

Clifton Park Planning Board Meeting Minutes

July 9, 2002

Those present at the July 9, 2002 Planning Board meeting were:

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

Those absent were: J. Russell

Those also were: J. Kemper, Director of Planning, P. Lilholt, Clough, Harbour, and Associates, M. O'Brien, Environmental Specialist, P. Pelagalli, Counsel

Mr. O'Brien, Chairman, called the meeting to order at 7:10p.m.

Public Hearing:

[2002-031] Rucinski, John and Robin R. – Proposed transfer of 1.28 acres from Bernard E. and Marion V. Rucinski to John and Robin R. Rucinski, 534 Grooms Road – Preliminary public hearing and possible determination.

Mr. O'Brien called the public hearing to order at 7:10p.m. The Secretary read the public hearing notice as published in the Daily Gazette on July 3, 2002.

Mr. Gil VanGuilder, consultant for the applicant, explained that this application remains as presented at the meeting of June 25, 2002. The applicant requests approval of the transfer of 1.28 acres of land from Bernard E. and Marion V. Rucinski, adjoining property owners to his lot, creating a parcel of 2.4 acres. Mr. VanGuilder explained that the parcel contains two isolated pockets of ACOE wetlands: these have been shown on the plan.

Mr. Kemper explained that on June 25, 2002 the Board members asked that N.Y.S.D.E.C. and ACOE wetlands be identified. The applicants' land surveyor has provided documentation that there are no N.Y.S.D.E.C. wetlands on the site. ACOE wetlands have been delineated and are shown on the plat. A consolidation deed must be submitted for review.

Mr. Lilholt, Clough, Harbour, and Associates, reported that all comments on the application have been satisfied. The ECC had no comment on the application.

There being no public comment on the application, Mr. Bulger moved, seconded by Ms. Czub, to close the public hearing at 7:13p.m. The motion was unanimously carried.

Mr. Marzola 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. Bulger offered Resolution #19, seconded by Ms. Czub, to grant preliminary and final subdivision approval, waiving the final hearing, to this application, conditioned upon satisfaction of the comments offered by Mr. Kemper. Ayes: Larkin, Czub, d'Amico, Bulger, Marzola, O'Brien. Noes: None.

[2002-030] Drescher, Daniel – Proposed (4) lot subdivision, 47 Droms Road – Preliminary public hearing and possible determination.

Mr. O'Brien called the public hearing to order at 7:15p.m. The Secretary read the public hearing notice as published in the Daily Gazette on July 3, 2002.

Mr. Gil VanGuilder, consultant for the applicant, described this application that was reviewed by the Planning Board on June 25, 2002. The plan calls for the subdivision of 28.93 acres of land in an R-3 zone into (4) lots ranging in size from 2.30 to 21.87 acres. A curb cut permit from the Saratoga County Department of Public Works is required for the lot accessing Grooms Road. At the request of the Town Engineer, soil examinations were conducted on the parcel and it was determined that the soils were suitable for conventional septic systems and on-site wells. The ACOE wetlands on the eastern portion of the site, the L-C zone, and the NYSDEC 100' buffer have all been depicted on the plan. Sight distance along Grooms Road was evaluated at the request of the Board: distances from the east and west at the point of access to the new lot exceeded acceptable standards.

Mr. Kemper explained that when this project last appeared before the Planning Board, members requested that the sight distance along Groom Road be evaluated. A curb cut permit will be required from S.C.D.P.W. Several standard notes need to be added to the plans. The N.Y.S.D.E.C. wetlands and associated LC Zone should be depicted on the plot plans and verification of any federal jurisdictional wetlands on the parcel must be submitted.

Mr. Lilholt requested that verification of the additional right-of-way conveyance be supplied. Mr. Kemper will request a letter from the Department of Parks and Recreation.

The ECC had no comments on this application.

There being no public comment, Mr. d'Amico moved, seconded by Mr. Marzola, to close the public hearing at 7:21p.m. The motion was unanimously carried.

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

Mr. d'Amico offered Resolution #20, seconded by Ms. Czub, to grant preliminary and final approval to this application, waiving the final hearing, conditioned upon satisfaction

of the issues raised by Mr. Kemper. Ayes: Larkin, Czub, d'Amico, Bulger, Marzola, O'Brien. Noes: None.

Old Business:

[2002-028] Powmat Limited – Proposed 2,600 SF addition to technical facility, 312 Ushers Road – Preliminary site plan review and possible determination.

Mr. Gordon Nicholson, Environmental Design Partnership, presented this application that calls for a 2,602 SF addition to the existing Powmat facility in the Northway 10 Technical Park, a PUD. Though the proposed expansion was shown on the original plan for the site approved in 1991, site plan approval by the Planning Board is required. The Clifton Park Water Authority and the Saratoga County Sewer District currently serve the building; no additional utilities will be required. The existing stormwater management area will be moved further east to accommodate the expansion. At the June 11, 2002 Planning Board meeting, Board members found the project acceptable. In response to Mr. O'Brien's question regarding architecture and building materials, Mr. Nicholson stated that the building will be constructed of the same materials as the existing building. The site currently contains 31 parking spaces; no new parking areas are proposed.

