

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

**November 13, 2002**

Those present at the November 13, 2002 Planning Board meeting were:

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

Those absent were: K. O'Brien, Chairman

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

Mr. Bulger called the meeting to order at 7:10p.m.

Public Hearings:

[2002-067] Huber, Daniel and Deborah – Proposed two-family residence in an R-1 zone – Preliminary public hearing for a Special Use Permit and site plan review.

Mr. Bulger called the public hearing to order at 7:10p.m. and the Secretary read the public hearing notice as published in the Daily Gazette on November 4, 2002.

Mr. Daniel Huber, applicant, presented this project plan that calls for the creation of an in-law apartment in his existing residence at 3 Nottingham Way South. The proposal calls for the change of a studio room of a new single bedroom apartment to a small full service kitchen and dining area.

Mr. Kemper explained that the applicant has submitted façade renderings and architectural drawings for the Board's review. This application requires both site plan approval and special use permit approval: it appears to meet all requirements outlined for a special use permit pursuant to Section 208-79 (E) (1) of the town code. Mr. Triller, adjoining property owner, asked that the number of cars permitted in the driveway be limited to ensure that the residence maintains the appearance of a single family residence.

Mr. Bianchino stated that Clough, Harbour, and Associates had no comment on this application.

Mr. O'Brien, Environmental Specialist, stated that the following standard statements should be added to the plot plan:

- Any LC Zone located on the property must be delineated and placed on the plot plan.
- No salts, fertilizers, pesticides, or other materials may be used on this property where they will contaminate any wetland areas or surface water through runoff, leaching, or in

any other manner which violates the New York State Environmental Conservation Law (ECL).

- The borders of all land that is to remain undisturbed shall be clearly marked on the site before site preparation begins. These on-site boundary markers shall remain until construction is completed and soils are stabilized.
- All erosion and water quality controls shall be put into place at the initial phase of site preparation and shall be maintained until all construction ends and soils are stabilized.
- The applicant will control fugitive dust and debris during the construction/demolition phase of the project.

Mr. Dale Oroszi, 112 Nottingham Way South, stated that he was concerned that when the property changes hands the in-law apartment would become a rental unit. In his opinion, this would diminish property values in the area. He asked that the Board condition its approval on a restriction that allows the addition to be used only as an “in-law” apartment and not as a rental unit.

Mr. Pelagalli explained that such conditions have been imposed by the Planning Board and language could be drafted to limit the use of the addition to members of the family residing at the location: the apartment would not be sublet or rented to a third party.

Ms. Linda Schartzter, 27 Coventry Drive, stated that although she applauded the Hubers willingness to take care of Mrs. Huber’s mother, she was concerned that future rental of the proposed apartment would change the character of the single-family neighborhood and reduce property values. She encouraged the Board to condition its approval on the restrictions mentioned by Mr. Pelagalli.

Mr. Seth Gordon, 5 Nottingham Way South, reiterated the comments of Mr. Oroszi and Ms. Shartzter and encouraged the Board to “protect property values” by ensuring that the project plan includes language restricting the use of the apartment.

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

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

Mr. d’Amico offered Resolution #33, seconded by Mr. Russell, to grant the 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 conditioned upon the addition of the following restriction to the plan: the Special Use Permit is conditioned upon the addition being used as an in-law apartment and not as a two-family dwelling and that the use be limited to the use by a family member of the Hubers or any of their successors and interests in the property: should the property be used as a two-family or rental unit, the Special Use Permit would be rendered null and void. Ayes: Larkin, Czub, d’Amico, Marzola, Russell, Bulger. Noes: None.

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

Ms. Czub moved, seconded by Mr. Marzola, 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 – Preliminary public hearing and possible determination.

Mr. Bulger called the public hearing to order at 7:25p.m. and the Secretary read the public hearing notice as published in the Daily Gazette on November 4, 2002.

