, and it can be one way in or one way out. Stormwater management will be located in the center of the subdivision and the water line will be extended for the Clifton Park Water Authority. A 100' DEC setback will be provided with 100'-150' between homes and the stormwater area. Minimum lot size is 20,000 square feet. Mr. Nicholson said the Planning Board has asked that access to Village Green remain inactive until the Town deems it appropriate to open it. He noted that Mr. O'Brien asked that a 10' walkway, owned by the Town, should be created for public access to the recreation area. Mr. Nicholson introduced Shelly Johnson, a traffic engineer for Creighton, Manning Engineering.

Ms. Johnson said a traffic impact study was done last year on Lapp Road, from Grooms Road to Crescent Road. Counts were taken in April when school was in session. The study showed 90 trips during morning peak hours and 125 trips in the evening peak hours. The worst case scenario includes all five access points being two-way traffic, but predominant flow will be through the main access points to Lapp Road. Traffic lights will have a level of service "C" or better during peak hours, and access roads to Lapp Road will operate at "B" or better. The increased traffic will add one vehicle to the traffic signal for each 90 second light change.

Mr. Kemper said the 500' notices were sent out on March 30, 2001. The applicant still needs approval from the Saratoga County Sewer District. Numerous letters from neighbors were enclosed in Board member's packets. He said a letter from Eric Hamilton of the Trails Advisory Committee stated that they are in favor of connecting the proposed development to existing developments with streets. If the Board chooses to eliminate these connections then the trails committee would like to see a 10 foot wide multi-use path connecting the developments. A memo from Pat Haffner stated that the development should become part of the Stoney Creek 1 Park District. Mr. Kemper said if there are cul de sacs they should be maintained by a Homeowners Association. Sediment and Erosion control measures should be identified on the plot plan for future submissions. A no-cut

buffer should be provided along the existing developments of Maple Wood Estates, Tangle Wood and Crescent Estates, Village Green. A memo from Ms. Reed stated the Vischer Ferry and West Crescent Fire Districts are in the process of reconfiguring the boundary lines for these districts, and postal verification is required.

The ECC submitted the following comments: The ECC has reviewed the project information and offers the following comments and recommendations. The Town of Clifton Park must be copied on all correspondence with the Army Corps of Engineers to include approval of the Wetland Mitigation Plan. The most recent plan shows DEC delineated wetlands. The LC Zone must also be delineated on the Plan. Any disturbance within this LC Zone will require approval by the Zoning Board and the Environmental Conservation Commission which may require a Public Hearing. The northeast corner of the proposed stormwater management area encroaches upon the existing NYSDEC's 100 foot buffer area as shown on the grading/planting plan alternative 02. Any disturbance in the buffer zone will require a variance from the Town's Zoning Board of Appeals and the Environmental Conservation Commission.

Mr. Grasso had the following comments: We have reviewed the preliminary subdivision plans, dated February 26, 2001; Stormwater Management Report, dated March 2001; and Detailed Wetland Mitigation Plan Narrative, dated February 7, 2000, prepared by Environmental Design Partnership, LLP. In addition, we have reviewed the Traffic Impact Study, dated May 19, 2000, prepared by Creighton Manning Engineering, LLP. We offer the following comments: Subdivision Plans: As previously requested, in order to provide visual and noise buffering, we recommend that the provision for no cut buffers be considered along Lapp Road and at the rear lot lines adjoining existing developments. The type of proposed open space should be identified for the lands to be conveyed to the Town of Clifton Park. In accordance with section 208-86.B of the zoning regulations, all proposed keyhole lots shall be provided with a minimum front, side or rear setback of fifty feet. This should be shown, as appropriate. The minimum required rear setback for Residential 1 (R-1) zoning districts is 25'. The plans' Typical Lot schematic should be altered to reflect this condition. The proposed road names as shown on the plan should be submitted to the United States Post Service and to Emergency Services to eliminate duplication. The lot numbers as assigned by the United States Postal Service should also be reflected on the plan. Streetlights should be provided at the intersections of Equestrian Way and Saddle Brook Drive with Lapp Road pursuant to section 86-6. E.5 of the Town's Construction and Design Standards. We recommend that the light be oriented over the new roadway rather than over Lapp Road to aid in definition of the new roadway curb cut. Pursuant to section 86-6.F.1 of the Town's Construction and Design Standards, curbing should not be provided around the cul-de-sac islands. Consideration should be given to dividing lots #41 and #49 and having the lands not needed for lot development be conveyed to the Town as a combination of active and/or passive open space. It would appear this would be appropriate given the adjacency to the proposed tot lot. The proposed ownership of the tot lot should be identified. We recommend the key map be enlarged and clearly show the limits of the proposed subdivision and sheet numbers. Consideration should be given to establishing deed restrictions or land preservation areas over the environmentally sensitive portions of the proposed lots. Utility Plan: The types

