

## **Clifton Park Planning Board Meeting Minutes**

**July 10, 2001**

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

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

Absent were: K. Bowman

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

Mr. O'Brien called the meeting to order at 7:10 P.M. He noted that Mr. Bowman is recovering from surgery, and wished him well.

Public Hearing 7:10 PM

[2001-002] Abele, Christopher and Edward - Proposed (18) lot subdivision, Southbury 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 July 2, 2001.

Mr. Gordon Nicholson, Environmental Design Partnership, said the application has been revised to 18 building lots on 21 acres. It is proposed that 36 - 41 acres will remain undeveloped. He said the ACOE agrees with the wetland delineation, and disturbances will be mitigated on site. The L-C zone won't be disturbed.

Mr. Kemper had the following comments: The Saratoga County Planning Board approved the project on April 26, 2001, with the following comments: The remaining lands of Abele in the rear of the cul-de-sac is essentially a 19th building lot. The second large lot (18.7 acres) appears to be landlocked. Prior to any approval the Town of Clifton Park Planning Board should be provided a definitive description of the applicant's intended immediate and future use of the two non-conforming remainder parcels. We suggest a map note be provided which states such intent and defines all points of access to the lots. The Board, at this time, may also wish to establish, by mutual agreement with the owner, the maximum allowable build-out of these two lots. Mr. Kemper said 500' notices were sent on June 25, 2001, and 114 parcels were notified of the proposal. A stream disturbance permit will be required from N.Y.S.D.E.C., and the Town should be copied on all correspondence in regards to the application. If lot number #4 is sold as a building lot then a landlocked parcel will be created. The lot lines as drawn do not indicate a roadway. It should be indicated on the plan that in the future, access to the lands in the East of the proposal may be between 16 & 18 Longwood Drive. The proposed wetland disturbance should be indicated on the plot plan and the areas to be disturbed should be indicated on the plot plan. Erosion control measures should be depicted on the plot plan. Rip Rap should be provided at the outlet into the stormwater basin and the emergency outlet. A catch basin will need to be supplied in the center of the cul-de-sac and the cul-de-sac center should be graded so that the water drains toward the center. A letter from the Clifton Park Water Authority dealt with the specifications of the water lines, Source and Storage Fees, and noted that the as-built drawings must be

provided within 90 days of completion of construction. Mr. Kemper said he would recommend the Board move forward on this application so that the applicant can proceed with necessary D.E.C. and A.C.O.E. permits.

Mr. Nicholson said Lot #4 will be a keyhole lot, with a stub street reserved for future access.

Mr. d'Amico asked if the undeveloped land is being used for stormwater management, and asked if it might be sold. Mr. Nicholson said the stormwater management area will be deeded to the Town of Clifton Park, and said a separate lot could be created for stormwater management. Mr. Kemper added that an easement will be created for Town access for the stormwater management. Mr. O'Brien said the back parcel will be denoted as not a buildable lot.

Mr. Grasso had the following comments: We have reviewed the preliminary subdivision plans, Stormwater Management Report and Engineer's Narrative for the above project, prepared by Environmental Design Partnership, LLP, dated June 2001. The following comments in our previous review letter remain to be addressed: Due to the retention of lands by the applicant, 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. We offer the following comments on the Preliminary Plans: The clearing limits and proposed grading should be shown on the plans. Because many of the lots contain extensive wetlands, the plans should clearly indicate the wetlands that are to be impacted by the project. Future potential impacts to the wetlands that are not initially filled should be evaluated and addressed. The subdivision plan should clarify the proposed ownership of the lands between the proposed road and the Niagara Mohawk right-of-way, and the lands to contain the pump station. Based on the current plan, there is no restriction on this area being developed with a residential building lot. Given the extensive wetlands, stream corridor, and drainage culverts, we recommend that the area be conveyed to the Town or covered by a drainage easement and utility easement. The proposed thirty-foot easements at the culvert ends appear insufficient to allow repair or replacement. The locations of existing fire hydrants in the vicinity of Southbury Drive and Longwood Drive should be shown to determine the adequacy of the spacing for fire protection purposes. Foundation drain laterals should be provided for all lots. We recommend that all laterals be connected to proposed drainage structures. The laterals connections should be detailed on the drainage structure details. Although the proposed sewer pump station will initially be owned by the Crescent Estates Sewerage Disposal Corporation, the future ownership may change and sewer flows are ultimately handled by the S.C.S.D. #1 facilities. As such, we

recommend that all sewer improvements be in conformance with S.C.S.D. #1 requirements, including provisions of their quality assurance program. The proposed sewer system will require approval by NYSDEC and should conform with the "Recommended Standards for Wastewater Facilities" including provisions for bypass piping, ventilation, generator receptacle, etc. We offer the following comments regarding the Stormwater Management Report dated June 2001: The pre-developed and post-developed drainage pattern maps should depict the entire contributing drainage areas and the post-developed map should contain the proposed grading plan. 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. Clarification is requested regarding the wetland "pond 1 and pond 2" modeled in the pre-developed drainage computations. We question the subdivision of the development area into small 1-acre subcatchment areas (subcatchments 9 through 16). Since these  $\frac{3}{4}$  acre residential lots are homogeneous, we recommend they be modeled as one or two larger subcatchment areas in order to create a more representative hydrology model. We do not recommend the use of restrictor plates for outlet control structures due to the potential for clogging and/or removal. We prefer an outlet structure with a frameset at the emergency overflow elevation with a 6" culvert to the basin sideslope. We recommend the detention basin sump be increased to contain sediment-laden runoff during site construction and to promote infiltration of runoff. The detention basin should be located in a parcel to be dedicated to the Town for ownership and maintenance. Adequate accessibility for maintenance should be provided. 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). Calculations should be provided documenting the adequacy of the size of the proposed closed drainage system and roadway culvert. The closed drainage system should be sized based on a 10-year storm using the Rational Method and Manning's Equation and the road culvert should be sized based on a 100-year storm using inlet and outlet control analysis. In addition, the consultant should consider proposing a secondary overflow culvert at a higher elevation to safely convey stormwater in case of blockage of the primary culvert. Erosion and sediment control measures should be added to the plan set, including rip rap at the storm sewer and culvert outlets. Details of the 36" road culvert headwalls should be provided. The ECC had the following comments: The ECC has reviewed the project information and offers the following comments and recommendations. The Applicant should contact the U.S. Dept. of Fish and Wildlife to determine the presence of Karner Blue habitat on the parcel. The Karner Blue is an endangered species and is protected under federal law. Federal jurisdictional wetlands have been identified on this site. The Town of Clifton Park Building Department shall be notified before undertaking any land disturbance activities in Federal wetlands. The Applicant should consider eliminating lot 4 as it is primarily composed of wetland. The Applicant is proposing a disturbance to a classified stream and will need approval from the NYSDEC. The ECC notes Applicant has planned a crossing in a LC Zone, it is noted as a permitted use under section 208-69.2 of the Town Code. The proposed retention pond inlet and outlet should be constructed using

