

Clifton Park Planning Board Meeting Minutes

February 12, 2002

Those present at the February 12, 2002 Planning Board meeting were:

Planning Board: S. Bulger, Vice-Chairman, B. Czub R. d'Amico, J. Larkin, J. Russell

Those absent were: K. O'Brien, J. Marzola

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

Mr. Bulger, Vice-Chairman, called the meeting to order at 7:10p.m.

Public Hearing – 7:10p.m.

[2001-051] Everitt, David A. Jr. and Howard Hoffman – Proposed transfer of 13,166 SF, VanVranken Road – Preliminary public hearing and possible determination.

Mr. Bulger called the public hearing to order. The Secretary read the public hearing notice as published in the Daily Gazette on February 5, 2002.

Mr. VanGuilder, consultant for the applicant, explained that Mr. Everitt plans to transfer 13,166 square feet of land from the lands of Howard Hoffman to his existing property.

Mr. Kemper requested the following: postal addresses for the lands of both Everitt and Hoffman be placed on the plans; the existing and proposed land areas for both parcels be indicated on the plans; a consolidation deed be prepared for review; the L-C zone associated with the NYSDEC classified stream in close proximity to the rear property line between Everitt and Hoffman be depicted on the plan; the standard note for lots with wells be added to the plans.

Mr. Grasso, Clough, Harbour, and Associates, stated that the proposed project appears to be an unlisted action pursuant to SEQR, and as such, coordinated review is optional. The Town of Clifton Park Planning Board appears to be the only involved agency. The locations of the existing house and well and septic system locations on the remaining lands of Hoffman should be shown on the plan to verify proper setbacks and separation distances. The existing Everitt house appears to not comply with the minimum 50-foot front yard setback from VanVranken Road, however, an area variance does not appear warranted since no change of use or structural additions are proposed. The existing and proposed Everitt lot area should be identified on the plan.

The ECC found the proposal acceptable.

There being no public comment, Mr. Bulger moved, seconded by Mr. Larkin, to close the public hearing. The motion was unanimously carried.

Mr. Larkin questioned the plans for future development in the area since he understands that larger parcels adjoining the ones involved in this application are currently offered for sale. Mr. VanGuilder stated that he had no knowledge of plans for additional subdivision of the subject parcels.

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

Ms. Czub offered Resolution #5, seconded by Mr. d'Amico to grant preliminary and final subdivision approval, waiving the final hearing, to this application which called for the transfer of 13,166 SF from the Lands of Howard Hoffman to David A. Everitt, Jr. conditioned upon the satisfaction of the comments offered by Mr. Kemper. Ayes: d'Amico, Czub, Larkin, Russell, Bulger. Noes: None.

Public Hearing – 7:15p.m.

[2002-006] Waite, Stephen (Czar Properties, LLC) – Proposed 11,000 SF restaurant and recreation facility, Vischer Ferry Road – Special Use Permit – Reconvening of preliminary public hearing held on January 23, 2002 and possible determination.

Mr. Bulger called the public hearing to order. The Secretary read the public hearing notice as published in the Daily Gazette on February 5, 2002.

Mr. Dale Conklin, consultant from Smith and Mahoney, presented details of the proposed site development on behalf of the applicant. He explained that project plans call for the construction of an 11,000 SF restaurant and a “naturalistic” miniature golf course, and a skating waterway that will maintain the natural qualities of the area. The restaurant will seat approximately 300 customers.

Mr. Kemper confirmed that this review is a reconvening of a public hearing held on January 23, 2002. He reported that the ZBA granted the necessary setback variances at its February 2, 2002 meeting. Mr. Clemens stated that the variance was granted for a restaurant use within 300 feet of a residential property line. A 226-foot variance to allow the building to be built 74 ft. from the westerly property line was granted with the condition that daytime (7 a.m. to 10 p.m.) decibel levels shall not exceed 50 decibels and nighttime (10 p.m. to 7 a.m.) decibel levels shall not exceed 40 decibels. This level shall be measured at any point 300 feet from the restaurant building. The County Planning Board approved this application on January 17, 2002. Since the restaurant is allowed in the B –3 zone, the only application before the board at this point is a Special Use Permit for the recreational use. Issues relating to the restaurant will be addressed during the site plan approval process. The project is an unlisted action under SEQRA. Sheryl Reed

offered the following comments: adequate accessibility to building for emergency vehicles including proper turning radius must be provided; a hydrant at the first entrance to the parking lot on the east corner is required; per the fire department request, a knox box must be provided.