Mr. Kemper stated that this project last appeared before the Planning Board on June 11, 2002. As mentioned during that meeting, the project will require a signoff from C.K. Sanitary. The applicant must show the location of any dumpsters proposed for the project site.

Clough, Harbour, and Associates reports that the proposed project appears to be an unlisted action pursuant to SEQR, and as such, coordinated review is optional. The only involved agency is expected to be the Town of Clifton Park Planning Board for site plan approval. The consultant should verify that emergency vehicles are capable of maneuvering through the site. Locations of the existing or proposed dumpster and recyclable enclosure should be specified. A parking summary including the number of required parking spaces, number of provided spaces and number of handicap parking spaces should be shown on the plan. The spaces should be appropriately delineated and signed. Any proposed site lighting should be shown on the plan. The Saratoga County Sewer District should be notified of the proposed building addition relative to any change in character or generation rates in the wastewater flow. Following Mr. Nicholson's presentation, Mr. Lilholt stated that Clough, Harbour, and Associates' comments have been satisfactorily addressed.

Mr. O'Brien, Environmental Specialist, stated that the ECC's comments of June 25, 2002 have been addressed.

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

Mr. Bulger moved, seconded by Mr. d'Amico, to grant preliminary and final site plan approval to this application conditioned upon the receipt of a sign-off letter from CK Sanitary. The motion was unanimously carried.

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

Mr. Nicholson, consultant for the applicant, presented the project plan that contains significant revisions. He noted that the parking adjacent to Route 9 on the southwestern portion of the site has been removed, that 50 parking spaces in the northeastern area of the parcel will be held in reserve, that a connection between parking areas has been provided, and that the landscaping plan has been revised. He also stated that a permit for connection to the Saratoga County Sewer District is pending.

Mr. Kemper stated that copies of a memo from Sheryl Reed dated July 2, 2002 explaining the variance granted by the Fire Code Appeals Board have been provided to Board members. The Saratoga County Planning Board approved the application on June 20, 2002 with modification. The Board's comments included the following: "The Board has approved the application contingent upon connecting to the sewer system at Ushers Road. The Board continues to be concerned about the size of the proposed building and number of parking spaces proposed. Because of wetlands and seasonal high ground water the building, parking, and stormwater management appear to be forced on this marginal site. The Town Engineer should sign off on the applicant's engineering report. The town may also want to consider having the applicant reduce the number of proposed parking spaces closer to the minimum required number and add the surplus spaces to the proposed land banked area." The following items remain to be addressed: the date and number of variances that were received should be added on the plans; signoffs are required from N.Y.S.D.O.T. and the S.C.S.D.; elevations of the proposed garage, including colored façade renderings, must be submitted with the final plans for stamping. The size of the proposed radiant crab and sergeant crab trees should be increased to 2 ½ inch caliper minimum, the size of the ornamental plantings should be increased to a minimum of 24" spread or height.

Mr. Lilholt stated that according to the parking summary, only 250 parking spaces are required yet 370 are proposed. He explained that Creighton, Manning Engineering, LLP, a traffic consulting firm, has evaluated the existing parking utilization for the church during the Saturday 5:00 p.m. mass and the Sunday 10:30 mass and determined that the additional parking spaces are necessary for the proposed expansion. Site plans indicate that 318 parking spaces will be constructed initially with an area reserved for potential future construction of 52 additional parking spaces should they be warranted. It appears that the applicant has adequately demonstrated the need for additional parking while minimizing the size of the parking lot to the greatest extent possible.

The engineering firm continues to have concerns over the visual impacts of parking within the restricted parking setback and the potential for conflicts of vehicles backing out of the parking spaces at the proposed cul-de-sac along Ushers Road. The cul-de-sac

has been slightly modified to reduce the number of parking spaces and shift the pavement away from Ushers Road. The firm recommends elimination of two additional parking spaces at the northwestern side of the cul-de-sac and elimination of two additional parking spaces at the southwestern side of the cul-de-sac to minimize the potential for conflicting vehicle movements. In addition, it is recommended that a berm with additional evergreen plantings be provided along Ushers Road to provide mitigation for the visual impacts. The recommended measures will provide feasible mitigation for allowing access and parking in the area.

The proposed offsite pressure sewer line should be sized to accommodate potential future connections by adjacent properties. Review and approval of the proposed sewer connection is required by the Saratoga County Sewer District and review and approval of the offsite pressure sewer line is required by the NYSDOT for work within the Route 9 right-of-way.

Final site plan approval should be contingent upon approval and/or permits from the following agencies: NYSDEC – 401 Water Quality Certificate; NYSDOT – Highway Work Permit; Saratoga County Sewer District #1 – Sanitary Sewer Connection Permit.