rip-rap or other erosion control devices to eliminate soil loss and siltation during a storm. In keeping with the goals and recommendations of the Town Comprehensive Plan, fragmentation of natural vegetation corridors within the project boundaries should be minimized to the extent practicable, such natural vegetation corridors should also remain contiguous with similar areas on adjacent properties outside of the project area. The ECC also reiterates several comments made at past meetings regarding unfavorable features of this parcel that need consideration: Proximity of high voltage transmission wires, Exposure to Northway traffic noise, Abundance of Federal wetlands on the parcel. Mr. O'Brien asked for public comments. Being none, he asked for Board comments. Mr. Marzola asked what lies between the project and the Northway. Mr. Nicholson said it is a wooded area.

Mr. Bulger noted that a lot of water flows from the Longwood Area and asked if there are any plans to rectify this situation. Mr. Nicholson said the area will be cleaned up, and erosion measures put in place.

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

Mr. O'Brien said he is pleased with the revised plan, and noted that there are outstanding technical comments, but since Mr. Nicholson didn't receive them until today, they couldn't be addressed.

Mr. O'Brien moved, seconded by Mr. Russell, 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 #12, seconded by Mr. Marzola, to grant preliminary approval, conditioned on the comments of Mr. Kemper, and the ECC and addressing the comments of Clough, Harbour. Ayes: d'Amico, Czub, Bulger, Marzola, Russell, O'Brien. Noes: None.

Public Hearing 7:20 PM

[2001-027] Gatto, David and Smerkers, Margaret - Proposed land transfer, Vischer Ferry 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 July 2, 2001.

Public Hearing 7:25 PM

[2001-028] Gatto, David and Smerkers, Margaret - Proposed two family residence, 444 Vischer Ferry Road - Preliminary public hearing for Special Use Permit and preliminary site plan possible determination.

Mr. O'Brien called the public hearing to order. The Secretary read the public notice as published in the Daily Gazette on July 2, 2001.

Mr. Todd Stewart, Stewart Construction, said Mr. Gatto owns 1.3 acres, and plans to purchase enough land from Mrs. Smerkers to create a lot of 2.8 acres. He said Mrs. Smerkers' lot is L-shaped, and the portion that is in the rear of Mr. Gatto's lot will be conveyed to him.

Mr. Kemper had the following comments: The Town of Clifton Park Land Conservation Zone should be labeled as such on the plot plan. Saratoga County DPW curb cut permit is required and will need to be provided prior to the stamping of the plans. Source and Storage Fees will be due prior to the stamping of the plans. A note should be added to the

plan indicating that farm use will no longer be permitted on the Smerker's property. Mr. Grasso had the following comments: We have reviewed the subdivision plan for the above project prepared by Northeast Land Survey & Land Development Consultants, P.C., last revised June 26, 2001. All of our previous comments have been addressed except for the following: If the provision for a common drive is not supported and the use of the existing gravel drive to lot 5R is not proposed, we recommend that the unused drive be abandoned. The applicant's consultant should verify that no wells are in use within 100 feet of the proposed wastewater disposal system.

The ECC said all comments have been addressed.

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

Mr. Bulger asked if the existing driveway is being used. Mr. Stewart said the driveway is overgrown and is not used.

Mr. d'Amico moved, seconded by Mr. O'Brien, to close the public hearings. The motion was unanimously approved.

Regarding the Land Transfer:

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. d'Amico offered Resolution #13 seconded by Mr. Russell, to grant preliminary and final approval for the land transfer, conditioned on the comments of Mr. Kemper, and Clough, Harbour. Ayes: d'Amico, Czub, Bulger, Marzola, Russell, O'Brien. Noes: None.

Regarding the Special Use Permit:

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.

Ms. Czub offered Resolution #14, seconded by Mr. d'Amico, to grant the Special Use Permit as requested. Ayes: d'Amico, Czub, Bulger, Marzola, Russell, O'Brien. Noes: None.

Regarding the Site Plan:

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. Marzola moved, seconded by Ms. Czub, to grant preliminary site plan approval. The motion was unanimously approved.

Public Hearing 7:30 PM

[2001-031] CP Landmark, LTD - Proposed (2) lot subdivision, Route 9 and Village 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 July 2, 2001.

Mr. Gil Van Guilder said this portion of CP Landmark's property lies entirely in the Town of Clifton Park. The applicant is seeking approval to subdivide this 41,485 square foot lot, which is the only part of their property that is on the westerly side of Route 9, from the remaining 21.59 acres of land on the easterly side of Route 9. The applicant is offering the lot for sale. Site plan approval will be required before anything can be done with this lot.