The ECC had no comments on this application.

Mr. Grasso stated that, in addition to the comments offered on January 23, 2002, his firm was asked to provide recommendations regarding acceptable noise levels for the project during Zoning Board of Appeals' deliberations. The Zoning Board of Appeals conditioned its variance approval upon the advice of the engineering firm.

Ms. Katarzyna Petronis, 239 Woodin Road, stated that she and her family have purchased a home in the Oakhurst subdivision that adjoins the proposed restaurant and recreation facility. She reiterated concerns expressed in letters dated January 15, 2002 and January 29, 2002 and during the public comment period at the last Planning Board meeting. She focused on the problems of noise, lighting, increased traffic, and impacts to natural resources. Though she was pleased that the Zoning Board had limited noise levels, she remained concerned about exhaust from the cooking equipment, lighting from the site, and loss of wildlife habitat. She asked the Board to deny this Special Use Permit.

Mr. Pelagalli outlined the requirements for approval of Special Use Permits, noting that the provisions within the Town Code provide protections against uses that may be out of character in a particular location. After reading the legal standards to be applied by the Board, he emphasized that the Board's deliberations were only concerned with approval of the recreational use associated with the proposed project.

Following the opportunity for public comment, Mr. Larkin moved, seconded by Mr. Russell, to close the public hearing. The motion was unanimously carried.

In response to Mr. Larkin's request for information regarding proposed lighting for the site, Mr. Conklin stated that lighting would be supplied by "cut-off" fixtures and directed landscape lighting. Pedestrian scale lighting fixtures will predominate. The applicant believes that installation of a fence or other type of screening would detract from the aesthetics of the site. Mr. Russell asked about the hours of operation for outdoor activity. Mr. Waite stated hours of operation have not yet been established.

Since preparation of the detailed site plan is dependent upon approval of the Special Use Permit, Mr. Conklin asked that the Board render a determination.

Mr. Bulger stated that he believes that the project meets the requirements of law, though he added that the Board would certainly consider analysis by a qualified professional who may provide some "substantive" information that may indicate that this area is not conducive for the proposed development. Following Mr. Pelagalli's admonition that community dissent may not be cited as a basis for denial of a Special Use Permit, Board members generally agreed that a determination on this application would be made at the

February 26, 2002 meeting.

Public Hearing – 7:20p.m.

[2001-053] Wunderlich, Joseph R. – Proposed land transfer of 8.5 acres of land from Wunderlich to the Lands of County Waste, 1925 Route 9 – Preliminary public hearing and possible determination.

Mr. Bulger called the public hearing to order. The Secretary read the public hearing notice as published in the Daily Gazette on February 5, 2002.

Mr. Tom Andress, ABD Engineers, consultant for County Waste, described this subdivision proposal which calls for the transfer of 8.5 acres of land from Wunderlich to the Lands of RKS Holding Corp. He pointed out that much of the developed portion of the County Waste site lies within the Town of Halfmoon.

Mr. Kemper explained that the applicant currently has a project pending before the Town Board in Halfmoon that is dependent upon approval of this land transfer. The application was approved by the SCPB on November 16, 2001. A consolidation deed will have to be submitted for the lands of RKS Holding Corp. Revised easements have been submitted for review. All issues outlined at the November 16, 2001 meeting have been addressed. The proposed application is an unlisted action under SEQRA.

The ECC had no comments.

Mr. Grasso requested the submission of a Short Environmental Assessment Form (SEAF) for review prior to SEQR determination. Though Mr. Grasso recommended that a minimum 100' no disturbance buffer be provided along the Dwaas Kill, Mr. Andress pointed out that since this portion of the Dwaas Kill was located in the Town of Halfmoon, the 100' buffer was not applicable.