Mr. O'Brien, Environmental Specialist, reported that the ECC recommends that the following statement be added to the plans: 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).

Mr. John Fortune, owner of property on Ushers Road, called the Board's attention to the discrepancy between the Emergency Services Appeals Board's rulings regarding the church and his property. Mr. O'Brien responded to Mr. Fortune's concerns by stating that the Planning Board has no authority to overrule the ESAB's decisions: he defers to the expertise of those on that board and accepts their recommendations. Mr. Pelagalli noted that no Article 78 had been filed to oppose the ESAB decision and that the time allowed for such filing has passed.

Mr. Tom Piwinski, 7 Inverness Lane, asked for clarification regarding the proposed number of parking spaces since the required number of spaces is substantially less than the number shown on the plan. Mr. Pelagalli explained that Town Law permits the Planning Board to make decisions regarding the number of parking spaces on a site. Mr. O'Brien noted that the analysis supplied by Creighton-Manning supported the parking projections supplied by the applicant. Mr. Piwinski cited the recent Executive Order from Governor Pataki that recommended that green space be preserved wherever possible. Mr. O'Brien pointed out the applicant has been responsive to Board concerns, eliminating approximately 50 spaces along the sensitive environmental areas. He is satisfied that the number of spaces is warranted and he is pleased that nearly 50 spaces will be held in abeyance until needed. Mr. Hunt, Architect, pointed out the number of seats may be increased from 800 to 1,000 without additional building: the increase in seating capacity may require paving of the additional parking spaces.

Mr. Bill Engelman, 6 Partridge Plateau, expressed concern that wetland protections may not be adequate and he expressed his sadness at the church's persistence to construct the proposed addition and accompanying parking. He was particularly concerned about the design of the stormwater retention basins. In response to his comment that most of the parish community was uninformed about the proposed expansion, Mr. Malloy, Co-chairman of the Building Committee, explained that several meetings had been held by the building committee and that concerns for the protection of the surrounding wetlands had been a priority during the planning process.

Mr. d'Amico stated that he was pleased with the revisions to the plan, particularly with the reduction in the parking area adjacent to Route 9. Mr. Bulger was pleased with the reduction in the number of parking spaces.

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

Mr. Bulger moved, seconded by Mr. Larkin, to grant preliminary and final site plan approval to this application conditioned upon satisfaction of the comments offered by Mr. Kemper. The motion was unanimously carried.

[2002-025] Caribbean Pools – Proposed deck addition, 1525 Crescent Road – Preliminary site plan review and possible determination.

Mr. Gil VanGuilder, consultant for the applicant, reported that since the last meeting, the applicant has removed one pool display area from the rear of the property, restored ACOE wetlands, and provided the required ingress/egress easement. A revised planting plan has been provided and paving has been completed in accordance with approvals. The slope adjoining King Services has been stabilized.

Mr. Kemper stated that the applicant last appeared before the Planning Board on June 25, 2002. The applicant submitted a planting plan for review immediately following that meeting and the plantings have been installed in conformance with the plans. The front portion of the parking lot has been paved. An ingress/egress easement still needs to be provided over the access drive. Evidence of filing of this easement must be submitted to the Planning Department and the standard note for ingress/egress easements should be added to the plans. The wetland disturbance areas have been depicted on the plot plan. The applicant will allow a portion of the site to return to its natural state and become a wetland.

Clough, Harbour, and Associates and the ECC were both satisfied with the revised plans and offered no comment at the meeting.

Mr. O'Brien moved, seconded by Mr. Larkin to establish the Planning Board as Lead Agency and to issue a negative declaration for this application, an unlisted action,

pursuant to SEQRA. The motion was unanimously carried.

Mr. Marzola moved, seconded by Mr. Bulger, to grant preliminary and final site plan approval to this application conditioned upon the submission of the ingress-egress easement for the driveway. The motion was unanimously carried.

New Business:

[2002-026] Quarry Development, LLC – Proposed (6) lot subdivision, Crescent Road - Conceptual review.

This application was withdrawn from this evening's meeting at the request of the applicant.

[2002-038] Lorenzo, Vincent Sr. – Proposed 4,320 SF to existing Quick Response Restoration Co., Inc., 2077 Route 9 – Conceptual site plan review.

Mr. Gil VanGuilder, consultant for the applicant, presented this application that calls for a 4,320 SF addition to an existing warehouse facility on a 2.66 acre parcel in a L-I zone on Route 9. Warehouse space will total 7,956 SF upon completion. Since the applicant has "outgrown" the current facility, additional space is needed for the storage of furniture and other personal effects for individuals waiting for cleaning and/or reconstruction of residences or businesses following damage from fire, flood, or other natural disasters. Impacts to the existing well and septic system will be minimal because no new office space is proposed. Though 8 parking spaces are required, 15 parking spaces are provided. Mr. VanGuilder stated that the landscaping is fairly dense in front of the building however, Mr. Lorenzo would like to add a large fountain within the front yard setback area. Though the addition will be slightly offset from the existing building, construction materials will be the same as those on the existing façade.

