

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

**September 11, 2002**

Those present at the September 11, 2002 Planning Board meeting were:

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

Those absent were: 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 the meeting to order at 7:10p.m. In recognition and remembrance of those who lost their lives on September 11, 2001, he called for a moment of silence.

Public Hearings:

[2002-046] Shafts, Mara – Proposed renovation of residence for hair salon, 1551 Route 146 – Preliminary public hearing for special use permit and preliminary site plan review – possible determination.

Mr. O'Brien, Chairman, called the public hearing to order at 7:10p.m. The Secretary read the public hearing notice as published in the Daily Gazette on September 5, 2002.

Ms. Shafts presented her application to the Board at the August 13, 2002 meeting. She plans to remodel the garage of a home she has recently purchased at 1551 Route 146 to provide a 400 SF area for a hair salon. Pursuant to Section 208-10 and 208-79 of the Town Code, such a use requires approval of a Special Use Permit. Ms. Shafts plans to operate the salon and provide a rental space to an additional stylist. Improvements will be made in compliance with all ADA standards and the half bath will be wheel chair accessible.

At the August meeting Board members found the proposal acceptable; however, Clough, Harbour, and Associates recommended that an evaluation of the septic system be undertaken to ensure the adequacy of the drain field. Town engineers found the results of the septic inspection report completed in June, 2002 acceptable.

Mr. Kemper stated that this application was considered by the Saratoga County Planning Board at its August 15, 2002 meeting and it was determined that this project would have no significant county-wide impact.

There being no public comment on the application, Ms. Czub moved, seconded by Mr.

Bulger, to close the public hearing at 7:12p.m. 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 #26, seconded by Ms. Czub to approve the Special Use Permit application, permitting the operation of a hair salon in an R-1 zone. Ayes: Czub, Larkin, Bulger, Marzola, Russell, O'Brien. Noes: None.

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

Mr. Bulger moved, seconded by Ms. Czub, to grant preliminary and final site plan approval to this application, an unlisted action. The motion was unanimously carried.

[2002-047] Riggi, Vincent – Proposed two-family residence in R-1 zone – Preliminary public hearing for special use permit and preliminary site plan review – possible determination.

Mr. O'Brien, Chairman, called the public hearing to order at 7:15p.m. The Secretary read the public hearing notice as published in the Daily Gazette on September 5, 2002.

Mr. Gilbert VanGuilder, consultant for the applicant, explained that the applicant is currently constructing a residence at 92 Robinwood Drive. Minor modification of the 4,400 SF home would provide a 1,000 SF in-law apartment for Mrs. Riggi's mother: no exterior changes would be necessary. The apartment would be connected to the main living quarters by two interior doors. Extra parking spaces have been provided to accommodate additional vehicles. Mr. VanGuilder presented photographs of the property that showed the existing buffer that screens the adjoining property.

Mr. Kemper found the project acceptable. Mr. Grasso and Mr. O'Brien, Environmental Specialist, did not comment on the application.

In response to Mr. Larkin's request for information regarding the need for the Special Use Permit, Mr. Pelagalli explained that approval of the Special Use Permit for a two-family residence is required prior to the issuance of the Certificate of Occupancy.

There being no public comment, Ms. Czub moved, seconded by Mr. Russell, to close the public hearing at 7:20p.m. The motion was unanimously carried.

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

Mr. Bulger offered Resolution #27, seconded by Mr. Larkin, to approve this Special Use Permit that allows for the construction of a two-family dwelling in an R-1 zone. Ayes: Czub, Larkin, Bulger, Marzola, Russell, O'Brien. Noes: None.

Mr. O'Brien moved, seconded by Mr. Marzola, to establish the Planning Board as Lead Agency for this 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 Ms. Czub, to grant preliminary and final site plan approval to this application, an unlisted action, conditioned upon the installation of substantial plantings to provide an adequate buffer to adjoining properties. The motion was unanimously carried.

[2002-019] Furlow-Johnston Residential Subdivision – Proposed (56) lot cluster subdivision, Route 146 – Preliminary public hearing and possible determination.

Mr. O'Brien, Chairman, called the public hearing to order at 7:22p.m. The Secretary read the public hearing notice as published in the Daily Gazette on September 5, 2002.

Mr. Ivan Zdrahal, Ivan Zdrahal Associates, presented this application to the Board. This project, an open space subdivision, consists of 54 residential lots and 2 lots zoned B-1. The plan remains basically as last presented to the Planning Board on May 29, 2002. 47% of the site will be preserved as Class B open space. Water and sewer will be supplied via extension of existing systems. The development will be accessed from two locations on NYS Route 146. Less than 1/10th of an acre of delineated wetland will be disturbed during the development process. The applicant and/or developer will be required to obtain a permit for utility work and for a curb cut permit.

SEQRA notification to all involved agencies was sent on July 31, 2002 advising that unless comment was received within thirty days, the Town of Clifton Park Planning Board would assume Lead Agency status for the proposed project. Since the 30-day timeframe for involved agencies to respond has passed, the Town of Clifton Park Planning Board will act as Lead Agency for the proposed project. A letter from Richard Speidel, N.Y.S.D.E.C., outlined the requirements of N.Y.S.D.E.C. for the project. Those issues must be resolved before final approval is granted by the Town of Clifton Park Planning Board. The Saratoga County Planning Board approved this project on August 15, 2002. A signoff for the sanitary sewer and water design from McDonald Engineering must be provided. In a letter dated July 26, 2002, McDonald Engineering requested that the sewer line be installed as deep as possible to allow for gravity flow to the maximum extent practicable. A signoff is still required from N.Y.S.D.O.T., C.P.W.A., and the S.C.S.D. The S.C.P.B. approved the project on August 15, 2002 conditioned upon receipt of a N.Y.S.D.O.T. curb cut permit. A jurisdictional determination letter from the ACOE and a wetland disturbance permit will have to be submitted. Per Town Board Resolution #333 of 2001, park districts will no longer be responsible for placing entrance signs. Maintenance and construction of entrance signs will be the responsibility of the developer or homeowners association. A note stating this should be added to the plans. The

proposed road connecting to the vacant lands to the north of the project should be labeled as possible future road. The typical road layout should be revised to include 3” of binder and 1½” of topcoat. A note should be added to the plans stating that there are to be no curb cuts from Route 146.

Mr. Grasso reported that there were a number of engineering concerns to be addressed by the applicant. It appears that the front yard setbacks for lots 64 and 79 (formerly lots 55 and 56) propose to be reduced from 130 feet from the road centerline to fifty feet from the front lot line. Although this is consistent with the setback of other adjacent structures along Route 146, a front yard variance may be required if these lots are not subject to the open space subdivision provisions. The traffic impacts of the project should be further analyzed. The applicant should contact NYSDOT to determine the appropriate level of analysis required. The appropriateness of the 8” sanitary sewer along NYS Route 146 should be evaluated based on future planned growth in the area. The adequacy of sight distance at both curb cut locations on NYS Route 146 should be verified and shown on the plan.

