

Clifton Park Planning Board Meeting Minutes

May 8, 2001

Those present at the May 8, 2001 Planning Board meeting were:

Planning Board: K. Bowman, Acting Chairman, B. Czub, S. Bulger, J. Marzola, J. Russell, and R. d'Amico

Absent were: K. O'Brien

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

Mr. Bowman called the meeting to order at 7:10 P.M.

Public Hearing 7:10 PM

[2001-021] **Michaels Group, L.L.C.** - Proposed lot line adjustments between Lots 11, 13, 15, 17, and 19 Waverly Place, Summerhill Subdivision, Phase I - Preliminary public hearing and determination.

Mr. Bowman called the public hearing to order. The Secretary read the public notice as published in the Daily Gazette on May 2, 2001.

Mr. Michael Graff, Vollmer Associates, said there was some confusion regarding side setbacks, and it was easy to move lot lines, since Michaels owns the land.

Mr. Kemper said the Planning Department has received no inquiries regarding this proposal. The applicant is seeking to do lot line adjustments so that no variances will be required.

The ECC and Clough, Harbour had no comments.

Mr. Bowman asked for public comments. Being none, he asked for Board comments.

Mr. d'Amico 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. Bulger moved, seconded by Ms. Czub, to close the public hearing. The motion was unanimously approved. Ms. Czub offered Resolution #8, seconded by Mr. Bulger, to grant preliminary and final approval. Ayes: d'Amico, Czub, Bulger, Marzola, Russell, Bowman. Noes: None.

Old Business

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

Mr. John Montaine, Chazen Engineering, said sight distances have been verified. Notes have been added to the site plan as requested, regarding landscaping requirements and future parking. Fugitive dust and debris notes will be added to the plan.

Mr. Kemper had the following comments: Some additional details on the landscaping for the entrance should be provided, in addition some landscaping should be provided in the center island. Sight distances have been added to the plot plan. The existing building that was questioned will be removed. Ms. Reed commented that a "No Parking Firelane" should be specified on the site plan along the driveway at the front of the clubhouse.

Mr. Grasso said comments from Clough, Harbour's May 3 letter have been addressed.

The ECC reiterates the recommendations made on April 3, 2001. The following standard statement should be added to the plot 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. Bowman asked for Board comments.

Mr. Russell 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 moved, seconded by Mr. Marzola, to grant preliminary and final site plan approval, conditioned on the comments of Mr. Kemper, the ECC, and Ms. Reed. The motion was unanimously approved.

[2001-017] **Crab Apple Farm, Inc.** - Proposed 1,400 square foot greenhouse, 857 Main Street, Jonesville - Conceptual site plan review.

Mr. Gil Van Guilder said a variance was received for a restaurant to operate within 300 feet of an adjoining residential district. He said the Saratoga County Planning Board was concerned that accesses are not defined well enough, so flared access pads will be built. The loading ramp, handicap ramp and walkways into the building will be concrete. The barn structure will be removed. Lighting will be pole mounted. The site will connect to CK Sanitary sewer and Clifton Park Water Authority water.

Mr. Kemper had the following comments: The Saratoga County Planning Board

approved the application on April 26, conditioned upon the entrance and exit to the site being paved. Date that variances were received should be placed on the plot plan. Note that lights will be placed on poles immediately after barn is removed. Additional lighting should be placed on the building for the parking to the rear of the barn. The sewer hookup should be illustrated on the plot plan. A memo from Sheryl Reed said a minimum of 15' distance separation should be provided between the proposed greenhouses and all adjacent wood frame buildings. The existing wood frame building must only be utilized for low hazard occupancy to meet the distance separation of 15'. If the use changes, the distance separation increases per the NYS Uniform Fire Prevention and Building Code.

Mr. Bowman asked if there will be a fence along the railroad property. Mr. Van Guilder said believes the applicant intends to continue a split rail fence along the parking lot.

The ECC had no comments.

