

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

**September 12, 2001**

Those present at the September 12, 2001 Planning Board meeting were:

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

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.

Public Hearing 7:10 PM

[1999-072] Hollander Homes, Inc. - Proposed (13) lot subdivision, Elm Place - Reconvening of the public hearing held on February 13, 2001 - Possible preliminary determination.

Mr. O'Brien called the public hearing to order. The Secretary read the public notice as published in the Daily Gazette on September 5, 2001.

Mr. O'Brien said Mr. Hollander has withdrawn this application, and will be submitting another application at a future date which will provide for access from Hollandale Lane. He said there would be no further action taken on this application.

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

Public Hearing 7:20 PM

[2001-008] Hidden Crest - Proposed (22) lot subdivision, Vischer Ferry Road and Englemore 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 September 5, 2001.

Mr. Ivan Zdrahal said the 21.1 acres of land is bounded by Grooms Road, Vischer Ferry Road and Englemore Road. On one lot is the existing house of Bonser. Zoning is R-1 and B-1. The average lot size is .9 acre. Water is supplied by the Clifton Park Water Authority.

Mr. Kemper had the following comments: Although the subdivision is now considered

part of the Saratoga County Sewer District, a signoff from Saratoga County Sewer District will still be required for the sewer hookup. A comment was brought up at the last meeting in regards to sight distances along Englemore Road. He asked if these sight distances have been evaluated. He received a memo from Lou Gerard dated August 27, 2001 stating that he has serious concerns with the manner in which Hidden Crest Court exits onto to Englemore Road. He suggested having the Englemore Road lowered or the entrance/exit for Hidden Crest be moved. There should be a catch basin installed in the Cul de Sac to prevent the snowmelt from entering the proposed street. A curb cut permit will be required from Saratoga County DPW for the access to Grooms Road. Standard notes for proximity to Fish and Game Club, keyhole lots, common egress/ingress, and address identification should be added to the plans. Some landscaping should be placed around the stormwater management area. A letter from the Sportsman's Club of Clifton Park on September 4, 2001 advised the board of the nature of their activities as well as suggesting that the note be in a better location on the plans and it be placed on the individual plot plans. The Saratoga County Planning Board approved the project on 21, 2001 with the following concerns/comments: a curb cut will be required from Saratoga County D.P.W. for the access to Grooms Rd., the applicant and D.P.W. had discussions in regards to extending the present right of way by ten feet and this additional land should be indicated on the plans, there needs to be some sort of mechanism in place to guarantee that the no-cut buffer will not be removed. Some plantings need to be added along the existing residences to provide a visual buffer from the proposed building lots, (3,5,7,9,11). Sheryl Reed submitted a memo stating that postal verification will need to be provided.

Mr. Grasso had the following comments but noted that sight distance was adequate according to Clough, Harbour's engineer. We have reviewed the preliminary subdivision plan for the above project prepared by Ivan Zdrahal Associates, PLLC dated August 2001 and offer the following comments: A street light should be provided at the intersection of the proposed town road with Englemore Road pursuant to the Town's Construction and Design Standards Section 86-6, E.5. We recommend that the light be oriented over the new roadway rather than over Englemore Road to aid in definition of the new roadway. It is our understanding the Highway Superintendent requests the cul-de-sac island be depressed from the roadway to prevent melting snow from crossing the roadway. A catch basin should be installed with the cul-de-sac to allow for proper drainage. As requested by the Planning Board during the project's previous review, the existing curb cut for the Bonser residence on Vischer Ferry Road should be eliminated in lieu of the new driveway off the subdivision street. The water main lead length at the intersection with the Coburg Village driveway should be relocated to not lie over the proposed sewer line. Sewer laterals should be shown for lots #5 and #7 and easements should be provided, as necessary. The Town's standard notes for keyhole lots and note for address identification should be included. The need for clearing within the land preservation areas for utility service laterals should be addressed. A foundation drain lateral should be shown for lot #18. We recommend that the right-of-way along Grooms Road be expanded by ten feet to accommodate the existing gravel pull-off area and future possible improvements. Landscaping including a mixture of evergreen trees and deciduous shrubs should be provided on the road side of the stormwater management area. An over-excavated sump