Mr. Kemper had the following comments: In the past, these types of parcels with a road

splitting them were considered to be two separate parcels and would not require subdivision approval. However, the county has changed their policy and would like parcels of this nature to submit for Subdivision Approval. The Saratoga County Planning Board commented that access for the property should be from Clifton Park Village Road, and the applicant should provide a topo for the parcel on the subdivision map. With these comments addressed the County Planning Department feels the application will be approved at it's July 19th meeting. Mr. Kemper said a "Building Line As Per Variance" is stated on the plot plan. The type of variance and date it was received should be depicted on the plot plan. The Town of Clifton Park and The Town of Halfmoon are incorrectly illustrated on the site location map. Received a letter from Saratoga County Sewer District stating that "Development of this parcel will need to be evaluated relative to downstream sewer system capacity. Proposed use and projected flows should be presented to this office and impact on downstream facilities must be determined. A permit, from this office, must be obtained prior to any sanitary sewer work occurring." However, it appears that these issues could be addressed if a site plan was ever submitted for the property.

Mr. Grasso had the following comments but noted that they have been addressed: We have reviewed the subdivision plan for the above project prepared by Gilbert VanGuilder & Associates dated June 18, 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 expected to include the Town of Halfmoon and Clifton Park Planning Boards with Subdivision approval, and Saratoga County Planning Board with Section 239 Referral. The Site Location Map, overall map and subdivision plan should all be oriented in the same direction for ease of reference. The site location map should show the entire project site. An existing land tie should be shown over Route 9. The town labels appear reversed on the overall plan. The plan should appropriately identify the previous variances including date, purpose and description.

The ECC had no comments.

Mr. d'Amico asked if CP Landmark owns to the intersection. Mr. Van Guilder said they do.

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

Mr. O'Brien moved, seconded by Mr. Russell, 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, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously approved.

Mr. Marzola offered Resolution #15 seconded by Mr. Bulger, to grant preliminary and final approval, conditioned on approval by the Saratoga County Planning Board. Ayes: d'Amico, Czub, Bulger, Marzola, Russell, O'Brien. Noes: None.

Old Business

Mr. O'Brien said the application for Carlos Teixeira, Dunkin' Donuts, was removed from the agenda because requested information was not submitted.

[2000-051] Massaroni, David - Proposed (18) lot subdivision, Grooms Road - Preliminary determination from public hearing held March 13, 2001

Mr. Ivan Zdrahal, representing David Massaroni, said the 12.7 acre site is presently owned by Tom Galentino. Lot #1 contains an existing house, and the remaining 17 lots

will be single family residential homes, which will be serviced by a public sanitary system and public water. A Town road is proposed from Grooms Road. Mr. Zdrahal said it took some time to resolve all the issues. A homeowner's association will maintain the cul de sac, which is the stormwater management area. A 200' building setback from the reservoir has been added. The L-C zone location is shown. The stormwater management system has been revised. Setback variances have been obtained from the Zoning Board of Appeals.

Mr. Kemper had the following comments: Future submissions should include proposed house locations and building envelopes. A note should be added to the plan stating that if deemed necessary by the Director of Planning additional plantings will be placed on the Lands of Warden and the Lands of Dusalt to provide a visual buffer. A note should also be added to the plan stating that the stormwater management basin will be maintained by the Homeowner's Association. The most recent revised plans were sent to the Latham Water District. A letter received from Doug Connor stated that he would be in favor of connecting this project with the Bristol Gate subdivision and addressed other issues relating to the construction of the water lines. He also stated that he would be willing to help in any negotiations regarding connecting the water between the two subdivisions.

Mr. Grasso had the following comments: We have reviewed the preliminary subdivision plans and Stormwater Management Report for the above project, prepared by Ivan Zdrahal Associates PLLC, dated February 2001 and offer the following comments:

General Notes Sheet: General Note #14 should be expanded to state that the drainage easements shall be conveyed to the Town of Clifton Park. A note should be added stating that a homeowner's association shall be responsible for the maintenance of the stormwater management basin. Sanitary sewer note #1 should be expanded to indicate that maintenance of the grinder pumps shall be the responsibility of the individual lot owners. The fifty-foot minimum setback shown on the typical lot layout should be revised to indicate "unless otherwise noted", as some of the lots do not conform to this standard. Subdivision Plan: Each non-standard front yard setback and the setback from Grooms Road should be appropriately dimensioned on the plan. A proposed road name should be submitted to the United States Postal Service and to Emergency Services to eliminate duplication. Lot numbers as assigned by the United States Postal Service should also be reflected on the plans. The plans should note that parcels abutting Grooms Road shall have driveway access to the proposed Town Road only and that no driveway connections to Grooms Road shall be permitted. Traffic control signs, including "dead end" signs and signs indicating the sharp left-turn into the cul-de-sac. The proposed street light should be oriented over the new Town Road rather than Grooms Road to aid in definition of the new access road. Grading Plan: A note should be added indicating that the existing driveway to the rear of the residence should be abandoned. We recommend that the drainage inlets to the stormwater management area be raised in elevation as much as practicable to allow an adequate sump to be provided in the basin. Consideration should be given to the installation of a four foot high black vinyl coated chain link fence along the limits of the Stoney Creek Reservoir to limit encroachment by the abutting lots. Approximate finished floor elevations should be established for all building lots. Landscaping should be provided to screen the shine of headlights towards the residence on the north side of Grooms Road. Any improvements should be appropriately detailed on the plans. Plan/Profiles: The length of vertical curve at station 5+05 should be

increased to 100 feet minimum and a vertical curve is required at station 9+16. Pavement saw-cut lines and specifications for restoration of Grooms Road should be identified.