Mr. Kemper stated that Sheryl Reed, Chief of the Bureau of Fire Prevention, requires the applicant to provide fire flow or receive a variance from the Fire Code Appeals Board. Plans must clarify whether or not the storage trailers will remain on the site once the warehouse addition is completed. If the existing crushed stone area is to be reduced, the area must be reseeded. The gate that controls access to rear of the site should be evaluated by emergency services. Signs should be provided in front of the handicap access aisle and unloading zones. Plantings proposed for the site must be indicated on the plan. Façade renderings along with colored depictions of the building materials should be submitted with the final plans. The plans were sent to the Saratoga County Planning Board for review on June 20, 2002. The location of the septic system should be depicted on the plot plans.

Clough, Harbour, and Associates states 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 Town of Clifton Park Planning Board for site plan approval and the Saratoga County Planning Board for Section 239 referral. In accordance

with the zoning regulations, a minimum 25-foot planted buffer should be provided along the side and rear property lines. In addition, pursuant to Section 208-65 E. of the zoning code, no parking or maneuvering area shall be allowed in the front yard. There is an existing encroachment of storage trailers into the 25-foot buffer and portions of the existing parking lot are located in the front yard. As such, supplemental plantings should be provided. The existing and proposed building height should be specified to verify that they conform to the maximum 35 foot building height. The existing and proposed method of sewer service should be identified. Since a public watermain with fire hydrant assemblies are not located in close proximity to the site, an onsite water storage tank may be required for fire protection purposes.

The proposed method of stormwater management should be specified. Should infiltration be proposed, the Town Engineer recommends that soil investigations be conducted within the proposed infiltration area to verify that the existing soils are conducive to infiltration. The plan should clarify if the existing stoned areas will be reduced to the limits shown on the plan. The use of wall-packs is not recommended where they will be visible from public right-of-ways or residential properties, and any new lighting should be shown on the plans.

Future plan submittals should include the following: layout dimensions; location of the handicap parking sign and no parking sign; door locations and elevations; landscaping, lighting and grading plans.

Mr. O'Brien, Environmental Specialist, said that the ECC requests that the applicant determine the location and the extent of any possible federal wetlands on the parcel. 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.

Board members found the plan acceptable.

[2002-037] Cozy, Kenneth and Beth – Proposed (2) lot subdivision, 608 Bruno Road - Conceptual review.

Mr. Gordon Nicholson, consultant for the applicant, described this proposal that calls for the subdivision of 6.3 acres of land in an R-1 zone into lots of 5.38 acres and .92 acres, respectively. An L-C zone crosses the parcel, though no disturbance of the stream corridor is proposed. Municipal water and an on-site septic system will serve the proposed residence. A driveway from Bruno Road will provide access.

Mr. Kemper recommended that the lot area of Lot #2 be expanded by extending the proposed southern line of Lot #2 directly west to the lands of DCG Development. The clearing limit lines should be included on the plot plan. Erosion and sediment control measures should be depicted on the plot plan. Due to the excessive slopes on the proposed building lot, a grading plan should be submitted for review. A signoff will need to be provided from the C.P.W.A. Sight distance along Bruno Road should be provided.

Neighboring business districts should be labeled on the plot plan.

Mr. Lilholt stated that the proposed project appears to be an unlisted action pursuant to SEQR, and as such, coordinated review is optional. The only involved agency is expected to be the Town of Clifton Park Planning Board for subdivision approval. The proposed lot to be subdivided includes slopes as steep as 25% and the site includes a protected stream corridor and wetlands. In order to protect the stream and wetlands from erosion and siltation, it is recommended that a grading plan be provided which identifies proposed grading, limits of clearing and grading, and erosion and siltation controls. Based on the information shown on the plan, the Bruno Road right-of-way is less than fifty feet wide. New town roads are required to provide a sixty-foot wide right-of-way. In order to mitigate this project's increase in traffic, allow proper maintenance of the road, and accommodate future highway improvements, consideration should be given to requesting the conveyance of an additional ten feet of right-of-way across the project site's frontage. The adjacent lands of Snyder and lands of Greene are apparently zoned B-1. The zoning district boundary should be shown on the plan. The adequacy of the sight distance should be verified at the proposed driveway on Bruno Road. Existing wells and septic systems within 100 feet of the proposed parcel should be shown in order to verify adequate separation distances from the proposed septic system is maintained. The final subdivision plan should include a north arrow and the stamp and signature of a Licensed Land Surveyor.

Mr. O'Brien, Environmental Specialist, stated that the ECC had no comment on this application.

Mr. Larkin and Mr. d'Amico commented on the configuration of the new lot and asked that the lot lines be drawn in a more conventional fashion. They also requested that sight distance information be provided.

