

Clifton Park Planning Board Meeting Minutes

June 26, 2001

Those present at the June 26, 2001 Planning Board meeting were:

Planning Board: K. O'Brien, B. Czub, R. d'Amico, J. Russell, and S. Bulger who arrived at 7:55 PM

Absent were: K. Bowman, J. Marzola

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

Mr. O'Brien called the meeting to order at 7:10 P.M.

Public Hearing 7:10 PM

[2001-015] Giles, Keith and Kathleen - Proposed (12) lot subdivision, Moe Road - Preliminary public hearing and possible determination.

Mr. O'Brien called the public hearing to order. The Secretary read the public notice as published in the Daily Gazette on June 20, 2001.

Mr. Kevin Dailey introduced Matt Lerher, of Ingalls Smart Associates.

Mr. Lerher said the plan has been revised to reduce environmental impacts. He said .06 acres will be disturbed. Mr. Lerher said he can address Clough, Harbour's comments, including that deed restrictions will be established and lot width requirements will be met. He said he is working with the Sewer District regarding the sewer connection.

Mr. Dailey said the applicant is willing to incorporate trails or pedestrian accesses in the plan. All wetlands have been preserved except for .06 acre, by eliminating one lot. He asked for guidance regarding mitigating wetlands and noted that by extending the 100' buffer for DEC wetlands, very little land is left to develop. He said the parcel cost \$140,000.

Mr. Kemper had the following comments: The public hearing notice appeared in the gazette on June 20, 2001. He said there is no stormwater management basin depicted on the plot plan and the applicant is seeking to discharge stormwater directly into the wetland area. A letter from DEC dated May 25 2001 outlines a number of issues that need to be resolved before a permit is granted. Mr. Kemper said there is mention of a wetland mitigation area but no such area is depicted on the plot plan. Erosion control measures should be depicted on the plot plan. A note should be added to the plan that the cul-de-sac will not be maintained by the Town of Clifton Park. The LC Zoning boundary

is depicted in two different line styles, and this should be corrected. On the Southern most point of the cul-de-sac there is the symbol for a water line but no such feature exists there. An easement should be depicted on the plot plan where the sanitary sewer line flows between lots 4 and 5. As the project moves forward he asked to see some sort of pedestrian walkways to the Town Park in the north and the lands of Belmonte. The applicant should illustrate what the upland and wetland areas are on the plot plan. He noted that 11 of the 12 buildings will be located in either the DEC wetland or subsequent 100 foot. buffer. There are numerous sections of the Full Environmental Assessment Form that have not been completed correctly. He said this will be a Unlisted action under SEQRA and coordinated review is optional. A variance will be required for the LC Zone Disturbance.

Mr. Bianchino had the following comments: We have reviewed the preliminary subdivision plan, last revised April 20, 2001, the Stormwater Management Report last revised June 2001 and the Full Environmental Assessment Form for the above project, prepared by Ingalls Smart Associates. The following comments from our April 19, 2001 letter have not been adequately addressed: The original concept plan depicted thirteen residential lots, whereas the revised plan proposes twelve residential lots. In addition, no changes to the road alignment have been made. Although the elimination of one proposed lot has reduced the amount of wetlands to be initially filled, substantial development is still proposed within the limits of the L-C Land Conservation zoning district and indirect environmental impacts are likely. The plan should provide a future access connection to the adjoining property to the west. In addition, consideration should be given to providing a pedestrian connection between the public lands to the north through the proposed development, to the adjoining property to the south. Assuming the property to the west and south is developed as previously contemplated, a desirable pedestrian connection could then be made between the residential developments to the north and the existing Town Park to the south. The proposed cul-de-sac should be graded to drain to the outside of the cul-de-sac, thereby eliminating the need for curbing and drainage around the island. We recommend the establishment of a no grading and no clearing buffer along Moe Road to reduce the potential for associated visual and drainage impacts. Although the grading plan indicates that no vegetative clearing is required within the first fifty feet from Moe Road, no protective measures to reduce the potential for fences or future grading and clearing is provided. The plan indicates that the existing right-of-way may be only three rods wide (49.5 feet). This is inconsistent with current Town records that indicate that the right-of-way is four rods wide (66 feet). Clarification is requested. If records indicate the former, we recommend that the appropriate area be conveyed to the Town at no cost for future roadway improvements. The plan should provide vehicle access to the proposed stormwater management area for maintenance purposes and the ownership of the land containing the stormwater management area should be indicated. We offer the following new review comments: If any variances for work within the L-C Land Conservation zoning district have been granted, they should be appropriately noted on the plan. We recommend deed restrictions or conservation easements be established over the environmentally sensitive portions of the project site. Lots #4 and #5 along the cul-de-sac do not appear to meet the minimum required 100-foot lot width. Foundation drain laterals should be provided for each lot to a catch basin or junction box. The