of bends, location of thrust blocks and location of end caps should be specified. In addition, the location of the closest existing hydrants along the existing Village Lane and Maryanne Drive should be shown on the plans to determine the adequacy of the proposed fire hydrant spacing. In accordance with section 86-9.G of the Town's Construction and Design Standards, we recommend the following: The fire hydrant proposed for Village Lane be moved to the intersection with Westminster Court. A fire hydrant be provided at the intersection of Thoroughbred Way and Old Carriage Court. A fire hydrant be provided at the intersection of Thoroughbred Way and Winchester Circle. A fire hydrant be provided at the intersection of Thoroughbred Way and Saddle Brook Drive. A fire hydrant be provided at the intersection of Thoroughbred Way and Lapp Road. The proposed method of connection to existing utility structures should be specified. Street signage in accordance New York State Manual of Uniform Traffic Control Devices should be shown. Match lines should be provided with cross-reference to the appropriate sheet numbers and direction of flow arrows should be shown. Road Profiles: The minimum slope along the curbline along the outside of a cul-de-sac shall be 1%. This requirement does not appear to be met for Old Carriage Court, Westminster Court and Morgan Court. The proposed connection to Village Lane will require modifications to the existing road termination to create a smooth transition. This should be appropriately shown and detailed on the plans. All profiles should denote the horizontal (50') and vertical (5') scale and all bends, tees, hydrant and valve assemblies, and water crossings should be noted on the profiles. The appropriate minimum vertical separation at water and sewer crossings should also be shown. On the profile for Thoroughbred Way: Denote the sanitary sewer crossing at sta. 0+00. Re-locate CB's 42 & 43 to the low point at sta. 0+14 in accordance with §86-7, A.3 of the Town's Construction and Design Standards. Sanitary manhole designation does not correspond between plan and profile (sta. 3+60). Slopes do not correspond between plan and profile for 12" HDPE pipe between CB#32 to CB#31. In accordance with the Town's Construction and Design Standards, the approved subbase material shall be NYSDOT Item 304, Type 4. Stormwater Comments: The consultant should evaluate the 2, 10, and 100-year storms pursuant to the Town of Clifton Park Zoning Regulations. Post developed peak discharge rates for the 2 year storm should be restricted to pre-developed peak discharge rates for the 2-year storm and post developed peak discharge rates for the 10-year storm should be restricted to pre-developed peak discharge rates for the 10-year storm. Downstream analysis of the 100-year storm should be provided. A table should be provided summarizing pre-developed and post developed peak discharge rates after detention for the 2, 10 and 100-year storms. Pre-developed and post developed drainage pattern maps should be provided showing the drainage area boundaries, time of concentration travel paths and land cover descriptions. The time of concentration should be calculated using conventional SCS methodology (sheet flow, shallow concentrated and channel flow) instead of the curve number lag method. The maximum sheet flow length according to TR 55 is 300 feet, however the NYS Soil and Water Conservation Committee has suggested a maximum sheet flow length of 150 feet with a most likely length of 50-100 feet, due to field conditions in New York State. In addition, the weighted curve number calculations for the post developed condition should be based on land cover descriptions of residential ½ acre lots, woods and impervious. The detention basin should be modeled based on the proposed grading with cumulative storage areas of square feet in lieu of acre-feet. The grassed spillway

