

Clifton Park Planning Board Meeting Minutes

November 14, 2001

Those present at the November 14, 2001 Planning Board meeting were:

Planning Board: K. O'Brien, R. d'Amico, B. Czub, K. Bowman, J. Marzola, J. Russell, and
S. Bulger who arrived at 7:40 p.m.

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

[2001-039] Allen, Buddie and Cheryl - Proposed lot line adjustment, Longkill 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 November 6, 2001.

Mr. Kevin Dailey said the purpose for the lot line adjustment is to create lots that are more workable. Area variances were received from the Zoning Board of Appeals. He said there will be no construction in the L-C zone.

Mr. Kemper said at the September 12 meeting one of his comments was that no commercial vehicles will be stored on the site and there would be a note added to the plan stating this. There is a letter dated November 7, 2001 and pictures from a Mr. and Mrs. Welte enclosed in Board members' folders for review. He said Mr. Allen continues to use the site to store commercial vehicles and to drop logs of to be split up there. Mr. Kemper asked where the proposed driveway will be located. This will need to be shown on future submissions. Some deeds restrictions will need to be drafted and submitted to the Planning Department for review. The Saratoga County Planning Board approved the project on September 27, 2001. A curb cut permit will be required from Saratoga County D.P.W. Some plantings will need to be placed along the northern property line to screen the proposed driveway. 500' Notices were sent on October 30, 2001. Mr. Kemper said she received calls from residents along Longkill that expressed concerns in regards to the commercial activities that were occurring on the site. The date that the variances were granted by the Clifton Park ZBA should be indicated on the plans.

The ECC had no comments.

Mr. Grasso had the following comments: We have reviewed the subdivision plan for the above project prepared by Gilbert VanGuilder & Associates, last revised October 15, 2001. The following comments from our September 6, 2001 review letter have not been adequately addressed: 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. 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. We offer the following additional comments: Pursuant to Section 73-19 of the Town Code, "A driveway over 500 feet in length must be accessible and able to hold a fifty-thousand-pound, thirty foot long vehicle, as determined by a licensed professional engineer, with facilities for turning around to be available within 100 feet of any structure." A Saratoga County Department of Public Works Highway Work Permit will be required for the proposed driveway. The consultant should verify the adequacy of the sight distance at the proposed driveway location. The proposed driveway should be sited to avoid relocation of the existing fire hydrant along Longkill Road. The consultant should consider specifying a larger diameter water service to ensure adequate flow and pressure. Existing wells and septic systems within 100 feet should be shown on the plan in order to verify adequate separation distances can be provided to the proposed onsite wastewater disposal system. The front yard building setback specified in the Site Statistics should be revised to require 100 feet minimum from the centerline of Longkill Road.

Mr. Dailey said he would prefer that a 10' strip would not be required on the border of lot #2.

Mr. O'Brien asked for public comments.

Dr. Richard Welte, 25 Longkill Road, said he objects that a business will be conducted on the property, and that commercial vehicles will be parked there. He said a load of logs have been dropped on the property and a commercial log splitter is used for days at a time, and it is very noisy. He noted that a can of gasoline was left on the site.

Mr. Richard Musak, 29 Longkill Road, said he agrees with Dr. Welte. He said there seems to be two businesses conducted there; the storage of large trucks and bulldozers, and log splitting.

Mr. Stan Decker, 27 Longkill Road, said industrial equipment is presently used for a log splitting business. He said a bulldozer was run on Sunday as early as 7:00 am.

Mr. Dailey acknowledged that it is a residential area, and what is going on must cease.

He said this was just brought to his attention. He said the site will be cleaned up before going forward with the application.

Mrs. Allen said a business is not being run there, and the noise on Sunday was because they were putting in a septic system.

Mr. O'Brien said the Planning Board will take whatever measures are necessary to assure that the residential character of the neighborhood is maintained. He thanked Mr. Dailey for offering to clean up the site.

Mrs. Welte asked what will be done to protect her privacy when the trees come down. Mr. Dailey said he and the Allen's will work with the neighbors regarding privacy. He noted that the proposed house will be heated with wood so some wood will remain on the property.