roadway centerline slope within the proposed cul-de-sac should be increased to provide a minimum 1.00% slope along the asphalt wing wedge at the perimeter of the cul-de-sac. A streetlight should be provided at the intersection of the subdivision street and Moe Road. Review and approval of the sanitary sewer system is required by the Saratoga County Sewer District (SCSD). The ownership and maintenance responsibilities of the grinder pump stations should be specified. The make, model, hydraulic calculations, pump curves and system curves for the grinder pumps should be submitted for review. An easement should be provided over the sanitary forcemain from the road right-of-way to the existing SCSD easement. Based on the subdivision plan it appears that the existing sanitary forcemain and manhole at the rear of the property is located outside the SCSD easement. If this is the case, the existing easement should be expanded. The method of connection to the existing watermain and existing sanitary sewer should be specified. Future preliminary or final plan submissions should include the following: An item by item response letter to our review comments. Existing and proposed property lines, right-of-way lines and easement lines metes and bounds. Erosion and sediment control measures. Water elevations and subsurface information, including groundwater elevation. Profiles of all public utilities (storm sewer and sanitary sewer) outside the proposed Town right-of-way. The profile should be drawn at a 1-inch equals 50-foot horizontal scale and 1-inch equals 5-foot vertical scale (the roadway profile scales 1-inch equals 10-foot vertical). A stamp and signature of a New York State Licensed Professional Engineer and Licensed Professional Land Survey. Construction Details. Based on our review of the Full Environmental Assessment Form (FEAF), we recommend that a revised FEAF be submitted for review prior to determination of environmental significance pursuant to SEQRA. We offer the following comments regarding the FEAF: Item 3 of section A. identifies the predominant soil type as Oakville Loamy Fine Sand and 100% moderately well drained. However, the extensive onsite wetlands indicate that the onsite soils are predominantly poorly drained. Item 10 of section A. states that hunting, fishing or shell fishing opportunities do not presently exist in the project area. Due to the undeveloped, vacant and wooded nature of the site, it appears that hunting opportunities do exist on the project site. Items 11 and 15 of section A. have not been completed. Item 1. G. of section B. has not been completed. Item 1. J. of section B. states the linear feet of frontage along a public thoroughfare is 60 feet. The subdivision plan indicates the length to be approximately 670 linear feet. Item 4 of section B. states that 0 acres of vegetation will be removed from the project site. Based on site grading and data in Item 2 of section A., it appears that approximately seven acres of vegetation will be removed. Item 16 of section B. indicates the project will not generate solid waste. The project clearly will generate solid waste predominantly by household garbage. Item 22 of section B. has not been completed. Item 23 of section B. states that the total anticipated water usage per day is 7.58 gallons per day. Using the NYSDEC standard of 110 gallons/day/bedroom multiplied by an average of 3 bedrooms, thirteen homes are likely to result in an average daily water usage of approximately 4,290 gallons. Item 25 of section B. has not been entirely completed. Item 1 of section C. indicates that site plan approval is required when in fact subdivision approval is required. We offer the following comments regarding the Stormwater Management Report: The onsite soils are identified as Oakville Loamy Fine Sand belonging to the hydrologic soil group B. However, the extensive onsite wetlands suggest that the onsite soils are predominantly poorly drained. The detention basin

referenced in the report and modeled in the stormwater calculations is not depicted on the grading plan. The consultant should evaluate the 2, 10, and 100-year storms design storms pursuant to the Town of Clifton Park Zoning Regulations. Post-developed peak discharge rates shall not exceed pre-developed peak discharge rates for the 2, 10 and 100-year storm events pursuant to the Town and NYSDEC requirements. A table comparing pre and post developed peak discharge rates at each design point for the 2, 10, and 100-year storms should be included in the Stormwater Management Report. The stormwater management plan and report should contain provisions for treatment of the first flush runoff for stormwater quality enhancement. 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). The drainage area boundaries should include the entire contributing drainage area. The consultant should verify the drainage area boundary in the field and include any upstream flows that may pass through the site. Drainage areas A and B should be combined and modeled as one drainage area since they have the same design point. 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 curve numbers utilized should be consistent based on the land cover and hydrologic soil group per the TR-55 tables. Wetland areas should not be modeled with a "B" hydrologic soil group. The Stormwater Management Report should include a storm sewer-sizing table for the proposed closed drainage system within the Town roadway and easements. The storm sewer system should be sized for a 10-year storm event using the rational method for peak discharge rates and the Manning equation for pipe capacity. Details of the detention basin and the outlet control should be provided. The Stormwater Management Report should contain the statement that the stormwater management plan will function adequately and will not adversely affect adjacent or downstream properties. The Stormwater Management Report should be stamped and signed by a Licensed New York State Professional Engineer.

The ECC had the following comments: The ECC has reviewed the project information and offers the following comments and recommendations. The Applicant needs to build within the LC Zone and must submit an application for Approval of Work To Be Done in the LC Zone with the Town of Clifton Park. The Applicant has indicated in the EAF that a mitigation project will occur; however, there is no indication of this on the plot plan. Although the Applicant has reconfigured the plot plan to eliminate two (2) building lots that were within the wetlands, there still remains significant incursion into the LC Zone on the property. The ECC notes that sensitive environments exist on properties adjacent to the project site. Thus, there is a potential for environmental impacts to these areas in the event that the capacity of the stormwater management system is inadequate. As such, the Applicant's Drainage, Stormwater and Erosion Control Plans should be protective of these environments during construction and occupation of the project. The ECC recommends careful review of these plans by the Town Engineer. On drawings dated January 24, 2001 submitted by the Applicant, a Stormwater retention area was indicated. However, on the revised map received June 6, 2001, the retention area has been deleted and the applicant is creating a point source that dumps stormwater directly into the designated wetland. The Applicant should explore whether a NYSDEC SPDES permit

will be required.

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

Mr. d'Amico asked if Mr. Boni owns the northerly parcel of property. Mr. Dailey said it is owned by Mr. Boni's brother.