There being no public comment, Mr. d'Amico moved, seconded by Ms. Czub, to close the public hearing. The motion was unanimously carried.

Mr. Bulger moved, seconded by Mr. Larkin 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 carried.

Mr. Larkin offered Resolution #6, seconded by Ms. Czub to grant preliminary and final subdivision approval, waiving the final hearing, to this application which called for the transfer of 8.5 acres from the Lands of Wunderlich to the Lands of RKS Holding Corp. Ayes: d'Amico, Czub, Larkin, Russell, Bulger; Noes: None.

Public Hearing – 7:25p.m.

[2002-010] Kopacki, Frederick and Elizabeth – Proposed land transfer of 5 acres of land

from a 130-acre parcel to an existing 2.5-acre parcel, 626 Waite Road – Preliminary public hearing and possible determination.

Mr. Bulger called the public hearing to order. The Secretary read the public hearing notice as published in the Daily Gazette on February 5, 2002.

Mr. Gil VanGuilder presented this application on behalf of Frederick and Elizabeth Kopacki. The proposal calls for the transfer of 5 acres of land from the 130-acre parcel owned by the Kopackis to a 2.46-acre parcel that contains their existing residence. No new building lot will be created.

Mr. Kemper asked that a consolidation deed be submitted for the new lands of Kopacki. The proposed land transfer is an unlisted action under SEQRA. He asked that the standard note for lots with wells and that the farm note be added to the plans. Since Waite Road has been identified in the Trails Master Plan for a future multi-use pathway, a 10' strip of land along Waite Road should be deeded over to the Town for the proposed path. Board members agreed that obtaining a 10' strip would be desirable.

The ECC had no comment on this application.

There being no public comment, Ms. Czub moved, seconded by Mr. d'Amico, to close the public hearing. The motion was unanimously carried.

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

Mr. d'Amico offered Resolution #7, seconded by Mr. Larkin, to grant preliminary and final subdivision approval, waiving the final hearing, to this application which called for the transfer of 5 acres from the Lands of Frederick and Elizabeth Kopacki to the Lands of Frederick and Elizabeth Kopacki to create a lot of 7.5 acres. Ayes: d'Amico, Czub, Larkin, Russell, Bulger; Noes: None.

Public Hearing – 7:30p.m.

[2002-011] Kopacki, Frederick and Elizabeth – Proposed land transfer of 2.78 acres from Kopacki to the Lands of Caroline Rose Trezciak, 631 Waite Road – Preliminary public hearing and possible determination.

Mr. O'Brien called the public hearing to order. The Secretary read the public hearing notice as published in the Daily Gazette on February 5, 2002.

Mr. VanGuilder explained that this application was proposed to satisfy a deed created in 1974. The subdivision was not formalized until now because the Kopackis used the property for farming. A 2.78-acre parcel is to be transferred from Frederick and Elizabeth

Kopacki to the adjoining Lands of Trezciak.

Mr. Florian Kopacki, adjoining neighbor, asked Mr. VanGuilder to clarify the discrepancy that exists in the survey he holds and the survey presented for Board approval. Mr. VanGuilder explained that prior surveys, particularly the survey completed in 1962, contained errors. According to Mr. VanGuilder, the parcel conveyed in 1974 has the least amount of standing, since iron pipes found on the property, placed during previous surveys, appeared to be aligned in accordance with existing deeds. Mr. Kopacki presented his position, contending that the property boundary markers have been moved. He stated that he would hire a surveyor to verify property lines.

Mr. Kemper asked that the standard note for lots with wells and the farm note should be added to the plans. He pointed out that copies of a letter and copies of the survey that Florian Kopacki had completed in the 1970's were included in Board members' packets.

Following the opportunity for public comment, Mr. Larkin moved, seconded by Ms. Czub, to close the public hearing. The motion was unanimously carried.

Mr. Florian Kopacki urged the Board to delay a decision until he has had an opportunity to employ a surveyor in an attempt to resolve the boundary dispute. Board members discussed the benefits of delaying a determination for thirty days to allow time for a second survey to be completed.

Mr. d'Amico moved, seconded by Mr. Larkin 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 carried.