Mr. Grasso had the following comments: We have reviewed the concept plan for the above project, prepared by Gilbert VanGuilder & Associates dated April 3, 2001 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 anticipated to include the following: Clifton Park Planning Board for Site Plan Approval. The zoning map indicates an L-C Land Conservation zoning district crossing through and covering most of the project site. The associated environmental feature and actual boundaries of the L-C district should be accurately shown on the plan to determine the potential environmental impacts, appropriate permits and/or variances required. Although restaurants are allowed within the B-3 Neighborhood Business zoning district, restaurants are restricted in this zone if they will be within 300 feet of an adjoining residential district, and it appears that a residential district is within this distance to the south. As such, the exact limits of the residential district should be shown with the applicable 300-foot setback to determine if the proposed use expansion will require a variance. Given the limited area on site to accommodate the proposed multiple uses, we are concerned with the ability of the site to accommodate the site's parking needs and appropriately designed wastewater disposal system. As such, additional information should be provided regarding the current and expanded restaurant use and wastewater disposal system design. The plan does not appear to provide adequate accessibility for emergency apparatus. The required accessibility requirements should be sought from the Chief of the Bureau of Fire Prevention. In accordance with Section 208-98 of the zoning code, no building or part of the building shall extend nearer to the centerline of Main Street than 130 feet. This setback should be shown on the plan. The parking requirement for restaurants is one space for every three seats or one space per 75 square feet of floor area, whichever is greater. Based on a maximum of 58 seats, twenty spaces would be required and 25 are indicated. The square footage of the building should be indicated to verify the appropriate number of required spaces. In addition, the plan indicates that the parking area will be graveled and indicates nine-foot wide spaces. This width is not appropriate for graveled or crushed stone surfaces due to non-delineated spaces. Although paved and striped parking is always recommended, if graveled or stone spaces

continues to be proposed, the anticipated parking space size should be no less than twelve feet wide. At a minimum, we recommend that the entrance drive and handicapped parking area be paved. The existing method of water supply and wastewater disposal should be shown on the plan. The plan should clarify if the wall pack lights shown on the plan are existing or proposed. If they are proposed, they should be replaced by either residential lantern style or downlight style lighting.

Mr. Bulger asked if the parking space width has been adjusted for parking on gravel. He asked the reason for removing the barn.

Mr. Van Guilder said the spaces have been widened per requirements for a gravel lot. He said the barn is in very poor condition.

Mr. Alverigni, of the Historical Commission asked if the barn could remain. Mr. Van Guilder said the barn is structurally unsound and creates a safety issue. Mr. Kemper said the barn is a hazard and needs to come down.

Ms. Czub 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. Bulger moved, seconded by Ms. Czub, to grant preliminary and final site plan approval, conditioned on adding a fence, and on the comments of Mr. Kemper, Ms. Reed, and Clough, Harbour, and conditioned on Clough, Harbour's final review of parking. The motion was unanimously approved.

[2000-022] **Stewart's Ice Cream Co.** - 2,760 square foot ice cream shop, Riverview Road and Route 146 - request for an extension of the site plan approved July 13, 2000.

Mr. Kemper said there have been no modifications or changes to the site plan.

Mr. Bulger moved, seconded by Mr. d'Amico to grant the one year extension as requested. The motion was unanimously approved.

New Business:

[2001-018] **Heritage, Brooks** - Proposed in-law apartment, 254 Moe Road - Special Use Permit and conceptual site plan review.

Mr. Kemper said he received a letter stating there is some uncertainty in regards to the current status of the easements as well as ownership responsibilities of the connecting line. A connection permit will need to be obtained prior to construction, and these issues will need to be resolved. It does not appear that the proposed building will fit within the building envelope as depicted on the plot plan, therefore the plot plan should be adjusted accordingly. Applicant will need to file for a N.Y.S.D.E.C. wetland disturbance permit, the Town of Clifton Park should be copied on all correspondence. A Town of Clifton Park L-C Zone application should also be filed for. The L-C Zone should be delineated and confirmed prior to any site construction. There was a valid D.E.C. wetland permit that was received in 1995, however it expired on May 1, 1996, therefore a new permit will need to be filed for. When the new permit is filed for the Town of Clifton Park should be copied on all correspondence.