Mr. O'Brien said the 10' strip is open for discussion, and feels it would become a maintenance problem. He also said the neighbors should address their concerns to the Building Department.

Mrs. Allen said when they bought the property there were mounds of garbage which they cleaned up, and there were already wood chips on the site. She said they have not created more.

Mr. O'Brien asked for Board comments.

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

Mr. O'Brien said action should be tabled until the site is cleaned up.

Mr. O'Brien moved, seconded by Mr. Marzola, to table action as requested by the applicant. The motion was approved. Mr. Bulger abstained.

Old Business

[2001-048] Clifton Country Road Associates - Proposed parking lot expansion, Village Plaza - Preliminary site plan review and possible determination.

Mr. Tom Andress said as per the request of the Planning Board at the October 23 meeting, the pedestrian path has been moved away from the parking lot, and a berm will be built and landscaped to block cars.

Mr. O'Brien said there are 25 shrubs being proposed, and it seems like too few shrubs for 150' of land. He said density should be increased. He asked Mr. Andress and Mr. Kemper to work out the landscaping details.

Mr. Kemper had the following comments: The dumpster and plantings that were re-located should be illustrated on the plot plan. Some additional plantings should be placed along the front property line with Clifton Country Road.

Mr. Grasso had the following comments: We have reviewed the site plan for the above project prepared by ABD Engineers and Surveyors last revised October 24, 2001 and offer the following comments: The overall finished width of the sidewalk of 11 feet should be specified on the plans and details. The proposed sidewalk section should match that of the site pavement details of 1" top course, 2 ½" of binder course and 6" of crusher run. We recommend that street trees such as red maples spaced at 40 feet on center should be added to the landscaping plan along the proposed parking spaces. The existing dumpster pad, enclosure and landscape screening at the southeast corner of the parking lot should be shown on the plan. The consultant should verify if modification to the existing 12' bike path easement is required due to the proposed realignment. He said all comments have been addressed except landscaping.

The ECC had no comments.

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. Bowman moved, seconded by Ms. Czub, to grant preliminary and final approval, conditioned on the comments of Mr. Kemper, Clough, Harbour, and conditioned on increasing the landscaping to the satisfaction of the Planning Department. The motion was unanimously approved.

[2000-025] Hahn, John - Proposed (14) subdivision, Clifton Park Center Road - Revised conceptual review.

Mr. Gordon Nicholson, Environmental Design Partnership, said the Planning Board previously wanted the trees on Clifton Park Center Road preserved, so there will be a 50' pine buffer along Clifton Park Center Road.

Mr. Kemper had the following comments: He said he received a memo from Sheryl Reed dated November 14, 2001 asking if the entire access road to the subdivision will be a town road built to town street guidelines. He received a memo dated November 2, 2001 from Pat Haffner stating "I have reviewed the revised plans for the Hahn subdivision with a 15' access to Clifton Common. As I mention in my August 9, 2001 memo the need is for a second road access to Clifton Common, which would require 60'. As stated in the attached memo this is an opportunity to gain a second access to this recreational facility." Mr. Kemper said he received a memo from Lou Gerard stating that anything more than a 15' access to the common would create a shortcut or motorized cut through to the Commons. In speaking with Lou he understood that in speaking with the applicant that the Town was looking to install the secondary access when the subdivision was built. However, the Town would only utilize the secondary access to the common for vehicular

traffic deemed necessary in the future. Mr. Kemper said the access for lots 4 and 6 should be through a shared access drive. Lots 1 and 7 should have driveway access onto the proposed Town road. Signoff will be required from S.C.S.D., C.K. Sanitary, and the C.P.W.A. A note should be added to the plans indicating that the proposed lots are located adjacent to the Clifton Common and there may be noise, light, etc. associated with the activities on the common. A catch basin should be installed in the cul-de-sac so that water drains to the center. In speaking with the Town Board it is their desire to acquire the 30' access to the common and use it as an access to the common if it was necessary in the future. Mr. Kemper received a memo from the S.C.S.D. dated August 16, 2001 stating "Sanitary sewer service for the above referenced project would need to be evaluated relative to accessing existing systems and downstream capacities of the receiving systems. In addition approvals must be obtained from owners of all sewer systems through which the flows may pass."