Details: Sump pump lateral connections should be shown for all drainage structures, and the laterals should enter the catch basins above the crown of the exiting storm pipe.

The ECC had no comments.

Mr. O'Brien said he still does not like the layout, but is more comfortable with the homeowner's association maintaining the stormwater management cul de sac, and said it should be explicitly noted on the plan that they will maintain it. He expressed safety concerns with the cul de sac center having a large open drainage area. Mr. Zdrahal said water accumulation will be very minor and short term, and said landscaping is proposed. Mr. O'Brien said there has been a great improvement over the original proposal.

Mr. Bulger asked if grinder pumps are still considered a good way to go. Mr. Grasso said it is a good alternative.

Mr. Harry Holck, a Grooms Road resident, asked if neighborhood issues were addressed, such as hours of operation, dust during construction and speed limits? Mr. O'Brien said the hours of operation would be from 7 AM to 6 PM, Monday through Saturday. Mr. O'Brien asked if a coarse base would be put down during construction. Mr. Zdrahal said it would not be done immediately. Mr. O'Brien asked if calcium could be put down. Mr. Grasso said he did request stabilization of the construction road. Mr. O'Brien said the level of traffic probably won't warrant a county speed limit reduction.

Mr. Marzola offered Resolution #16 seconded by Ms. Czub, to grant preliminary and final approval, conditioned on mitigating dust, and conditioned on the hours of operation being from 7 AM to 6 PM, Monday through Saturday, and on addressing the comments of Mr. Kemper, and Clough, Harbour. Ayes: d'Amico, Czub, Bulger, Marzola, Russell, O'Brien. Noes: None.

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

Ms. Jean Marie Posniewski, engineering consultant for Verizon, showed a map detailing the coverage gap and proposed new coverage.

Mr. O'Brien said Verizon went to work immediately to provide the Board with information they requested.

Mr. Kemper had the following comments: The Saratoga County Planning Board approved the project on June 21, 2001. A propagation study that was requested by the Board has been submitted for review and is included in the folders. He said there has been no public input or concern.

Mr. Pelagalli asked if the Board received an emission study. Mr. O'Brien said it had.

Mr. Grasso had no comments.

The ECC reiterated their comments of June 19, 2001.

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

New Business:

[2001-029] Galluzzo, Dr. Salvatore- Proposed renovation of 2,780 square foot existing residence to professional office, 662 Plank Road - Conceptual review.

Mr. Gil Van Guilder said Dr. Galluzzo has been the owner of the property since 1995, and has previously resided there. The proposal is to renovate the structure for office use only. Due to a significant grade change in the rear of the building and the location of the existing septic system, the applicant would like to construct the necessary parking facilities in the front setback area. Extensive vegetative screening will be planted between Plank Road and the parking area. Minimal site grading is required to convert the use from residential to medical offices. Building plans will be submitted to the Clifton Park Building Department upon approval of the site plan. The building will become handicap accessible.

Mr. Kemper had the following comments: A sign will need to be placed in front of the handicap access. Sight distance along the Plank Road will need to be evaluated. The amount of existing and proposed greenspace should be depicted on the plot plan. The project is located within the Exit 9 G.E.I.S. Study Area therefore: G.E.I.S. fees in the amount of \$500.40 will be due based on 2,780 square feet of commercial use. A Full Environmental Assessment Form must be submitted. A stormwater management report must be submitted. Due the drainage problems documented downstream from the project, some sort of stormwater management basin should be designed. The applicant may be required by State Code to hook up to the water supply if it is within 500 feet of the project.

Mr. Van Guilder said sight distance will be evaluated.

Mr. O'Brien said he has concerns regarding drainage from the site and the management of drainage. He said it needs to be looked at so as not to create problems downstream.

Mr. Grasso had the following comments: We have reviewed the concept site plan for the above project prepared by Gilbert VanGuilder & Associates dated June 18, 2001. We offer the following comments: The project site lies within the limits of the Exit 9 Commercial Area GEIS, and as such, should comply with the Statement of Findings. If the project is deemed consistent with the Statement of Findings additional SEQR review may not be required. We offer the following comments relative to the GEIS: A Full Environmental Assessment Form is required. A site specific State and Federal wetland delineation and survey for threatened and endangered species is required. The project site is located in an overlay zone requiring a minimum 45% greenspace. The GEIS preparation mitigation fee totals \$500 for 2,780 SF of commercial space based on \$0.18/SF. Involved agencies are expected to include the following: Clifton Park Planning Board - Site Plan Approval, Clifton Park Zoning Board of Appeals - Variance for Parking Setback. The adequacy of sight distance should be verified at the proposed driveway location. It appears the proposed office building is planning on utilizing the existing well and on-site wastewater disposal systems. The NYS Uniform Code requires connection to municipal water supply and sewer facilities if available within 500 feet of a facility in a commercial zone. It appears that facilities exist within this distance, and as such, connections to municipal facilities should be made. The site statistics should indicate the existing and proposed green space areas. Pursuant to section 208-35D of the zoning regulations, parking is not permitted in the 70-foot front parking setback. This requirement is not met and a variance will be required. Pursuant to section 208-35.B of the zoning regulations, a stormwater management plan should be provided. There are known drainage concerns downstream of the project site that may be the result of incremental increases in stormwater runoff. As such, measures to reduce the amount of

runoff from the project site to the maximum extent possible should be provided, including measures to promote infiltration of runoff.

Mr. Van Guilder said connection to the sanitary sewer was investigated, but an easement would be needed across Dr. Bobbit's property. He said the septic system should be adequate.

Mr. d'Amico asked if other options are available. Mr. Van Guilder said CK Sanitary can not allow a hookup.