Mr. Grasso had the following comments: We have reviewed the application material for the above project and offer the following comments: We are concerned with the amount of disturbance within the L-C zoning district (NYSDEC wetland area and associated buffer) that construction of the residence and future lot usage will likely require. In order to address these concerns, a site plan should be provided for review with the following additional information: Existing and proposed grading within 50 feet of the limits of proposed work, erosion/siltation controls, limit of clearing and grading, storm culvert design necessary to maintain hydrologic integrity of the wetland area, amount of wetlands and buffer area impacted, details of the proposed driveway. In order to protect the environmentally sensitive portions of the project site and limit the likelihood of future incremental impacts we recommend that a land conservation area/easement be provided over the L-C zone within lot "B". This can be accomplished with notes on the site plan and the establishment of deed restrictions. A NYSDEC Article 24 wetland permit will be required for work within the wetland and buffer area. A copy of the permit should be sent to the Town and to our office prior to stamping the final plans.

The ECC had the following comments: The ECC has reviewed the project information and offers the following comments and recommendations. The ECC notes that the project, as planned, will result in intrusion into the LC Zone. Therefore, the Applicant must file for an Application for Approval of Work To Be Done in the LC Zone with the Town of Clifton Park. The ECC recommends that the Applicant submit a complete plot plan showing the nature and extent of proposed disturbance to wetland and LC Zone.

Mr. d'Amico asked if this is an acceptable building lot. Mr. Kemper said it was approved in 1995. Mr. d'Amico said there is too much disturbance and the back yard is too small to do anything in without infringing on the wetlands or the buffer. Mr. Grasso said the applicant may have to go through the L-C permit process.

Mr. Bulger suggested that the applicant address the concerns of Mr. Kemper, Mr. d'Amico, Mr. Grasso and the ECC before coming back with a revised conceptual plan.

[2001-019] **Baker, Raymond** - Proposed 28,000 square foot office and warehouse use in (2) buildings, and 4,000 square foot garage, Route 9 - Conceptual site plan review.

Mr. Kevin Dailey asked for a referral to the Zoning Board of Appeals. He said the wetland delineation was done and has been accepted by the D.E.C. The 13.9 acre site has 10.8 acres of wetlands and 3.1 acres of upland. Disturbance is less than 1/10 of an acre. The 100' wetland buffer intrudes into almost the entire 3.1 acres of upland. Since most of this property falls into the L-C zoned area, he will need a variance from the Zoning Board of Appeals for the L-C zone.

Mr. Kemper had the following comments: The Saratoga County Planning Board disapproved the project on April 26 based on the fact that the environmental constraints the site cannot support the intensity of the use proposed, and if the Town of Clifton Park chooses to approve the project it will require a super majority. The applicant received a D.E.C. wetland disturbance permit but still has to file for Town of Clifton Park L-C Zone application and that is separate from D.E.C. wetland permit. Based on the fact that only 3.1 acres of the parcel are upland out of a total of 13.9 acres the density of the project needs to be considered. There are concerns in regards to the stormwater runoff from the parking lot into the wetland areas and D.E.C. regulated stream. Wetland disturbance areas should be depicted on the plot plan. The soils in this area are hydric, therefore perc rates will need to be established for the site. In reviewing the findings statement for the Wood Road FGEIS there are numerous discrepancies. A memo from Sheryl Reed stated that information on fire flow needs to be provided. The applicant needs to provide adequate accessibility for emergency vehicles to proposed 12,400 square foot building and garage. The turning radius from the main driveway to the proposed building needs to be made wider to accommodate maneuvering of fire apparatus.

Mr. Dailey said if the Town won't allow the development of this property, and the D.E.C. and ACOE will issue permits, then there is essentially a taking of the property. He believes the Town is exceeding its authority and it would be arbitrary and capricious if the Town does not allow some relief. He said the Town's L-C zone law is written to allow the taking of property. Mr. Kemper said he believed that Mr. Dailey told him he drafted the L-C zone. Mr. Dailey said he drafted Section 124 of the Town Code.

Mr. Bulger said Mr. Dailey needs to make this argument to the Town Board, and the Planning Board can not overturn Town law. Mr. Dailey asked the Planning Board to take no action so he could go to the Zoning Board of Appeals.