Mr. Grasso had the following comments: We have reviewed the revised concept subdivision plan for the above referenced project prepared by the Environmental Design Partnership, LLP, dated October 24, 2001 and have the following comments: Pursuant to Section 86-6C of the Town's Construction and Design Standards, the minimum centerline radius for horizontal curves shall be 300 feet. The proposed roadway does not meet this minimum dimension. If a tee type layout is used, the proposed town road layout could be considered if the road was designed with a third leg that extended to the Clifton Common. Under this situation, three-way stop sign control could be used. In addition, the proposed 15-foot wide park access is not wide enough to accommodate two way traffic and should be a minimum of twenty feet wide. The consultant should discuss the "tee" intersection and dead end configuration with the Highway Superintendent. According to Section 179-26. D. of the Town Code, double frontage lots should be avoided except where essential to provide separation of residential developments from arterial streets or to overcome specific disadvantages of topography and orientation. Although Lot 7 is a double frontage lot, it appears to conform to the permitted exceptions as stated in the Code. The development plans should minimize clearing of the existing pine plantation to the maximum extent feasible. Consideration should be given to the establishment of no-cut buffers around the project perimeter and along Clifton Park Center Road. In order to minimize the clearing along the Clifton Park Center Road, we recommend that a common access drive with access easements be provided for lots 4 and 6. In addition these driveways should contain turnarounds to discourage vehicles from backing out onto Clifton Park Center Road. The plan should note that access to lots 1 and 7 will be from the proposed road. We also recommend the driveways on the south side of Clifton Park Center Road be shown on the plan. The small triangular piece of land created between the proposed right-of-way and the lands of Boivin should either be conveyed to the adjacent landowner or included as part of the expanded right-of-way. The impacts associated with converting an existing single family lot not part of the project to a corner lot should be considered. Design of the proposed watermain and sanitary sewer systems should allow for connection by the adjacent homeowners.

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

comments made at the August 7, 2001 meeting. Additionally, the following is also recommended: A Stormwater Management Plan should be submitted for review by the ECC and the Town Engineer. It is noted that the Applicant is willing to donate a 15' swath of property along the eastern boundary of the property for Town access to the Commons. The ECC notes, the access appears to be too narrow for vehicular traffic. The ECC also reiterates that the following standard statements should be added to the plot plan: 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 stabilized. All erosion and water quality controls shall be put into place at the initial phase of site preparation and shall be maintained until all construction ends and soils are stabilized.

Mr. O'Brien said he is not convinced that a 60' wide right of way is necessary and 15' is too narrow, and feels that 30' is more appropriate.

Mr. Nicholson said Mr. Hahn wants the Town to stipulate that the 30' right of way would not be a full fledged road. Mr. O'Brien said he wants to preserve the land for the Town Board to decide what they want to do at a future time and is not willing to tie their hands.

Mr. Bob Bovin, 605 Clifton Park Center Road, said the right of way is right on his property line. Mr. Nicholson said the road is shifted 15' away from Bovin's property at the front corner but touches it at the rear corner.

Mr. Hahn said he does not want vehicular traffic going through his property, and thinks 15' is generous enough. He is strongly opposed to providing 30' because the Town will build a road. He asked Mr. Pelagalli if he must provide anything. Mr. Pelagalli said there has to be a basis for requiring it. Mr. O'Brien said if the Town determines there is a need for access, it should be provided.

Mr. Bulger said there is already a second access through the school, and said if the property is deed to the Town there could be another major intersection. He feels an agreement with the school should be pursued.

Mr. O'Brien said 15' is not enough and the Planning Board needs to look out for the best interest of the community and this is the only opportunity to give the Town flexibility if the school exercises their authority to close the access.

Mr. Gerard said there is a handshake agreement between the school and the Town, and the school's road is maintained by the Town. He feels there will be an agreement in the near future. He said if the 30' strip becomes a roadway, people will use it as a shortcut to Vischer Ferry Road, and prefers to have it be a pedestrian access only. He suggested that a guard rail be placed to keep out vehicular traffic.