should be provided in the stormwater basin to account for sediment-laden runoff, provide first flush treatment and to promote infiltration of runoff. The roadway centerline slope within the proposed cul-de-sac should be increased to provide a minimum 1% slope along the asphalt wing wedge at the perimeter of the cul-de-sac. Pavement Specifications and Utility Layout detail should show a 1½" pavement wearing course and 3" pavement binder course. An Engineer's Water Supply Report including a DOH Form 348 should be provided. The plans and report should be submitted to NYSDOH for review and approval of the proposed public water supply improvement. An Engineer's Sanitary Sewer Report should be provided. The plans, the Sanitary Sewer Report, the Stormwater Management Report, a Design of Sewers Checklist and Stormwater Management Self-Assessment Checklist should be submitted to NYSDEC for review and approval of the proposed public sanitary sewer system and SPDES permit. The subdivision plan should be stamped and signed by a New York State Licensed Professional Land Surveyor and contain the Town's standard subdivision plan certification statement. The final subdivision plans should indicate the minimum setback from Vischer Ferry Road of 100 feet from the road centerline. The final plans shall bear the signature and seal of the design professional. The calculations showing the sizing of the proposed storm sewer system and the stormwater management methodology should be submitted for review and included in the stormwater management 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: Federal Jurisdictional Wetlands have been identified on this site. The Town of Clifton Park Building Department shall be notified before undertaking any land disturbance activities in the Federal Wetlands. The Applicant will control fugitive dusts and debris during the construction/ demolition phase of the project.

Mr. O'Brien asked for public comments.

Mr. John Allen, 630 Grooms Road is concerned that drainage will back up onto his property. Mr. Zdrahal said nothing will be disturbed to cause a back up.

A Sportsmen's Club Representative said individual owners don't have a note on their plots regarding noise from the club. Mr. Pelagalli said it could be included in their deeds that it is within the nose area of the Sportsmen's Club.

Mr. O'Brien asked for Board comments.

Mr. Russell said he is not happy with the curb cut and thinks there will be problems on Englemore Road. Mr. O'Brien noted that Lou Gerard is also concerned, and asked if signage might help. Mr. Grasso said he would support having signage. Mr. d'Amico suggested that Mr. Grasso and Lou Gerard might come up with a recommendation.

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

Mr. O'Brien said in the future a condition of approval would be to add a statement to deeds as suggested by Mr. Pelagalli. He asked Mr. Kemper and Mr. Grasso to meet with Mr. Gerard and Mr. Zdrahal.

### **Old Business**

[2001-002] Abele, Christopher and Edward - Proposed (18) lot subdivision, Southbury Road - Final determination.

Mr. Gordon Nicholson, Environmental Design Partnership, said the area for stormwater management will be deeded to the Town of Clifton Park. He said his clients are not willing to dedicate the entire southern portion of land to the Town of Clifton Park. Mr. Nicholson said he has addressed Clough, Harbour's comments.

Mr. Kemper had the following comments: The Planning Board granted preliminary approval and issued a negative declaration under SEQRA at its July 10, 2001 meeting. He said this project will require signoff from Crescent Estates Sewer, D.E.C., D.O.H, and in addition, an executed easement will be required for the stormwater management area that will cross the NIMO easement. Mr. Kemper said he received an e-mail from a Joseph Kinney, 43 Southbury Road, on July 25, 2001, and in his e-mail he expressed the following concerns: the land behind his house is a natural area and should be maintained as such. Mr. Kinney maintains about 10 to 20 feet of lawn on the lands of Abele, he is concerned that this land that he now uses will be lost with this subdivision. The proposed development will eliminate the noise buffer between Southbury Road and the Northway, thus increasing the noise levels from the Northway. The wetlands on site help absorb the runoff from Plaza 8; he is concerned his water table will go up as a result of this development. The notices that were sent for the project did not indicate the nature of the proposal or include copies of the plans for the project. There is a N.Y.S.D.E.C. classified stream on the property, however, correspondence from D.E.C. has indicated that a stream-crossing permit will not be required on this project. A silt fence should be extended along all of the clearing limit lines for the parcels on the North side of the proposed roadway. The final sign-off from A.C.O.E. will be required.