Mr. Todd Stewart, Stewart Construction, Inc., reiterated his comments of September 11, 2002, the last time he presented this application to the Planning Board. The proposal calls for the subdivision of 86.5 acres of land into lots of 7.7 acres and 78.8 acres, respectively. A single-family residence is proposed for the 7.7 acre parcel. ACOE wetlands have been delineated on site and have been depicted on the plan. A letter from NYSDEC stated that the project is more than 100 feet from the DEC-regulated wetland R-21: no freshwater wetlands permit is required. A highway work permit from the NYSDOT has also been submitted.

Mr. Kemper reported that N.Y.S.D.E.C. submitted a letter dated September 25, 2002 to Mr. Stewart stating that there are no state regulated wetlands on the parcel. A copy of the N.Y.S.D.O.T. Highway Work Permit has been submitted. It is noted on the plot plan that the “A.C.E.C. Wetland Flagged by D.E.C.”: if this is the location of the A.C.O.E. wetland then it should be correctly depicted on the plot plan. Consistent with previous approvals, Land Preservation Areas should be provided over the wetland portions of the site. The site statistics table should be revised to include the appropriate space and bulk requirements for the R-3 Zone. Specifically, the minimum lot size without water and sewer is 100,000 S.F. The final plans submitted for stamping to the Planning Department must contain the original seal and signature of a licensed surveyor.

The Saratoga County Planning Board approved the project on September 19, 2002.

Mr. Bianchino read the comments prepared by Clough, Harbour, and Associates. The site is located in the R-3 Agricultural/Residential zoning district: this should be reflected on the plans. Given the extent of wetlands on 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 septic system on the adjacent lands of Caldwell should be shown on the plans if it is located within 200 feet and uphill from the proposed well. The location of the proposed well suction line should be shown on the plans to ensure adequate separation from the proposed septic system. The final subdivision plan should bear the signature and seal of a

NYS Licensed Land Surveyor.

Mr. O'Brien, Environmental Specialist, stated that the ECC recommends that the following standard statements be added to the plot plan:

- No salts, fertilizers, pesticides, or other materials may be used on this property where they will contaminate any wetland areas or surface water through runoff, leaching, or in any other manner which violates the New York State Environmental Conservation Law (ECL).
- The borders of all land that is to remain undisturbed shall be clearly marked on the site before site preparation begins. These on-site boundary markers shall remain until construction is completed and soils are stabilized.
- All erosion and water quality controls shall be put into place at the initial phase of site preparation and shall be maintained until all construction ends and soils are stabilized.
- The Applicant will control fugitive dust and debris during the construction/demolition phase of the project.

In addition, the abbreviation for Army Corps of Engineers is "ACOE." To avoid misunderstanding, this abbreviation should replace "ACEC" which is currently on the plot plan. Any L-C Zone located on the property must be delineated and placed on the plot plan.

There being no public comment, Ms. Czub moved, seconded by Mr. d'Amico, to close the public hearing at 7:30p.m. The motion was unanimously carried.

Mr. Bulger noted that the applicant had only minor issues to be addressed. Mr. Larkin asked about the adequacy of sight distance along NYS Route 146A in the vicinity of the proposed driveway. Mr. Bianchino assured the Board that sight distance was adequate.

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

Mr. Marzola offered Resolution #34, seconded by Mr. d'Amico, to grant preliminary and final subdivision approval to this application conditioned upon satisfaction of the comments offered by Mr. Kemper and Clough, Harbour, and Associates. Ayes: Larkin, Czub, d'Amico, Marzola, Russell, Bulger. Noes: None.

[2002-065] Sanzen, David – Proposed (4) lot subdivision, Bradt Road – Preliminary public hearing and possible determination.

Mr. Bulger called the public hearing to order and the Secretary read the public hearing notice as published in the Daily Gazette on November 4, 2002.