Mr. Grasso read a list of additional comments. The proposed project is considered a Realty Subdivision, and therefore, is a Type 1 action pursuant to SEQR, and as such coordinated review is required. Involved agencies are expected to include the following: Town of Clifton Park Planning Board – Subdivision Approval; C.P.W.A. – Water Connection Permit; S.C.S.D. #1 – Sewer Connection Permit; N.Y.S.D.O.T. – Curb Cut Permit; Saratoga County Planning Board – Section 239 Referral; N.Y.S.D.O.H. – Realty Subdivision Approval; Water Supply System Approval N.Y.S.D.E.C. – SPDES Permit; Wastewater Disposal System Approval. Engineers’ Reports for the proposed Water Distribution System and Sanitary Sewer System should be submitted to Clough, Harbour, and Associates, the NYS Department of Health and the NYS Department of Environmental Conservation for review and comment.

The project will have an impact on the demand for recreational resources within the Town, specifically non-vehicular transportation modes. As such, consideration should be given to construction of a multi-use pathway through the development’s open space areas with provisions for potential future connections to the adjacent lands to the north and the south, or a connection from the development to the planned multi-use pathway along Route 146A. Alternatively, the project should contribute to the other planned multi-use pathways included in the Town’s Trails Master Plan. The lot numbers and street names should be submitted to the Post Office and County Emergency Services for review and approval. Pursuant to Section 86-6 D (2) of the Town Code, street grades shall not be less than one percent. However, street grades of 0.75 percent are proposed at approximately Sta. 13+00 Sterling Heights Drive (east) and Sta. 11+50, Sta. 14+00 Sterling Heights Drive (north) and Sta. 1+50 Sterling Heights Drive (west). Construction of the long proposed offsite sanitary sewer line and watermain requires procurement of utility easements from several property owners. In order to insure that future plan changes will not be required, it is recommended that the consultant verify that easement acquisitions are readily obtainable. In addition, sanitary sewer service and water supply service stubs should be provided for the unserved parcels along the sanitary sewer and watermain

route. The plans indicate approximately three feet of cover over the proposed sanitary sewer along Route 146 at station 23+50. The consultant should verify with the Saratoga County Sewer District (SCSD) to determine if additional frost protection measures are required. Engineers recommend that the proposed sanitary sewer crossing of NYS Route 146A be accomplished by conventional jack and bore with a separate casing and carrier pipe. Pursuant to the "Ten States Standards", sewers on 20 percent slope or greater shall be anchored securely for steep slope protection. Details of the required slope protection should be provided for the proposed connection to the existing SCSD manhole. The consultant should verify design requirements of the proposed offsite 12" water distribution line with CPWA for items such as hydrant spacing, inline valve spacing, type of valves (gate valve or butterfly valve), etc. The Pavement Specifications and Utility Layout Detail shows proposed street lights. The consultant should confirm if street lights are proposed for this project. If streetlights are proposed, ownership and maintenance should be specified.

Clough, Harbour, and Associates' review of the Engineer's Stormwater Management and Pollution Prevention Plan dated August 2002 resulted in the following comments:

- It is recommended that the stormwater management plan be designed in conformance with the newly released NYS Stormwater Management Design Manual pursuant to the EPA's Stormwater Phase II Final Rule. Specifically, it is recommended that the developer utilize the Unified Stormwater Sizing Criteria to meet pollutant removal goals, reduce channel erosion, prevent overbank flooding and help control extreme floods.
- Justification should be provided for post developed peak discharge rates exceeding pre-developed peak discharge rates at design point 5 for the 2, 10 and 100-year storm events.
- Soil Test Pit #10, located in the vicinity of the proposed stormwater management area No. 1 indicates a very firm sandy clay loam layer at a depth of 55 inches or approximate elevation of 338.4. However, the proposed grading of the stormwater management area indicates that the bottom of the basin at elevation 337 or approximately 1.4 feet below the apparent impervious layer elevation. Therefore, the proposed groundwater recharge as a method of stormwater quality enhancement does not appear viable.
- Soil Test Pit #2, located in the vicinity of the proposed stormwater management area No. 2 indicates a strong mottling at a depth of 19 inches or approximate elevation of 341.1. The proposed grading of the stormwater management area indicates that the bottom of the basin at elevation 336 or approximately 5 feet below the apparent seasonal high groundwater elevation. The proposed groundwater recharge as a method of stormwater quality enhancement does not appear viable.
- The "Drainage Diagram for Developed Conditions" depicts subcatchment 12S discharging to pond 3P and subcatchment 13S discharging to pond 4P, while the "Developed Conditions Drainage Map" depicts subcatchment 12 discharging to pond 4 and subcatchment 13 discharging to pond 3.
- The maximum sheet flow length according to TR 55 is 300 feet, however the NYS Soil and Water Conservation Committee has suggested a maximum sheet flow length of 150 feet with a most likely length of 50-100 feet, due to field conditions in New York State.
- It is recommended that additional erosion control measures such as stone check dams be provided in the long earth swale discharging to stormwater management area No. 3.
- A minimum 10-foot wide gravel access drive should be constructed from the proposed

roadways to each of the stormwater management areas to facilitate future maintenance by the Town.

- A Storm Sewer Sizing Drainage Pattern Map should be provided showing drainage area boundaries and time of concentration travel paths.
- Sizes of the storm sewer shown on the plans do not match sizes depicted on the Storm Sewer Sizing Table in several cases.
- Since the project will involve the disturbance of greater than five acres of land, the applicant is required to submit a Notice of Intent (NOI) pursuant to the State Pollution Discharge Elimination System (SPDES).

Mr. Kemper read comments received from the ECC. The Commission notes that sensitive environments exist on properties adjacent to the project site; therefore, there is a potential for environmental impacts to these areas in the event that the capacity of the storm water management system is inadequate. As such, the applicant's drainage, storm water, and erosion control plans should be protective of these environments both during construction and completion of the project. The ECC recommends careful review of these plans by the Town Engineer. The ECC also notes that the project may result in the intrusion into federal jurisdictional wetlands. The applicant must avoid intrusion into the ACOE wetlands and federal jurisdictional wetlands or apply for a federal wetlands permit for disturbance of more than 1/10th of an acre in total for the project. The Town of Clifton Park should be provided with copies of all related correspondence.

Mr. O'Brien expressed concern with two aspects of the proposal. The first dealt with land that may be requested for development of multi-use pathways. Mr. Kemper will discuss proposals for future connections with Pat Haffner, Director of Parks and Recreation and with Trails Committee representatives. The second issue involved the proposed setbacks for the lots retaining B-1 zoning status. Since proposed setbacks are shown at 50 feet, it is possible that variances will be required for any development on the parcels. Mr. Pelagalli will review applicable legislation to determine what setback requirements will be applicable.

Mr. Bulger's concern focused on the future road to the north. He asked that information regarding the proposed street be added to individual plot plans for adjoining residences to ensure that potential buyers are aware of the possible connector road. Mr. Pelagalli advised that the Board could request that specific language be included in individual deeds. He also noted that title searches would reveal such information.

There being no public comment on this application, Mr. Bulger moved, seconded by Mr. Larkin, to close the public hearing at 7:42p.m. The motion was unanimously carried.

Mr. O'Brien commented that he believed that the cluster option provided a very useful alternative for development of this parcel and commended the applicant for working with the Board. He believes that most items have been resolved, though minor items such as trail development, setbacks for the parcels with a B-4 designation, and a sign-off from Mr. McDonald regarding infrastructure connections must be addressed prior to final approval.