The ECC had the following comments: The ECC has reviewed the project information and offers the following comments and recommendations. Due to the significant paving proposed and the drainage focused at the ACOE wetland, the Applicant must submit a stormwater management plan to the Town Engineer and the ECC. The plan should indicate how stormwater would be managed while limiting impacts to the wetland and stream present on the parcel. Removal of the existing driveway will involve work within the LC Zone. The Applicant will need to file an application for the Approval of Work to Be Done within the LC Zone, with the Town's Building Department. 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. d'Amico said he is troubled that between this and another project being proposed on Plank Road, more traffic will be added. He wants to know the full buildout before giving his approval. Mr. Bulger agreed and said the area has to be heavily monitored, and concerns should be noted in case there becomes a severe traffic problem. He has concerns that there will be accidents on Plank Road. Mr. O'Brien concurred.

[2001-033] Caldwell, Emmor B. and Ann W. - Proposed (3) lot subdivision, 1401 Route 146 - Conceptual review.

Mr. Gil Van Guilder said the Caldwells want to subdivide their 121 acre farm but keep it within their family and deed two lots to their sons. Lot A is 69.9 acres, Lot B with the homestead is 32.9 acres, and Lot C is 25.2 acres and includes a pond and buffer area.

Mr. Kemper had the following comments: Standard notes for lots with wells, and farm note should be added to the plot plan. The existing and proposed D.E.C. wetlands should be depicted on the plot plan. The application was sent to the Saratoga County Planning Board on June 20, 2001, and they commented that septic, well locations and topography should be depicted on the site plan, a curb cut permit from N.Y.S.D.O.T. will be required for access to Rt. 146, shared driveways should be incorporated into the plan, and location of N.Y.S.D.E.C. wetland. With these comments addressed the County Planning Department feels the application will be approved on July 19th.

Mr. Grasso had the following comments: We have reviewed the concept subdivision plan for the above project prepared by Gilbert VanGuilder & Associates dated May 28, 2001. We 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 - Subdivision Approval, Saratoga County Planning Board - Section 239 Referral, NYSDOT - Curb-cut Permit. The subdivision plan indicates an existing NYS Route 146 right-of-way of fifty feet. This highway is one of the major arterials with the Town and will likely need continued drainage and clearing improvements as growth continues in the Town. In addition, Waite Road is also shown with a fifty-foot right-of-way. This section of Waite Road is identified in the Town's Trails Master Plan as a designated on-road bike route. In order to accommodate future improvements, we recommend that the right-of-way along NYS Route 146 be expanded by twenty feet along each side of the site's frontage and the right-of-way along Waite Road be expanded by ten feet along the site's frontage. The proposed project involves the subdivision of one of the larger remaining farming parcels in the rural western part of the Town. The visual impact of proposed development of the parcels should be considered. In addition, the project site is known to contain environmentally sensitive features including streams, ponds and wetlands. Consideration should be given to protecting these features from development through the establishment of land conservation areas or easements. Due to the size of the parcels involved, it is likely that each parcel will have adequate area for the development of on-site water supply and wastewater disposal systems. As such, detailed soil investigations and system design may be submitted at the time of application for a building permit. Pursuant to section 179-8 of the Town's subdivision regulations, the plan shall show the limits of the L-C Land Conservation zoning district, topography, wetlands, streams, and other important environmental features.

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 Land Conservation (LC) Zone should 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. Due to the potential for Federal wetlands on this parcel, the Applicant will determine the location and extent of disturbance of Federal wetlands before a building permit is issued. In keeping with the goals and recommendations of the Town Comprehensive Plan, fragmentation of natural vegetation corridors within the project boundaries should be minimized to the extent practicable, such natural vegetation corridors should also remain contiguous with similar areas on adjacent properties outside of the project area.

Mr. Grasso asked if further subdivision would have to come back to the Planning Board.

Mr. O'Brien said it would have to.

Mr. d'Amico said he was concerned that the only water supply is contained on one lot. He said an easement only grants access, but does not guarantee water supply. Mr. O'Brien agreed and said rights to the well should be reviewed, and as persons dependent on the well, they should have rights to maintain and improve the well.

Mr. Bulger asked when water will be run along Route 146. Mr. Kemper said it will be done by 2005.

[2001-034] Caldwell, Roger S. and Sharon R. - Proposed (2) lot subdivision, 656 Waite Road - Conceptual review.

Mr. Gil Van Guilder said the land is to be willed back into the farm which adjoins it, and

they want to maintain a contiguous access to the farm. The larger lot has a home currently under construction. A second lot will be created. Each lot will have on site wells and septic systems.

Mr. Kemper had the following comments: The sight distance along Waite Road should be evaluated. It appears that there is a D.E.C. wetland that may be located on this parcel.

Mr. Grasso had the following comments: We have reviewed the concept subdivision plan for the above project prepared by Gilbert VanGuilder & Associates dated June 16, 2001.

We offer the following comments: The proposed project appears to be an "Unlisted" action pursuant to SEQR, and as such, coordinated review is optional. The Clifton Park Planning Board is anticipated to be the only involved agency with subdivision approval being required. The adequacy of sight distance should be verified at each proposed driveway location. Waite Road is shown with a fifty-foot right-of-way. This section of Waite Road is identified in the Town's Trails Master Plan as a designated on-road bike route. In order to accommodate future improvements, we recommend that the right-of-way be expanded by ten feet along the site's frontage. Pursuant to section 179-8 of the Town's subdivision regulations, the plan shall show the existing topography, wetlands, streams, and other important environmental features. Soil investigations including deep test pits and percolation tests should be performed to verify that the proposed lots can accommodate on-site water supply and wastewater disposal systems. If the soil results are restrictive, detailed design information should be submitted for review prior to subdivision approval. Any existing wells or septic systems within 100 feet of the project site should be shown to verify adequate separation distances.