Board members found the plan generally acceptable and suggested that the applicant submit preliminary plans for the August meeting.

[2002-040] DCG Development Co. – Proposed (3) lot subdivision, Executive Woods - Conceptual review.

Mr. Gordon Nicholson, consultant for the applicant, explained that this application for subdivision is presented in order to satisfy mortgage requirements. Seventeen acres will be subdivided into lots of 13.2 acres, 2.5 acres, and 1.5 acres, respectively. Build-out has been completed on the site and all minimum lot sizes and widths, yard setbacks, greenspace, and building coverage requirements as per the PUD legislation will be respected.

Mr. Kemper said that an ingress/egress easement will have to be provided over the existing access drive. In addition, he asked that site statistics for the proposed lots and the boundaries of the PUD must be added to the plan.

Clough, Harbour, and Associates reports that the proposed project appears to be an unlisted action pursuant to SEQR, and as such, coordinated review is optional. The only involved agency is expected to be the Town of Clifton Park Planning Board for subdivision approval. Existing and proposed easements should be shown on the plan. Ingress/egress, drainage, and utility cross easements should be provided on the parcels. A blanket easement may also be considered covering the entire project site. All publicly owned utilities on the site should be identified. The 100-foot minimum buffer and setback from Northcrest Village should be labeled on the plan. The final subdivision plan should include: entire property to be subdivided; zoning district boundaries; site coverage statistics for each of the proposed parcels; building setback lines and dimensions; a north arrow; the stamp and signature of a licensed land surveyor.

The ECC asks that the applicant verify that the amount of greenspace on the parcel.

Mr. Larkin asked that the park at the intersection of Maxwell Drive and Mooney Way be conveyed to the Town in order to provide adequate maintenance and security for the facility. Mr. Bulger suggested that an agreement be arranged between DCG Development Company and the Town to allow Town security personnel to patrol the park area. Mr. Kemper will research the rationale for the establishment of the park.

The Board found the proposal acceptable.

[2002-036] Mildred Peck Trust – Proposed (49) lot subdivision, Clifton Park Center Road, Conceptual review.

Mr. Gordon Nicholson, Environmental Design Partnership, presented this application that calls for the subdivision of 66 acres of land in an R-1 zone into 49 lots that will be serviced by the Saratoga County Sewer District and the Clifton Park Water Authority. Creighton Manning Engineering has prepared sight distance evaluations for the access locations on both Clifton Park Center Road and Miller Road and finds the design as submitted acceptable. The concept plan also indicates the approximate ACOE and NYSDEC wetland areas. Though the applicant is presenting the entire plan for Board consideration, Mr. Nicholson requested approval of four lots in Phase I since this would establish points of access for the roadways and utility lines.

Mr. Kemper explained that the C.I.P. fees for the project will be due as follows: 1/3 at stamping of plans, 1/3 at issuance of building permit, 1/3 at issuance of C.O. Consideration should be given to designing a cluster subdivision layout that would include continuous corridors of open space that connects with neighboring subdivisions. A signoff will be required from N.Y.S.D.E.C., N.Y.S.D.O.H., S.C.S.D. and the C.P.W.A. The proposed project is a Type 1 action, and as such will require coordinated review under SEQR. Involved agencies are expected to include: N.Y.S.D.E.C., N.Y.S.D.O.H., S.C.S.D. C.P.W.A. The plans were sent to the Saratoga County Planning Board on June 19, 2002. Correspondence from Doug Connor dated June 26, 2002 states the following: "...based on your drawing dated June 19, 2002, this project includes several proposed lots on the top of a hill just east of Miller Road. This elevation is approximately 413 and

operational elevation is 454 to 484. The mathematics here indicate that there will be barely the required 20 p.s.i. when the water tower is at its minimum level. This situation is not expected to occur with any regularity. When the tower is at its maximum height, the water pressure will be about 31 p.s.i. The authority will request that only single level homes be built on the highest elevations and that inch and a half services be installed to provide maximum volume under low pressure. Lawn irrigation systems may require booster pump systems to provide sufficient pressure to pop sprinkler heads. The authority will require connections to the 12 inch mains on both Miller and Clifton Park Center Roads.” A multi-use path connection should be provided to the Summerhill Subdivision. The ACOE and N.Y.S.D.E.C. wetlands should be identified on the plot plan. Keyhole lots have a setback requirement of 50’ that should be depicted on the plot plans. The applicant should clarify the scope of the proposal since the application indicates that that only Phase I should be considered at this time. Sheryl Reed requires that the proposed street name be provided in order to provide postal verifications.

