

Clifton Park Planning Board Meeting Minutes

January 23, 2002

Those present at the January 23, 2002 Planning Board meeting were:

Planning Board: K. O'Brien, Chairman, S. Bulger, J. Larkin, J. Marzola, J. Russell

Those absent were: B. Czub, R. d'Amico

Those also present were: J. Kemper, Director of Planning, J. Grasso, Clough, Harbour, and Associates, P. Pelagalli, Counsel

Mr. O'Brien, Chairman, called to meeting to order at 7:10p.m. He welcomed new Board member James Larkin who was unable to attend the meeting of January 8, 2002.

Mr. O'Brien moved, seconded by Mr. Larkin, to appoint Jan Dean as Secretary to the Planning Board for the 2002 calendar year. The motion was unanimously carried.

Mr. Bulger moved, seconded by Mr. Russell, approval of the minutes of January 8, 2002 as written. Ayes: Bulger, Marzola, Russell, O'Brien. Noes: None. Abstained: Larkin.

Public Hearing – 7:10p.m.

[2001-039] D'Ambra, Thomas and Constance – Proposed 34,500 SF Equine Stables and Training Center, 370 Riverview Road – Special Use Permit – Preliminary public hearing, preliminary site plan 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 January 16, 2002.

Mr. Clemens, Director of Building and Development, determined that this application required approval of a Special Use Permit allowing the operation of a commercial riding stable in an R-3 zone pursuant to Section 208-8B(9), 208-79 and 208-85.

Mr. Hank LaBarba, consultant for the applicant, presented details of this project which was originally reviewed by the Planning Board on September 12, 2001. The D'Ambras propose the development of an equine stable and training center on 28 acres of land off Riverview Road adjacent to the Mohawk River. In addition to outdoor exercise areas, the 34,500 SF main facility will consist of an indoor riding arena, attached stables, viewing area, offices, rest rooms, supply rooms and a one-bedroom apartment. Access to the site will be provided by a private drive from Riverview Road and on-site wells and septic systems will serve the site. Initial construction will include parking areas, small out buildings for equipment and feed storage, and fenced riding corals. Mr. LaBarba noted that there will be a fire suppression system installed in the stable areas. Due to

topography in the area, little excavation will be required and well-draining soils are advantageous for the installation of an on-site sanitary system. Although a lighting plan has not yet been prepared, lighting will be directed inward, reducing impacts to Riverview Road and adjoining properties.

Mr. Kemper offered several comments on the proposal. The Full EAF for the project requested at the 9/12/01 Planning Board meeting has not yet been submitted. He referenced correspondence received from Al Koechlein, which stated that the wetland on this parcel is not contiguous with the one on the north side of Riverview Road. Since the wetland that appeared on the Proposed Saratoga County Wetland Map is not contiguous with the larger wetland area and is less than 12.4 acres in size, a wetlands disturbance permit will not be required. A variance with numerous conditions has been granted by the Emergency Services Advisory Board. This variance must be referenced on the plan and sign-off from the Board is required prior to the stamping of the plan. The Saratoga County Planning Board approved the project on September 27, 2001 with some comments. It was recommended that the applicant provide and describe an area and means of hay and manure disposal for the project. On-site parking spaces should be delineated. The well and septic systems should be certified by a licensed engineer and approved by the Department of Health.

Mr. Grasso reported that a review of the plan resulted in several engineering comments. The proposed tile field should include a 100% expansion/replacement area in accordance with NYSDEC standards for commercial facilities. Future plan submissions should include building setback dimensions and the limits of clearing and grading. Mr. Grasso offered additional comments. Handicap access and parking will need to be provided to the facility and the handicapped parking space and striped access aisle should be paved. The access to the facility should consist of firm stable material including either pavement or crusher run. The proposed silt fence should be continuous along the downslope limits of clearing and grading. Details should be provided on the site plans for the detention area showing how the collected stormwater will be stored before release. The plans show use of field lights. We assume these will consist of 1500-watt metal halide lights for which cut sheets have been provided. Notes to this effect should be added to the site plans. Although these lights will be directed toward the riding area, we recommend use of exterior and interior louvers offered as optional accessories to reduce the potential for glare from off-site areas. No other lights are shown on the site plans. If any other exterior lights are proposed such as wall-packs or lantern style fixtures, the location and details should be provided on the plans.