Mr. Larkin offered Resolution #8, seconded by Mr. d'Amico, to grant preliminary and final subdivision approval, waiving the final hearing, to this application which called for the transfer of 2.78 acres from the Lands of Frederick and Elizabeth Kopacki to the Lands of Caroline Rose Trezciak to create a lot of 3.89 acres. Ayes: d'Amico, Larkin, Russell, Bulger. Noes: None. Abstained: Czub.

New Business

[2002-008] Corpus Christi Church – Proposed 18,030 SF addition, 2001 Route 9 – Conceptual site plan review.

Mr. Gordon Nicholson, Landscape Architect with Environmental Design Partnership, represented the applicant. He described this project which calls for an 18,030 SF expansion of the church facility to provide new worship space. Eight hundred seats are proposed with a capacity capability for 1,000 for peak events. The church is located on approximately 14.5 acres in a B-3 (Neighborhood Business) zone. Approximately 7.2 acres will be affected by the proposed expansion and associated improvements. Since proposed ACOE wetland disturbance is one-quarter acre, an individual wetlands permit will be required. At full build-out 399 parking spaces will be required. Two access drives

are provided along Ushers Road. The site is served by an on-site well and septic system and an on-site stormwater management area will be installed. Application has been made to the Zoning Board of Appeals for two setback variances and a variance to allow parking within the front yard setback. 68% of the site will be retained as greenspace. A detailed traffic study is being prepared by Creighton-Manning. The building and steeple elevation takes into account the required side yard setbacks.

Mr. Kemper received two comments from Sheryl Reed on February 12, 2002: the applicant must provide fire flow or a variance from the Fire Code Appeals Board; provision for adequate accessibility to structure including proper turning radius must be provided. Don Clemens states that variances will be required for parking within the front yard setback along Route 9 and 2 access drives on Ushers Road. Front yard setback variances along Route 9 and Ushers Road are also required. Due to the proposed wetland disturbance a wetland disturbance permit will be required from the ACOE. Mr. Kemper asked that the Town of Clifton Park Planning Department be copied on all correspondence. Verification should be submitted stating that there are no N.Y.S.D.E.C. wetlands present on the site.

The ECC noted that limiting parking lot access to Ushers Road might create significant congestion and limit access for emergency vehicles. The project includes extensive paving adjacent to, or in the vicinity of the LC Zone, State, and/or Federal Wetlands; therefore, the ECC recommends that the applicant be required to incorporate sediment traps and oil water separators with appropriate capacity to limit the migration of vehicular contaminants into these sensitive environments. 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. 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 into place and maintained at the initial phase of site preparation. The applicant will control fugitive dust and debris during the construction/demolition phase of the project. The applicant should submit a Stormwater Management Plan for review by the Town's Engineer and the ECC. Due to the wetland disturbance and size of proposed addition, a Full EAF should be submitted for the application. The proposed parking seems excessive; the applicant should propose a reduced number of parking spaces and allow for future parking lot development if deemed necessary. Proposed plantings and façade renderings of storage garage should be submitted with future plans.

Mr. Nicholson addressed the issue of using sediment traps and oil water separators, stating that these items are more practical in areas where there is a large volume of trucks parked for an extended period of time. Based on the limited usage of this parking lot, the consultant does not believe the recommended improvements are necessary.

Board members discussed the proposed parking areas and number of spaces shown on the plan. Mr. Nicholson stated that there is insufficient parking on the site currently and the

proposed number of spaces appears warranted. Mr. d'Amico expressed concern regarding the proposed parking to the front of the church and asked that some of the spaces be relocated.