should be modeled in the computer program as a weir. Calculations should be provided documenting the adequacy of the size of the proposed closed drainage system and roadway culverts. The closed drainage system should be sized based on a 10 year storm using the Rational Method and Manning's Equation and the road culverts should be sized based on a 25 year storm using inlet and outlet control analysis. Since the project will involve the disturbance of greater than 5 acres of land, the applicant is required to submit a Notice of Intent (NOI) pursuant to the State Pollution Discharge Elimination System (SPDES) and the stormwater report should have the stamp and signature of licensed New York State Professional Engineer. Additional Comments: We have not completed our formal technical review of the submitted traffic study. Based on our initial cursory review, the study indicates that the project will result in an increase in average vehicle delay from 35.8 seconds to 53.6 seconds during the AM peak hour for southbound traffic at the intersection of Crescent Road and Lapp Road. We consider this magnitude of impact worthy of mitigation. Any proposed phasing of construction should be identified. Grading plans and construction details should be submitted for review. These should include all temporary and permanent erosion/siltation controls and limits of clearing and grading.

Mr. O'Brien asked for public comments. He asked residents to be respectful and noted that no determination would be made at this meeting.

Ms. Dee Goodman, 2 Maryanne Drive, questioned whether there is a need for another large development. She asked the Board to eliminate the connection to Maryanne Drive and said traffic should be directed to Lapp Road.

Mr. John Buckley, 204 Lapp Road, asked what the proposed completion date is. Mr. Nicholson said it is three to five years. Mr. Buckley said there will be a great increase in traffic coming from the two entrances. He asked if there would be a buffer around his own lot, and noted that a proposed adjoining lot only has a 20' back property line. He is concerned that construction of new homes surrounding him will add to water ponding on his property. He said he hopes to be able to connect to the sewer system. Mr. Nicholson said he could accommodate him.

Ms. Carol Donnelly had concerns regarding the impact on the aquifer due to the use of pesticides and fertilizers in the proposed subdivision. She also had concerns with the supply of public water. Mr. O'Brien said the Clifton Park Water Authority had no negative comments regarding the subdivision, and the Board relies on their comments as professionals to determine water impact.

Ms. Sandra Smith, who lives at the corner of Easton Drive and Crescent Road, is concerned with the impact the additional houses will have on the Okte School, noting that the school is already overcrowded. Mr. O'Brien said the Board asks the school board to comment on new developments, but they never respond.

Mr. O'Brien said the roadway to Village Green will not go through. He explained that there are three access roads in the southern area of the proposed subdivision already and

emergency services said the access to Village Green could be eliminated. Some of the other proposed roads could be limited to one way only.

Mr. Dick Shapley, Village Green, asked if there is a requirement for ratio of houses to access roads. Mr. Grasso said anything over 18 lots need two access points at a minimum. Mr. O'Brien added that the law states that two accesses would be adequate, but emergency services wants more, often one for each 40 homes. Mr. Shapley asked if this development could exist with only two access roads. Mr. O'Brien said it could not.

Mr. O'Brien said Clough, Harbour will review the traffic study, and they acknowledge that most traffic will access directly to Lapp Road, but emergency access is needed. Mr. Bowman said Thoroughbred Way is divided by two fire companies and that access is definitely necessary.

Mr. Bulger said since access roads could be one way, the residents should give their input about which direction is best.

Ms. Paula Walsh, Maryanne Drive, complained that teenagers speed on her road. She asked to have a foot path built when the road is connected. She doesn't think the traffic study numbers make sense.

Ms. Tracey Reis, Village Green, said 90 morning trips seems low for 115 homes. Mr. John Seery, Jr. said a Jonesville right of way became a roadway when expensive houses were built and is concerned that the same thing will happen in Village Green. He said he doesn't think the traffic study is credible, and believes that the policy of standards for driveways was used for this traffic study. Mr. O'Brien said that right of way was intended to become a road from the very beginning.