Mr. Kemper listed the comments issued by the ECC. Since the applicant has indicated a Wetland impact of .10 acres, this scale of impact must require review by the Army Corps of Engineers. 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 Federal Wetlands. 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). In addition to these notes, the ECC requests that the borders of all land that is to remain undisturbed shall be clearly marked on the site before site preparation begins and that these on-site boundary markers shall remain until construction is completed and soils are stabilized. All erosion and water quality controls shall be put in place and maintained at the initial phase of site preparation. The applicant will control fugitive dust and debris during the construction/demolition phase of the project. If hazardous materials will be stored on site, the applicant must submit a plan addressing handling and storage and spill response to the Town of Clifton Park Environmental Specialist before such materials are stored. Any new proposed outdoor or exterior lighting shall be directional and limited.

Mr. Bulger requested clarification of the proposed wetland disturbance and stormwater management plan. Mr. LaBarba explained that the wetlands are less than the 12-acre area required for DEC designation. Since wetland disturbance is less than one-tenth of an acre, no permits from the Army Corps of Engineers (ACOE) are required, though Mr. LaBarba reported that the plans have been forwarded to John Connell of the ACOE.

Since no one from the audience wished to comment on the application, Mr. Bulger moved, seconded by Mr. Larkin, to close the public hearing. The motion was unanimously carried.

Mr. O'Brien moved, seconded by Mr. Russell, to establish the Planning Board as Lead Agency for this Special Use Permit application, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. Bulger offered Resolution #2, seconded by Mr. Larkin, to approve the Special Use Permit pursuant to Section 208-8B(9), 208-79 and 208-85 to allow the construction and operation of a commercial riding stable in an R-3 zone conditioned upon satisfaction of the comments of Mr. Kemper, Mr. Grasso, and the ECC. Ayes: Bulger, Marzola, Russell, Larkin, O'Brien. Noes: None.

Mr. O'Brien moved, seconded by Mr. Larkin, to establish the Planning Board as Lead Agency for the site plan application, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. Larkin moved, seconded by Mr. Marzola, to grant preliminary and final site plan approval for this stable and training center, conditioned upon the sign-off from the Army Corps of Engineers and satisfaction of the comments of Mr. Kemper and Clough, Harbour, and Associates. The motion was unanimously carried.

Public Hearing – 7:15p.m.

[2001-049] DCG Development Co. – Proposed (2) lot subdivision, Route 146 and Wall Street – Final 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 January 16, 2002.

This final public hearing follows a preliminary public hearing held on December 11, 2001. At that time the applicant presented plans for the subdivision of 11.28 acres of land on the south side of Route 146 that proposed building lots of 1.47 acres and 9.23 acres, respectively, and the extension of Maxwell Drive. Estimated greenspace for the lots is 35%.

Mr. Gordon Nicholson, consultant for the applicant, explained that this subdivision remains virtually unchanged from that which received preliminary approval on December 11, 2001 with the exception of the addition of the requested multi-use pathway to the eastern edge of the proposed road. The Board's concern at that time was the impact of traffic in the area and a traffic study was requested. Creighton Manning traffic engineers prepared the study that was submitted to Clough, Harbour, and Associates. It was determined that the right-of-way alignment along the lands of Windsor and DCG Development Co. will accommodate the extension of Maxwell Drive to the south. DCG and Windsor will employ Creighton Manning to design the roadway when specific site plans for one or both of the two lots are presented for approval.

Mr. Kemper noted the Board granted preliminary approval and issued a negative declaration pursuant to SEQRA at the December 11, 2001 meeting. He asked that the L-C zone be labeled on the plan. Proposed stormwater management for the new road must be shown on future submissions. Since the proposed stormwater management area for the new road will be constructed on Town property, the detention basin must be illustrated on the plot plan and a stormwater management report must also be prepared. The ECC found the plan acceptable.

Mr. Grasso reported that all engineering comments have been addressed and that the specific road design will be reviewed when specifications and profiles are provided.

Mr. O'Brien summarized the position of the Board, stating that members are satisfied with the proposed traffic design. He offered his appreciation to DCG and Creighton Manning for working with the Town and Clough, Harbour, and Associates to achieve an acceptable alignment and subdivision layout. The Board was satisfied with the width of the right-of-way for the access road. Comments from NYS Department of Transportation will be addressed when received and specific entrances for the new lots will be considered at the time of specific site plan review.

Ms. Margaret Catellier requested clarification of the length of Maxwell Drive extension. Mr. Nicholson explained that the road would extend southward to Southside Drive.