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

Mr. O'Brien offered Resolution #28, seconded by Mr. Larkin, to grant preliminary subdivision approval for this application, waiving the final hearing, conditioned upon the satisfaction of the issues identified by Mr. Kemper, Clough, Harbour, and Associates, and the ECC. Ayes: Czub, Larkin, Bulger, Marzola, Russell, O'Brien. Noes: None.

[2002-014] Jarose, George and Eva – Proposed (20) lot subdivision, Grooms Road – Preliminary public hearing and possible determination.

Mr. O'Brien, Chairman, called the public hearing to order at 7:45p.m. The Secretary read the public hearing notice as published in the Daily Gazette on September 5, 2002.

Mr. Tom Andress, ABD Engineers and Surveyors, presented this application that calls for the subdivision of 19.02 acres of land in an R-1 zone on Grooms Road into (20) lots ranging in size from 20,000 SF to 4.58 acres. The project will provide for the construction of (18) new single-family homes and a 6,000 SF church. A Special Use Permit to allow the construction of a church in a residential zone was granted by the Planning Board on July 9, 2002. The project will be served by the Clifton Park Water Authority and the Saratoga County Sewer District #1. Mr. Andress pointed out the areas of delineated wetlands and explained that Clough, Harbour, and Associates' comments regarding stormwater management plans have been addressed. A 50-foot setback has been established to the north providing a buffer to adjoining residential properties and a 25-foot no-cut buffer has been established along the northern property line.

Mr. Kemper reported that the project appeared before the Planning Board for conceptual review on March 12, 2002. In reviewing the N.Y.S.D.E.C. wetland map it appears that there are proposed D.E.C. wetlands on the parcel. If this is the case, the Town of Clifton Park LC Zone should be depicted on the plot plan. In addition, a N.Y.S.D.E.C. wetland permit and Town of Clifton Park LC Zone Permit will have to be obtained. The wetland disturbance indicated on Lot 18 does not seem practical considering normal site clearing and grading activities. A catch basin should be installed in the center of the cul-de-sac. Clarification should be provided on the drainage and wetland easements to be granted to the Town of Clifton Park. In the recent past, the Planning Board has requested deed restrictions and land preservation areas. Such restrictions should be provided for this project. A signoff will have to be provided from S.C.S.D., C.P.W.A., and S.C.D.P.W. The proposed project is a Type 1 action under the SEQRA. As such, coordinated review is required. Involved agencies are expected to include N.Y.S.D.O.H., N.Y.S.D.E.C., Saratoga County Planning Board, S.C.D.P.W., S.C.S.D., and C.P.W.A. The proposed Town Road Connection should be labeled on the plans. A note should also be added to the plans stating the following: "This subdivision is located in an area where aviation activity occurs. Such activity may include, but is not limited to periodic noise, vibration, hours of operation, and other associated activities. A study describing this impact in

detail is available for inspection in the offices of the Albany International Airport." A memo from Pat Haffner dated September 6, 2002 asks that consideration be given to connecting this proposed new construction project to the existing developments via trails/paths as a condition of approval. According to the park district map this area falls within the boundaries of the Stoney Creek 1 Park District. Paul Bylenok, Representative for the Stoney Creek 1 Park District, will also comment on the project. A note should be added to the plans stating the lots will be incorporated into the Stoney Creek 1 Park District.

According to the stormwater management report dated August 8, 2002 the consulting engineer proposed a method of stormwater management for the project that would directly discharge stormwater into a stream which runs to the Stoney Creek Reservoir. This alternative should be closely evaluated by Clough, Harbour, and Associates. Erosion and sediment control measures should be included on the plot plan. Clearing limit lines should be depicted on future plan submissions.

Future plans for the remaining lands of Jarose should be clarified. A note should be added to the plans stating that no further subdivision will be allowed on this parcel. A letter dated June 25, 2002 from Joseph Cotazino Jr. raises concerns regarding drainage issues, site lighting for the proposed church, parkland, future access to adjacent vacant parcels, buffers, parking lot, and future expansion of the church. The date and number of variance granted by the Fire Code of Appeals Board should be noted on the plans. The Saratoga County Planning Board reviewed the plans at their March 21, 2002 meeting and requested that additional information be submitted. That Board noted that since the proposed subdivision would create a new street intersection with Grooms Rd. (CR#91), the applicant should contact Saratoga County DPW's Ted Serbalik at 885-2235 to arrange a meeting and field visit. The County Planning Board considers the application incomplete until it is determined that the access is acceptable. The creation of a residential subdivision from the same parcel as a proposed 12,000 SF church (which may double in size in the future) raises concerns regarding land use compatibility. County planners suggest that potential conflicts could be reduced by utilizing the cluster provision to reduce lot sizes, frontages, and minimum yard areas. This would increase design flexibility and would possibly allow lots to be clustered towards the rear of the site away from the church. The church lot could be redesigned to include both sides of the subdivision street reducing the overall depth of the current lot as proposed. A revised design would offer a number of opportunities to enhance buffers and reduce impacts of stormwater, lighting, and parking.

A note should be added to the plans stating that there is a proposed church use located within the subdivision and there will be certain noise, activities, lights, traffic, etc. associated with that use. Per Town Board Resolution #333 of 2001, Park Districts will no longer be responsible for placing entrance signs. Maintenance and construction of entrance signs will be the responsibility of the developer or homeowners association. A note stating this should be added to the plans. Sheryl Reed's memo of September 11, 2002 states that appropriate postal addresses must be added to the plan.

Mr. Grasso listed several comments regarding this subdivision proposal. The desirability of the house orientation on lots #7 and #8 should be evaluated. It is recommended that one of the lots be eliminated, thereby allowing the typical house orientation to be maintained and allowing useable rear yards. A street light should be provided at the intersection of the proposed town road and Grooms Road pursuant to Section 86-6.E.5 of the Town's Construction and Design Standards. It is recommended that the new light be oriented over the new roadway rather than over Grooms Road to aid in definition of the new roadway. The cul-de-sac island should be depressed from the roadway to prevent melting snow from crossing the roadway. A catch basin should be installed within the center of the cul-de-sac to allow for proper drainage. Foundation drain laterals should be shown for all of the proposed lots and appropriate details should be provided. The house numbers as determined by the Chief of Fire Prevention should be added to the plans. A stop sign, dead end sign and street sign should be shown at the proposed intersection with Grooms Road on the final plans. The roadway centerline slope within the proposed cul-de-sac should be increased to provide a minimum 1.0% slope along the flow line of the curb.

An Engineer's Water Supply Report including a DOH Form 348 should be provided. The plans and report should also be submitted to NYSDOH for review and approval of the proposed public water supply improvement. In addition, an Engineer's Sanitary Sewer Report should also be provided. The plans, the Sanitary Sewer Report, the Stormwater Management Report, a Design of Sewers Checklist and Stormwater Management Self-Assessment Checklist should be submitted to NYSDEC for review and approval of the proposed public sanitary sewer system and SPDES permit. Erosion and sediment controls should be shown on the plan including a stabilized construction entrance and silt fence along the downslope limits of grading and clearing. These limits should also be clearly delineated on the plans. The right-of-way stub street connection to the east should be labeled as "Possible Future Town Road".