Mr. d'Amico said he is concerned about the size of the buildings and the density given the amount of wetlands on the site. He suggested that if the buildings could be reduced in size it might become an acceptable use. Mr. d'Amico said it would not be a taking if the

Board asks to see a smaller building footprint. Mr. Dailey said there is no size building that would be acceptable.

Mr. Tom Andress said the only piece of land not in the L-C zone is a 30' x 100' strip, and it is not a buildable area. He said he prepared this plan based on how this site would fit on the parcel without being in wetlands, but being in the entire 100' buffer. Mr. Russell said he wants to see the 100' buffer on the plan.

Mr. Dailey said the owners have been paying taxes for 14 years. Mr. Bowman said if the owners bought the property 14 years ago, the wetlands haven't changed since the purchase. Mr. Andress said the D.E.C. used to delineate wetlands differently and is now using ACOE standards. He said the 100' buffer wasn't involved in the beginning.

Mr. Grasso said it should be noted that the property was bought in 1986 and delineation procedures haven't changed since 1984. Mr. Dailey said it is interesting that all 13.9 acres count when calculating fees. He added that there was very little wetlands enforcement until the late 1980's.

Mr. Grasso had the following comments: We have reviewed the concept plan for the above project, prepared by ABD Engineers and Surveyors, last revised March 29, 2001 and offer the following comments: Regarding SEQRA: The proposed project is located within the limits of the Wood Road Corridor GEIS Study Area. As such, if the proposed project is deemed consistent with the findings of the GEIS, no additional SEQR action may be required. Involved agencies are anticipated to include the following: Clifton Park Planning Board - Site Plan Approval, Clifton Park Zoning Board of Appeals - Use Variance for Work within L-C Land Conservation Zone, NYSDOT - Curb Cut Permit, NYSDEC - Article 24 Freshwater Wetlands Permit. Pursuant to the Findings Statement for the FGEIS for the Wood Road Corridor, the following issues should be addressed: Per Finding No. 34, traffic mitigation fees are required to address cumulative impacts of the proposed development. The fee is \$1,465.47 per trip generated during the highest peak hour, as defined by appropriate facility codes in the ITE Trip Generation Manual, 5th Edition. The applicant's consultant should submit an analysis of the projected trip generation so that the respective mitigation fee can be assessed. A mitigation fee is due for the original review of the DGEIS in the amount of \$74.28 per acre. Based on a 13.9-acre site, the respective mitigation fee is \$1,032. Per Finding No. 47, development affecting wetlands shall be located farther than the required 100-foot buffer from the wetland boundaries. This requirement is not met, and as such, the development as proposed is not consistent with the findings of the GEIS. If the development continues to be proposed as currently planned, a supplemental EIS covering wetland impacts may be warranted. Per Finding No. 51, proper stormwater management technologies shall be employed to insure that existing stream and wetland hydrologies are maintained after development. In addition, there shall be no direct piping of stormwater into natural streams or wetlands. The plan does not depict any stormwater management system such as a closed drainage system discharging to a stormwater management area prior to discharge to the wetlands. As such, the development as proposed is not consistent with findings of the GEIS. If the development continues to be proposed as currently planned,