Mr. Bulger moved, seconded by Mr. Larkin, to close the public hearing. The motion was unanimously carried.

Mr. O'Brien offered Resolution #3, seconded by Mr. Marzola, to grant final approval to this subdivision application conditioned upon the comments of Mr. Kemper.

Ayes: Bulger, Marzola, Russell, Larkin, O'Brien.

Public Hearing – 7:25p.m.

[2002-001] Merrill Lynch Credit Corp. – Proposed (3) lot subdivision, 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 January 16, 2002.

Mr. Gil VanGuilder, consultant for the applicant, presented this application which calls for the subdivision of 13.22 acres of land in an R-3 zone into lots of 5.9 acres, 4.9 acres, and 2.28 acres, respectively. The largest lot contains an existing residence that adjoins the lands of the Latham Water District. A common drive, private wells, and on-site septic systems will serve all lots.

Mr. Kemper reported that all comments from the Saratoga County Planning Board have been satisfied and that a 10' strip along Vischer Ferry Road will be conveyed to the Town for future roadway improvements. Appropriate setbacks should be indicated on the plans. Descriptions of the ingress/egress easements must be submitted. The applicant will be required to submit deed descriptions for this property to the Planning Department prior to the release of the stamped plan. Descriptions for the ingress/egress easement will need to be submitted for review. The setbacks associated with the Stony Creek Reservoir should be placed on the plot plan.

Mr. Grasso stated that the latest plan was satisfactory: the surveyor has addressed all engineering concerns. Mr. O'Brien said that all ECC comments had been addressed and all required notes had been added to the plan.

Ms. Randy McDermott, 1 Stony Brook Drive, stated that she adjoins the Merrill Lynch property and that her well has recently gone dry. She has spent a great deal of money to obtain water in recent weeks and she expressed serious concern for the impact of additional wells in the area. She stated that the Sherers, who reside next to this property, and other neighbors have unsuccessfully attempted to find water by tapping acceptable water sources.

Mr. Allen Stern, 7 Stony Brook Drive, supported Ms. McDermott's claims, adding that a number of homes are served by low-producing points and drilled wells. This application causes concern since additional draws on the water may cause problems for existing residents. Mr. Stern also expressed concern for the driveway width and additional traffic in the area. Mr. VanGuilder responded that the current driveway width exceeds Town standards and requirements.

Mr. Grasso noted that the Department of Health now requires all wells to be drilled. He also pointed out that there should be no major changes to run-off patterns since the driveway is existing. Mr. VanGuilder pointed out that a condition of property sale is that

a well must be drilled and proven to produce a minimum of 5 gallons per minute.

Mr. Craig Rundall, 29 Stony Brook Drive, spoke on behalf of himself and his neighbor, Bob Forest. He stated that they, too, have struggled with a diminishing water supply in recent months and asked the Board to deny plans that may further jeopardize their water resources.

Mr. O'Brien stated that the Board was extremely concerned with taking an action that may exacerbate an existing problem. He suggested that the Board close the public hearing but request that site investigations be completed to determine whether or not the area could support the additional development.

Mr. Larkin moved, seconded by Mr. Bulger, to close the public hearing. The motion was unanimously carried.

The Board agreed to take no action at this time. Consideration of the application will resume when area investigations of water availability and the potential impacts of the proposed development on existing water supplies have been evaluated.

Public Hearing – 7:20p.m.

The following public hearing was held after the Merrill Lynch discussion because the consultants for the applicant had not arrived.

[2002-006] Waite, Stephen (Czar Properties, LLC) – Proposed 11,000 SF restaurant and recreation facility, Vischer Ferry Road – Special Use Permit – 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 January 16, 2002.

Since the applicants for this application were not in attendance, Mr. Kemper briefly described this proposal which calls for the construction of an 11,000 square foot family restaurant, a miniature golf course, and skating waterway. Associated parking and site improvements are also shown on the site plan, although discussion was limited to consideration of the Special Use Permit because detailed preliminary site plans have not been submitted. Mr. Kemper reported that the Saratoga County Planning Board approved the project on January 17, 2002.