The plan does not address how runoff reaching Grooms Road or the low area on the east side of the road near station 11+00 will be handled. The lot runoff is not adequately handled between lots #5 and #6. The plan should also address how runoff reaching the low area within lot #10 will be handled. The plan and profile indicates the top of frame elevation for sanitary manhole #3 is elevation 298.0 whereas the road elevation is above elevation 299.0. Clarification is requested. Details should be provided for the proposed jacking and boring proposed across Grooms Road. Due to the shallow road grades proposed, the length of vertical curve should be reduced to fifty feet to reduce the potential for ponding at the low points.

The plans should address how 18" minimum of vertical separation will be provided between the water main and sanitary sewer laterals for lots #13 through #18. An in-line valve should be provided adjacent to the hydrant at approximate station 19+00. Pursuant to Section 179-16.A of the subdivision regulations, the final plans should contain the Town's standard statement regarding standards of accuracy, and the plans shall bear the signature and seal of a professional land surveyor. Pursuant to Section 86-6.E.2 of the Town's Construction and Design Standards, the minimum right-of-way radius shall be 28

feet and roadway radius shall be forty feet. The plans indicate 25 feet and thirty feet, respectively. The plan indicates that the total wetland disturbance is 0.99 acres. This does not appear consistent with the limited amount of wetlands that appear to be directly impacted. Clarification is requested. The detail of the pre-cast concrete storm manhole should be revised to specify the use of the Town's standard Campbell Foundry pattern 2816B for the catch basins. The depth of stone for the typical culvert outfall detail should be specified. The typical road section indicates a positive back slope of 6" in fifteen feet. This is not represented on the proposed grading plan. A note should be added to the typical road section that the framesets for all catch basins and sanitary sewer manholes should be initially set at the binder course elevation, and raised to the top course elevation only within two weeks of application of the top course pavement. The layout dimensions of the cul-de-sac are illegible.

The hydrants are graphically shown outside the limits of the right-of-way. Although the intent may be to construct them within the right-of-way, clarification should be provided to avoid confusion during stakeout and construction. It is recommended that protective measures such as deed restrictions be placed over the wetland areas that will not be impacted. The proposed drainage and wetland easement may not provide any protection. Most desirable would be a twenty five foot wide easement to the Town along the concentrated flow and deed restrictions for the sensitive areas outside of the easement limits. The applicant's consultant may wish to contact the Planning Department or our office for recommended deed restriction language that can be added to the final plans.

Clough, Harbour, and Associates offer the following comments on the Stormwater Management Report dated August 20, 2002:

- It is recommended that the stormwater management plan be designed in conformance with the newly released NYS Stormwater Management Design Manual pursuant to the EPA's Stormwater Phase II Final Rule. Specifically, the Unified Stormwater Sizing Criteria should be utilized to meet pollutant removal goals, reduce channel erosion, prevent overbank flooding and help control extreme floods.
- The consultant should evaluate the 2, 10, and 100-year storm designs pursuant to the Construction and Design Standards. Post-developed peak discharge rates for the 2-year, 10-year and 100-year storm events should be restricted to pre-developed peak discharge rates for the 2-year, 10-year and 100-year storm events, respectively. A table should be provided summarizing pre-developed and post developed peak discharge rates after detention for the 2, 10 and 100-year storms.
- Two separate design points be evaluated; one at the southwestern corner of the project site and the second at the central western boundary of the project site at the point where the two existing drainage courses leave the site.
- Stormwater runoff from the project site is tributary to the Stony Creek Reservoir, a major public drinking water supply. Therefore, stormwater quality should be carefully evaluated. Stormwater management in oversized closed drainage systems provides little to no stormwater water quality enhancement prior to discharge. Although a perforated 36-inch diameter storm pipe is proposed to provide infiltration into the surrounding soil as a method of treatment of the first flush runoff, that pipe may not provide long term adequate stormwater quality treatment. In addition, these systems offer unique problems

for operation, maintenance and monitoring. The Town would be responsible for these tasks after dedication. Therefore, we do not recommend utilizing an underground closed drainage system for stormwater management. We strongly recommend use of the standard open stormwater management area.

- The direct entry of 20 minutes for post-developed subcatchment 3 is not an acceptable method of estimating time of concentration.
- Details of the outlet control device should be provided in the plans and should be consistent with the pond outflow device evaluated in the stormwater model.
- A minimum ten-foot wide gravel access drive from the proposed roadway to the stormwater management area should be provided to facilitate future maintenance.
- Calculations should be provided documenting the adequacy of the size of the proposed closed drainage system. The closed drainage system should be sized based on a 10-year storm using the Rational Method for computing peak discharge rates and the Manning's Equation for storm sewer capacities. Separate Post Developed Drainage Pattern Map and Storm Sewer Drainage Pattern Map should be provided showing drainage area boundaries and time of concentration travel paths.
- Since the project will involve the disturbance of greater than 5 acres of land, the applicant will be required to submit a Notice of Intent (NOI) pursuant to the State Pollution Discharge Elimination System (SPDES).

Mr. Kemper read the comments received from Mr. O'Brien, Environmental Specialist. The ECC asks that the applicant identify jurisdiction of wetlands on the parcel. If wetlands are DEC, the corresponding LC Zone must be indicated. The applicant should consider the adjustment of lots to eliminate lot #18, thereby, reducing proposed wetland impact. The LC Zone should be shown on the individual plot plans.

Ms. Judith Kleinberg, 272 Moe Road, expressed her concerns regarding the proposed development that adjoins her land. She stated that she had placed her property in the land conservation easement program and is concerned about that "run-off" from the residential development will negatively impact her agricultural lands.

Mr. O'Brien read the attached letter from Joseph Cotazino that requested information on a number of issues including lighting, buffering, and stormwater management designs.

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

Mr. O'Brien asked that the Planning Department begin the coordinated review process.

Board members discussed this project, recommending that plans be revised to allow the lots adjoining the future road to the south to be enlarged to allow adequate back yards. Adequate development of the lot adjoining the church was also questioned because of the substantial wetland area found on the parcel. Mr. O'Brien pointed out that several items, including site drainage, lighting, and stormwater management, remain to be addressed.

Old Business:

[2002-013] Parkside Community Church – Proposed 12,000 SF church, Grooms Road – Preliminary site plan review.

Mr. O'Brien noted that the site plan for the church will be included as part of the coordinated review process.

Mr. Andress, ABD Engineers and Surveyors, outlined plans for the church proposed for one of the lots created as part of the Sunset Woods subdivision. Although the Special Use Permit was granted for a 12,000 SF facility, plans now call for the construction of a 6,300 SF church. The applicant plans to maintain existing trees to the north of the site in an effort to provide a buffer to existing homes and properties. Plans show two driveway locations from the new town road that will be named Horizon Lane. Site improvements include the installation of 80 parking spaces, a stormwater retention basin to the north, and landscaping.

Mr. Kemper suggested that the applicant consider expanding the no cut buffer areas on the northern and western boundaries of the project. The church's plans for future expansion should be clarified. Adjoining landowners should be labeled on the site plan. The location of dumpsters should be shown on the project plan.