Mr. d'Amico asked if it would make sense to make the road 20' to 24' wide. Mr. Kemper said t 24' is paved at the school, but room is needed for snow removal, which brings it to 30'.

Mr. O'Brien said the option should be preserved for the Town if it should ever be necessary, and if not needed (if an agreement with the school is reached) it should be deeded back to the property owner. Mr. Kemper said the proposed agreement between the school and Town will be only for a 10 to 15 year period.

New Business:

[2001-049] DCG Development Co. - Proposed (2) subdivision, Route 146 - Conceptual review.

Mr. Gordon Nicholson, Environmental Design Partnership, said the applicant proposes to subdivide 11.28 acres of land into two building lots for future land use in accordance with the B-4 zoning. The subdivision will permit the extension of Maxwell Drive south resulting in one building lot of 1.47 acres and a second building lot of 9.23 acres. The proposed greenspace is 35%. Mr. Nicholson asked the Board to allow DCG to develop lot #1 and lot #2 at 35% greenspace since they will be giving up land for the road extension.

Mr. Kemper had the following comments: He said he received a memo from Sheryl Reed dated November 14, 2001 stating that a temporary turn around at the end of the street should be provided for emergency services. The dates and details on the variances that were granted by the Town of Clifton Park Zoning Board of Appeals should be indicated on the plans. There is an LC Zone which should be illustrated on the plot plan. The project is within the Exit 9 G.E.I.S. and as such 45% greenspace is required. Mr. Kemper received a memo from the S.C.S.D. dated October 31, 2001 stating that further information will need to be provided on the proposed sanitary service prior to any approvals. A signoff will be required from N.Y.S.D.O.T. for the curb cut, C.P.W.A., and the S.C.S.D.

Mr. Grasso had the following comments: We have reviewed the concept subdivision plan for the above project prepared by Environmental Design Partnership, LLP, dated September 26, 2001 and offer the following comments: The proposed project appears to be an "Unlisted" action pursuant to SEQR, and as such, coordinated review is optional. The proposed subdivision will establish the right-of-way that will include the future extension of Maxwell Drive. The applicant and the adjoining owner have agreed to construct Maxwell Drive Extension as part of their respective site development proposals. The alignment and width of the right-of-way will be dictated by the layout, geometry and width of Maxwell Drive Extension. This will only be known after review and approval by the Town and NYSDOT of a traffic study and design plans for the proposed road and site development. As such, it is not possible to adequately review the subdivision plan at this time. It should be noted that Maxwell Road Extension should conform to Town road standards including but not limited to the following: Changes in street alignment shall be at least 100 feet from the pavement edge of the intersecting street. The minimum street right-of-way and roadway radius at intersections should be a minimum of 28 feet and 40 feet respectively. Minimum centerline radius for horizontal curves shall be 300 feet. A tangent of 150 feet is required between reverse curves. The need for a sidewalk within the

future road right-of-way should be considered in determining its width. A Site Data Table should be provided summarizing the area variances that have been granted by the Zoning Board of Appeals. The zoning district boundaries should be shown on the plan including the Land Conservation Zone, which is located around the wetland area on Lot 2. Final subdivision plan submittals should include bearings and distances of the proposed lot lines and the stamp and signature of a New York State Licensed Land Surveyor.

The ECC had the following comments: The ECC has reviewed the project information and offers the following comments and recommendations. The Applicant has indicated that the proposed lots will be 35% each in greenspace, however, this property falls within the Exit 9 GEIS. The Applicant should maintain a minimum of 45% greenspace in accordance with the Exit 9 GEIS, calculated for the entire project/parcel. 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. 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. Nicholson said there is no sidewalk along Southside Drive and it makes no sense to have a sidewalk to nowhere. Mr. Kemper said new plans from Windsor allow for a sidewalk along Southside Drive.