Mr. Kemper stated that any variances granted by the Zoning Board of Appeals should be listed on the plot plan. Projected flows and other relevant information must be supplied to the Saratoga County Sewer District. A stormwater management plan must be prepared. He asked that future submissions include site data such as the number of parking spaces, the number of proposed restaurant seats, zoning boundaries, greenspace, and setback requirements. He called the Board's attention to correspondence received from Mr. and Mrs. Petronis who have contracted with Masullo Brothers Builders to purchase a home

on property adjacent to the proposed restaurant facility.

Mr. Kemper read the numerous recommendations from the ECC. 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 within the L-C Zone and State or Federal Wetlands. The ECC recommends, therefore, 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 and these on-site boundary markers shall remain until construction is completed and soils are stabilized; all erosion and water quality controls shall be put in place and maintained at the initial phase of site preparation. The applicant should note that the Town Code requirement for a 300' setback for restaurants from any adjoining residential property is intended to minimize noise, light, and odor impacts on those residential properties. Those impacts will increase as the distance separating the restaurant and residential property decreases in the absence of any mitigating measures.

Mr. Grasso offered several comments. 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. Truck loading and delivery areas should be identified. The consultant should verify that delivery and emergency vehicles could 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. Mr. Grasso also recommended that the size and material of all utilities should be shown on the plan. Future plan submittals should include the following: layout dimensioning and proposed grading.

Mr. O'Brien noted that most of the comments from the engineer referred to the site plan. Since the Board is considering only the Special Use Permit application, these items may be more relevant during site plan review.

Ms. Judy Thayer, 1 Oakhurst Court, stated that she lives in the subdivision adjacent to the

proposed restaurant and recreation facility and has two small children who attend KinderCare. She is extremely concerned about the traffic entering and exiting this type of facility since it is in close proximity to the day care center. Other concerns focused upon diminished property values. She noted that the noise from the existing nightclub at North Country Commons is often excessive and she asked the Board to reject this project since it would “amplify” the problem. She also stated that the location of a “tavern” in such close proximity was a concern.

Ms. Katarzyna Petronis, the future owner of the home being constructed in the Oakhurst subdivision, reiterated the concerns expressed in a letter to the Board dated January 15, 2002. She stated that she would be “direct neighbor” of the proposed business and she believes that the light and noise generated by the project would be very offensive. She pointed out that due to the steep slope behind her property, vegetation is sparse and low growing, increasing the visibility and noise problem. Stating that the outdoor use would “infringe on the privacy and right to enjoy indoor and outdoor spaces,” she urged to Board to deny the application for the outdoor recreation use. Ms. Petronis also commented on the size of the proposed business, noting that it would be extremely intrusive.

Mr. O’Brien responded to the residents’ concerns, stating that many of the items that concern them, such as noise, hours of operation, and lighting, will be considered during site plan review. He explained that the project does appear to meet the standards established by Town Law for approval of a Special Use Permit, but expressed his displeasure that the applicant was not in attendance.

Mr. Larkin moved, seconded by Mr. Marzola, to adjourn the public hearing. The motion was unanimously carried. Mr. O’Brien stated that the hearing would be reconvened when the applicant and/or his consultant is able to attend the meeting.

Public Hearing – 7:30p.m.

[2002-004] Countryman Estates, North – Proposed (4) lot subdivision – Moe Road – Reconvening of preliminary public hearing held on January 8, 2002 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 January 16, 2002.

Mr. Gordon Nicholson, Environmental Design Partnership, presented the proposal to amend the subdivision plan that was approved on December 11, 2001. At the January 8th meeting, Mr. Gavin Vuillaume, Mr. Nicholson’s colleague, presented the proposal for the creation of (4) additional lots. Board members supported the amendment for two of the parcels, but rejected lot #202, the proposed lot along Lapp Road adjoining the Lands of Buckley. The applicant and consultants now request approval of a lot on Liberty Way that was inadvertently omitted in the count on the approved subdivision plan. Instead of 115 lots as approved on December 11, 2001, the plan actually contained 116 residential

lots. The total number of lots in the Countryman Estates North subdivision as amended is 118. Board members were satisfied with this proposal.

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

Mr. Bulger moved, seconded by Mr. Russell, to establish the Planning Board as Lead Agency for this project, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. Marzola offered Resolution #4, seconded by Mr. Russell, to grant preliminary and final subdivision approval, waiving the final hearing, to this application. Ayes: Bulger, Marzola, Russell, Larkin, O'Brien. Noes: None.

Old Business

[2000-035] Belmonte Builders, Inc. – Proposed (17) lot subdivision, West Sky Lane – Revised conceptual subdivision review.