Mr. O'Brien said the DEC and ACOE and L-C zone influence the Planning Board's determination, and explained that the Board's hands are tied until other agencies who set standards give their approval.

Mr. Dailey said there will be wetland mitigation on site. Mr. O'Brien said the L-C zone is the last step, and that the Planning Board is very clear in its practice not to split the L-C zone.

Mr. Dailey said the Planning Board will see more and more applications with wetlands issues. Mr. O'Brien commented that in the past three months, Mr. Dailey has presented two such applications.

Mr. O'Brien said the Planning Board has stayed within the terms of the laws that have been established, and the Board can not make any determination until it hears from the DEC and ACOE.

Mr. d'Amico moved, seconded by Mr. Russell, to adjourn the public hearing until a future date. The motion was unanimously approved.

Public Hearing 7:20 PM

[2001-023] Nextel Partners, Inc. - Proposed co-location on CPWA water tank, 51 Castle Pines Drive - Preliminary 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 June 20, 2001.

Ms. Marybeth Slevin, representing Nextel Partners, said an antenna will be installed on the existing water tank and a structure will be built at the base of the water tower to protect Nextel equipment. She introduced Kyle Knickerbocker, a project manager for Nextel.

Mr. Knickerbocker displayed propagation studies which showed other Nextel facilities, and a coverage map which illustrated the hole in coverage which Nextel hopes to rectify with this installation. He said a power density and emission study has been done, and findings indicate that emissions are well below FCC guidelines. He said Dr. Donald Haes, a radiation specialist with M.I.T., analyzed the data and evaluated that the results are consistent with FCC guidelines.

Mr. Knickerbocker distributed photos of an equipment shelter which will be built at the

base of the tower, and explained that instead of building a concrete shelter, a barn type shed can be built. He said the 12 panel antennas will be mounted at the top of the tank and will be painted to match the water tank.

Mr. Kemper had the following comments: Numerous letters have been received from residences in the area, and he noted that some of the main points seem to be whether or not a special use permit is required, the safety factor, and how can a use locate in a residential zone. Some sort of Brown stone aggregate façade should be used on the building so that it will blend in with the wooded area in the rear of the parcel. The overhead cables depicted on the plan should be placed underground. A minimum of 10 foot tall evergreens should be placed around the proposed building. The proposed antennae should be the same color as the existing tower.

Mr. Bianchino recused himself.

The ECC reiterated the comments made at the June 5, 2001 meeting.

Mr. O'Brien said he expected the Board would need time to digest the comments of the public and there would be no action taken tonight. He asked for public comments.

Mr. Robert Ritter, 24 Castle Pines, thanked the Planning Board for having a public hearing. He said he went to a Clifton Park Water Authority meeting and came away thinking they are allowing this co-location only for financial reasons. He asked the Board not to set a precedent by allowing a cell tower in a residential neighborhood, and said there are 90 children in Knoll Top. Mr. Ritter asked the Board to consider the health and welfare of the residents.

Mr. Bill Waldron, 49 Castle Pines, asked why the Clifton Park Water Authority isn't the applicant instead of Nextel. He suggested that the CPWA does not want to take responsibility for the antennas. He expressed concern that the Planning Board might look favorable on placing towers on residential property.

Mr. Pelagalli noted that a variance is not required because this is an allowable use under Town law.

Mr. Jim Van Buskirk, 39 Castle Pines, said he does not object to having a water tower, but he questioned the need for an antenna. He said he and his neighbors have never experienced a poor cell phone signal in their neighborhood. He said deed restrictions are in place and should be examined. He believes the only reason Nextel chose this site is because of the reasonable cost. He said a tower in Ballston Spa has a sign erected that warns people to stay away because emissions may exceed FCC limitations, and is concerned that this will happen in Knoll Top.

Mr. John Emery, 1 Plantation Crest, asked if the Clifton Park Water Authority has presented a resolution. Mr. Kemper said all that is required is a letter of intent.

Ms. Gail Kim, 53 Castle Pines, said the Kinns Road trails about the area where the shelter will be built, and is concerned with the environment, and health and property values. She is disappointed that the Clifton Park Water Authority did not notify neighbors of their intent to lease to Nextel.

Mr. Yousef Ballout said although FCC guidelines will be met, there are non-thermal effects and low level radiation other than power density, that are harmful to people and animals. He said John Hopkins University has done research that shows harmful effects are 100 times lower than the FCC limitations, and he said there are a lot of unknowns about harmful effects of RF's. He asked the Board to look out for the health and safety issues.

Mr. Doug Connor, the Clifton Park Water Authority administrator, said Town code recommends co-location on water towers. He said a radiation research journal shows that cell phone RF radiation's link to cancer is weak and inconsistent. He said this tower and 151 feet tall and signals are transmitted horizontally.

Ms. Carla Gunderman, 19 Castle Pines, said when the Town wrote cell phone tower legislation, she doesn't think the Town intended towers to be in residential areas.

Mr. Mike Copeta, 65 Castle Pines, said cell antennas are out of character with a residential area.

Mr. Chris Schmidt, 34 Castle Pines, has aesthetic concerns. He showed photos of a tower in Ballston Spa which has 30 antennas and is fenced with an 8' high chain link fence with barbed wire. He said even if shelters are made more attractive, there could be several shelters if others co-locate. He asked that the facility should be located in an area that is not residential.