Mr. Grasso stated that 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: Town of Clifton Park Planning Board for site plan approval; Saratoga County Planning Board for Section 239 referral; US Army Corps of Engineers for federal wetland permits; NYSDEC for 401 Water Quality Certification and state wetland permits. A Full Environmental Assessment Form should be submitted for review. An ACOE and NYSDEC wetland jurisdictional determination should be provided. If the wetlands are NYSDEC wetlands, the adjacent 100-foot buffer would apply. According to the parking summary, only 200 parking spaces are required yet 399 are proposed. Construction of the large parking lot will require substantial removal of trees and vegetation, grading and wetland disturbance. Justification should be provided for the 199 parking spaces above what is required by Town Code. Consideration should be given to constructing the minimum required parking initially and identify potential future additional parking if warranted. According to the Americans with Disabilities Act, based on 399 total parking spaces, 8 handicap parking spaces should be provided. Six handicapped parking spaces appear to be proposed. According to the Section 208-65 E. of the Town Code, no parking or maneuvering area shall be allowed in the front yard. Parking is proposed within one foot of the Route 9 right of way and within twenty feet of the Ushers Road right of way. Given the constraints of the site and the fact that it is a corner lot, consideration may be warranted to waiving the setback restriction along Ushers Road. The existing wooded area along Route 9 should be preserved to mitigate visual impacts of the parking lot. Curbing or asphalt wing wedge should be installed along the edge of the parking lot and access drive to direct stormwater runoff to a closed drainage system discharging to the proposed stormwater management areas. The stormwater management plan should include provisions for treatment of the first flush runoff for stormwater quality enhancement prior to discharge to the wetlands. The consultant should verify the adequacy of the sight distance at the new proposed driveway location. A low-pressure sanitary sewer forcemain is located along Route 9 by the railroad overpass and a public water main is located along Ushers Road near the new Hess gas station. Consideration should be given to connecting to these utilities for sewer and water service in lieu of the onsite wastewater disposal system and well. An infiltrator system is proposed under the parking lot for wastewater disposal. In accordance with NYSDEC's Design Standards for Wastewater Treatment Works-Intermediate Sized Sewerage Facilities, "no building shall be done (including driveways) and no heavy equipment (cars, tractors, trucks) shall be allowed over an absorption system, or downslope from a system where system failure from soil compaction or effluent daylighting may occur." The septic system should be a minimum of 10 feet from the parking area (measured from the toe of slope for fill systems). An area should be reserved for 100% system expansion area. Percolation tests and test pits should be performed to verify the site could support the expanded wastewater disposal system needs. An onsite water storage tank for fire protection may be required, should water service continue to be supplied by the onsite well. We recommend a new access drive with a designated drop

off area be looped to the new driveway. No parking spaces should be constructed off the designated access drive. The consultant should verify that emergency vehicles can maneuver through the parking lot. The location of the dumpster pad and enclosure and the proposed building height should be shown on the plans.

Board members expressed concerns regarding the sewer and water systems that supply the church. Mr. Nicholson pointed out that connection to public water and sewer would become more viable when DCG Development develops projects on land along Ushers Road. He also stated that changes to the site plan as presented would require additional impacts to the wetland and existing utilities.

Board members agreed that the project as presented was acceptable, though they recommended that the church connect to utilities when they are available.

[2002-012] Sciochetti, Paul – Proposed (3) lot subdivision, Riverview Road – Conceptual review.

Mr. Andress, ABD Engineers, provided background for this application, stating that the Planning Board approved the original project consisting of five (5) lots in 1999, though final plans were never filed. This application proposes three residential lots on 30.30 acres in an R-2 zone. Lot sizes are 2.72 acres, 11.85 acres, and 15.67 acres, respectively. Individual wells and septic systems will serve the lots. The two larger lots will be accessed by a common drive.

Mr. Kemper explained that the Board granted approval for a five-lot subdivision for this parcel on May 26, 1999 though the issues raised at that meeting were never resolved and the plans were never stamped. The ECC had the following comments: the applicant should add the following standard statement to the plot plan: the Land Conservation (LC) Zone shall be delineated in accordance with Section 208-69 of the Clifton Park Town Code. Uses in this area are restricted. The Town of Clifton Park Building Department shall be notified before undertaking any land disturbance activities in the LC Zone. Erosion control measures should be depicted on the plot plan. A grading plan should be submitted for Lot 1, and Clough, Harbour and Associates will have to sign off on sanitary sewer design prior to stamping of plans.

Sheryl Reed's memo of February 12, 2002 stated that the access must be only a driveway and a new postal verification form with a Riverview Road addresses must be submitted.