Mr. Gordon Nicholson, consultant for the applicant, presented this proposal which calls for the subdivision of 50.9 acres of land in an R-1 zone into (17) residential lots. The plan presented for review depicted an additional (3) lots on Bonneau and Compton Roads. Since it has recently come to his attention that there is a cemetery plot located on or near that property, research must be conducted to ensure that there is no disturbance to the burial site. Due to significant wetlands on the property, the remainder of the project has been presented as a cluster subdivision with two cul-de-sacs accessed from West Sky Drive. Mr. Nicholson stated that in response to the park district's request, a multi-use pathway has been proposed. He asked that the Board agree on the suggested location since it would reduce disturbance to federally jurisdictional wetlands and impact to existing homes would be minimized. He asked the Board to consider authorizing a 35' building setback, an 85-foot width at the building line, a reduction in the carriageway width to 24 feet, and approval of a 50' right-of-way. Approximately 37 acres will be conveyed to the Town as open space or parkland. Minimum lot size is approximately 13,500 square feet. Sewer, water, and stormwater facilities will be extended from West Sky Drive. There will be little disturbance to the L-C zone and proposed disturbance of federal wetlands amounts to approximately one-quarter acre.

Mr. Grasso stated that many comments from Clough, Harbour and Associates' initial review letter do not appear to have been adequately addressed. A Full Environmental Assessment Form should be submitted for review. In general, it appears that the site contains numerous environmentally sensitive features including extensive NYSDEC and federal wetlands. The plan does not propose any measures to reduce the subdivision or future development of these areas including proposed open space, parkland, or restrictions on further subdivision or development. The plan should be modified to include such measures. In addition, it appears due to the proximity of the proposed houses to remaining wetlands, that future incremental wetland impacts are inevitable.

Accordingly, these impacts should be evaluated. Consideration should also be given to the creation of a cluster or conservation density subdivision to reduce the project's overall environmental impacts. Following a review of the most recent proposal, it appears that the revised concept plan will result in more wetland impacts than the originally presented plan and the plan continues to lack any measures for the long term protection of environmentally sensitive areas. A pedestrian connection should be provided from West Sky Drive to the existing parklands to the south of the project site. Such a connection would provide many of the benefits of the previously proposed but not constructed Moe Road multi-use pathway. The plan lacks any proposed stormwater management. The proposed road connection between Bonneau Road and Compton Road is not in accordance with the Town's Construction and Design standards, and the map does not appear to accurately represent the topographical and planimetric features of this area. Additional existing condition information should be provided including detailed topography based on accurate field survey, existing utilities, limits of pavement, etc. The proposed method of water supply, sanitary sewer service and storm drainage and the names of all adjacent property owners should be shown on the plans. The areas of the proposed lots should be shown on the plans. A new revision date should be added to the plan.

Board members found the plan acceptable. They expressed their appreciation for the applicant's willingness to present a cluster subdivision to avoid disturbance to the wetland areas. Mr. O'Brien reinforced the Town's commitment to the development of a multi-use pathway and expressed a desire to work with the developer to design a viable path, although Board members could not agree on a specific location.

[2001-052] New York Development Group, LLC – Proposed (20) lot subdivision, Tanner Road – Revised conceptual subdivision review.

Mr. Gil VanGuilder, consultant for the applicant, briefly described the modifications made to this subdivision plan following the November 27, 2001 Planning Board meeting. Pursuant to Board comments, the subdivision of 46 acres of land in an R-1 zone has been redesigned according to "cluster" legislation. The plan shows a reduced road width of 28 feet and 30' front yard setbacks; lots range in size from 21,027 square feet to over 13 acres.

Mr. Kemper called the Board's attention to the correspondence received from Pat Haffner, Director of Parks, Recreation, and Community Affairs and Eric Hamilton, Chairman, Trails Advisory Committee. Ms. Haffner recommended that the proposed subdivision be included in the Sherwood Forest Park District and that a multi-use pathway connect the Emerson and Tanner Road subdivisions. Mr. Hamilton suggested that the developers provide a connection between the two developments for pedestrian and bike traffic. He pointed out that this would be consistent with Clifton Park's Trails Master Plan and would be significant in linking these neighborhoods as well as other educational, recreational and commercial facilities. The variance that was received from the Fire Code Appeals Board should be included on the plot plan. Due to the fact that the project is located adjacent to a recently approved subdivision and other residences, limits

on hours of construction should be established for the project. A catch basin should be installed in the center of the proposed cul de sac and the cul de sac should also be graded toward the center. The applicant is proposing a 30 ft. front yard setback, and a 24 ft. roadway width, pursuant to cluster subdivision legislation.