Ms. Slevin said this application is limited to Nextel only and any other co-locators would have to demonstrate compliance. She asked the Planning Board to limit their review to this application only. She said Nextel's responsibility is to demonstrate that they comply with FCC standards.

Mr. Knickerbocker said all Nextel sites in the Town of Clifton Park are co-locations.

Mr. Ed Vopelak asked at what height are other Nextel co-locations. Mr. Knickerbocker said they are at the lowest point at Blue Barns Road and Crossing Boulevard.

Mr. Ritter said Supervisor Barrett suggested that Nextel look at other sites and asked if the Planning Board looked at other sites. He asked if the Board could ask that New York State land and towers be used. Mr. O'Brien said the Planning Board can ask Nextel to look at other options and reminded Mr. Ritter that Town code states that co-location is preferable to constructing new towers. Mr. O'Brien said the Board has no jurisdiction over New York State locations. He said the Board must uphold the law of the land and in cases of public comment affecting the Board's determination, the courts have said that

public concern was not enough reason to turn an application down. Mr. O'Brien noted that individual antenna applications must come before the Planning Board. He added that in many respects the Planning Board's hands are tied by Federal law.

Mr. Pelagalli said the Federal government says when it comes to emissions regulations, if it falls within FCC guidelines, a municipality may not deny an application on the basis of emissions.

Mr. Shahen and Mr. Barrett met with the residents of Knoll Top. Mr. Kemper, Mr. Shahen and Mr. Barrett then met with Nextel to discuss possible alternatives for co-location, and every possible alternative was exhausted.

Mr. Dave LaVoy said he would like to see proof that there is a real need for increased coverage in this area. Mr. Dave Gatto said he has Nextel service and there is a hole in service in the Kinns Road area. Mr. Pelagalli said he uses Verizon digital service and also has a service gap.

Mr. O'Brien thanked the public for their comments and said the Board will continue discussions with Nextel, and will be looking at this in the future.

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

Old Business

[2000-036] DCG Development Co. - Proposed 27,600 square foot office use in (6) buildings, Route 146 - Preliminary site plan review.

Mr. Gordon Nicholson, Environmental Design Partnership, said most of Clough, Harbour's comments have been addressed. A dry well was added for stormwater management. Shade trees have been added in the stormwater management area.

Mr. Kemper had the following comments: Some additional buffering along Route 146 was requested by the Board at the last meeting. In response to that the applicant has supplied a berm with plantings along Route 146. Building facades were also requested for the next meeting. The applicant was going to evaluate the feasibility of locating the dumpsters away from the center of the parking lot.

The ECC had no comments.

Mr. Bianchino had the following comments: The following additional information should be shown on the plans: The type and size of the proposed water service connections and proposed building heights. Impacts to the landscaping around the existing pump station building should be addressed. A drywell should be provided in the bottom of the basin to promote infiltration when the ground is frozen. We offer the following comments: Although we continue to recommend that water supply be provided by a water main

along Route 146 rather than by the existing water main along the rear of the site, if acceptable to the Clifton Park Water Authority, the proposed method of water supply appears adequate. We recommend that shade trees be provided on the south side of the stormwater management area to reduce the visual impact of the detention basin and to reduce thermal discharges of the basin. Water main, service and hydrant details should be provided on the plans. The final plans shall bear the signature and seal of the design professionals.

Mr. d'Amico asked if the perimeter buffer is being increased. Mr. Nicholson said four or five evergreens can be added to the western property line behind each building. Mr. O'Brien said he wants a buffer planted on the other side as well.

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 moved, seconded by Mr. Bulger, to grant preliminary and final approval, conditioned on the comments of Mr. Kemper and Clough, Harbour, and on planting of evergreens on the perimeter. The motion was unanimously approved.

[2000-006] Hoffman, Jean - Countrymen Estates North, Proposed (115) lot subdivision, Lapp Road - Preliminary determination from public hearing held on April 10, 2001.

Mr. Gordon Nicholson, Environmental Design Partnership, said the plan is similar to the previous plan with the exception that the access to Maple Leaf Estates has been eliminated and the stub street connection to Village Green has been eliminated. There will be two accesses on Lapp Road. He said most of Clough, Harbour's comments from June 6 have been addressed.

Mr. Kemper had the following comments: Letter from residents along Thoroughbred Way have been included in folders for review. Deed restrictions for the lots with wetlands on them have been submitted and appear to meet the intent of the Board in protecting these resources. The applicant has revised the plot plan to include a corridor of open space which will provide a continuous corridor with the property on the east side of Lapp Road. As the project moves forward, the precise location of multi-use paths should be depicted on the plot plan. Where connections have been eliminated to existing subdivisions, multi-use pathways should be provided. Limits on the hours of construction should be placed on the plot plan. The applicant has yet to receive the D.E.C. or ACOE permits, it is my understanding that these agencies will not continue to review the applications without a SEQRA determination from the Town.

Mr. Bianchino had the following comments: We have reviewed the preliminary subdivision plans, dated February 26, 2001 and the Stormwater Management Report, last revised May 2001, prepared by Environmental Design Partnership, LLP as well as the Traffic Impact Study dated May 19, 2001 prepared by Creighton Manning Engineering, LLP. We offer the following comments: Subdivision Plans: The type of proposed open

space should be identified for the lands to be conveyed to the Town of Clifton Park. 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. The mechanism to preserve the environmentally sensitive portions of the proposed lots such as deed restrictions or land preservation areas should be appropriately noted on the plans.