Mr. Lilholt reported that the subject property is located within the Vischer Ferry Corridor GEIS Study Area and 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. An estimate of the C.I.P. fees are as follows:

Transportation 49 Trips x \$268/Trip = \$ 13,132
Sanitary Sewer 49 EDU’s x \$3,314/EDU = \$162,386
Water Distribution 49 EDU’s x \$1,728/EDU = \$ 84,672
GEIS Preparation 49 EDU’s x \$310/EDU = \$ 15,190
CIP Preparation 49 EDU’s x \$ 49/EDU = \$ 2,401
Total: = \$277,781

The Vischer Ferry Road Corridor contains an overlay zoning district that limits density to one lot per 40,000 square feet of area, excluding any NYSDEC and federal wetland areas. The maximum allowable density, therefore, can only be determined after the wetlands have been delineated and the delineations approved by the NYSDEC and Army Corps of Engineers.

The proposed layout is a conventional subdivision layout in accordance with current subdivision design standards, however, the project site is significant in that it includes the highest point in the Town, offers significant vistas to the east, contains significant NYSDEC and federal wetlands, contains a longstanding farming homestead, and is bordered by three uniquely designed developments. These subdivisions (Summerhill, Meadows Estates and Cortland Manor Estates) include the following creative design principals: preservation of significant corridors of open space and interconnected corridors between adjacent developments; minimal subdivision of wetlands; extensive multi-use pathways separated from development areas; no lots developed along any collector roads (Miller Road and Clifton Park Center Road); cluster layouts with reduced roadway widths and smaller lot sizes. As such, the firm encourages re-design of the layout to to include these features. As development plans are progressed, we recommend

an overall area plan be provided that shows the relationship between this project and the adjoining developments.

Mr. Lilholt identified several other issues to be addressed by the applicant. The adequacy of the sight distance should be verified at any proposed intersections with Clifton Park Center Road and Miller Road. The locations of existing homes and driveways across from the proposed intersections should be shown on the plan to evaluate the impact of headlights of vehicles entering and exiting the proposed development. It appears that an area variance would be required if the existing structure within the front yard setback on Lot 1 is to remain. The plan should also specify whether the existing structure on Lots 45 and 48 is to remain or be removed. Clifton Park Center Road is identified in the Trails Master Plan as being recommended for shoulder improvements, and Miller Road is identified for an on-road bike route. In order to accommodate these and future road improvements necessary to accommodate additional traffic in the area, we recommend that a ten-foot wide strip of land be conveyed to the Town along the project's frontage. Should keyhole lots continue to be proposed, they will be subject to front, side and rear yard setbacks of fifty feet. It appears that the proposed Lot 40 is not sufficiently wide to construct a single family home within the setbacks.

Mr. O'Brien, Environmental Specialist, reported that the ECC recommended that the Applicant consider the elimination of lots #40, 42, and 46. According to the plot plan, they appear to contain DEC and ACOE wetlands. The determination of wetlands on the parcel will help identify any possible problems with lots #20, 22, 30, 32, 33, and 36. Also, the wetlands on lot #4 should be delineated as NYSDEC and federal wetlands.

Mr. Larkin asked that existing tree lines be shown on the plans and that the applicant attempt to reduce clear-cutting to a minimum. In response to Ms. Czub's inquiry, Mr. Nicholson stated that the sewer connection would be provided through the Meadow Estates subdivision.

[2002-039] Abraham, Akiva D., MD – Proposed 9,600 SF medical office use in (2) buildings, 950 Route 146 – Conceptual site plan review.

Mr. Tom Andress, ABD Engineers and Surveyors, presented this project on behalf of the applicant. The site is located in a B-1 zone on Route 146 and currently contains a single-family residence. The applicant proposes the razing of the home to provide for the construction of two 4,800 SF buildings. Dr. Abraham will utilize one building for his practice and rent the other for one or two medical uses. Municipal water and sewer do not currently serve the parcel.

Mr. Kemper reported that Sheryl Reed's memo of July 9, 2002 requires that the applicant specify the location of existing hydrants and provide a larger turning radius at the rear parking lot area for emergency service vehicles. Sign-off letters will be required from the S.C.S.D., C.K. Sanitary, and C.P.W.A. A curb cut permit will be required from N.Y.S.D.O.T. Details should be provided on the planted buffer and dumpster enclosures. Building elevations with color façade renderings will have to be supplied with the final

plans. The application was sent to the Saratoga County Planning Board on June 19, 2002. The location of the stormwater management area must be shown on the plan. The proposed hook-up location for water service must also be shown on the plan.

Clough, Harbour, and Associates reports 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; NYSDOT for curb-cut and utility work permits review. The architectural design and choice of exterior facades and building materials should take into consideration the character of the area as they pertain to the transition zone between commercial uses and residential properties. Building elevations should be provided for review and comment.