Mr. Grasso had the following comments: We have reviewed the Final Subdivision Plans issued August 22, 2001, Stormwater Calculations Supplement dated August 15, 2001 and the response letter dated August 30, 2001 for the above project, prepared by Environmental Design Partnership, LLP. The following comments from our previous review letters have not been adequately addressed: 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. 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 to the "Recommended Standards for Wastewater Facilities" including provisions for bypass piping, ventilation, generator receptacle, etc. We offer the following additional comments: The sanitary forcemain should be shown on the roadway profile. An Engineer's Report on Sanitary Sewer including calculations on the operation of the wastewater pump station and the sanitary forcemain should be submitted. The sewer system and pump station should be designed to handle the potential contributing flow including any potential future development. Any lots with footing/foundation drains that may be served by connection to the proposed storm structures in the Town road should be clearly identified on the Utility Plan and Plan and Profile sheets to insure that the foundation drain laterals are installed by the contractor prior to dedication of the road. The laterals connections should be detailed on the drainage structure details and inverts should be specified on the Plan and Profile sheet. The wetland disturbance associated with extension of the existing 36" storm pipe at Southbury Drive and Longberry Drive and associated with the detention basin grading appears not to have been accounted for in the total wetland disturbance calculation. We offer the following comments regarding the Stormwater Calculation Supplement dated August 15 2001: The revised time of concentration calculations still do not conform to conventional SCS methodology (sheet flow, shallow concentrated and channel flow). Although the curve number lag method is not used, modeling the entire time of concentration based on shallow concentrated/upland flow for lengths in excess of 1000 lineal feet is clearly not representative of the site or within the parameters of SCS methods. The calculations should be revised. The outlet device modeled should include the catch basin grate and the sharp crested weir should match the width identified on the plans. Since the detention basin will be dedicated to the Town for ownership and maintenance an access drive should be provided to the berm for accessibility by the Town maintenance personnel. 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 closed drainage system should be increase in size based on a 10-year storm using the Rational Method and Manning's Equation. Calculations should be provided documenting the adequacy of the proposed road culvert based on a 100-year storm using inlet and outlet control analysis. The stormwater report should address treatment of the first flush runoff for stormwater quality enhancement. A revised table should be provided summarizing and comparing pre and post-developed peak discharge rates for the 2, 10 and 100-year storm events. Details of the outlet control structure should be added to the plans. Details of the road culvert headwalls should be provided. Final Subdivision approval should be contingent on: Acceptance of sanitary flows from the Crescent Estates Sewage Disposal Corporation. Review and approval of the sanitary sewer system and wastewater pumping station by the Saratoga County Sewer District #1. Obtaining an easement from Niagara Mohawk for the storm sewer installation. NYSDOH approval of the public water main extension and realty subdivision. NYSDEC approval of the public sanitary sewer extension. The following additional information should be provided on the

Final Subdivision Plans: The house numbers for each lot as determined by the Chief of the Bureau of Fire Prevention. Street name and stop sign locations. Stamp and Signature of a New York State Licensed Professional Land Surveyor and Engineer.

The ECC had the following comments: ECC reiterates the comments made at the July 3, 2001 meeting.

Mr. Chris Abele said he is concerned with having an L-C zone easement. Mr. Nicholson asked if it would be acceptable to have the deeds stipulate that L-C areas are to remain undisturbed.