Mr. Lou Gerard said he agrees with the expansion of Maxwell Drive, but said it doesn't go anywhere. Mr. O'Brien said it goes to Southside Drive which will also be given to the Town. Mr. Gerard said the Town never wanted Southside Drive because it is not built to Town specifications. Mr. Nicholson said if the Town doesn't take Southside Drive, and Maxwell Drive is extended, it will exit onto a private Southside Drive.

Mr. O'Brien said the benefits of the extension outweighs the greenspace because it will eliminate some problems at Clifton Country Road, and the GEIS is strictly a recommendation as advised by Mr. Pelagalli. Mr. Bulger agreed and said the Town Board gave the Planning Board some flexibility by not making the 45% greenspace requirement a Town law. Mr. Russell said he strongly supports the road expansion.

Mr. O'Brien asked for conveyance to the Town at this time. Mr. MacElroy said that would not be a problem. Mr. O'Brien said Windsor is giving up equal space for the extension and is mitigating greenspace off site. He asked if DCG can mitigate off site. Mr. MacElroy said he has tried, but is unable to do so.

Mr. O'Brien said future applications from DCG should have an increase in greenspace, and the Board will be looking for more. Mr. MacElroy said he will do his best. Mr. Nicholson said adjoining P.I.R. lands will be 50% greenspace.

[2001-050] Waite, Stephen (Czar Properties, LLC) - Proposed 11,000 square foot restaurant, Vischer Ferry Road - Conceptual site plan review.

Mr. Dale Conklin, with Smith and Mahoney, said Mr. Waite proposes to establish a two-story 11,000 square foot family restaurant on the remaining parcels of the Trager Commercial Subdivision. The first floor will consist of 9,000 square feet and the second floor will be 2,000 square feet. There will be an outdoor family recreation area consisting of a naturalistic miniature golf course and a water feature trailway that can be frozen for outdoor winter skating activities. The property abuts the Dwaaskill, and only the upper flatland will be utilized.

Mr. Kemper had the following comments: The proposed project is within the Vischer Ferry Corridor G.E.I.S. and as such is subject to the Vischer Ferry Road G.E.I.S. Statement of Findings. The C.I.P. Fees as determined by Clough, Harbour will be due 1/3 at stamping, 1/3 at building permit, and 1/3 at C.O. A variance will be required from the Clifton Park ZBA for the following 300 setback from for any restaurant from a residential zone, parking within the front and side yard setback. A signoff will be required from C.P.W.A. and S.C.S.D. Mr. Kemper received a memo from the S.C.S.D. dated October 31, 2001 stating the projected flows and other sewer information will need to be submitted to the S.C.S.D. for review. The area reserved for future parking should remain undisturbed. Site statistics should be illustrated on the plot plan such as proposed parking spaces, greenspace, existing zoning, proposed seats, etc.

Mr. Grasso had the following comments: We have reviewed the concept site plan for the above project prepared by Smith & Mahoney, P.C., dated October 23, 2001 and offer the following comments: The subject property is located within the Vischer Ferry Corridor GEIS Study Area. As such, if the project is deemed to be consistent with the Statement of Findings, no additional SEQRA review may be required. In addition, the project will benefit from capital improvement projects constructed or planned for the corridor. As such, this applicant should contribute to the mitigation fees established in the Vischer Ferry Corridor GEIS and Capital Improvement Plan. The applicant should submit detailed information regarding wastewater flows, water usage and trip generation in order to determine accurate mitigation fees. For estimating purposes, we have assumed the restaurant will include a maximum of 100-seats and would generate a maximum of 100 trips during the peak hour. An estimate of the C.I.P. fees were calculated. Sewer flow calculated to be $35 \text{ g.p.d./seat} \times 100 \text{ seats} = 3500 \text{ g.p.d.}$ divided by $300 \text{ g.p.d./EDU} = 11.6 \text{ EDU's}$. According to the Zoning Code, a restaurant is a permitted use in the Neighborhood Business B-3 District, provided that no portion of the building be located within 300 feet of the boundary line of any residential district. A 300-foot building setback line from the adjacent residential zoned Park Lane Estates should be shown on the plan. It appears that the proposed restaurant is shown less than the minimum required setback. The restaurant should be relocated or an area variance from the Zoning Board of Appeals may be required. The proposed miniature golf course and ice skating facilities require a special use permit for commercial recreation facilities in the B-3 Zone. In addition, according to Section 208-94, the land area where the public is invited shall be fully lit. The lighting should be designed to minimize impact on adjacent properties and highways. According to the B-3 Zone regulations, no parking is permitted within 30 feet of the front yard and 20 feet of the side yard. In addition, the edge of the proposed