Mr. Grasso mentioned that Clough, Harbour, and Associates reviewed a proposed five-lot subdivision for the same parcel in 1999. The proposed project appears to be an unlisted action pursuant to SEQR, and as such, coordinated review is optional. The Town of Clifton Park Planning Board appears to be the only involved agency. During 1999 reviews, Clough, Harbour, and Associates was very critical of the associated impacts of the proposed lot along Riverview Road due to septic system and grading constraints. Unfortunately, this lot is still proposed. It is recommended that this lot be eliminated and one of the previously proposed lots with less environmental impact be proposed. The test

pit information in the location of the proposed tile field only provides soil information down to thirty inches. In accordance with the NYSDOH Individual Residential Wastewater Treatment Systems Design Handbook, "Deep test holes for proposed absorption fields shall be at least six feet deep (i.e. preferably four feet deeper than the bottom of proposed absorption trenches/beds) to facilitate observation of soil mottling/discoloration on the sidewalls of the hole or other boundary conditions." If bedrock provides refusal of the excavation, this should be so noted. Based on the limited soil data it appears that raised wastewater disposal systems may be required. Wastewater disposal system design and details should be provided. In accordance with NYSDOH requirements a 50% expansion/replacement area should be provided. The locations of the Lot #2 proposed house, wastewater disposal system, and well should be shown on the plan. Construction of the private road "Emily Drive" along with installation of the driveway culvert has resulted in several complaints from downstream neighbors regarding drainage problems. Our previous review letters were very critical of the impacts associated with the driveway construction in such close proximity to the western property line. The consultant should thoroughly investigate the complaint and identify drainage modifications as appropriate.

When questioned about the lot closest to Riverview Road, Mr. Andress reported that a grading plan has been prepared for the lot and additional culverts have been installed.

Board members asked for clarification of the complaints from downstream neighbors and suggested that Mr. Kemper investigate the nature of the concerns and possible resolution of any drainage problems.

[2002-009] Spectrasite Network Services, Inc. – Proposed co-location at the telecommunications tower on the Lands of Hicks, Sugar Hill Road – Conceptual site plan review.

The applicant's representative presented this proposal that calls for the co-location of an antennae on an existing 250-foot telecommunications tower on Sugar Hill Road.

Mr. Kemper explained that the recently revised telecommunication tower law for the Town of Clifton Park requires a 500-foot setback from any part of the structure to the nearest residential structure. Since it appears that there is a residential structure located within 500 ft. of the tower, a variance from the Zoning Board of Appeals will be necessary prior to Planning Board action on the application. The other provision of the recently approved legislation requires that a qualified engineer review the application. C.T. Male is currently reviewing the application.

Clough, Harbour, and Associates recused itself from engineering review for this application.

Spectrasite needs to place the equipment by April 18, 2002 pursuant to the license issued by the Federal Communications Commission. Board members agreed that the applicant would be permitted to install a "temporary" fixture on the monopole if a ZBA

determination is delayed.

Minutes Approval:

The minutes for January 23, 2002 could not be approved due to a lack of a quorum of the members present at that meeting.

Discussion Items:

Caribbean Pools

The owner of a parcel of land adjacent to Exit 8 would like to improve the property to allow for sales of pools. Mr. Kemper presented members with a sketch of the proposed modifications to the building and the lighted sign. Board members found the proposal acceptable and agreed that formal site plan review would not be required.

Ice Arena

Mr. Kemper explained that the developer of the ice arena is evaluating the feasibility of adding a 20' x 40' locker room area to the rear of the existing arena. Board members agreed that the addition would be acceptable and that formal site plan review would not be required.

Ms. Czub moved, seconded by Mr. Larkin, adjournment of the meeting at 10:10p.m. The motion was unanimously carried. The next meeting of the Planning Board will be held on February 26, 2002.