According to the Town's Construction and Design Standards Section 86-6, E. (1) any change in street alignment at intersections shall be at least 100 feet from the pavement edge of the intersecting street. The proposed intersection of Equestrian Way does not meet this requirement. The minimum roadway centerline radius of 300 feet is not met for the proposed Stablegate Drive. The plans should note that all parcels abutting Lapp Road shall have driveway access to the proposed internal subdivision streets only and that no driveway connections to Lapp Road shall be permitted. Consideration should be given to deeding a ten-foot wide strip of land along Lapp Road to the Town for future road, drainage or utility improvements. Easements should be provided at the inlet and outlet of all proposed road culverts for future access and maintenance by the Town.

Utility Plans: The proposed Town Road labeled as Liberty Way lacks the appropriate radii at the point of connection to the existing Shetland Green Town Road. The types of bends, location of thrust blocks and location of end caps should be specified. We recommend all hydrants proposed at street intersections be located at the point of curvature as opposed to on the radius. In addition, a fire hydrant should be provided at the intersection of Liberty Way and Champion Circle. The proposed method of connection to existing utilities should be specified. Pavement sawcut lines and specifications for restoration of the existing Town Roads should be identified. 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. Basement drains, foundation drains or sump pump drain outlet pipes shall be provided for all residential lots connecting directly to storm catch basins, manholes or junction boxes. The existing grades depict natural drainage courses which should be conveyed by either road culverts or end sections to the proposed storm system at Sta. 4+50 Patriot Circle, Sta. 1+75, 3+70 and 12+20 Equestrian Way, Sta. 6+50 Liberty Way and Sta. 3+00 Stablegate Drive.

Road Profiles The minimum slope along the curblines along the outside of a cul-de-sac shall be 1%. This requirement does not appear to be met for Patriot Circle, Champion Circle and Morgan Court. 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. The road profiles show proposed cuts of up to 24 feet and fills up to 15 feet. We recommend the profiles be revised to limit the heights of cuts and fills by following existing grades to greatest extent possible and limiting clearing and grading. The plans should note that areas of fill shall be placed in 12-inch lifts and compacted to 95% Standard Proctor density. It appears that culverts should be proposed at several areas of fill to safely pass upstream drainage including at Sta. 6+50 Liberty Way, Sta. 4+00 Saddle Brook Drive, Sta. 3+00 Stablegate Drive, and Sta. 0+50 Paso Fino Court.

Stormwater Comments In order to accurately evaluate the final offsite post-developed discharge rate, we recommend that the second wetland mitigation area down gradient of the retention basin be included in the computer

model. The summary table should identify the total pre-developed and post-developed peak discharge rates for the 2, 10 and 100-year storms leaving the project site. The time of concentration continues to use the Curve Number Lag Method and the length of sheet flow remains in excess of 150 feet for many subcatchment areas. As stated in our previous letter, 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. The drainage calculations should be revised accordingly. The detention basin (HydroCAD pond) analysis should be included in the computer printouts to document the stage-storage table and outlet structures. Although the size of the proposed road culverts match the size of the existing culverts under Lapp Road, we recommend the proposed road culverts be sized based on a 25 year storm for the entire contributing drainage area using inlet/outlet control analysis to handle the flow, if the existing Lapp Road culverts are replaced, improved or upsized. According to the Construction and Design Standards, a minimum 2-foot vertical separation should be provided between the bottom of the infiltration basin and the seasonal high groundwater table or bedrock. As such, test pits should be performed in the stormwater management areas to identify the existing soil conditions and percolation rates. Since the sole method of flood control proposed is retention, the consultant should address the probability of standing water in the retention basins due to the apparent slow infiltration rates as a result of poor soils and the impact of successive storms on the function of the stormwater management areas. The entire limits of grading, the outlet control structures, the overflow weirs and erosion control measures associated with the stormwater management area should be shown and detailed on the plans.

Traffic Comments We have reviewed the traffic study and it appears the study has been completed in accordance with accepted standards of the transportation engineering/planning profession. We also concur with the study's conclusion that construction off-site improvements are not required to mitigate the effects of the additional traffic on the study-area roadways. The study does not clearly indicate, however, that the recommended signal timing modifications will be made as part of the project. This should be clearly stated and appropriately noted on the plans. The sight distance conditions cited for the project's access locations to Lapp Road exceed the values recommended by NYSDOT for the posted speed limit. However, the consultant should evaluate sight distance based on the 85th percentile speed in accordance with generally accepted standards. In addition, sight distance should be checked for the left-turn movements into the proposed Town Roads. The access connections of the proposed development to adjacent existing residential subdivisions will induce relatively minor increases in traffic volume on these existing streets, as noted in the CME study. However, these projected traffic volumes are well within the thresholds suggested in ITE's Guidelines for Residential Subdivisions. Since preparation of the Traffic Study, the proposed subdivision access arrangement has been revised resulting in the elimination of the previously proposed road connection to Maryanne Drive to the north and relocation of the proposed road connection to the south from Village Lane to Shetland Green. Therefore, CME should comment on the projected traffic volumes on Shetland Green and Thoroughbred Way based on current layout.