The ECC notes that 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 and these boundary markers shall remain until construction is completed and soils are stabilized. All erosion and water quality controls shall be put in place and maintained at the initial phase of site preparation. The applicant will control fugitive dust and debris during the construction/demolition phase of the project. Further, the proposed roadway crossing from the development crosses a DEC wetland and LC Zone and should be designed so as not to restrict the natural drainage characteristics of the wetland.

Mr. Grasso reported that several comments from our November 26, 2001 review letter had not been adequately addressed. Additional information has been provided in bold italics. The proposed project involves a rather conventional style subdivision in the mostly rural western side of Town. In order to help retain the rural character of the area, consideration should be given to the development of a cluster or conservation density layout that enhances and protects the open space qualities of the area. The plan indicates use of a 28-foot wide road section, which is less than the minimum standard of 32 feet, and a thirty-foot front yard setback, which is less than the standard fifty feet. We assume, therefore, that the plan is being proposed as a “cluster” subdivision. If this is the case, it should be clearly represented on the plans. Other cluster subdivisions in the Town have used 26-foot wide roads; therefore, this can be used. If the proposed project is approved as a cluster subdivision, we recommend that additional provisions and restrictions be provided as described below. Pursuant to Section 86-6 F. of the Town Code, dead end streets shall not service in excess of 18 residential units. Twenty building lots are proposed. The Director of Code Enforcement should confirm that the lots along Tanner Road do not count towards the 18-lot limitation.

The following comments concern the proposed keyhole lots number 19 and 20: the minimum front, side and rear yard setbacks shall be 50 feet; the Town’s standard note for driveways in excess of 500 feet should be added to the plan; the Town’s standard note for address identification should be added to the plan; water supply and sanitary services should be designed to accommodate the long length to the public mains; the driveway culvert(s) should sized to pass the entire upstream drainage area.

The consultant should verify the adequacy of the site distance at the proposed intersection with Tanner Road. This information should be added to the plan. Provisions should be

made to screen the automobile headlights exiting the proposed development from the existing residences across Tanner Road. The plans now show the relationship between the proposed road and the house. The concern appears to be from vehicles turning left out of the proposed development. Mitigation appears warranted.

Consideration should be given to providing recreational paths to make use of the proposed open space areas for passive recreation. We recommend a multi-use pathway be provided over the route of the sewer force main to the Emerson subdivision. This will allow residents of the subdivision and other adjacent developments access to the future planned multi-use pathway along Route 146A. We have discussed the routing of a force main through the wetland area with the Saratoga County Sewer District and it is acceptable, as long the route is accessible for maintenance vehicles. We recommend, therefore, that the multi-use pathway be paved the standard eight feet width and that gravel shoulders be provided to support the additional width required by the maintenance vehicles. The consultant should document that the existing low-pressure sanitary forcemain at Dawson Lane has the capacity to accept flows from the proposed subdivision.

Mr. Grasso commented that the subdivision plans should include the following: town standard note regarding standards and accuracy; location of proposed monuments; location, description and elevation of benchmark(s); notes regarding zoning, setbacks, minimum lot sizes, etc. An ingress/egress easement should be provided over the common drive. The plans indicate a “25-foot no-cut buffer” in some areas and a “land preservation area” in others. It would appear that one type of land use restriction should apply to both areas. The applicable restrictions should be appropriately described on the plans. We recommend that the “no-cut buffer “ or “land preservation area” be a minimum of 100 feet wide around the perimeter of the site, including along Tanner Road. Design information should be provided for the proposed road culvert at Sta. 0+30 including pipe size, material, length, slope and invert elevations. 18” minimum vertical separation should be provided between the sanitary sewer and the watermain stub for future road extension to the north. The center island of the cul-de-sac should be depressed and a catch basin should be provided to collect stormwater runoff. The utility elevations should be verified at the cul-de-sac to prevent crossing conflicts. Pavement sawcut lines, restoration and compactions specifications should be provided for the proposed connection to the existing watermain and sanitary forcemain at Dawson Lane (Emerson Subdivision).