Mr. Brett Steenburgh, Ingalls, Smart Associates, presented this application to the Board. The project calls for the subdivision of 13.52 acres of land in an R-3 zone into lots of 3.06 acres, 3.5 acres, 3.51 acres, and 3.45 acres, respectively. The lots will be served by

the Rexford Water District and on-site septic systems. Mr. Steenburgh addressed the issues raised at the October 22, 2002 Planning Board meeting. Sight distances for the two most critical locations have been added to the plans: these distances exceed NYSDOT required distances. A note has been added to the plans stating that there are no existing wells or federal jurisdictional wetlands within 100' of the proposed septic system locations. The consultant noted; however, that this is a non-realty subdivision requiring that each septic system be reviewed for its compatibility with Appendix 75A of the Department of Health and the Town of Clifton Park Building Department prior to the issuance of a building permit. A note has been added to the plan stating that no federal jurisdictional wetlands exist within the proposed area of development. A drainage easement and associated grading has been added for the existing 12" CMP under Bradt Road. Pursuant to Clough, Harbour, and Associates' recommendations, foundation drains have been added to the plans. The application has submitted a letter from the Rexford Water District stating that the project is within the service area and the proposed residences will be permitted to connect to the water line on Bradt Road.

Mr. Steenburgh discussed the issue of septic approvals and test pits, noting that the applicant reduced the number of lots from 6 to 4 so that it would fall below the threshold for a Realty Subdivision pursuant to NYSDOH guidelines. It is the consultant's opinion that this permits the subdivision to proceed forward through the approval process receiving Planning Board approval in preparation for filing at the county. Mr. Steenburgh proposed that the test pit results required by the Planning Board be presented to the Building Department prior to the issuance of individual building permits. He argued that since previous field studies have demonstrated that the conditions on each of the proposed lots are conducive for a raised bed style septic systems, the sandy or sandy loam materials used to construct the raised bed can be placed using mechanical compaction in lieu of waiting through a freeze-thaw cycle. He asked that a note on the plan stating that each lot will be required to obtain approval for the construction of the septic system from the NYSDOH and the Town of Clifton Park Building Department prior to the issuance of a building permit be considered sufficient for subdivision approval.

Mr. Steenburgh also asked that the Planning Board not require the deed restrictions on the rear portions of the lots: the applicant would prefer to allow future property owners to decide how to use their lot areas.

Mr. Kemper explained that this project last appeared before the Board on October 22, 2002 at which time Board members were concerned with the adequacy of septic system designs, protection of the Land Preservation Area, and the adequacy of sight distances for the driveways along Bradt Road. To date, the deep test pit information has not been submitted and the Land Preservation Areas have not been labeled on the plot plan. Descriptions for the drainage easement area will have to be submitted for review. The signoff letter from Tom Ziobrowski, Rexford Water District, was submitted earlier this evening.

Mr. Bianchino explained that Clough, Harbour, and Associates continues to recommend that deep test pits be performed in the location of proposed wastewater disposal systems

for each individual lot at this time in order to verify the acceptability of the soils for on-site wastewater disposal. The plan notes that soil mottling was observed in the percolation test holes at 12". Any evidence of soil mottling at less than 12" would preclude the use of a raised bed septic system. The proposed curtain drains around the tile fields should be called out as being typical for all system design and construction. The letter from Tom Ziobrowski of the Rexford Water District verifying there is adequate water pressure along Bradt Road should be submitted to the Clough, Harbour, and Associates' office. The final subdivision plan should bear the signature and seal of a NYS Licensed Land Surveyor. The location of the private water service tap for lot #12 should be located outside of the existing private driveway.

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

There being no public comment on this application, Mr. d'Amico moved, seconded by Ms. Czub, to close the public hearing at 7:37p.m. The motion was unanimously carried.

Mr. Bulger stated that, based upon Clough, Harbour, and Associates' recommendations, he believes that deep test pit information is necessary for decisions to be made regarding the adequacy of the septic designs. Mr. d'Amico stated that he believes that no action should be undertaken since a determination regarding environmental impacts cannot be made until the test pit information is available. He asked that Mr. Ziobrowski confirm that water quantity and pressure is sufficient to serve these residences.

Board members agreed that the information required by Clough, Harbour, and Associates must be supplied to the Planning Department before the application is again placed on the agenda.

[2002-022] Down, Clifford and Eugenia – Proposed (5) lot subdivision, Hubbs Road – Preliminary public hearing and possible determination.

Mr. Bulger called the public hearing to order at and the Secretary read the public hearing notice as published in the Daily Gazette on November 4, 2002.