Additional Comments Construction Details

should be included in the plan set. Grading plans for the entire development should be submitted for review. These should include all temporary and permanent erosion/siltation controls and limits of clearing and grading. We offer the following comments regarding the grading plan depicting the northern portion of the development as depicted on sheet 14: A new access driveway should be constructed from one of the proposed development roadways to the Lands N/F of Country Knolls Water Works, Inc. The proposed berm along the existing sanitary sewer easement to the rear of lot 3 Champion Circle appears to block the natural drainage channel. Many of the proposed lots on the northern portion of the development abutting the existing "Maple Leaf Estates" development appear to leave little room for backyard decks, sheds and yard space due to the steep slopes. Consideration should be given to shifting Stabgate Drive and Liberty Way in this area to create deeper lots. The natural undulating land in the project site results in several low areas in the proposed development. The proposed grading plan and storm sewer design should be revised to limit the occurrences of these low areas as they may become sources of drainage complaints by homeowners in the future. All culverts and storm end section inverts should be shown on the plans.

Mr. Bianchino said the project has come a long way as far as Clough, Harbour's issues are concerned.

Mr. O'Brien acknowledged a letter received today from the property owners of Countrymen Estates, but said he wished it had been sent sooner because the Board must make a determination tonight. He said the letter asked that the access to Thoroughbred Way be eliminated. Mr. O'Brien said three accesses are required by emergency services for 115 lots.

Ms. Shelly Johnston, traffic engineer with Creighton Manning Engineering, said the Countrymen Estate access would increase traffic by 5 peak hour AM trips and by 6 peak hour PM trips. Mr. Bianchino agreed that the increase in trips is within guidelines.

Mr. Andrew Gorelik, 32 Thoroughbred Way, asked if the Planning Board would look at this again if traffic doubles or triples. Mr. Pelagalli said it will be out of the Board's hands after a 30 day time period. He suggested that the Highway Superintendent could evaluate if traffic devices were to become necessary.

Mr. O'Brien said the Planning Board must consider what would happen if there were a serious mishap on Lapp Road which would close off both Lapp Road access roads. He said the 60' right of way was always intended to be an access point for Hoffman's future expansion. Mr. Bianchino said the first phase of Thoroughbred was approved conditioned on access being provided.

Mr. John McCarville, 23 Thoroughbred Way, said the original intent was that the extension would go between Lot #7 and #9. He said he did not have enough time to pull the neighbors together to express their concerns. Mr. O'Brien said the public hearing was April 10, and the 500' notices were sent out before that date.

Mr. O'Brien said all outstanding issues from the public hearing have been addressed. He said the Town Board establishes property rights and the Planning Board must preserve the rights of property owners. He said Thoroughbred Way can not be eliminated, but maybe some limitations could be placed.

Ms. Addie Nirshberger asked if the 60' right of way in Village Green will be used for an access, and if not could they get a path. Mr. Kemper said the Clifton Park Trails Committee is requesting a 10' wide paved path. He said posts could be put at both ends to deter vehicular traffic.

Ms. Mary Minor, 5 Village Lane, asked what the hours of construction would be. Mr. O'Brien said the hours will be established.

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.

Mr. Bulger offered Resolution #11, seconded by Mr. O'Brien, to grant preliminary approval, conditioned on meeting state and county requirements, and on establishing hours of construction, and on the comments of Mr. Kemper and Clough, Harbour. It is further conditioned on having no construction vehicles on Thoroughbred Way, on analysis of traffic mitigations if needed, and of the installation of vegetation on abutting properties. Ayes: d'Amico, Czub, Bulger, Russell, O'Brien. Noes: None.

New Business:

[2001-024] Klint, Tim - Proposed (2) lot subdivision, Vischer Ferry Road - Conceptual review.

Mr. Tom Westervelt, ABD Engineers, said the parcel located on the east side of Vischer Ferry Road will be subdivided to create a 2.3 acre lot for a new residence, with lot #2 being for the existing residence. He said the property borders the reservoir and will comply with the 300' setback requirement. He said the existing driveway will be used to access lot #2.

Mr. Kemper had the following comments: The applicant should delineate any federal wetlands that may be on the site. The Town of Clifton Park LC Zone associated with the classified stream and the Stoney Creek Reservoir should be depicted on the plot plan. It is stated in the application that the site will be served by a well, however, one is not depicted on the plot plan. The following standard notes must be added to the plan: farm, lots with wells, 500' driveway, common egress/ingress.

Mr. Bianchino had 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 Clifton Park Planning Board for Subdivision Plan Approval and the Saratoga County Planning Board for Subdivision Plan Recommendation. Based on the topography shown, it would appear that federal wetlands

are likely to exist at the toe of the slope, which is only twenty feet from the proposed house. As such, federal wetland impacts may occur. We recommend that any federal or state wetlands be delineated and the impacts be determined through detailed site grading. The location of the wastewater disposal system should also be a minimum of 100 feet from any wetland boundary. The L-C Land Conservation zoning district boundary should be shown on the plan, if applicable. The purpose of the 200-foot and 300-foot setback lines from the edge of water labeled as "per Latham Water District" should be defined. It appears that substantial work is proposed within the setback. The location of the proposed wastewater disposal system appears to be uphill of the proposed house, requiring a pump station. Due to the steep slopes, apparent poor soils and a pumped system, we recommend the wastewater disposal system be designed by an engineer and submitted for review. The location of existing drilled wells within 200-feet downhill of the proposed system and 100-feet uphill of the proposed system should be shown on the plan. Soil investigations including deep test pits and percolation tests shall be conducted to verify that the site can support use of an on-site wastewater disposal system. The proposed method of water supply should be shown on the plan. We recommend a turn around be provided in the driveway to limit vehicles from backing out of the driveway onto Vischer Ferry Road. Consideration should be given to replacing the existing driveway culverts at Vischer Ferry Road and at the driveway low point with larger culverts. A utility easement over lot 1 should be provided for the existing overhead electric line, which is shown approximately twelve feet from the proposed house. The consultant should discuss with the power company the minimum required separation distances from the house to the existing power line. We recommend a drainage easement be established over lot #1 at the road culvert outlet and stream for maintenance and access by the County DPW. Consistent with what has been requested and provided on many recent projects, we recommend that deed restrictions or protective easements be established over the environmentally portions of the project site to reduce the potential for future incremental environmental impacts. The existing house on lot #2 appears to be located within the 50-foot rear yard setback line. If an area variance was granted, the variance number and date should be shown on the plan.