Ms. Addie Nirshberger, Village Green, asked if the cul de sac will be a dead end if there is a 10' right of way. She agreed that the traffic study numbers seem low, and added that the Village Green intersection at Lapp Road is a blind spot. Mr. O'Brien said guard rails or posts could be provided for the right of way.

Mr. Vince O'Connor, Thoroughbred Way, is concerned with the increase in traffic, and that his development's unique characteristics will change. Mr. O'Brien said the Board can't dictate what style homes will be build.

Mr. Tony Ahanj, 12 Weston Drive, said traffic is terrible and drivers are discourteous during morning peak hours. He asked for a traffic study review.

Ms. Penny Selima, 11 Woodhall, said new developments aren't needed, and since there are so many existing homes for sale people should buy them. Mr. O'Brien said the Board can't choose that option and the developer has a right to build. He said the Planning Board has constraints, and follows through on the advice of technical and professional advisors such as the Town engineers, the ECC and DEC, but the Board can attach conditions of approval if necessary.

Mr. Phil Moore, 25 Weston Drive, said the area has a severe drainage problem. Mr. Ahanj agreed, and said the fire department has had to come a pump water away so residents could get in and out of their roads and driveways.

Ms. Mary Minor, 5 Village Lane, said the proposed plan has some very wet areas and suggested that two proposed houses shouldn't be built in the wet area. She commented that two properties in her neighborhood don't dry out until July.

Mr. Vince Desalto, 37 Weston Drive, said this is a year round community and noted that it is hard to exit from Weston Drive onto Lapp Road which is slippery in the winter.

Mr. Paul Pazienza, Thoroughbred Way, said the entrance to Countrymen Estates is not kept up, the water runoff has eroded streets, and he developed a water problem after new homes were built around him.

Mr. O'Brien said he is confident that Clough, Harbour will do a thorough evaluation of the issues. Mr. Pelagalli said the Town Board has determined this to be a residential area, and the Planning Board can define the development, but not eliminate it.

Ms. Addie Nirshberger asked if the builder or the Stony Creek Park District will pay for the park area. Mr. Nicholson said the Park District was interested in the up-land area that they could easily develop. Mr. O'Brien said the Park District has no near term intention to develop it.

Mr. John Buckley said hills will have to be leveled to fill in the pit area, and asked how the builder will assure that the neighbors aren't disturbed. Mr. Nicholson said it will be done in phases, and vegetation will be retained on the perimeter during the grading process. Mr. O'Brien said Mr. Amedore will do his best to preserve vegetation where possible.

Mr. O'Brien said there will be no determination tonight, and the application will be on the agenda when all studies are complete.

Mr. Bulger moved, seconded by Ms. Czub, to close the public hearing. The motion was unanimously approved.

Old Business

[2000-039] **Walko, Naida B.** - Proposed (18) lot subdivision, 668 Route 146A - Determination from public hearing held March 13, 2001.

Mr. Gil Van Guilder said area variances, which were granted by the Zoning Board of Appeals on March 20, are noted on the plan. He said the driveway alignment has been revised.

Mr. O'Brien asked the status of the land transfer. Mr. Van Guilder said it will be done prior to the plans being stamped.

Mr. Kemper said a memo from Ms. Reed noted that postal verification is required. He asked if it has been determined that sight distances on the parcel are adequate, and if addressed then something should be provided in writing. Source and storage fees will be due prior to final stamping. The applicant needs to provide documentation of approval from the Saratoga County Sewer District. The silt fencing should be extended to Lot #15 and Lot #17. He noted that the 62 days expires on May 13, 2001.

The ECC submitted the following comments: The ECC has reviewed the project information and offers the following comments and recommendations. The ECC is concerned with the potential erosion in the LC Zone from the subsurface drains of Basin #2. The ECC suggests incorporating an energy dissipation structure to prevent erosion. These features should also be placed on the individual plot plans. The following standard statement should be added to the plot plan: The Land Conservation (LC) Zone shall be delineated in accordance with Section 208-69 of the Clifton Park Town Code. Federal Jurisdictional Wetlands have also been identified on this parcel.