Mr. Steve Lamb, consultant for the applicant, presented this project plan for the Board's consideration. The plan calls for the subdivision of 50.22 acres of land in an R-1 Zone on Hubbs Road. The proposed lots range in size from 1.2 acres to 25.8 acres and meet all bulk requirements. A .77 acre parcel will be transferred to the Lands of Reiniger. Sight distance information for the two access points has been added to the plan: both exceed standard sight distance requirements. Federally jurisdictional wetlands have been depicted on the plan.

Mr. Kemper explained that this project was considered by the Board on May 29, 2002. Clarification should be provided on the jurisdictional determination for the wetland areas. A signoff should be provided from NYSDEC stating that there are no state jurisdictional wetlands located on the parcel if that is the case. A consolidation deed will have to be

submitted for the land to be joined with the lands of Reiniger. Consistent with other approvals, Land Preservation Areas should be provided for the environmentally sensitive portions of the project site. Sheryl Reed's memo of November 13, 2002 requires the applicant to provide verification of the postal address and to add the standard note for driveways over 500 feet in length to the plan.

Mr. Bianchino stated that it appears as though work is proposed with in NYSDEC wetlands and within the wetland adjacent areas. As such, an Article 24 Wetland Disturbance Permit will be required. The proposed septic system for Lot #4 should not be located within 100' of the well on the adjacent lands of Reiniger. A note should be added to the plan stating that proposed Lot #3 will be consolidated into one deed with the Lands of Reiniger.

Clough, Harbour, and Associates also commented that given the extent of wetlands and stream corridor 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.

Mr. O'Brien, Environmental Specialist, pursuant to the recommendations of the ECC asks that the following standard statements should be added to the plot plan:

- The Land Conservation (LC) Zone has been delineated in accordance with Section 208-69 of the Clifton Park Town Code. Federal jurisdictional wetlands have also been identified on this parcel. Uses in these areas are restricted. The Town of Clifton Park Building Department shall be notified before undertaking any land disturbance activities in the LC Zone and /or Federal Wetlands.
- No salts, fertilizers, pesticides, or other materials may be used on this property where they will contaminate any wetland areas or surface water through runoff, leaching, or in any other manner which violates the New York State Environmental Conservation Law (ECL).
- The borders of all land that is to remain undisturbed shall be clearly marked on the site before site preparation begins. These on-site boundary markers shall remain until construction is completed and soils are stabilized.

In addition to the standard statements, the ECC asks that all erosion and water quality controls shall be put into place at the initial phase of site preparation and shall be maintained until all construction ends and soils are stabilized. The applicant will be required to control fugitive dust and debris during the construction/demolition phase of the project. Information regarding the LC Zones and streams should be delineated on each individual plot plan. The classified stream flowing from the Federal wetland area should be identified on the plot plan.

Mr. Richard Fortune, resident of Hubbs Road, explained that his property abuts the Down's property. He asked if there were plans to subdivide the parcel currently retained by Mr. and Mrs. Down. Mr. Lamb stated that since the Downs use this property to house their horses: they have no intention at this point to further subdivide this parcel.

In response to Mr. d'Amico's inquiries, Mr. Lamb explained that there will be two access points from Hubbs Road to serve the new lots. Mr. Lamb also agreed that a note would be added to the plat stating that there would be no further subdivision allowed for Lot #1.

There being no additional public comment, Mr. Larkin moved, seconded by Mr. Marzola, to close the public hearing at 8:00p.m. The motion was unanimously carried.

Mr. Bulger 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. d'Amico offered Resolution #35, seconded by Mr. Marzola, to grant preliminary and final subdivision approval, waiving the final hearing, to this application conditioned upon satisfaction of the comments offered by Mr. Kemper and Clough, Harbour, and Associates, the addition of a note to the plat that states that no further subdivision of Lot #1 will be permitted, and the submission of ingress/egress easement descriptions. Ayes: Larkin, Czub, d'Amico, Marzola, Russell, Bulger. Noes: None.

[2002-035] Belmonte, Peter – Proposed (17) lot subdivision, West Sky Drive – Preliminary public hearing and possible determination.