Mr. Tim Klint said there is an existing turn around. Mr. O'Brien said it should be noted on the plan. He asked how long the driveway is. Mr. Kemper said it is over 500'. Mr. O'Brien said emergency services will have to be consulted and if a variance is needed, it should be done before the next meeting.

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 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 materials 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 State Environmental Conservation Law (ECL). The borders of all lands 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 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.

[2001-026] Verizon Wireless - Proposed co-location at Socha Tower, Blue Barns Road - Conceptual review.

Ms. Jean Marie Posniewski, engineering consultant for Verizon, said Verizon will be the fourth carrier on the tower. She said the 500' notices went out on June 5 and all required documentation has been provided.

Mr. Kemper had the following comments: Some additional plantings may need to be provided along the front of site. All required documentation per the Town Code has been submitted.

Mr. Bianchino had no comments.

The ECC had the following comments: The ECC has reviewed the project information and offers the following comments and recommendations. If hazardous materials will be stored on-site, the Applicant must submit a plan addressing handling, storage, and spill response to the Town of Clifton Park Environmental Specialist before such materials are stored.

Mr. Russell asked what the surrounding area consists of and he wondered if shelters can be buried. Ms. Posniewski said shelters have been buried in some residential areas. She said the surrounding area is residential zoned, and the adjoining area is agricultural.

Mr. d'Amico asked what capacity will be left after Verizon co-locates. Mr. Kemper said he believes the capacity is for five locators.

Mr. Bulger asked that Ms. Posniewski provide additional information at the next review, including a coverage map detailing what coverage area this will impact, and a map of other Verizon locations in the Town of Clifton Park.

[2001-025] St. George's Episcopal Church - Proposed 5,170 square foot addition to existing church, 912 Route 146 - Conceptual review.

Mr. Art Bates, Building Committee Chairman, noted that there were members of the building committee present. He described Phase II of the Master Plan, which included expanding the sanctuary, renovation of the existing worship space, and moving the choir loft, which is not handicap accessible, to a new location behind the altar. The existing sanctuary will have a new roof, windows and siding. Parking will be expanded by 38 spaces.

Mr. O'Brien asked if the additional parking is needed at this time. Mr. Bates said it is

needed, and the parking may have to be reconfigured to meet the required setback from Route 146. He noted that a hydrant will be added on the east side of the property.

Mr. Kemper had the following comments: The application has been referred to the Saratoga County Planning Department. The proposed addition will infringe on the side yard setback, therefore a variance will be required unless the building is shifted. The capacity of the existing septic system should be evaluated to be determined if adequate capacity remains. In addition, the applicant should evaluate the possibility of hooking into the sewer system. He asked if there would be any outdoor lighting proposed for the site. Source and Storage Fees in the amount of \$3,360.00 based on the current square footage will be due prior to the stamping of the plans. A breakdown of the new and existing parking should be provided so that it can be determined if the parking meets the Town Code. Additional trees may need to be provided along the property line to supply a buffer with the Lands N/F of Daly.

Mr. Bianchino had the following comments: We have reviewed the concept site plan for the above project, prepared by Buckman and Whitbeck, last revised October 28, 1994 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 for Site Plan Approval and the Saratoga County Planning Board for Site Plan Recommendation. The proposed building addition on the western side of the property extends over the 20-foot side yard setback line. The building addition should be revised or an area variance by the Zoning Board of Appeals will be required. Consideration should be given to eliminating the dead-end parking run on the east side of the site by providing an adequate area for vehicles to turn around if all of the spaces are occupied. The plans and applications incorrectly identify the existing zoning. According to the latest Town Zoning District Map the parcel is zoned Public/Institutional Recreational (PIR). The site statistics should be revised to reflect the space and bulk standards of the PIR zone. The existing zoning district boundaries should be shown on the site plan. The Lands N/F Daly to the west is zoned Planned Unit Development (PUD) and the Lands N/F Teele, Mitchell, Mitchell and Eats to the east is zoned Business Non-Retail (B-2). The site plan should include a parking summary with an analysis of the number of existing parking spaces, number of parking spaces to be removed, number of parking spaces to be constructed and a total number of proposed parking spaces to compare with the number of required parking per the Town Code (1 space for each 4 seating spaces for Churches). If parallel parking is proposed along the access drive, the spaces should be striped and the driveway width should be wide enough to accommodate parking without restricting the access drive. The proposed handicap parking spaces should be a minimum 8-feet wide with an adjacent striped access aisle a minimum of 8-feet wide. Both the handicap parking space and the adjacent striped access aisle should have signage according to the Americans with Disabilities Act (ADA). We recommend that a field update be prepared to depict any site changes or improvements that may have occurred since the plan preparation in 1994. In particular, the adjacent Blue Spruce Apartment buildings should be shown. The plan lacks general clarity making it difficult to identify the limits of the proposed improvements. The preliminary site plans should contain the following information: Proposed building addition dimensions, gross

floor area, building height and finished floor elevations. Additional layout data such as dimensions. Proposed grade contours and spot elevations. Provisions for erosion and sediment control. Specifications of proposed site lighting (type of fixture, lighting pattern, fixture height and wattage). The location of proposed utilities including method of stormwater conveyance. A stormwater management plan and report.