Mr. Bowman offered Resolution #20, seconded by Mr. Bulger, to grant final subdivision approval conditioned on the comments of the ECC, Mr. Kemper, Clough, Harbour, and conditioned on having the deeds stipulate that L-C areas are to remain undisturbed. Ayes: d'Amico, Czub, Bowman, Bulger, Marzola, Russell, O'Brien. Noes: None.

[2000-025] St. George's Episcopal Church - Proposed 5,170 square foot addition to existing church, 912 Route 146 - Preliminary site plan review and possible determination.

Mr. Tom Andress, ABD Engineers, said the addition will be used for worship space. There will be additional parking on the eastern side of the site. The circular entrance will also provide parking. He said the church is interested in hooking up to public sewers.

Mr. Kemper had the following comments: If there are new proposed trees for the project then they should be indicated as such on the plans and labeled. As this project continues to expand, the applicant should be encouraged to connect to public sewer facilities. The site location map does not indicate where the project is located. Source and Storage Fees will be due before the stamping of plans. The proposed plantings should be expanded to the south along the western property line. The 500' notices for this project were sent on August 21, 2001. Sheryl Reed has concerns in regards to the location of the fire hydrant, turning radius and movement around it. The parking spaces in front of the hydrant will also have to be striped.

Mr. d'Amico said sewer hookup should be required within a certain time period.

Mr. Grasso had the following comments: We have reviewed the preliminary site plan for the above project, prepared by ABD Engineers & Surveyors, last revised August 22, 2001. We offer the following comments: Calculations should be provided demonstrating that the proposed drywell has the capacity to mitigate anticipated increases in stormwater runoff from the site. The increase in stormwater runoff from the building addition should also be addressed. We recommend that the proposed site be tied into the municipal pressure sewer system along NYS Route 146. We are concerned over potential water quality issues associated with the long hydrant lead length unless a service is proposed at its terminus.

The ECC had the following comments: The ECC has reviewed the project information

and offers the following comments and recommendations. The ECC requests that a Stormwater Management Plan be provided. Applicant should provide details as to the capacity of the existing septic systems as well as the location of the leach fields. This is particularly important in that the project proposes to rely on the existing system. The ECC further recommends that any proposed outdoor lighting be directional and limited.

Mr. O'Brien asked when the sewer connection will be made. The Pastor said it would be in about three years.

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. d'Amico moved, seconded by Mr. Bowman, to grant preliminary and final site plan approval, conditioned on the comments of Mr. Kemper, Clough, Harbour, and Ms. Reed, and conditioned on sewer hookup within three years. The motion was unanimously approved.

#### **New Business:**

[2001-039] D'Ambra, Dr. Thomas and Constance - 34,500 square foot Equine Stables and Training Center, 370 Riverview Road - Special Use Permit and conceptual site plan review .

Mr. Paul Goldman, representing the applicant, introduced Mr. Hank LaBarba, engineer and project coordinator.

Mr. LaBarba said the 28 acre site is located on both sides of the Niagara Mohawk power lines. The facility will occupy 4 acres of the site. Cuts and fills will be balanced. There will be an indoor riding arena and two wings each will have 12 stalls. The front of the building will have offices and an arena viewing area. Two wells have been drilled and a septic system will be built.

Mr. Kemper had the following comments: This lot was created without going through the subdivision approval process therefore, subdivision needs to be done before a site plan can be approved on this parcel. The wetlands that are depicted on the site plan should be extended to the property lines. Erosion control measures will have to be depicted on future plan submissions. Due to the potential environmental impacts for the project, a full EAF should be submitted. The clearing limit lines should be depicted on the plot plan. Mr. Kemper received memo from Sheryl stating that adequate fire flow must be supplied or they must get a variance.