Mr. Bulger called the public hearing to order at 8:00p.m. and the Secretary read the public hearing notice as published in the Daily Gazette on November 4, 2002.

Mr. Michael Hale, Environmental Design Partnership, described this project proposal that calls for the development of a 17-lot cluster subdivision in an R-1 zone at the extension of West Sky Drive. He explained that this application was presented to the Planning Board on January 23, 2002 at which time the Board identified several zoning and engineering issues to be addressed by the applicant. Mr. Hale addressed many of the concerns raised by Clough, Harbour, and Associates in a letter dated November 8, 2002. He pointed out that the cluster subdivision plan was developed in response to Board comments and that the plan has been "refined" to reduce impacts to wetlands and other environmentally sensitive areas. A full EAF has been prepared and submitted to the Planning Department and the applicant will submit all necessary documents required by all involved agencies. The Lands to be Conveyed to the Town of Clifton Park will be verified and clearly identified on the final plans. The subdivision plan depicts the ¼-acre of ACOE wetland that will be impacted by the development: deed restrictions for protection of wetlands beyond the proposed open space will be drafted and submitted for review. All technical recommendations, including those regarding foundation drains and roadway contours, will be included on the revised preliminary plan and a Notice of Intent pursuant to SPDES permitting will be submitted as required. Mr. Hale stated that the applicant would willingly work with the Town to establish the best location for the development of a multi-use trail.

Mr. Kemper reported that this application last appeared before the Planning Board on January 23, 2002 at which time a number of issues were unresolved. These included the

following: the location of the cemetery on the project site, the location of the multi-use path within the subdivision, and stormwater management issues. A full EAF has recently been submitted. The standard note regarding the hours of construction should be revised to state that there will be no construction on Sundays. The applicant proposes the following setbacks for the subdivision: 50 ft. front yard, 10 ft. side yard, and 25 ft. rear yard. If Board members are comfortable with these setbacks, they should be formally adopted as a condition of approval. Future plans for the additional large lots within the subdivision should be presented. Erosion control measures should be depicted on the plot plan. The project is a Type 1 action under SEQRA and coordinated review is required. Such review will be undertaken upon direction from the Board. The ACOE wetlands that will be disturbed should be depicted on the plot plan. A multi-use path should be constructed as part of the subdivision. Sheryl Reed's November 13, 2002 memo requires the verification of postal addresses. She indicated that Tanglewood Lane is unacceptable as a street name.

Mr. Bianchino stated that Clough, Harbour, and Associates prepared a number of comments on the project plan. Since it appears as though the subdivision is proposed as a cluster type open space subdivision, this should be clearly noted on the plan. Although the engineering firm generally supports cluster developments where it can be shown that there will be less environmental impacts, proposing a cluster development shall be in accordance with procedures under section 179-37 of the subdivision regulations, which states a sketch plan of a conventional subdivision layout of the property conforming to the minimum lot size, density requirements and all other normally applicable requirements of the R-1 zone must be submitted. The plan should also quantify the amount of acreage of federal and NYSDEC wetlands (broken down by NYSDEC wetland class) and should provide a maximum density calculation in accordance with Section 179-37 of the subdivision regulations. The Planning Department shall then review the conventional layout and determine the number of building lots that could be practically created pursuant to the plan. The department shall then report its recommendations to the Planning Board, which is responsible for establishing the maximum number of units permitted in the subdivision.

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 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. A Full Environmental Assessment Form should be submitted for review.

The design plans indicate the open space areas are to remain Lands of Belmont while the subdivision plan indicates these lands are to be dedicated to the Town. The design plans should reflect the dedication to the Town. It should be verified that the parcel to remain for future subdivision would conform to zoning regulations following dedication of the open space to the Town. It should also be noted that any future subdivisions of this

parcel will be subject to Planning Board approval.

The letter from the Army Corps of Engineers indicates that 0.25 acres of wetlands will be impacted by the project. The location of these wetland impacts should be identified on the plan and the applicant should indicate what measures will be used to prevent further wetland impacts for those wetlands outside of the proposed open space.