Mr. O'Brien asked what the reason was for waiting to take additional conveyance along Waite Road for a bike path. Mr. Grasso said there was no particular reason and it could be conveyed now.

The ECC had no comments.

Mr. O'Brien asked if there is a long term consideration to provide access to the rest of the farm. He asked Mr. Van Guilder to advise his clients that their proposal may not provide the best access point.

[2001-035] Connell, Jane F. - Proposed (3) lot subdivision, Taylor Drive and Vischer Ferry Road - Conceptual review.

Mr. Gil Van Guilder said the applicant currently owns 12.6 acres of land with an existing house, barn and accessory buildings. The proposal is to subdivide the land into 3 lots. The house and all other buildings will be included in a 5.06 acre lot. The remaining area will be subdivided into two lots which will conform to the R-3 zoning requirements. A triangle shaped lot could be deeded to the Latham Water District, although it is technically connected to part of a larger parcel by less than a foot.

Mr. Kemper had the following comments: The Saratoga County Planning Board commented that the applicant should provide locations of proposed on-site septic and wells, and the final map should indicate proposed building lots, septic and well locations, and appropriate erosion control measure should be included. With these comments addressed the County Planning Department feels that the application will be approved at it's July 19th meeting. Mr. Kemper said any N.Y.S.D.E.C. wetlands and associated buffers should be illustrated on the plan. The appropriate setbacks to the Stoney Creek Reservoir should be depicted on the plot plan. Standard notes dealing with lots with

wells, farm note, proximity to the Clifton Park Rod and Gun Club should be place on the plan. He asked what will be done with the remaining lands in the northeast portion of the subdivision. The application was sent to Latham Water District for approval.

Mr. Grasso said most issues have been addressed but noted the following comments: We have reviewed the concept site plan for the above project prepared by Gilbert VanGuilder & Associates, dated June 18, 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 expected to include the Clifton Park Planning Board with Subdivision approval and Saratoga County Planning Board with Section 239 Referral. Due to the project's adjacency to the Stony Creek Reservoir, the Latham Water District should be considered an interested agency and provided copies of the application material for review. Soil investigations including percolation tests and deep test pits should be conducted to verify the acceptability of on-site wastewater disposal systems. The project site should be investigated for any streams and wetlands that may impact the siting of a wastewater disposal system. Any wells or septic systems within 100 feet of the project site should be shown. The limits of the L-C Land Conservation zoning district should be shown on the map. Consistent with the protective easements and deed restrictions provided on recent approved subdivision, measures to protect the environmentally sensitive portions of the project site should be provided. The Site Location Map should have a north arrow and/or be oriented in the same direction as the plan. Future plan submissions should include topography at two-foot contour intervals within the areas of proposed development. The Town of Clifton Park's Trails Master Plan indicates that Vischer Ferry Road is slated for an on road trail route. As such, expansion of the existing road shoulders is likely, which may result in the need for clearing, grading and drainage improvements outside of the existing narrow, 50-foot wide right-of-way. We recommend that a 10-foot wide strip of land be added to the existing right-of-way to accommodate these future improvements. A note should be added to the final subdivision plan that no new accesses shall be provided from Vischer Ferry Road.

The ECC had the following comments but noted that they have been addressed: 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 Land Conservation (LC) Zone should 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.

Mr. O'Brien said it looks like there are no big issues to be addressed.

[2001-030] Hyde, Donald - Proposed 4,800 square foot office building, 6 Roselle Drive - Conceptual review.

Mr. Gordon Nicholson, Environmental Design Partnership, said the applicant proposes a one-story 4,800 square foot office building on 1.5 acres of land with 30 parking spaces. There will be on site stormwater management. Greenspace is 50 per cent. The building will be served by a well and septic system. Mr. Nicholson showed the proposed building rendering and said in 1992 the parcel was approved. Parking variances were received in 1994. He said the biggest issue is how the water service gets extended. He said he can aggress all of Clough, Harbour's comments.

Mr. O'Brien said when the parcels were approved, the buildings were to be built in earth tones, and he would prefer that it blended in with the wooded landscape. Mr. Nicholson said he could talk to Mr. Hyde regarding changing the façade to wood tones rather than a residential style white and brick building.

Mr. Kemper had the following comments: He received letter from the Clifton Park Water Authority stating that a water main will have to be extended to the site and that Source and Storage fees will apply. Signs will have to be placed in front of the handicap parking spots.

Mr. Grasso had the following comments: We have reviewed the concept site plan for the above project prepared by The Environmental Design Partnership, dated June 18, 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 expected to include the following: Clifton Park Planning Board - Site Plan Approval, Saratoga County Planning Board - Section 239 Referral. Water supply should be provided off of the existing water main along Ushers Road. Any wells or wastewater disposal systems within 100 feet of the project site should be shown to verify adequate separation distances. Detailed wastewater disposal system design and soil investigation results should be provided on the final plans. The Site Location Map should have a north arrow and/or be oriented in the same direction as the plan. The following items should be located on the plans: Dumpster location, and owners of adjacent properties. The ECC had the following comments which have been addressed: The ECC has reviewed the project information and offers the following comments and recommendations. The Applicant should submit a Stormwater Management Plan for review by the Town's Engineer and ECC. The ECC notes that as drawn, the Applicant is required by NYS Uniform Code to hook into the existing water line on Usher Rd.

Mr. d'Amico asked if the footprint has changed, since the parking variance granted earlier is still valid. Mr. Nicholson said the footprint is different, however, the square footage has not changed.

[2001-032] Phillips, Robert L. - Proposed 4,000 square foot office building, Plank Road - Conceptual review.