Mr. Grasso had the following comments but said he had no real concerns regarding outstanding issues: We have reviewed the final Subdivision Plan set and Stormwater Management Report for the above project prepared by Edwards and Kelcey, both dated March 21, 2001, and we offer the following comments: The date the area variances were obtained and the area variance number should be noted to the Subdivision Plan. Pursuant to section 86-6, C of the Town's Construction and Design Standards, a curve shall be required for any deflection in a street. This requirement does not appear to be met at station 0+75. Minimum centerline radius for horizontal curves shall be 300 feet and a tangent of at least 150 feet shall be required between reverse curves. The reference to note #1 for the proposed 25-foot drainage easement as shown on the Subdivision Plan should appear to reference note #4. We recommend that the proposed hydrants be located at common property lines where possible. Silt fence should be provided around the wetland areas to be preserved on lots #15 and #17. The use of stone check dams or sediment filter dams should be used at the storm sewer outlets in lieu of the proposed hay bales to reduce the potential for scour. Stone check dams would also appear appropriate around the proposed drywells to reduce the potential for sedimentation during construction. An overexcavated sump should be provided at the proposed storm sewer discharges to detention basin #2. We offer the following comments regarding the Stormwater Management Report: The Site Description portion of the narrative states that the onsite soils are Burdett silt loam, Rhinebeck silt loam, Ilion silt loam and Oakville loamy fine sand which belong to the C, D, D and A Hydrologic Soil Groups, respectively. However, it appears that the weighted curve number in the stormwater calculations were based on entirely C soils. The applicant's consultant should verify if the use of a C rating accurately reflects the site's soil conditions. The maximum sheet flow length according to TR 55 is 300 feet. However the NYS Soil and Water Conservation Committee has suggested a maximum sheet flow length of 150 feet with a most likely length of 50-100 feet, due to field conditions in New York State. The post development

time of concentration calculations should include the channel flow through the closed storm sewer system. A table comparing pre-developed and post-developed peak discharge rates after detention at each design point for the 2, 10, 25 and 100-year storms should be included in the Stormwater Management Report. The freeboard specified in the report should be measured from the peak water elevation to the lowest catch basin top of frame elevation as opposed to the roadway centerline. Any ponding of water on the roadway surface is not permitted. The Detention Basin No. 1 outlet calculations are based on a 15" outlet culvert, however the plans show a 12" outlet pipe. The design or analysis should be revised accordingly. The conveyance piping calculations are based on runoff coefficients of 0.15 and 0.10 for grass and forest which is significantly below the industry standard of 0.35 for both.

Mr. O'Brien said the variances have been received and the land transfer will be done.

Mr. O'Brien moved, seconded by Mr. Bowman, 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. Bulger offered Resolution #5, seconded by Ms. Czub, to grant final approval conditioned on final satisfactory review of outstanding issues by Clough, Harbour, and on the comments of Mr. Kemper, the ECC, and on receiving a letter from the DOT, and on the land transfer. Ayes: d'Amico, Czub, Bowman, Bulger, Marzola, Russell, O'Brien. Noes: None.

New Business:

[2001-002] **Abele, Christopher and Edward** - Proposed (28) lot subdivision, Southbury Road - Conceptual review.

Mr. Gordon Nicholson, Environmental Design Partnership, said the plan has been revised from 28 lots to 18 lots, and will be 20,000 square foot lots instead of 13,000 square feet. Wetlands were surveyed located. The remaining lands are lands of Abele, not a building lot.

Mr. Kemper had the following comments: The proposed access to the site crosses a N.Y.S.D.E.C. regulated stream, therefore a stream disturbance permit from the N.Y.S.D.E.C. and an LC Zone Permit from the Town of Clifton Park will be required. The Saratoga County Planning Board reviewed the project and had numerous concerns. They requested further information from the applicant. The revised plans have been sent to the County, but no decision has been made. A no cut buffer should be established for Lot #1 to protect the existing residences to the North.