Mr. Kemper reported that the ECC recommends that any proposed outdoor lighting shall be directional and limited.

Mr. Grasso offered several comments regarding the stormwater management plan. The site is proposed to drain entirely by means of sheet flow with no closed storm sewer system. Extensive erosion and sediment control measures as well as special measures to reduce potential for scour at concentrated runoff points should be provided. Existing topography and proposed spot elevations should be provided to ensure proper drainage and construction on the site. The plan proposes two stormwater basins. The stormwater report only appears to evaluate only one stormwater basin. The post-developed map should depict the two drainage areas and be evaluated separately in the report. The storage volume of the proposed basin was only calculated for the 10-year storm event. Because the proposed development is an integral part of a larger development that will cumulatively impact greater than five acres, a SPDES permit will be required from NYSDEC and the stormwater management plan must address runoff during a 2-year, 10-year and 100-year storm event. Since the proposed method of stormwater management is solely infiltration, test pits and percolation tests should be performed within the proposed retention area.

The plan should clarify if the exterior building mounted lighting will match the detail provided on the plans. It is assumed that all refuse storage will be contained inside the building, though this should be clarified. The Building Inspector should be consulted to determine if a paved access connection will be required to each of the required fire exits.

Mr. O'Brien asked that renderings of the façade and samples of the building materials be

supplied for the Board's consideration. He noted that due to the number of outstanding concerns and the need for coordinated review, approval would be deferred until the comments of Mr. Kemper and Clough, Harbour, and Associates have been addressed.

[2002-023] English, Ruth – Proposed (2) lot subdivision, English Road – Final determination from public hearing held on August 13, 2002.

Mr. Crayon, who plans to purchase one of the subdivided parcels, presented this application for Board review. The plan remains basically unchanged from the previous meeting; however, many outstanding issues have been resolved.

Mr. Kemper explained that the Board issued a negative declaration under SEQR and granted preliminary approval at the August 13, 2002 meeting. Two issues that needed to be addressed following that meeting included whether or not one of the lots created would be buildable and whether the sight distance along English Road was sufficient for the proposed driveway location. Since the posted speed along English Road is 35 m.p.h., the sight distance is acceptable: previous comments assumed a 40 m.p.h. along English Road. The plat now shows that Lots A and B of Lot #1 will be one parcel and Lots A and B of Lot #2 will be one parcel. The applicant has indicated that D.E.C. delineated the wetlands on the project: no wetlands were identified on the front portion of Lot #2. Erosion control measures should be depicted on the plot plan. A filed easement over the lands of Saratoga County must be received prior to stamping of the plans.

Mr. O'Brien asked that Mr. Pelagalli review the easement language prior to the stamping of the final plat.

Ms. Czub offered Resolution #29, seconded by Mr. Marzola, to grant final subdivision approval to this application conditioned upon the satisfaction of comments offered by Mr. Kemper and the acceptance of the easement by Saratoga County. Ayes: Czub, Larkin, Bulger, Marzola, Russell, O'Brien. Noes: None.

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

Mr. Gil VanGuilder, VanGuilder Associates, presented this application that was previously presented to the Board on August 13, 2002. A fire flow variance was granted by the ESAB on September 5, 2002 conditioned upon the location of a dry hydrant and staging area subject to approval of the Jonesville Fire Chief, that the owner maintain the dry hydrant and staging area in serviceable condition, and that no Certificate of Occupancy be issued until the hydrant is installed, inspected, and approved. A dumpster has now been shown to the rear of the site. Details on the enclosure will be provided. Mr. VanGuilder also reported that the storage trailers on the site will remain following construction.

Mr. Kemper asked that the date of variance from the Fire Code of Appeals Board and the

conditions of that variance be indicated on the plans. The location of any ACOE wetlands and the date of delineation must be added to the plans.

Mr. Grasso reported that all comments from Clough, Harbour, and Associates have been satisfied.

Mr. O'Brien 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. Bulger moved, seconded by Ms. Czub, to grant preliminary and final site plan approval to this application conditioned upon satisfaction of the comments offered by Mr. Kemper and adherence to the conditions of the fire flow variance granted by the ESAB. The motion was unanimously carried.

[2002-037] Country Club Golf, LLC – Proposed 16,000 SF clubhouse and 7,500 SF maintenance facility, Main Street – Preliminary site plan review and possible determination.

Mr. Gordon Nicholson, Environmental Design Partnership, described this project that calls for the construction of a 16,000 SF clubhouse and 7,500 SF maintenance facility on the lands of the existing VanPatten Golf Course. A tree-lined drive from Main Street will lead to the clubhouse that will be situated on the highest point of the course. The facility will be served by the Clifton Park Water Authority and the existing sewer system. The developer plans to preserve as much vegetation as possible. Renderings of the clubhouse show a single-story building with stonework on the bottom with “cedar-like” siding above and a shingled roof. Since the applicant is currently working with the architect to finalize building plans, a decision regarding the roof line has not yet been made. Mr. Nicholson reported that, pursuant to engineering comments, the stormwater management plan will be revised and erosion and sedimentation controls will be installed during construction.

Mr. Kemper explained that Sheryl Reed requires that the emergency road with details be shown on the site plan. The proposed hours of operation for the driving range must be indicated on the plan. Dumpster locations and enclosures must be indicated on the plan. Colored façade renderings will have to be provided with the final plans.

Mr. Grasso offered several minor comments on the application. The design of the proposed 6” sanitary sewer service, including pipe lengths, slope, manhole locations and inverts, should be shown on the plans. The overall plan should show the site as currently proposed. Details should be provided for the proposed lighting. In addition, the hours of operation of the driving range should be shown on the plan. The finished floor elevations of the clubhouse and golf cart storage building should be shown on the plan. The location of all bends, valves and thrust blocks should be shown for the proposed watermain. Signage should be provided for the emergency access drive. The “Handicap” and “No Parking” signs should be shown on the plan.

The engineering firm offered additional comments regarding the stormwater management report. It is recommended that the stormwater management plan be designed in conformance with the newly released NYS Stormwater Management Design Manual pursuant to the EPA's Stormwater Phase II Final Rule. Specifically, the firm recommends utilizing the Unified Stormwater Sizing Criteria to meet pollutant removal goals, reduce channel erosion, prevent overbank flooding and help control extreme floods. The consultant should evaluate the 2, 10, and 100-year storms design pursuant to the Construction and Design Standards. Post-developed peak discharge rates for the 2-year, 10-year and 100-year storm events should be restricted to pre-developed peak discharge rates for the 2-year, 10-year and 100-year storm events, respectively. A table should be provided summarizing pre-developed and post developed peak discharge rates after detention for the 2, 10 and 100-year storms. The stormwater management report should include maps showing the existing and proposed drainage areas and include the time of concentration of travel paths.

Mr. O'Brien identified the outstanding issues as the inclusion of the gated emergency access on the site plan, the submission of lighting and landscaping plans, and the submission of colored renderings for the Board's consideration.

Mr. O'Brien 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. Bulger moved, seconded by Ms. Czub, to grant preliminary and final site plan approval to this project conditioned upon satisfaction of comments from Mr. Kemper, Clough, Harbour, and Associates, and the submission of architectural, lighting, and landscaping plans. The motion was unanimously carried.