Mr. Grasso had the following comments: We have reviewed the concept site plan for the above project prepared by H.V. LaBarba & Associates, dated August 9, 2001 and offer the following comments: The proposed project appears to be an "Unlisted" action pursuant to SEQRA, and as such, coordinated review is optional. In order to adequately

evaluate the environmental impacts associated with the proposed project, we recommend that a Full Environmental Assessment Form be submitted. Involved agencies are expected to include the following: Planning Board - Special Use Permit and Site Plan Approval; Saratoga County Planning Board - Section 239 Referral; Saratoga County Department of Public Works - Curb cut Permit. An adequately sized culvert will be required at the proposed stream crossing. The culvert should be sized based on a 25-year storm event. The layout should be modified to allow the ability of emergency apparatus to turn-around on crushed stone or pavement without having to back out to Riverview Road. The proposed on-site wastewater disposal system is shown in an area to have fourteen feet of material removed. Soil investigations should be conducted at the depth of the actual system. It would appear that by shifting the proposed building to the open field on top of the hill that significantly less earthwork and wetland impacts would be required. The limits of the mapped wetlands should be expanded to encompass all areas that work is proposed. Grass parking areas are proposed. If the use will be year-round, we recommend that the proposed parking area be constructed of crusher run or pavement. Stormwater management in accordance with Town regulations will be required. All proposed exterior fixtures should be down-light style or lantern-style to reduce off-site glare. The proposed tile field should include a 100% expansion/replacement area in accordance with NYSDEC standards for commercial facilities. Future plan submissions should include the following additional information: Adjacent property owners and land uses. Building setback dimensions. Proposed fencing. Limits of clearing and grading.

The ECC had the following comments: The ECC has reviewed the project information and offers the following comments and recommendations. The Applicant must survey and delineate all DEC and ACOE wetlands on the parcel and indicate the corresponding LC Zone for the DEC wetlands (100' buffer). A permit will be required by the NYSDEC to undertake any work within a DEC wetland. The following standard statement should be added to the plot plan; The Land Conservation (LC) Zone has been delineated in accordance with section 208-69 of the Clifton Park Town Code. Federal Jurisdictional Wetlands have also been identified on this parcel. Uses in these areas are restricted. The Town of Clifton Park Building Department shall be notified before undertaking any land disturbance activities in the LC Zone and/or Federal Wetlands.

Mr. O'Brien asked what they expected in the way of traffic. Mr. Dan Decker, who will be the manager, said at most a dozen cars.

Ms. Czub asked how much water capacity the wells produced. Mr. LaBarba said the wells produce 5.5 gpm and 3 gpm respectively. Ms. Czub asked how manure will be removed. Mr. Decker said it would be hauled away.

Mr. O'Brien said there is lots of work to do, but the project has potential.

[2001-039] Kulak, John - 5,400 square foot Retail Landscaping and Nursery Sales Business, 1613-1615 Route 146, Rexford - Conceptual site plan review.

Mr. Gordon Nicholson, Environmental Design Partnership, said a use variance has been

received and a setback variance was received for the existing structure. No additional parking is required. The existing site entrance will be paved and a split rail fence will be installed. The site will be served by Rexford water, and the existing septic will be used. A 10' strip of land along Route 146 will be dedicated to the Town. He said no pesticides will be used regularly on the site.

Mr. Kemper had the following comments: A N.Y.S.D.O.T. curb cut permit will be required for the application. The Town of Clifton Park Land Conservation Zone should be labeled as such on the site plan. The storage bins should be relocated so that contaminants cannot enter the classified stream.

Mr. Grasso had the following comments: We have reviewed the concept site plan for the above project prepared by Environmental Design Partnership, LLP, dated August 22, 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: Planning Board - Site Plan Approval ; Saratoga County Planning Board - Section 239 Referral; Rexford Water District - Connection Permit; NYSDOT - Modified Curb-cut Permit. The design engineer should verify the condition and capacity of the existing on-site wastewater disposal system. Consistent with what has been provided on nearby development proposals, we recommend that in order to accommodate future improvements to Balltown Road, we recommend a ten foot wide reserve strip be established across the frontage that can be conveyed to the NYSDOT if deemed required. Proposed improvements should be located to accommodate planned and possible future road improvements. The plan indicates selective removal of vegetation within the L-C Land Conservation zoning district. Given the size of the site, we recommend a natural buffer be preserved or re-established along the existing stream and along the limit of the L-C Land Conservation zoning district. The proposed modifications to the curb cut should be in accordance with NYSDOT's standards for commercial driveways.