He offered the following comments regarding the Stormwater Management Report dated January 3, 2002: the weighted curve number calculations for the post developed condition should be based on land cover descriptions of residential ½ acre lots, woods and impervious surfaces. The long time of concentration travel path over the backyard and through the woods to the stream for drainage area 2 is not representative of the drainage area. The time of concentration should be taken from a house to the roadway and then through the storm sewer system to the retention basin. The “Detention Basin Service/Auxiliary Spillway Rating Table” indicates spillway flow beginning at elevation 334.50 while the design plans specify the top of spillway at elevation 343.50. The peak

water elevation during a 10-year storm event should not result in storage of stormwater in the town storm sewer system. The stormwater management report should be stamped and signed by a New York State Licensed Professional Engineer. 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).

Mr. Larkin requested clarification of the utility connections. He noted that the Fire Code Appeals Board approved the project conditioned upon the placement of a hydrant at the intersection of the new road with Tanner Road, a 24' roadway width with 2' wings, and the development of lots #19 and 20 in accordance with keyhole lot standards.

Mr. Russell asked about the use of the multi-use pathway for emergency vehicle access and maintenance of drainage areas and Town lands. Board members seemed to agree that this would be desirable. Board members found the overall plan acceptable.

Discussion Items:

The applicant for Tutor Time, Phase II has requested the addition of a canopy over the entranceway and additional handicapped parking spaces. The Board found these amendments to the plan acceptable.

The Zoning Board of Appeals has referred an application for a freestanding sign at Plaza 8 for Planning Board recommendations. Board members agreed that the sign would be acceptable.

Mr. Larkin moved, seconded by Mr. Bulger, to adjourn the meeting at 8:45p.m. The motion was unanimously carried. The next meeting is scheduled for Tuesday, February 12, 2002.

Respectfully submitted,

Janis L. Dean,
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 #2

PRELIMINARY AND FINAL 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 January 23, 2002, at 7:10 P.M. there were:

Present: S. Bulger, J. Larkin, J. Marzola, J. Russell, K. O'Brien

Mr. Bulger offered Resolution #2 and Mr. Larkin seconded, and

Whereas, an application has been made to this Board by Dr. Thomas and Constance D'Ambra for approval of a special use permit pursuant to Section 208-8B(9), 208-79, and 208-85 to permit the operation of a commercial riding stable in an R-3 zone; and

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on January 23, 2002 in the Town Office Building,

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 Special Use Permit pursuant to Section 208-8B(9), 208-79, and 208-85 to allow the construction and operation of a commercial riding stable in an R-3 zone is hereby approved conditioned upon satisfaction of the comments of Mr. Kemper, Clough, Harbour, and Associates, and the ECC.

RESOLUTION #2 passed 01/23/02

Ayes: Bulger, Marzola, Russell, Larkin, O'Brien.

Noes: None

Abstained: None

Kevin O'Brien
Chairman

Resolution # 3

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 January 23, 2002, at 7:15 P.M. there were:

Present: S. Bulger, J. Larkin, J. Marzola, J. Russell, K. O'Brien

Mr. O'Brien offered Resolution #3 and Mr. Marzola seconded, and

Whereas, an application has been made to this Board by DCG Development Co. for approval of a (2) lot subdivision on NYS Route 146, and

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on January 23, 2002 at 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 on December 11, 2001, 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 the Subdivision of the Lands of DCG Development Co. consisting of (2) lots, is hereby granted final approval, conditioned on the comments of Mr. Kemper.

RESOLUTION #3 passed 1/23/02

Ayes: Bulger, Marzola, Russell, Larkin, O'Brien.

Noes: None

Kevin O'Brien
Chairman

Resolution # 4

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 January 23, 2002, at 7:30 P.M. there were:

Present: S. Bulger, J. Larkin, J. Marzola, J. Russell, K. O'Brien

Mr. Marzola offered Resolution #4 and Mr. Russell seconded, and

Whereas, an application has been made to this Board by Amedore Homes, Inc. for approval of a subdivision consisting of (3) lots within the Countryman Estates North subdivision;

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on January 8, 2002 and was reconvened on January 23, 2002 at 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 on January 23, 2002, 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 hearing for this application is waived and the final plat entitled the Subdivision of the Lands of Countryman Estates North consisting of (3) lots, is hereby granted preliminary and final approval.

RESOLUTION #4 passed 1/23/02

Ayes: Bulger, Marzola, Russell, Larkin, O'Brien.

Noes: None

Kevin O'Brien
Chairman