[2002-043] DCG Development Company – Mixed Use PUD (approx. 94,000 SF commercial office space and 200 units of senior housing), Maxwell Drive and Wall Street – Referral from Town Board and revised conceptual review for site plan and subdivision.

Though this Planned Unit Development proposal was presented at the August 13, 2002 Planning Board meeting, Mr. Nicholson presented a revised plan for the Board's review. He explained that although the building sizes did not change, relocation and revisions of parking lots and stormwater management areas have resulted in increased greenspace. Plans now indicate that there is 40.5% greenspace on the older persons housing parcel: 42% with the use of grass block pavers for the parking land bank. Greenspace on the parcel containing 94,000 SF of office space is 35% within the B-4 zone and 51% within the PIR zone. Mr. Nicholson pointed out that the plans are generally as presented at the August 13, 2002 meeting. The applicant proposes legislation that would permit the combination of office space and housing for older persons on an 11 acre parcel south of Route 146 and west of the Village Plaza shopping center. The project will be served by the Clifton Park Water Authority and the Saratoga County Sewer District. 600 parking spaces are proposed.

Mr. Kemper read comments received from Sheryl Reed on September 11, 2002. She asks that the applicant provide adequate accessibility for emergency services at ingress/egress points and parking areas. Correspondence from Clifton Park/Halfmoon Fire District was attached to her memo. Mr. Nicholson expressed confidence that all site issues can be addressed if the Town Board approves of the project. The applicant has increased the greenspace over previous plan submissions, though it still falls below the 45% required in the Exit 9 G.E.I.S. Findings Statement. It appears that additional greenspace can be added by landbanking additional parking and placing grass block pavers along the driveway connection between the housing facility and the office park.

Mr. Kemper read the comments offered by the ECC. It is recommended that the applicant maintain a minimum of 45% greenspace in accordance with the Maxwell Road GEIS, calculated for the entire project/parcel. Due to the potential for federal wetlands on this parcel, the applicant will determine the location and extent of disturbance of these wetlands before a building permit is issued. In addition, the proposed number of parking spaces seems excessive for the existing land area. The Maxwell Road GEIS recommends a minimum of 45% greenspace as a mechanism to reduce traffic problems: the ECC recommends a reduction of parking spaces and a net increase in greenspace to mitigate possible traffic problems.

Mr. Grasso explained that that since it appears the plan was submitted for review of the proposed layout only the SEQRA, zoning and technical comments from the August 7, 2002 review letter remain to be addressed. Though it appears that the revised layout attempts to minimize the amount of “cut through” traffic from Maxwell Drive to Wall Street, Clough, Harbour, and Associates continue to recommend the removal of parking spaces along the access drive connection between the north and south sides of the office building. The ability of emergency access vehicles to safely maneuver through the site should also be considered.

Board members agreed that the revised roadway design met the intent of the SEQRA recommendations by limiting travel directly from NYS Route 146 to Wall Street. Though the applicant was encouraged to increase the amount of greenspace, members believe that the project is feasible for the location. Members believe that many items of concern may be addressed during site plan review.

Mr. O’Brien offered a motion, seconded by Mr. Larkin, to recommend that the Town Board approve legislation for this Planned Unit Development, allowing for the construction of a 94,000 SF office building and a 200-unit housing facility for older persons and associated site improvements. The motion was unanimously carried.

New Business:

[2002-053] Portola Packaging – Proposed silo for existing manufacturing facility, 602 Northway 10 Industrial Park – Preliminary site plan review.

Mr. Lane Addison, Facilities Manager for Portola Packaging, explained that the company would like to add an additional silo for the storage of Low Density Polyethylene plastic pellets to the company site in the Northway 10 Industrial Park. The silo will match the existing two silos on the site in height, width, color and attached hardware. A licensed contractor will form and pour the concrete pad and erect the silo.

Mr. Kemper asked that the applicant clarify the application since the drawing presented depicts two silos rather than one as indicated on the application and SEQRA form.

Mr. Grasso explained that the proposed project appears to be an unlisted action pursuant to SEQRA, 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. A site plan should be prepared that includes the setbacks of the proposed silos. The site plan application and EAF state that only one silo is proposed; however the plans show two silos. If only one is proposed, the plans should be modified accordingly.

Though the applicant would indeed prefer to install two adjoining silos at this time, the information provided on the application form, SEQRA form, and letter to adjoining property owners mentioned only one silo. Though the Chairman offered the applicant the opportunity to prepare an amended application for consideration at a later date, Mr. Addison preferred to obtain approval for one silo at this time.

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

[2002-056] Carrese, Arnold and Kathleen – Proposed (2) lot subdivision, 1031 NYS Route 146A – Conceptual review.

Stewart Construction, Inc. has submitted an application on behalf of Arnold and Kathleen Carrese for approval of a two lot subdivision on NYS Route 146A. Mr. Todd Stewart explained that the plan proposes the subdivision of 86.5 acres of land into lots of 7.7 acres and 78.8 acres, respectively. He noted that the ACOE wetlands have been delineated and are shown on the plan.

Mr. Kemper explained that he received a memo from Sheryl Reed on this date that requesting that the applicant revise the verbiage on plans to reflect current town law regarding construction standards for driveways over 500 feet in length. The general notes section of the subdivision plat should be revised to illustrate the correct zoning, setbacks, and minimum lot areas. The Town of Clifton Park LC Zone associated with N.Y.S.D.E.C. wetland R-21 should be depicted on the plot plans. He asked that the plan clarify whether or not exact boundaries of the wetlands have been identified. Locations of the well and septic system must be shown on the plans. In response to Mr. Kemper's

question regarding future plans for Lot #2, Mr. Stewart stated that the existing residence will remain and no further subdivision of that parcel is planned. The application was referred to the Saratoga County Planning Board on August 21, 2002.

Mr. Grasso stated that the proposed project appears to be an unlisted action pursuant to SEQRA, and as such, coordinated review is optional. The involved agencies are expected to include the Town of Clifton Park Planning Board for subdivision approval and NYSDOT for a curb cut permit. Soil investigations including deep test pits and percolation tests should be conducted in the area of the proposed wastewater disposal system to verify the adequacy of the soils to accept an on-site wastewater. The site is located in the R-3 Agricultural/Residential zoning district: this should be reflected on the plans. The location of the proposed well and septic system as well as any wells and septic systems on the adjoining properties within 100 feet should be shown on the plan to verify that the required separation distances can be met. In addition, the accurate limits of the wetlands should be delineated to also verify adequate separation. Given the extent of wetlands within the site and potential for incremental impacts due to additional development, consideration should be given to the establishment of deed restrictions or conservation easements over the environmentally sensitive features of the site.

The ECC asks that the following standard statements 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 limits of the LC Zone and 100 foot buffer zone, DEC wetlands and federal jurisdictional wetlands should be identified on the plot plan.

Mr. O'Brien emphasized the importance of illustrating the specific wetland boundaries and identifying the L-C zone on the plan.

[2002-057] Equinox Construction – Proposed renovation of former Grand Union – 88,000 SF retail store, 54 Crossing Boulevard – Conceptual site plan review.