Mr. Nicholson said the selective clearing of vegetation is for clean-up purposes.

The ECC had the following comments: The ECC has reviewed the project information and offers the following comments and recommendations. The following standard statements shall be added to the plot plan: The Land Conservation (LC) Zone has been 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 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 and shall be maintained until all construction ends and soils are stabilized. The Applicant will control fugitive dust and

debris during the construction/demolition phase of the project. There is also a concern about the proximity of organic storage bins to the LC Zone. It is suggested that said bins be relocated further from the LC Zone.

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

Mr. O'Brien said the outstanding issues appear to be minor and if the 500' notices get out, the application will be on the next agenda.

[2001-039] Allen, Buddie and Cheryl - reconfiguration of existing lots, Longkill Road - Conceptual review.

Mr. Kevin Dailey said the applicants want to take three very narrow parcels and reconfigure them as if they were one lot that runs between Hatlee Road and Longkill Road, and then subdivide them into two wider parcels.

Mr. Kemper had the following comments: The project will require a signoff from Saratoga County D.P.W. for a curb cut permit. The standard note for keyhole lots and address identification should be added to the plans. A note should be added to the plan stating that no commercial vehicles will be stored at this site.

Mr. Grasso had the following comments: We have reviewed the subdivision plan for the above project prepared by Gilbert VanGuilder & Associates, dated August 6, 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: Planning Board - Subdivision Approval; Saratoga County Planning Board - Section 239 Referral; Saratoga County Department of Public Works - Curb cut Permit. We are concerned over the possible impacts the siting of the house and associated grading and clearing may have on the ravine and stream if the house is located in the woods. Given the environmental constraints of the site, consideration should be given to providing deed restrictions over the ravine and stream and having the house constructed as far to the east as possible. Consideration should be given to providing a ten foot wide strip on the southerly border to lot #2, thereby allowing the dividing property line to be shifted to the east and closer to the natural tree which will provide a buffer between the two houses. Hatlee Road and Longkill Road were both identified in the Town's Trails Master Plan as needing shoulder improvements to accommodate pedestrians. As such, and given the narrow existing right-of-way width, in order to accommodate future improvements we recommend that the right-of-way be expanded by ten feet along the site's frontage. This conveyance can be after the proposed subdivision so as to not effect the lot size required for lot #2. The Town's standard note for keyhole lots should be added to the plan. The subdivision plan should be stamped and signed by a New York State Licensed Professional Land Surveyor and contain the Town's standard certification statement.

The ECC had the following comments: The ECC has reviewed the project information and offers the following comments and recommendations. The following standard

statement shall be added to the plot plan: The Land Conservation (LC) Zone has been 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.

[2001-039] Country Club Golf, L.L.C. - Proposed PUD for golf course development, (5) lot subdivision, 10,000 square foot pavilion and related site improvements - Referral from Town Board.

Mr. Gordon Nicholson, Environmental Design Partnership, said a golf course is not a permitted use in a residential zone. 40,000 square feet are proposed for the PUD, and 10,000 square feet will be used initially. He said any improvements will either be in the middle of the golf course, or bordered by existing vegetation. A 10,000 square foot steak roast pavilion is proposed in an area close to existing residences. Sewer and water will be extended to the proposed clubhouse. The driveway will be moved 250' to the north, but there is some flexibility.