Mr. Grasso had the following comments: We have reviewed the revised concept subdivision plan and Full Environmental Assessment Form for the above project, prepared by Environmental Design Partnership, LLP, last dated April 3, 2001 and offer the following comments: The revised concept plan depicts 18 single-family residential lots on a single cul-de-sac to Southbury Drive. This arrangement appears to comply with

the Subdivision Regulations as long as the remaining Lands of Abele are not further subdivided without the provision for a second means of access. As such, we recommend a note be added to the plans stating that no development or building construction shall occur on any of the remaining lands without further Planning Board review and approval. We recommend conservation easements or other suitable protection be established over the environmentally sensitive portions of the project site to remain, and those portions of the site that are not needed to provide an acceptable area for typical lot development activities. Consideration should also be given to establishing public open space for all areas to the south of the Niagara Mohawk right-of-way, as this right-of-way commonly provides passive recreational opportunities to residents and the expansion of this area in a non-linear way would appear to have significant merit. The consultant should submit a letter from the Crescent Estates Sewage Disposal Corp. accepting flows from the proposed development. Approval of the proposed storm sewer installation within the right-of-way will be required from the Niagara Mohawk Power Corporation. Consideration should be given to using an offset cul-de-sac to allow for its future extension with minimal impact on constructed facilities.

The ECC had the following comments: After review of data presented, the ECC reiterates its recommendations made February 6, 2001 which are as follows: The ECC has identified several unfavorable features on this development plan. Among these are: Encroachment of LC Zones, the abundance of Federal Jurisdictional Wetlands on the parcel, proximity of residential lots to high voltage transmission lines, exposure to Northway traffic noise, the proposed building lot density on a parcel with numerous environmentally sensitive features. The Applicant should consider the consolidation of the ownership of the wetland and stream corridors in accordance with Town policy which discourages segmentation of such areas. Further, the ECC made the following recommendations: 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. Federal Jurisdictional Wetlands have also been identified on this parcel. 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 and/or Federal Wetlands. 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 all construction is completed and soils are stabilized. All erosion and water quality controls shall be put in place and maintained at the initial phase of site preparation. The Applicant will control fugitive dust and debris during the construction/demolition phase of the project.

Mr. O'Brien asked if anything could be done to eliminate splitting up the wetlands. Mr. Nicholson said there could be a conservation easement, and ACOE prefers many owners of wetlands rather than keeping it in the hands of one owner. Mr. O'Brien said if the Town needs to reconsider our wetland policy, it should be researched and discussed with the ACOE to learn their theory. Mr. Kemper said the ECC had requested that the Amedore application have the L-C zone placed on individual lots. Mr. O'Brien asked Board members if they agreed that the Town should take a look at this issue. Board members agreed.

Mr. Nicholson said if the subdivision could proceed with 18 lots they are willing to work with the Planning Board regarding the wetland issue.

Mr. d'Amico said lots 1 and 3 seem too small and too close to the wetlands for a buildout. Mr. Nicholson said the ACOE counts this disturbance as a percentage of the entire site disturbance.

Mr. Bulger asked if there was a need for a traffic study, considering the area. Mr. Grasso said Clough, Harbour does not recommend it.

Mr. O'Brien said additional research needs to be done on this application.

[2001-014] **Nextel Partners, Inc.** - Proposed co-location of telecommunications equipment on existing tower, 14 Crossing Boulevard - Conceptual site plan review.

Ms. Colleen Basiglia, representing Nextel, said they want to co-locate on the tower at the KC Canary site, and they propose to mount at an elevation of 125 feet.

Mr. O'Brien asked what the height of the tower is. Ms. Basiglia said it is 142 feet. He asked if this would leave room for additional co-locations. Ms. Basiglia said Nextel is the third and they have been told that the tower can not handle any more. Mr. O'Brien said he was told this tower could handle five mountings.