Mr. Chris Smith, C.T. Male, and Paul Goldman, legal representative for the applicant presented this application that calls for the demolition of the 64,000 SF former Grand Union supermarket at The Crossing and the construction of an 88,000 SF department store that has been labeled on the plan as Kohl's. The presenters submitted an analysis of the green space on the site that shows an overall increase in greenspace on the site since the Target store is smaller than the Builder's Square store that previously occupied the site. Greenspace calculations show total greenspace as 38.8% of the site. Mr. Smith was confident that the consultants would be able to address the issues raised by Mr. Kemper, the ECC, and Clough, Harbour, and Associates. A colored rendering was presented for consideration.

Mr. Kemper explained that Sheryl Reed's memo of September 11, 2002 requires the applicant to provide additional information on fire area and type of construction per the New York State Uniform Fire Prevention and Building Code. It currently appears that accessibility on the northwest and south sides of the building is not adequate and would

be required per state code requirements. She also submitted comments from the Clifton Park/Halfmoon Fire District. A signoff will be required from the Saratoga County Sewer District. A Full EAF should be submitted with the next plan submission. Existing and proposed greenspace on the parcel should be identified. If additional parking will result in a decrease in the amount of greenspace, additional plantings and landscaping may be warranted and shared parking should be considered. Exterior lighting plans for the site must be submitted for review. Adequacy of existing stormwater management facilities will have to be evaluated.

Mr. Grasso explained that the proposed project appears to be an unlisted action pursuant to SEQRA, 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. Because the initial development of the Crossings was covered by an environmental impact statement, the findings statement should be reviewed to determine if any development impact thresholds require re-evaluation or amendment. It would appear that a Full Environmental Assessment Form should be completed to initiate the SEQR review. Clough, Harbour, and Associates strongly supports the re-use of existing vacant retail space, however, the plan indicates that the change in use will involve an intensification of the use of the site in terms of greater building size, additional parking needs, increased traffic and reduction in greenspace. As such, these issues should be properly evaluated during project review that would focus on the Crossings project as a whole and not solely on the area directly affected by the change of tenant.

The plan proposes the elimination of significant amounts of green space to provide additional parking. Although it is understood that the tenant may have individual parking requirements, it appears that the existing site has ample parking to support the various uses on the site and additional parking is not warranted. In addition, pursuant to Section 208-89.E. of the zoning regulations, the amount of parking provided for shopping centers does not require strict conformance with the conventional parking requirement of 1 space per 200 square feet of retail space. This flexibility is provided due to the ability of shared parking areas to support various mixed uses with less parking. Therefore, it is recommended that the plan show the amount of parking that would be required to satisfy the amount of parking desired by the tenant, but the plan should stipulate that the additional spaces are only to be constructed if determined to be required by the Building Inspector.

The proposed access drive around the rear of the building does not appear to provide sufficient emergency vehicle access. Although four sided accessibility may not be required by the NYS Uniform Building and Fire Prevention Code, we recommend that the minimum paved access width be twenty feet. The Chief of the Bureau of Fire Prevention should be consulted for any additional emergency accessibility issues.

The plan proposes an increase to the impervious area on the site. It should be verified that the existing stormwater management system has adequate capacity to handle additional runoff and that the system is operating as originally designed. The existing light poles should be shown on the plans. Any proposed modifications should be consistent with the

existing lighting in terms of illumination levels and glare control. Any exterior building mounted lighting should also be identified.

The following additional information should be included on future plan submittals:

- proposed setbacks;
- existing and proposed lot statistics;
- existing contours, in particular in the area of the proposed access drive behind the building;
- height of the proposed retaining wall;
- existing wetlands, landscaping and limit of wood line.

Board members found the plan generally acceptable, though Mr. O'Brien asked that the new store "blend" architecturally with the existing façade of The Crossing. He noted that colored renderings must be provided with the preliminary submission. Ms. Reed's comments regarding emergency services accessibility must also be satisfied.

[2002-058] Yum Brands – Proposed 230 SF addition to the existing Taco Bell restaurant, 811 NYS Route 146 – Conceptual site plan review.

Mr. Rob Spiak, Bohler Engineering, presented this application on behalf of the applicant. He explained that the applicant plans a 230 SF addition to the existing Taco Bell facility on Route 146 in a B-4 (Highway Business) zone. Taco Bell is located on the north side of NYS Route 146 at the intersection of Clifton Country Road Extension and is adjacent to Friendly's, Applebee's, and other commercial businesses. The project involves a small addition to the rear of the existing building for cold and dry stock storage and an overall building façade upgrade. The existing façade will be redone to represent both Taco Bell and Long John Silvers. The existing asphalt shingled mansard roof will be replaced by drivit walls up to a flat roofline. Since no additional seats are proposed and the addition is not for public use, no changes to the existing parking lot are proposed. No additional sewer or water services will be required: site lighting will remain unchanged. The existing drive-thru lane will be widened to accommodate a pre-pay window. Greenspace will be minimally affected since proposed changes affect only .02% of the total site. No additional stormwater of any significance will be created since the area disturbed is minimal. All existing green and landscaped areas on the site are to remain undisturbed. Colored renderings were presented for Board consideration. Mr. Spiak further explained that Albany is a "test market" for the proposed upgraded facility design.

Mr. Kemper asked that plans indicate the location of the dumpster enclosure since screening of the area must be provided. The large trees that were removed in violation of the site plan this summer will need to be replaced. He noted that the applicant is applying for a sign variance from the Zoning Board of Appeals. Mr. Kemper reported that the ECC has requested that any proposed outdoor lighting be directional and limited.

Clough, Harbour, and Associates did not comment on this application.

Mr. O'Brien offered a brief "history" of the development of Taco Bell, stating that flags

were installed on the roof of the restaurant despite the Planning Board's denial of such banners, the color of the building was changed to a color unacceptable to the Board, and trees were cut in direct opposition of site plan approval. He recommended that trees of substantial size replace those recently removed from the site before preliminary plans are submitted for the Board's consideration.

[2002-054] Bardakjian, Hratchia – Proposed 6,000 SF retail, commercial, and professional plaza, US Route 146 and Clifton Park Village Road – Conceptual site plan review.

Mr. Zareh Altounian, consultant for the applicant, presented this application that calls for the construction of a retail, commercial, and professional plaza on a .95 acre site in a B-3 zone. The property is located between US Route 9 and Clifton Park Village Road. Twenty parking spaces are provided. An area variance and two setback variances were granted by the Zoning Board of Appeals in 1986. Greenspace totals 59.9% of the site. The site will access both US Route 9 and Clifton Park Village Road. NYSDOT has been contacted regarding the relocation of drainage easements existing on the property: proposed easement locations have been shown on the plans.

Mr. Kemper offered several comments on this proposal. He reported that Sheryl Reed has requested that the turning radius at main entrance be enlarged to provide easier access for emergency vehicles. Mr. Kemper asked that future plan submissions be more legible. The total wetland disturbance for the entire project must be included on the plan. The specific variance numbers should be depicted on the plot plan. The Saratoga County Planning Board will review this application on September 19, 2002. Though N.Y.S.D.O.T. has indicated that they are aware of the proposed commercial plaza and its proposed entrance to N.Y.S. Route 9 and the relocation of existing drainage easements and facilities, a signoff from this agency will be required.