The location of the proposed driveway across Route 146 from the intersection with Green Meadows Drive may result in conflicting turning motions for motorist exiting the site. In addition, it is apparent that a center median exists along the eastern portion of the site only. Therefore, we recommend that the proposed site access drive be located along the eastern portion of the site to minimize potential turning conflicts and provide for a left turn storage lane on Route 146. In light of the recent trend of converting the existing single family homes along Route 146 to commercial office space, it is recommended that ingress and egress easements be established over the proposed driveway to adjacent properties in order to limit the number of curb cuts on Route 146. The proposed driveway will require a curb cut permit from the NYSDOT and any utility work in the Route 146 right-of-way is subject to NYSDOT review and approval. The consultant should verify that emergency vehicles are capable of maneuvering through the site.

The proposed method of stormwater management should be specified. Should infiltration be proposed, we recommend test pits and percolation tests be performed within the proposed infiltration area to verify that the existing soils are conducive to infiltration. In accordance with Section 208-35.D.4 of the zoning regulations, there shall be a ten-foot buffer of vegetation preserved or planted for purposes of screening. We recommend that the existing vegetation be preserved to the greatest extent possible and supplemented as necessary.

The ECC recommends that any proposed outdoor lighting be directional and limited.

Board members seemed to find the plan acceptable. Mr. O'Brien stated that the proposal appeared to be fairly standard, though he requested that the applicant provide colored renderings of the building façade and samples of building materials. Rationale for the number of parking spaces on the site will also be required.

[2002-041] Quinn Master Plan – Medical Park – Proposed 28,800 SF medical office use in (6) buildings, Route 146 – Conceptual site plan review.

This application was withdrawn from this evening's meeting at the request of the applicant.

[2002-035] Specific Chiropractic – Proposed 1,023 SF office addition and 1,555 SF 2-family dwelling, 957 Route 146 – Conceptual site plan review.

Mr. Les Ackerman, Charette Associates Architects, presented this project for applicants, Drs. Craig and Tracey Wehrenberg. The consultant explained that the project plan will be implemented in two phases. The first phase involves the conversion of the existing residence to office space for the applicants' chiropractic practice. Phase II calls for a one-story office addition of 1,023 SF. A 1,555 SF two-family dwelling will complete the project as Phase III. The application indicates that the site will contain 50% greenspace and 10 parking spaces. The site is not currently served by on-site water and septic; however, the applicants are investigating the feasibility of connecting to municipal water. Plantings will be installed to provide a buffer to an adjoining existing residence.

Mr. Kemper noted that Sheryl Reed has asked that the plan must specify the location of existing hydrants and provide adequate maneuvering for emergency vehicles. Doug Connor sent a memorandum to Specific Chiropractic on June 27, 2002 which stated that there are currently no water mains contiguous with the property lines of the proposed project site. The applicant would be required to extend the main from the nearest location on Green Meadow Drive to the state right of way and then westerly to the project. This extension would be 8 inch ductile iron pipe, class 50 and terminate with a fire hydrant at the subject property. The authority may consider service through an easement in certain circumstances; however, this is not the preferred route. A curb cut permit will be required from N.Y.S.D.O.T. The greenspace should be depicted on the plot plan. It does not appear that the necessary greenspace requirement is met without including the septic system and stormwater management area. It should be noted that if these areas are used for utility purposes, they cannot be counted toward the greenspace requirement. The plans indicate that a well point will be proposed for the project; however, a drilled well must be provided for a commercial business. Future submissions should include detailed planting plan. Handicap parking and unloading zone signs should be depicted on the plot plan. Plantings should be placed along property line of adjoining landowners. Application has been made to the ZBA for the following variances: area variance for lot size; side yard setback; greenspace; lot width; front yard setback.

Mr. Lilholt reported 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; Town of Clifton Park Zoning Board of Appeals for area variance approvals; Saratoga County Planning Board for Section 239 referral; NYSDOT for Curb-cut Permit. The zoning district boundaries should be shown on the plan.

Per Section 208-35D (3), the area of the proposed sanitary disposal system and stormwater management area cannot be counted as green space as they are areas required for utility purposes, unless the Planning Board agrees that the areas will be maintained as landscaped areas. As such, it is not clear if the site meets the 50% green space required as outlined in the site statistics. The existing parcel does not meet the minimum lot area of

40,000 square feet, the minimum lot width of 180 feet, the minimum side yard setback of 25 feet or the minimum front yard setback of 130 feet from the center of NYS Route 146. Therefore, area variances appear required from these area and bulk requirements for the existing conditions. Should the Zoning Board of Appeals grant these variances, the parcel would appear to meet the conditions outlined in section 208-97 E. for a single, unimproved, nonconforming lot, and therefore it could be used as if it were a conforming lot. If the variances have been granted, they should be appropriately referenced on the plan.

The architectural design, choice of exterior facades, and building materials should take into consideration the character of the area as they pertain to the transition zone between commercial uses and residential properties. Building elevations should be provided for review and comment. In order to reduce the number of curb cuts on Route 146, consideration should be given to sharing the access with one of the adjacent properties. If an individual curb cut is pursued, we recommend that the existing curb cut be utilized and widened, if necessary. A minimum ten-foot buffer should be provided along the side and rear property lines and additional plantings should be provided along the rear lot line and along the western side lot line.