Mr. Gordon Nicholson, Environmental Design Partnership, said Mr. Phillips has received a demolition permit to remove the existing house. He said wetlands will not be disturbed. He noted that the driveway is across from Dr. Bobbit's entrance.

Mr. Bulger asked if the giant weeping willow will remain. Mr. Nicholson said it, along with much other vegetation will remain.

Mr. Kemper had the following comments: A letter from the Saratoga County Sewer District stated that the proposed use and projected flows need to be submitted, and a signoff from CK Sanitary will be required, and a permit will be required prior to any work occurring. A letter received from the Clifton Park Water Authority stated that the project will require the extension of an 8 inch line to the proposed site. The nearest water main location is the corner of Plank and Maxwell Roads. Sight distances along Plank Road should be evaluated for the proposal. Due to drainage problems that have been documented downstream from the proposed project, a stormwater management report will have to be submitted.

Mr. Grasso had the following comments: We have reviewed the concept site plan for the above project entitled "Concept Site Plan / Office Building" prepared by The

Environmental Design Partnership, dated June 20, 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 expected to include the following: Clifton Park Planning Board - Site Plan Approval, Clifton Park Highway Department - Highway Work Permit, Saratoga County Sewer District #1 - Sewer Connection Permit, Clifton Park Water Authority - Water Supply Approval, Saratoga County Planning Board - Section 239 Referral. There are drainage concerns downstream of the project site that may be the result of incremental increases in stormwater runoff. As such, measures to reduce the amount of runoff from the project site to the maximum extent practicable should be provided, including measures to promote infiltration of runoff. The following information should be provided on the plans: Dumpster location. Location, type and size of existing and proposed utilities should be shown on the plan. Clearing and grading appears to have begun on the project site. Measures to protect the stream from construction related impacts should be provided immediately. The building is proposed 50 feet from the centerline of Plank Road, whereas the typical building setback is 130 feet. Although a front yard setback variance has been granted, measures to reduce the visual impact of the building in such close proximity to the road should be provided.

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 may result in intrusion into Federal Jurisdictional Wetlands. The Applicant must avoid intrusion into the ACOE Wetlands or apply for a Federal Wetlands Permit for a disturbance. The Town of Clifton Park should be provided with copies of all related correspondence. Mr. O'Brien asked if the Zoning Board of Appeals was concerned with sight distance. Mr. Nicholson said they were not, but were concerned with the building location relative to the road.

Mr. d'Amico asked if the traffic study was done considering a full buildout. Mr. O'Brien said out on the site it raises lots of concerns contrary to the traffic study, and asked if the Highway Superintendent has commented on any possible improvements to Plank Road. Mr. Kemper said that he has asked that special attention be given to Plank Road, and believes that this is being done.

[2001-036] Northeast America Group, Inc. - Proposed storage of automobiles, Clifton Park Center Road - Conceptual review.

Mr. Tom Andress, ABD Engineers, said the applicant will use the existing site with the existing improvements for the storage of no more than 200 Mitsubishi/Daewoo cars on the site. No sales will occur on site. The facility will have a locked gate. He noted that this site was previously utilized for the storage of RV's in the same capacity. Gravel will remain, and a temporary easement will be granted to the Town. Existing lighting will be utilized.

Mr. Kemper had the following comments: The Saratoga County Planning Board recommends that a substantial vegetative buffer along I-87 be incorporated into the plan, the existing trees should remain as well as additional evergreen plantings, and the Town Planning Board should consider site lighting, and signage in respect to other properties in the area. With these comments addressed the County Planning Department felt that the application would be approved at it's July 19th meeting. Mr. Kemper asked that the exact use of the site be described in detail. Additional screening may be required along the

Northway. 500' notices were sent on June 20, 2001.

Mr. Grasso had the following comments: We have reviewed the concept site plan for the above project prepared by ABD Engineers & Surveyors, dated June 2000. We offer the following comments: The project site lies within the limits of the Exit 9 Commercial Area GEIS. From the information provided, it does not appear that the project will modify the physical characteristics of the site, and the only change is to change the use of the site from storage of recreational vehicles to the storage of new vehicles. Conformance with any special GEIS requirements including traffic analysis, mitigation fees, and preparation of a Full EAF do not appear warranted at this time. The applicant should be aware that any further development of the project site should be in complete conformance with the Findings of the GEIS. There is an existing drainage course across the northern property line of the site that has experienced recent flooding. An evaluation of the impact a 100-year storm on the proposed use should be completed and any areas subject to flooding should be protected from further development. The existing drainage easement should be extended to the west side of the site and the existing and proposed easement should be granted to the Town of Clifton Park. The plan should show the existing surface materials and topography, including detailed information on the inverts, alignment and condition of the existing culvert crossing Clifton Park Center Road.

The ECC had the following comments: The ECC has reviewed the project information and offers the following comments and recommendations. In keeping with the recommendations and goals of the Town Comprehensive Plan, the Applicant is encouraged to retain existing vegetation and/or the use of landscaping and grading to provide visual and auditory buffering between the project and the Adirondack Northway. The Applicant should consider limiting the hours of operation for lighting or at least limiting lighting during late night hours. The ECC would like Applicant to specify how they would address a spill of vehicle fluids on-site. The following standard statements should be added to the plot plan: The Applicant will control fugitive dust and debris during the construction/demolition phase of the project.

Mr. Bulger asked if 18 wheelers will deliver the cars and noted that they will need room to turn around. Mr. Andress said the 18 wheelers will have enough room to turn.

Mr. Paul Belmonte asked if there would be a public hearing. Mr. O'Brien said it would not be likely.