Mr. Kemper had the following comments: All necessary documentation has been submitted including a visual EAF. The Saratoga County Planning Board will not meet again until April 26th but they do not see any issues in approving the application. Some additional plantings should be provided around the proposed shed. 500' notices were sent on March 20, 2001.

Mr. O'Brien said evergreens should be added at the base. He suggested that site approval could be granted.

Mr. Grasso recused himself from commenting on this proposal.

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. O'Brien moved, seconded by Mr. Bowman, to grant preliminary and final approval conditioned on adding additional plantings. The motion was unanimously approved.

[2001-013] **Mohawk River Country Club** - Proposed 400 square foot addition and renovation of existing facility, Riverview Road - Conceptual site plan review.

Mr. John Martey, Chazen Engineering, said the site will be dressed up considerably. The

drop-off area will be moved back 8' from the center line. The site plan will not change except for parking alignment and a 400 square foot addition. Mr. Martey asked what level of detail is required for site plan review. Mr. O'Brien said he does not think more detail is required.

Mr. Bowman asked what will happen to the existing house on the site. Mr. Martey said the house doesn't serve any purpose and they will probably apply for a permit to demolish it. Mr. O'Brien said he would like to see the house demolished. Mr. Bowman said the fence in front of the maintenance building should be improved.

Mr. Kemper had the following comments: Memo from Sheryl stating that "No Parking Fire Lane" should be placed on plot plan for the driveway in the front of the building. Sight distance along Riverview Rd. should be evaluated. Variance may be required.

The ECC had the following comments: The ECC has reviewed the project information and offers the following comments and recommendations. The following standard statements should be added to the site plan: The Applicant will control fugitive dust and debris during the construction/demolition phase of the project. Any new proposed outdoor lighting shall be directional and limited.

Mr. Grasso had the following comments: We have reviewed the concept plan for the above project, prepared by The Chazen Companies, dated March 19, 2001 and offer the following comments: In accordance with Section 208-98 of the zoning code, no building or part of the building shall extend nearer to the centerline of River View Road than 100 feet. It appears the canopy of the renovation is 93 feet from the centerline of the road. In order to promote access management, we do not recommend the addition of a new curb cut as proposed. In addition, the adequacy of the sight distance should be checked at the two current curb cut locations. The handicap accessibility should be verified for the site in accordance with current ADA rules and regulations and any upgrades made as appropriate.

Discussion:

Mormon Church - Mr. O'Brien said the church has taken down a row of pine trees to increase the signals they are receiving from a satellite dish, and they are in violation of the site plan. They have agreed to put in eight to ten pine trees to mitigate the loss. Mr. Grasso suggested that they be 12' to 14' high Austrian pines, and increasing the bond to cover the cost of landscaping.

Bonser Subdivision, Englemore Road - Mr. Russell doesn't think the driveway should be on Vischer Ferry Road because sight distance is poor. He feels that the driveway should dead end at their garage. Mr. Kemper added that subdivision has additional problems because sewer hookup has been denied and they will have to go with on-site septic. Mr. O'Brien asked Mr. Grasso to take a look at the access and sight distance.

Minutes Approval:

Mr. d'Amico moved, seconded by Ms. Czub to approve the minutes of March 27, 2001 as written. Mr. Bulger and Mr. O'Brien abstained. The motion was approved.

Ms. Czub moved, seconded by Mr. Russell, to adjourn. The motion was unanimously approved. The meeting was adjourned at 10:05 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 #5

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 April 10, 2001, at 7:10 P.M. there were:

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

Mr. Bulger offered Resolution #5 and Ms. Czub seconded, and

Whereas, an application has been made to this Board by Naida B. Walko for an (18) lot subdivision, 668 Route 146A, and

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on March 13, 2001 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 Naida B. Walko - (18) lot subdivision, 668 Route 146A, is hereby granted final approval conditioned on final satisfactory review of outstanding issues by Clough, Harbour, and on the comments of Mr. Kemper, the ECC, and on receiving a letter from the DOT, and on the land transfer.

RESOLUTION #5 passed 4/10/01

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

Noes: None

Kevin O'Brien
Chairman