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 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 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. The ECC is concerned about the adequacy of the on-site septic system in view of the proposed expansion. The Commission urges the Applicant to explore the possibility of hooking into the County sewerage system.

Mr. d'Amico asked if additional phases are planned. Mr. Bates said entrance with steps may have to be redone.

Mr. O'Brien said there are no major issues, but the septic details need to be provided. Mr. Bates said it could be addressed by the August meeting.

[2001-027] Gatto, David and Smerkers, Margaret - Proposed land transfer, Vischer Ferry Road - Conceptual review.

[2001-028] Gatto, David and Smerkers, Margaret - Proposed two family residence, 444 Vischer Ferry Road - Special Use Permit and conceptual site plan review.

Mr. Todd Stewart, of Stewart Construction, said Mr. Gatto purchased lot #5 in the Parisi subdivision, and Mrs. Smerkers has agreed to sell him additional land. A two family residence is proposed but can be converted to a one family when it is no longer needed.

Mr. d'Amico asked if Mrs. Smerkers realizes that she will have less than 5 acres after the transfer, and that there will be some land restrictions. Mr. Stewart said she does, and a letter from her can be submitted to the Planning Board to that effect.

Mr. Kemper had the following comments: The Town of Clifton Park LC Zone associated with the stream should be depicted on the plot plan. A curb cut permit will be required from Saratoga County DPW, and this should be a condition of approval. The location of the proposed septic system should be depicted on the plot plan. The applicant was sent letter from Doug stating the CPWA fees that would apply to this action. Source and storage fees will be due prior to stamping of plans.

Mr. Bianchino had the following comments: We have reviewed the subdivision plan for

the above project, titled Resubdivision of Lots 5 & 6 "Subdivision Plan of Lands of Carmen P. Parisi and Marianne Parisi", prepared by Northeast Land Survey & Land Development Consultants, P.C., dated May 25, 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 for Site Plan and Special Use Permit Approval and the Saratoga County Planning Board for Site Plan Recommendation. In order to provide effective access management consideration should be given to providing access to the new residence via a common driveway off the existing Smerkers' driveway. The front yard setback along Vischer Ferry Road should be 100 feet from the centerline of the street. The side and rear yard setbacks should be shown on the subdivision plan. The public notification sent out to the neighbor's states that 1.3 acres of land will be purchased from the Smerkers 5-acre farm. According to the Town Zoning Code section 208-10.B.(1) keeping of livestock or poultry is prohibited on lots smaller than five acres. Therefore, these uses will no longer be permitted on the remaining lands of Smerkers as a result of the lot line adjustment. A curb cut permit from the Saratoga County D.P.W. is required for the driveway connection to Vischer Ferry Road. The consultant should check the sight distance at the proposed driveway location. If a roadside ditch exists, a driveway culvert should be provided. We recommend a turn around be provided in the driveway to limit vehicles from backing out of the driveway onto the roadway. The existing vegetation along the common lot line with the lands of Walling should be preserved to the maximum extent practicable. Due to the known presence of a high groundwater table, we recommend that the design of the wastewater disposal system by a New York State Licensed Professional Engineer be provided conforming with the NYSDOH Individual Residential Wastewater Treatment Systems Design Handbook. Alternatively, the consultant could investigate the provision of a privately owned grinder pump discharging westerly through the lands of the Town of Clifton Park to the existing gravity sewer in Heather Drive for sanitary sewer service.

The ECC had no comments on the land transfer but had the following comments on the proposed site plan: The ECC has reviewed the project information and offers the following comments and recommendations. The following standard statements should be added to the plot plan: The borders of all lands 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.

Mr. O'Brien said there will be three actions; a land transfer, a Special Use Permit, and site plan determination. He said it could probably be done at one public hearing.

Minutes Approval:

Mr. Bulger moved, seconded by Mr. d'Amico to approve the minutes of June 12, 2001 as written. The motion was unanimously approved.

Mr. Bulger moved, seconded by Mr. O'Brien, to adjourn. The motion was unanimously approved. The meeting was adjourned at 10:50 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 #11

PRELIMINARY 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 June 26, 2001, at 7:10 P.M. there were:

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

Mr. Bulger offered Resolution #11 and Mr. O'Brien seconded, and

Whereas, an application has been made to this Board by Jean Hoffman for a (115) lot subdivision, Lapp Road, and

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on April 10, 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 Jean Hoffman - Countrymen Estates North, (115) lot subdivision, 668 Route 146A, is hereby granted preliminary

approval, conditioned on meeting state and county requirements, and on establishing hours of construction, and on the comments of Mr. Kemper and Clough, Harbour. It is further conditioned on having no construction vehicles on Thoroughbred Way, on analysis of traffic mitigations if needed, and of the installation of vegetation on abutting properties.

RESOLUTION #11 passed 6/26/01

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

Noes: None

Kevin O'Brien
Chairman