Respectfully submitted,

Janis 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 # 5

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 February 12, 2002, at

7:10 P.M. there were:

Present: S. Bulger, B. Czub, R. d'Amico, J. Larkin, J. Russell

Ms. Czub offered Resolution #5 and Mr. d'Amico seconded, and

Whereas, an application has been made to this Board by David A. Everitt, Jr. for approval of a subdivision consisting of the transfer of 13,166 square feet from the Lands of Howard Hoffman to the Lands of David A. Everitt, Jr.;

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on February 12, 2002;

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 February 12, 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 Land Transfer between Lands of Howard Hoffman, Sr. and the Lands of David A. Everitt, Jr. consisting of a transfer of 13,166 square feet from the Lands of Howard Hoffman to the Lands of David A. Everitt, Jr., is hereby granted preliminary and final approval conditioned upon the satisfaction of comments offered by Mr. Kemper.

RESOLUTION #5 passed 1/23/02

Ayes: d'Amico, Czub, Larkin, Russell, Bulger.

Noes: None

Steve Bulger,
Vice-Chairman

Resolution # 6

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 February 12, 2002, at 7:20 P.M. there were:

Present: S. Bulger, B. Czub, R. d'Amico, J. Larkin, , J. Russell

Mr. Larkin offered Resolution #6 and Ms. Czub seconded, and

Whereas, an application has been made to this Board by Joseph R. Wunderlich, Inc. for approval of a subdivision consisting of the transfer of 8.5 acres of land from the Lands of Joseph R. Wunderlich, Inc. to the Lands of RKS Holding Corp.

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on February 12, 2002 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 February 12, 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 a Portion of the Lands of Wunderlich to be Combined with 1927 Route 9 (County Waste), is hereby granted preliminary and final approval.

RESOLUTION #6 passed 2/12/02

Ayes: Czub, d'Amico, Russell, Larkin, Bulger

Noes: None

Steve Bulger,
Vice-Chairman

Resolution # 6

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 February 12, 2002, at 7:20 P.M. there were:

Present: S. Bulger, B. Czub, R. d'Amico, J. Larkin, , J. Russell

Mr. Larkin offered Resolution #6 and Ms. Czub seconded, and

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Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on February 12, 2002 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 February 12, 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 a Portion of the Lands of Wunderlich to be Combined with 1927 Route 9 (County Waste), is hereby granted preliminary and final approval.

RESOLUTION #6 passed 2/12/02

Ayes: Czub, d'Amico, Russell, Larkin, Bulger
Noes: None

Steve Bulger,
Vice-Chairman

Resolution # 7

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 February 12, 2002, at 7:25 P.M. there were:

Present: S. Bulger, B. Czub, R. d'Amico, J. Larkin, J. Russell

Mr. d'Amico offered Resolution #7 and Mr. Larkin seconded, and

Whereas, an application has been made to this Board by Frederick and Elizabeth Kopacki for approval of a subdivision consisting of the transfer of 5 acres of land from the Lands of Frederick and Elizabeth Kopacki. to the Lands of Frederick and Elizabeth Kopacki.

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on February 12, 2002 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 February 12, 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 Land Transfer of the Lands of Frederick and Elizabeth Kopacki consisting of the transfer of 5 acres of the Lands Frederick and Elizabeth Kopacki to adjoining lands also owned by Frederick and Elizabeth Kopacki, is hereby granted preliminary and final approval.

RESOLUTION #7 passed 2/12/02

Ayes: Czub, d'Amico, Russell, Larkin, Bulger
Noes: None

Steve Bulger,
Vice-Chairman

Resolution # 8

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 February 12, 2002, at 7:30 P.M. there were:

Present: S. Bulger, B. Czub, R. d'Amico, J. Larkin, J. Russell

Mr. Larkin offered Resolution #8 and Mr. d'Amico seconded, and

Whereas, an application has been made to this Board by Frederick and Elizabeth Kopacki for approval of a subdivision consisting of the transfer of 2.78 acres of land from the Lands of Frederick and Elizabeth Kopacki. to the Lands of Caroline Rose Trezciak

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on February 12, 2002 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 February 12, 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 Land Transfer of the Lands of Frederick and Elizabeth Kopacki consisting of the transfer of 2.78 acres of the Lands Frederick and Elizabeth Kopacki to adjoining lands of Caroline Rose Trezciak, is hereby granted preliminary and final approval.

RESOLUTION #8 passed 2/12/02

Ayes: d' Amico, Russell, Larkin, Bulger
Noes: None
Abstained: Czub

Steve Bulger,
Vice-Chairman