Mr. Grasso offered several comments regarding this application. The proposed project appears to be an unlisted action pursuant to SEQRA, 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 NYSDOT for a curb cut permit. Copies of the area variances granted for the site should be submitted. The EAF should reflect the variances. Pursuant to the Zoning Code, it appears retail is not an allowed use the Neighborhood Business B-3 zone. If a use variance was granted, this should be noted on the plan. The adequacy of the sight distance at the proposed drive locations should be verified. The plan lacks any proposed stormwater management. In order to reduce the drainage impacts on downstream wetlands, streams, and properties, the site should contain an onsite stormwater management system in accordance with the Town standards. A stormwater management plan should be submitted at preliminary review. The plan proposes changes to the existing on-site drainage courses and patterns. These changes should be evaluated in the stormwater report. The proposed access drive to the storage building is shown tying into the centerline of Clifton Park Village Road. When tied into the edge of pavement, the driveway is only 27 feet long. We are concerned with delivery trucks backing into this access drive from Clifton Park Village Road. As such, we recommend

this access be eliminated. Additional parking and layout dimensions should be provided on the preliminary 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. The plan should clarify if a culvert will be provided across the access drive onto Route 9. Future plan submittals should include the following: location of water and sanitary sewer service lines, erosion and sediment controls, landscaping and clearing limits, site lighting including mounting height, style, lamp type and wattage, "Handicap" and "No Parking" signs, and the proposed dumpster location.

Mr. Kemper read the ECC recommendations. The following standard statement should be added to the plot plan: federally 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. Any proposed impact of .10 acres or more of federal wetlands will require a permit from the Army Corps of Engineers.

Mr. O'Brien asked that the applicant provide elevations of the proposed buildings for the Board review. Mr. Russell requested clarification of the uses of the buildings and he expressed concern that the loading area might not be sufficient to allow for proper maneuvering of vehicles on-site. The applicant was asked to revise the plan to ensure that vehicles would not encroach on the Clifton Park Village Road right-of-way.

Minutes Approval:

Mr. O'Brien moved, seconded by Mr. Bulger, approval of the minutes of August 13, 2002 as written. The motion was unanimously carried.

Discussion Items:

Corpus Christi

Mr. Gordon Nicholson, Environmental Design Partnership, presented proposed site plan revisions for the Board's consideration. To help reduce the cost of construction for the proposed church addition, plans now call for a smaller "breezeway" to connect the two larger sections of the church. This will require relocation of the HVAC units to the northern side of the church building.

Board members agreed that the proposed revisions to the site plan were minor in nature. No further Board review would be necessary.

Belmonte

Mr. Gordon Nicholson, Environmental Design Partnership, presented three alternative plans for development of the Lands of Belmonte located at the intersection of Fire Road and Clifton Park Village Road. Mr. Belmonte plans to demolish the existing residence and construct a 5,000 SF office building. In anticipation of this action, the applicant asked the Board to consider which plan would be most desirable. Board members were

reluctant to offer any comment since the Zoning Board of Appeals must first act on project plans.

#### Countryman Estates North

Mr. Bill Clifton, Schultz Construction, asked the Board members to approve a temporary access onto Moe Road to allow easier access during construction of the stormwater management basins for Countryman Estates North. Board members would not approve this proposal since residents of Countryman Estates and neighboring subdivisions were assured throughout the review process that such access would not be permitted.

#### Parkwood Village (former Trinkets Gift Shop)

Mr. Brett Watts, Albany Management, discussed proposed changes to the former Trinkets Gift Shop on Meyer Road. The former gift shop, now abandoned, provided parking for 7 cars, a second driveway, and a garage. The owners propose to convert the shop into a rental office for Parkwood Village apartments. The access from Meyer Road as well as the driveway and garage will be removed. A new parking area for six cars will be accessed from the driveway for the Parkwood Village. Pursuant to ANSI codes, a new concrete ramp and platform will be built to provide access from the proposed parking area to the office. Landscaping is proposed for all sides of the building and the overall greenspace of the site will be increased.

Board members felt that this proposal represented a substantial change to existing site conditions. They asked that the applicant present a formal application for Board review. Mr. Kemper advised the applicant to submit engineered drawings of the site plan as soon as possible.

Ms. Czub moved, seconded by Mr. Larkin, adjournment of the meeting at 10:15p.m. The motion was unanimously carried. The next meeting of the Planning Board is scheduled for Tuesday, September 24, 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 #26

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 September 11, 2002, at 7:10 P.M. there were:

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

Mr. Bulger offered Resolution #26 and Ms. Czub seconded, and

Whereas, an application has been made to this Board by Mara Shafts for approval of a special use permit pursuant to Section 208-10 and 208-79 to permit the operation of a hair salon in an R-1 zone; and

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on September 11, 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 208-10 and 208-79 to allow the construction and operation of a hair salon in an R-1 zone.

RESOLUTION #26 passed 09/11/02

Ayes: Czub, Bulger, Marzola, Russell, Larkin, O'Brien.  
Noes: None  
Abstained: None

Kevin O'Brien  
Chairman

Resolution #27

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 September 11, 2002, at 7:15 P.M. there were:

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

Mr. Bulger offered Resolution #27 and Mr. Larkin seconded, and

Whereas, an application has been made to this Board by Vincent Riggi for approval of a special use permit pursuant to Section 208-10 and 208-79 to permit the construction of a two-family residence in an R-1 zone;

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on September 11, 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 208-10 and 208-79 to allow the construction of a two-family dwelling in an R-1 zone.

RESOLUTION #27 passed 09/11/02

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

Noes: None

Abstained: None

Kevin O'Brien  
Chairman

Resolution #28

Preliminary Approval

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on September 11, 2002, there were:

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

Absent: R. d'Amico

Mr. O'Brien offered Resolution #28, and Mr. Marzola seconded, and

Whereas, an application has been made to this Board by Mark and Nancy Johnston and John and Geraldine Furlow for approval of a subdivision plat entitled Sterling Heights consisting of (56) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on September 11, 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 September 11, 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 plat entitled the Sterling Heights is hereby granted preliminary approval, conditioned upon the satisfaction of issues identified by Mr. Kemper, Clough, Harbour, and Associates, and the ECC.

Resolution #28 passed 9/11/02

Ayes: Bulger, Marzola, Russell, Larkin, Czub O'Brien  
Noes: None

Kevin O'Brien,  
Chairman

Resolution #29

Preliminary Approval

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on September 11, 2002, there were:

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

Absent: R. d'Amico

Mr. Bulger offered Resolution #29, and Mr. Marzola seconded, and

Whereas, an application has been made to this Board by Mary Witecki for approval of a subdivision plat entitled Subdivision of the Lands of Ruth English consisting of (2) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on August 13, 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 August 13, 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 plat entitled the Subdivision of the Lands of Ruth English is hereby granted final approval, conditioned upon the comments offered by Mr. Kemper and the submission of proper language to permit approval of the access drive by Saratoga County.

Resolution #29 passed 9/11/02

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

Noes: None

Kevin O'Brien,  
Chairman