a supplemental EIS covering drainage impacts may be warranted. Per Finding No. 52, stormwater management for each project shall be in accordance with the NYSDEC Guidelines for Stormwater Management and Design Criteria, and per Finding No. 53, the stormwater management plan shall be designed to maintain infiltration at pre-development conditions based on a 25-year storm event. Per Finding No. 67, a visual buffer of approximately 250 feet is recommended to avoid and minimize significant visual impacts to travelers on NYS Route 9. This is not provided, and as such, a supplemental EIS covering visual impacts may be warranted. Per Finding No. 73, a Phase I Environmental Audit shall be conducted and submitted at the initiation of site plan review. This should be included in the next plan submission. Per Finding No. 78, the applicant shall contact NYSOPRHP regarding historic sites and archeologically sensitive resources near the project area. Copies of the correspondence should be sent to the Town and to our office for our files. Per Finding No. 79, the Light Industrial zoning district was amended to allow only uses such as warehousing, fabrication and similar low intensity land uses. Additional information regarding the proposed uses is required to determine if the uses are consistent with those outlined in the GEIS and the zoning regulations. Regarding the SITE PLAN: Given the extent of environmental impacts associated with development of the east side of the site, consideration to annexing that area with the property to the east should be investigated. If a combined site is not practical due to existing uses, consideration should be given to utilizing the existing access to the adjoining property to serve the portion of the site on the east side of the stream. The use of the existing culvert and driveway off Route 9 should be further investigated. If it is determined that this crossing should not be used for access to the site, the existing culvert should be removed to restore the previously impacted stream corridor in this location. In order to evaluate the feasibility of this site accommodating an on-site wastewater disposal system, any existing wells or septic systems within 200' of the project site should be shown on the plans. Additional soil information including deep test pits, percolation tests and wastewater disposal system design information should be provided before any determination can be made. The grading shown on the plan and the proximity of the improvements to the wetlands will inevitably result in incremental impacts to these resources. Although the plan indicates 0.09 acres of wetland impacts, thus not requiring a pre-construction notification from the Army Corps of Engineers, impacts exceeding the 0.10 acre threshold should be anticipated and the applicant should discuss the appropriate approval/permitting/mitigation requirements with the Army Corps of Engineers. If any portion of the site will be used for the automotive repair or similar uses, all floor drains and stormwater runoff should be routed through an oil/water separator prior to discharge to the stormwater management area. Based on the zoning map, it appears an L-C Land Conservation zone covers the existing stream that bisects the two existing upland areas of the site. It does not appear that the proposed project adequately protects this environmentally sensitive feature. Measures to preserve the environmentally sensitive features of the project site including the wetlands and stream is recommended, such as establishment of land conservation areas/easements, conveyance to non-profit environmental protection organization, etc. The proposed driveway for the easterly building encroaches across the frontage of the adjoining property and should be relocated. Future plan submissions should contain the following: Topographical information for the entire site and extending within 100 feet to the east of

the project site. Site Statistics including greenspace, pavement area and the proposed building height. Refuse storage areas.

The ECC had the following comments: The ECC has reviewed the project information and offers the following comments and recommendations. The limits of the LC Zone and 100 foot buffer zone, DEC Wetlands, and Federal Jurisdictional Wetlands should be clearly indicated on the plot plan. Currently, these limits are not clearly shown. The plan represents significant incursion into the LC Zone on the property. The ECC recommends that the plan be reconfigured to eliminate incursion into the LC Zone.

Mr. Dailey said he thinks most comments can be addressed.

Mr. Bowman said it looks like much work needs to be done before the Board can take any action, and the plan as presented has too much on this parcel conceptually.

Mr. Dailey asked if the Board would entertain a referral to the Zoning Board of Appeals. Mr. Bulger said this is a Town Board issue and the Planning Board has to enforce the law as it exists until the Town changes it. He recommended that Board members do not issue a referral.

Mr. Dailey reminded the Board that Mrs. Abele's subdivision was turned down and after he instigated an Article 78, the Planning Board had to "eat crow". He warned the Board not to make a wrong decision.

Mr. d'Amico said the Board should ask for a revised site plan that would be more acceptable. He noted that the Planning Board is seeing more and more of these wetland issues and suggested that the Town Board might need to evaluate the issue. Mr. Dailey said this application needs to go before the Zoning Board of Appeals before any more work can be done on conceptual. He asked the Planning Board to write a letter to the Town Board asking them to review the L-C zone law. He asked the Planning Board to consider the unique circumstances of Mr. Baker since he has no option.

Mr. Bulger said since the Planning Board did not have counsel present and since he does not feel fully briefed on this issue, he does not want to take any action on anything. Mr. Dailey said he is being denied due process by not getting a referral to the Zoning Board of Appeals.

Mr. d'Amico said if the Zoning Board of Appeals grants a variance the Planning Board then can not turn down the buildout into the buffer zone. He said he would prefer to hold off and do nothing at this time. Mr. d'Amico said Mr. Dailey should come back with answers to questions raised by Clough, Harbour. Mr. Dailey said the Board surrenders nothing by referring him to the Zoning Board.