parking lot is shown on the no disturbance line, leaving no room for grading. The parking lot layout should be revised accordingly. We recommend that a second means of access be provided from the proposed parking lot to the common access drive. Truck loading and delivery areas should be identified. The consultant should verify that delivery and emergency vehicles can maneuver through the site. Pedestrian access routes through the site should be provided. A grease trap system should be provided for the sanitary sewer lines exiting food preparation areas. Future plan submittals should include the following: Proposed method of stormwater management. Lighting plan. Site coverage statistics, parking summary, building and parking setback requirements. Zoning District Boundaries. Adjacent existing Kindercare site improvements. Proposed dumpster location, enclosure and screening. Handicap parking spaces, signage and striping.

The ECC had the following comments: The ECC has reviewed the project information and offers the following comments and recommendations. The ECC notes that sensitive environments exist on properties adjacent to the project site; thus, there is a potential for environmental impacts to these areas in the event that the capacity of the Stormwater Management System is inadequate. As such, the Applicant's Drainage, Stormwater and Erosion Control Plans should be protective of these environments during construction and occupation of the project. The ECC recommends careful review of these plans by the Town Engineer. The ECC also notes that the project includes extensive paving adjacent to or on the vicinity of the LC Zone and State or Federal Wetlands. Therefore, the ECC recommends that the Planning Board require the Applicant to incorporate sediment traps and oil water separators with appropriate capacity to limit the migration of vehicular contaminants into these sensitive environments. Any proposed exterior lighting should be directional and limited. The following standard statements should be added to the plot plan: 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 in place and maintained at the initial phase of site preparation.

Mr. Bulger said he likes the proposal for outdoor skating. He asked if lighting is proposed. Mr. Conklin said the golf and skating will be set in a natural wooded setting, and downlighting is proposed.

Board members reacted favorably to this proposal.

[2001-051] Everitt, David A. Jr. - Proposed land transfer, Van Vranken Road - Conceptual review.

Mr. David Everitt said he wants to buy a strip of land from his neighbor and consolidate it with his land.

Mr. Kemper had the following comments: The applicant is seeking to deed acquire a 50'

by 263.43' section of land from the lands of Howard Hoffman. A consolidation deed will need to be filed. The land will have to be surveyed and a deed prepared before the land transfer can be finalized.

Mr. Grasso and the ECC had no comments.

Mr. Kemper said as soon as the 500' notices get out the application will be put on the agenda.

Discussion Items:

Mr. and Mrs. Coons, Riverview Road, said they want to put solar panels in their back yard, and their request for a building permit was denied by Mr. Don Clemens per historic district regulations. Mrs. Coons, a member of the Historic Preservation Commission, said the property is not on the historic register.

Mr. Pelagalli said there is no Town designated historic district in Town, and no conservation historic easement.

Mr. Kemper said Mr. Clemens is looking for a recommendation from the Planning Board, and said 500' notices should be sent out. Mr. O'Brien asked if notices are required. Mr. Pelagalli said the Planning Board does not have the authority to require them, and noted that Code 208.78 refers to historic districts created by the Town. Mr. d'Amico asked if the Town enforces state designated historic districts. Mr. Pelagalli said he can research the regulations for state designated historic districts.

Executive Woods - An enclosure has been built around the ground installed HVAC unit. The unit has been rotated 90° and enclosed with an 8' high baffled fence. Mr. Grasso said the decibel levels have been reduced, and are no higher than if the unit had been installed on the roof.

Minutes Approval:

Mr. d'Amico moved, seconded by Mr. Bowman, to approve the minutes of October 23, 2001 as written. The motion was approved. Mr. O'Brien abstained.

Mr. Bulger 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