Mr. Kemper had the following comments: Residents have expressed concerns that clearing has already begun on the site. 500' notifications for the project were sent out on 8-7-01. P.U.D. was referred by the Town Board on 8-20-01 with comments due back within 60 days. I received letters from Mr. and Mrs. Hall, Leslie and Pat Hipenbecker, Carol and Vic Temple, and Gail Winters; these letters have all been included in your folders for review. Most comments dealt with the new access road, increases traffic and noise, wooded buffer that currently exists on the site, and the historic character of Jonesville. Action appears to be a Type 1 action. Coordinated review is required. A significant vegetative buffer will need to be placed between the proposed pavilion and the nearby residential houses. An alternate location for the proposed access drive should be considered to reduce the impacts to nearby residential houses. If the project moves forward then some elevations and façade renderings should be included in future submissions. Future submissions should include sight location map, north arrow, etc. Can the existing driveway be utilized?

Mr. Grasso had the following comments: We have reviewed the application material and conceptual site plan for the above project prepared by Environmental Design Partnership, LLP, dated July 16, 2001 and offer the following comments: The proposed project appears to meet the thresholds for a Type 1 action pursuant to SEQR, and as such, coordinated review is required. Involved agencies are expected to include the following: Town Board - P.U.D. Approval; Planning Board - Site Plan Approval, Subdivision Plan Approval; C.P.W.A. - Water Connection Permit; S.C.S.D. #1 - Sewer Connection Permit; Saratoga County Planning Board - Section 239 Referral; Saratoga County Dept. of Public Works - Curb cut Permit; N.Y.S.D.O.H. - Water Supply System Approval; N.Y.S.D.E.C. - Wastewater Disposal System Approval; N.Y.S.D.O.T. - Curb cut Permit (lot #2). The Full Environmental Assessment Form, submitted as part of the application narrative, appears acceptable and adequate for submission to the other involved agencies. The proposed emergency access drive should be sited and designed to minimize its impact on the nearby residential properties and measures should be provided to restrict its use to

emergency access only. The plan should clarify if this drive will provide access to the proposed house on lot #5. The extension of municipal water and sewer services to the site's facilities should accommodate future extension to presently unserved adjacent areas to the maximum extent practicable. The lighting of the driving range and any other proposed lighting should be designed to minimize its impact on adjacent properties primarily in terms of glare. The proximity of the proposed pavilion to the nearby residences raises potential concerns for noise related activities. Clarification of the possible uses (outdoor music, P.A. system) should be addressed or relocation to another more appropriate location should be considered. The adequacy of sight distance should be verified for the potential driveway locations for lots #2 and #3. Consideration should be given to providing a drop-off area in close proximity to the clubhouse without having to drive through a parking area. The names of all adjacent property owners should be shown on the plans.

The ECC had the following comments: The ECC has reviewed the project information and offers the following comments and recommendations. The following standard statements shall be added to the plot plan: The Land Conservation (LC) Zone shall be delineated in accordance with Section 208-69 of the Clifton Park Town Code. Federal Jurisdictional Wetlands have also been identified on this parcel. Uses in these areas are restricted. The Town of Clifton Park Building Department shall be notified before undertaking any land disturbance activities in the LC Zone and or Federal Wetlands. The borders of all land 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.

Mr. O'Brien said many issues can be addressed at site plan review, and at this time the Town Board is looking for a recommendation. He suggested that the driveway remain where it is rather than 250' closer to the village.

Mr. and Mrs. Temple, neighbors, suggested that the access be moved directly across from Heritage Green, and feels there is a danger in having offsetting roads.

Mr. Charles Hall expressed concerns that many trees will be cut down for the access road, and some have been removed already. He said he is not opposed to the golf course improvements, but he has concerns about traffic and said cars never travel at the 30 mph speed limit. He suggested that the access could be from Route 146A.

Mr. Nicholson said he believes he can address the neighbors' concerns.

Mr. Bulger moved, seconded by Mr. Russell, to recommend that the Town Board consider the PUD amendment with the following conditions: There needs to be further clarification as to the location of the roads; that the comments from the neighbors should be taken into account by the Town Board; further definition needs to be provided by the applicant before the Town Board makes any judgment; the Historic Preservation Commission should be actively solicited for their comments; and the Fire Appeals Board should determine whether a second access is needed, and where it should be; traffic

considerations and speed should be considered when making a determination on the PUD. The motion was unanimously approved.