Mr. d'Amico asked if signage will be maintained even though the site will be for warehouse storage only, and asked if customers will come on site. Mr. Andress said a sign will be maintained. Mr. Greg Dillenback, representing the Otto Group, said if a customer wanted to see a particular car they would go on site.

Mr. O'Brien said there must be a limit to where vehicles are placed, and if overstocked, they can not be placed on the grass. Mr. Dillenback said the site has twice as much capacity as needed.

Mr. Belmonte has concerns that his yard will have additional traffic because people will pull into his site to peer at vehicles which are in a secured lot. He asked for a 6' chain link fence to separate the two properties. Mr. Dillenback said he will get an answer from the Otto Group regarding leaving the lot unsecured so people could access the lot directly.

Mr. O'Brien said he would like to see a fence protecting Mr. Belmonte's property. Mr. Belmonte asked if a sign could be placed on the lot that states it is a storage lot only.

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 moved, seconded by Mr. Russell, to grant preliminary and final site plan approval, conditioned on creating a temporary easement for the Town of Clifton Park, and on installing a 6' fence along Mr. Belmonte's property line, and on addressing the comments of Mr. Kemper and Clough, Harbour. The motion was unanimously approved.

Discussion Items:

Mr. Kemper asked if 20 additional parking spaces for the Lutheran Church on Crescent Road needs Planning Board review. Mr. O'Brien recommended adding a planting buffer.

Nextel - Mr. O'Brien explained that there is an attempt being made to solicit an engineering firm to review the Nextel project. Mr. Kemper said out of fourteen firms, only one, Volmer Engineering, has no conflict of interest. Mr. Pelagalli asked who will determine who will be the engineer, noting that it is a Planning Board matter, not a Town Board issue. Mr. O'Brien said only the Town Board can authorize the expenditure of funds.

Mr. O'Brien said the review process is needed for Nextel's proposal regarding emissions. Mr. d'Amico said the Planning Board can not turn this down if emissions are within FCC guidelines, and the issue should be whether the Board wants to allow this co-location in a residential area. Mr. Pelagalli said Town Code allows co-location and does not currently specify where the tower should be located. Mr. Bulger said the biggest issue for the Planning Board is to do everything by the Code.

Mr. Russell suggested that the shelter should be underground.

Mr. O'Brien asked Mr. Pelagalli to sit in on a meeting with Volmer Engineering. Mr. Pelagalli said it should be the determination of the Planning Board to choose their own firm. Mr. Bulger moved, seconded by Mr. d'Amico, that the Planning Board authorizes the procurement of Volmer Engineering, at a cost not to exceed \$3,500.00, to review Nextel's application to verify that their emissions representation is accurate. The motion was unanimously approved.

Minutes Approval:

Mr. d'Amico moved, seconded by Mr. Russell to approve the minutes of June 26, 2001 as written. The motion was approved. Mr. Marzola abstained.

Mr. Russell moved, seconded by Ms. Czub, to adjourn. The motion was unanimously approved. The meeting was adjourned at 10:25 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 #12

#### 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 July 10, 2001, at 7:10 P.M. there were:

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

Mr. Bulger offered Resolution #12 and Mr. Marzola seconded, and

Whereas, an application has been made to this Board by Christopher and Edward Abele for an (18) lot subdivision, Southbury Road, and

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on July 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 Christopher and Edward Abele, (18) lot subdivision, Southbury Road, is hereby granted preliminary approval, conditioned on the comments of Mr. Kemper, and the ECC and addressing the comments of Clough, Harbour.

RESOLUTION #12 passed 7/10/01

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

Kevin O'Brien Chairman

Resolution #13

#### 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 July 10, 2001, at 7:10 P.M. there were:

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

Mr. d'Amico offered Resolution #13 and Mr. Russell seconded, and

Whereas, an application has been made to this Board by David Gatto and Margaret Smerkers for a land transfer from Smerkers to Gatto, Vischer Ferry Road, and

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on July 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 David Gatto and Margaret Smerkers - land transfer from Smerkers to Gatto, Vischer Ferry Road, is hereby granted preliminary and final approval, conditioned on the comments of Mr. Kemper, and Clough, Harbour.

RESOLUTION #13 passed 7/10/01

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

Kevin O'Brien Chairman

Resolution #14

APPROVAL SPECIAL USE PERMIT

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

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

Ms. Czub offered Resolution #14 and Mr. d'Amico seconded, and

Whereas, an application has been made to this Board by David Gatto and Margaret Smerkers for approval of a Special Use Permit for a two family residence, 444 Vischer Ferry Road, and

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on July 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 a Special Use Permit be granted to David Gatto and Margaret Smerkers for a two family residence, 444 Vischer Ferry Road,

RESOLUTION #14 passed 7/10/01

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

Kevin O'Brien Chairman

Resolution #15

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

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

Mr. Marzola offered Resolution #15 and Mr. Bulger seconded, and

Whereas, an application has been made to this Board by CP Landmark for a (2) lot subdivision, Route 9 and Village Road, and

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on July 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 CP Landmark - (2) lot subdivision, Route 9 and Village Road, is hereby granted preliminary and final approval, conditioned on approval by the Saratoga County Planning Board.

RESOLUTION #15 passed 7/10/01

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

Kevin O'Brien Chairman

Resolution #16

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

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

Mr. Marzola offered Resolution #16 and Ms. Czub seconded, and

Whereas, an application has been made to this Board by David Massaroni for an (18) lot subdivision, Grooms Road, 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 David Massaroni - (18) lot subdivision, Grooms Road, is hereby granted preliminary and final approval, conditioned on mitigating dust, and conditioned on the hours of operation being from 7 AM to 6 PM, Monday through Saturday, and on addressing the comments of Mr. Kemper, and Clough, Harbour.

RESOLUTION #16 passed 7/10/01

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

Kevin O'Brien  
Chairman