Since a well point is not adequate for water supply to a public facility, the proposed well should be identified as a drilled well. Existing wells and onsite wastewater disposal systems within one hundred feet of the parcel should be shown on the plan. The proposed onsite wastewater disposal system should be located a minimum of 35 feet from open drainage (i.e. detention basin and drainage swales) so as to divert surface water around the system. Clough, Harbour, and Associates recommends relocation or regrading of the septic system as required. In addition, at least two percolation tests and test pits should be performed within the proposed absorption area with the bottom of the test holes at 24" to 30" below grade. A 100 percent expansion area should be provided. Soil test pit logs, percolation results and wastewater computations and details should be provided with the preliminary plans. Since the proposed method of stormwater management is solely infiltration, it is recommended that test pits and percolation tests be performed within the proposed retention area with the bottom of the test hole at the bottom of the drywell to verify that the existing soils are conducive to infiltration. Soil test pit logs, percolation results and stormwater computations and details should be provided with the preliminary plans. Additional parking and layout dimensions should be provided on the final plans. The minimum parking space size is nine feet by eighteen feet with a twenty-four foot wide drive aisle, and the handicap striped access aisles should be eight feet wide minimum.

Mr. O'Brien, Environmental Specialist, offered ECC comments. The applicant should tie into public water if within 500' of public water supply, per NYS Uniform Code. Any proposed outdoor lighting shall be directional and limited.

Mr. O'Brien encouraged the applicants to pursue Zoning Board approvals for required variances. Board members, though preferring the use of shared driveways, agreed that this site would require a single access on Route 146.

Minutes Approval:

Mr. Bulger moved, seconded by Mr. Larkin, approval of the minutes of June 25, 2002 as written. Ayes: Larkin, Czub, d'Amico, Bulger, Marzola. Noes: None. Abstained: O'Brien.

Discussion Items:

[2000-005] Hahn, John – (14) lot subdivision, Clifton Park Center Road – Revised SEQRA determination.

Mr. Kemper explained that new regulations and policies issued by NYSDEC require that all realty subdivisions of four or more lots each being less than five acres in size, must be considered Type I actions pursuant to SEQRA. In accordance with this announcement, Mr. Hahn has submitted a long Environmental Assessment Form for the Board's consideration. Mr. Pelagalli noted that since the time for litigation regarding any SEQRA action has passed, no additional action by the Planning Board was advisable. Board members agreed that the project would have minimal impact on surrounding properties and affirmed the negative declaration issued previously.

CCM Signage

Mr. Kemper stated that Clifton Park Center has requested Zoning Board approval of three sign variances for signs that would identify the location of the Department of Motor Vehicles and two other businesses that operate within the mall. Board members agreed that the signage was appropriate and recommended that the size be consistent with other signs at the mall.

Ms. Czub moved, seconded by Mr. Larkin, adjournment of the meeting at 9:20p.m. The motion was unanimously carried. The next meeting of the Planning Board is scheduled for August 13, 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 #19
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 June 25, 2002, at 7:10p.m. there were:

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

Absent: J. Russell

Mr. Bulger offered Resolution #19, and Ms. Czub seconded, and

Whereas, an application has been made to this Board by John Rucinski for approval of a subdivision plat entitled Land Transfer between the Lands of Bernard E. and Marion V. Rucinski and the Lands of John & Robin R. Rucinski consisting of the transfer of 1.28 acres of land from a parcel of land owned by Bernard E. and Marion V. Rucinski to the adjoining parcel owned by John & Robin R. Rucinski.

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on July 9, 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 July 9, 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 the Lands of Bernard E. and Marion V. Rucinski and the Lands of John & Robin R. Rucinski consisting of the transfer of 1.28 acres of land from a parcel of land owned by Bernard E. and Marion V. Rucinski to the adjoining parcel owned by John & Robin R. Rucinski is hereby granted preliminary and final approval, conditioned upon satisfaction of the comments offered by Mr. Kemper.

Resolution #19 passed 7/09/02

Ayes: Bulger, Marzola, Larkin, Czub d'Amico, O'Brien
Noes: None
Kevin O'Brien,
Chairman

Resolution #20

Preliminary and Final Approval

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on July 9, 2002, at 7:15p.m. there were:

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

Absent: J. Russell

Mr. d'Amico offered Resolution #20, and Ms. Czub seconded, and

Whereas, an application has been made to this Board by Daniel Drescher for approval of a subdivision plat entitled Subdivision of the Lands of Drescher consisting of (4) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on July 9, 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 July 9, 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 Drescher is hereby granted preliminary and final approval, conditioned upon satisfaction of the comments offered by Mr. Kemper.

Resolution #20 passed 7/09/02

Ayes: Bulger, Marzola, Larkin, Czub d'Amico, O'Brien

Noes: None

Kevin O'Brien,
Chairman