Mr. Grasso asked Mr. Dailey if he felt he was doing good service to his client by encouraging him to propose a plan that the Planning Board can not approve.

Mr. Bowman said the Planning Board does not like this plan and suggested that Mr. Dailey come back with a revised concept plan. Mr. Russell, Mr. Bulger and Mr. d'Amico agreed.

Mr. Dailey said the Board is leaving him no choice but to bring an Article 78 and he is being denied due process. He said if he brings an Article 78 and attacks the L-C issue, he will win.

Mr. Bowman said because the Planning Board is without counsel, this will be adjourned until the next meeting, and in the meantime Mr. Dailey can work on addressing the aforementioned issues.

[2001-020] Clifton Park Rental Center - Proposed loading dock, 871 Main Street - Conceptual site plan review.

Mr. Tom Andress said the loading area will become a concrete loading dock. The hard packed stone area will be graded and eventually paved.

Mr. Kemper had the following comments: He received a note from Sheryl asking if there will be any roof over the proposed loading dock area? If this area is going to be paved then stormwater management will need to be evaluated. Notices were sent on April 17, and there were no responses or questions. Mr. Andress said there wouldn't be a roof over the loading dock.

The ECC had the following comments: The ECC has reviewed the project information and offers the following comments and recommendations. The following standard statement should be added to the plot plan: The Applicant will control fugitive dust and debris during the construction/demolition phase of the project.

Mr. Grasso had the following comments: We have reviewed the concept plan for the above project, prepared by ABD Engineers and Surveyors, dated April 16, 2001 and offer the following comments: The proposed project appears to be an "Unlisted" action pursuant to SEQR, and as such, coordinated review is optional. The only involved agency is expected to be the Clifton Park Planning Board with Site Plan Approval being the action subject to SEQR. The depth of the existing water and sewer services and grease trap should be verified to ensure that there are no conflicts with the proposed loading dock and lowered elevation of the parking area. It appears that the existing stone loading area will be paved. The associated stormwater impacts should be evaluated and use of drywells in lieu of the catch basins appears appropriate. The impacts on the existing fence and landscaping should be analyzed to determine if additional improvements are warranted.

Mr. Bowman asked if the drainage proposal would work. Mr. Andress said it is tight, but it will work.

Mr. Bulger thought the proposal looked good.

Ms. Czub 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. Bulger moved, seconded by Mr. Russell, to grant preliminary and final site plan approval, conditioned on the comments of Mr. Kemper, Ms. Reed, the ECC, and Clough, Harbour. The motion was approved. Mr. d'Amico abstained.

Discussion:

Amerada Hess: Mr. Kemper said they want to change the color of the dumpster from green to white as recommended by the Town Planner.

Home Therapy Equipment: Mr. Kemper said the Building Department has asked for a letter from the Planning Board saying as long as the additional temporary modular office is actually going to be used for under six months it would not be in violation of site plan. If longer than six months, they will have to have the site plan revised. The Board agreed that the building would have to be removed in six months or there would be a violation of site plan.

Minutes Approval:

Mr. Bulger moved, seconded by Ms. Czub to approve the minutes of April 24, 2001 as amended. The motion was approved. Mr. Bowman abstained

Mr. Bulger moved, seconded by Ms. Czub, to adjourn. The motion was unanimously approved. The meeting was adjourned at 9:25 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 #8

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 May 8, 2001, at 7:10 P.M. there were:

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

Ms. Czub offered Resolution #8 and Mr. Bulger seconded, and

Whereas, an application has been made to this Board by the Michaels Group, L.L.C. for proposed lot line adjustments between Lots 11, 13, 15, 17, and 19 Waverly Place, Summerhill Subdivision, Phase I, and

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on May 8, 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 Michaels Group, L.L.C., lot line adjustments between Lots 11, 13, 15, 17, and 19 Waverly Place, Summerhill Subdivision, Phase I, is hereby granted preliminary and final approval.

RESOLUTION #8 passed 5/8/01

Ayes: d'Amico, Czub, Bulger, Marzola, Russell, Bowman. Noes: None

Kevin Bowman
Acting Chairman