Mr. O'Brien said the Town Board will make a judgment and can impose conditions for the PUD, and if it goes as far as site plan review, the Planning Board can add further conditions.

A neighbor asked if they should resubmit their comment letters to the Town Board. Mr. O'Brien said copies of letters sent to the Planning Board will be forwarded to the Town Board.

### **Discussion Items:**

Horst Renz - Mr. Nicholson said Mr. Renz' parking lot needs to be regraded and moved slightly to correct drainage problems.

Mr. O'Brien moved, seconded by Mr. Bulger, to grant the amendment for the site plan. The motion was unanimously approved.

Southworth Milton, Commerce Drive - Mr. Kemper said a sign variance has been requested to place a 12" x 12" sign on the road, and to erect two larger signs deep within the complex.

Mr. Bowman moved, seconded by Mr. d'Amico, to recommend approving the request for sign variances. The motion was unanimously approved.

Maxwell Road Extension - Mr. O'Brien said had meetings with DCG, Clifton Country Road Associates, Mr. Kemper, Mr. Bulger and Clough, Harbour. At a second meeting, an agreement has been reached with Mr. Miller and DCG to jointly continue Maxwell Road to Southside Drive.

Nextel - Mr. O'Brien said the co-location on the CPWA tower was approved without doing SEQRA. He said SEQRA would have to be done, and the motion of approval would have to be repeated.

Mr. d'Amico 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. O'Brien moved, seconded by Mr. Bulger, to grant preliminary and final site plan approval, conditioned on the comments of Mr. Kemper and the recommendations of Vollmer Associates, and conditioned on mounting the antennae at a fixed placement location of 134', and painting the antennae, cables and cable supports to match the water tank color. A low profile brownstone block building is recommended. All carriers are required to remove their appurtenances for tank maintenance, cleaning and painting, as required by the CPWA. The motion was unanimously approved.

Mr. O'Brien said the CPWA has expressed their concerns regarding placement of the antennae. They want it to be placed on the top rail only. Mr. Pelagalli said the placement was approved at a location of 134'. Mr. O'Brien said the placement can not be changed without bringing the issue back before a public meeting. He asked the Board if they want to entertain this request. Mr. d'Amico said it should stand as is, and Ms. Czub agreed.

Cell Tower Applications - Mr. Kemper said the Town has said engineering firms should be hired to give advice regarding cell towers, and suggested using Vollmer and C.T. Male. Mr. Bulger suggested that both should be used.

Mr. O'Brien moved, seconded by Ms. Czub, to recommend to the Town Board that Vollmer and C.T. Male be used for advice regarding cell tower applications. The motion was unanimously approved.

Minutes Approval:

Mr. Bulger moved, seconded by Ms. Czub, to approve the minutes of August 14, 2001 as written. The motion was unanimously approved.

Ms. Czub moved, seconded by Mr. O'Brien, to adjourn. The motion was unanimously approved. The meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Elaine Hughes  
Secretary

cc: Planning Board Members, Planning Department, Clough, Harbour, and Associates, Supervisor, Town Administrator, Assessor, Zoning Board, Department of Building and Development, Town Clerk, Town Board Members, Highway Superintendent, Joel Peller, Town Attorney, Oscar Schreiber, Town Attorney, Jim Trainor, Town Attorney, Paul Pelagalli, Town Attorney, Department of Parks and Recreation, ECC, Saratoga County Planning Board, Shenendehowa Central School, Clifton Park Water Authority, Fire Districts.

Resolution #20

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 September 12, 2001, at 7:10 P.M. there were:

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

Mr. Bowman offered Resolution #20 and Mr. Bulger 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, on July 10, 2001 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 final approval, conditioned on the comments of the ECC, Mr. Kemper, Clough, Harbour, and conditioned on having the deeds stipulate that L-C areas are to remain undisturbed.

RESOLUTION #20 passed 9/12/01

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

Noes: None

Kevin O'Brien  
Chairman