The centerline road grade of 1.0% should be increased in the cul-de-sac to ensure a minimum of 1.0% along the outer curb line to ensure positive drainage. 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 proposed contours should be added to the roadway on the grading plan. An easement will not be required for a future trail across the proposed open space lands to be dedicated to the Town. A multi-use pathway connection between West Sky Lane and parklands to the south is recommended as a part of this project development. Postal addresses as determined by the Chief of Fire Prevention should be added to the plans.

Silt fence should be added to the plans along the downslope of the limits of clearing and grading. Foundation drain laterals should be shown for all proposed lots and appropriate details should be provided.

Clough, Harbour, and Associates offer the following comments on the Stormwater Management Report dated August 20, 2002: a minimum ten-foot wide gravel access drive from the proposed roadway to the stormwater management area should be provided to facilitate future maintenance. 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. O'Brien, Environmental Specialist, stated that the ECC recommends that the applicant reduce wetland impacts. Several lots appear to have hydrologic features that may not be conducive to a single family home; i.e., wet basements. Specifically, the ECC recommends reconfiguring lots #14, #16 and #17 to reduce these impacts. In view of this, the ECC recommends that the applicant's plan call for installation of sump pump systems. The Town of Clifton Park LC Zone must be indicated on the plot plan.

Mr. d'Amico requested clarification of the ECC's concerns regarding the possibility of wet basements. Mr. Hale noted that the drainage flows to the north and west of the site and impacts to proposed residences should be minimal. Mr. Larkin complimented Mr. Hale on his comprehensive presentation and offered his support of the cluster plan. He recommended that the 3 lots accessing Compton Court, originally presented as part of this proposal be included as part of this approval process. He would recommend that the multi-use trails proposed as part of this project be "full accessible" by the public. Ms. Czub asked that the drainage areas be accessible for maintenance purposes.

Since the applicant has a number of issues to address and because coordinated review must be conducted pursuant to SEQRA, Mr. Bulger moved, seconded by Ms. Czub,

adjournment of this public hearing to a later date. The motion was unanimously carried. Coordinated review will be initiated.

Old Business:

[2002-061] Southwick Meadows (Lands of the Estate of Howard D. Hoffman, Sr.) – Proposed (118) lot subdivision, Crescent Road and VanVranken Road – Revised conceptual review.

Since it appeared that many members of the audience were in attendance because of this project, Mr. Bulger explained that the applicant is presenting a revised conceptual plan for the Board's consideration. Public comment will be received at a public hearing that will be scheduled following the submission of preliminary plans.

Mr. Lynn Sipperly, Sipperly Associates, presented a revised concept plan for the Board's comment and recommendations. Mr. Weis, owner, was also in attendance. The revised plan, calling for the development of 118 residential lots, represents an open space subdivision pursuant to Town zoning law. The following revisions have been made to the initial subdivision proposal:

- landscaped buffers have been added along Crescent and VanVranken Roads
- open space lands have been reclassified as "passive Class B spaces"
- the proposed Loudon Court has been reconfigured to avoid an excessive number of lots on a cul-de-sac
- the detached parcel will remain as open space
- existing residences in proximity of access points have been depicted on the plan; no apparent impacts, such as impacts from vehicle lights, have been identified
- two areas of Class A open space are shown on the plan
- the streams traversing the property have been shown on the plan.

Since these revisions represent the comments made by Board members at the previous meeting, Mr. Sipperly respectfully requested that the Board consider endorsing the concept open space cluster plan and move forward with the required coordinated review process pursuant to SEQRA. He stated that the lot sizes, ranging from 10,000 SF to 65,000 SF for a density of 1.18 units/acre would provide for the proposed housing styles the developer hopes to construct.

Mr. Kemper reported that this project last appeared before the Planning Board on October 8, 2002 at which time there were two main issues to be addressed. The Board asked that berming and plantings be placed along Crescent and VanVranken Road and that the wetlands and topography be depicted on the separated parcel. The application will be a Type 1 action under SEQRA. As such, coordinated review is required. If the board is comfortable with the proposed lot layout, the SEQRA process will be initiated. The density proposed appears to be acceptable pursuant to Town Code requirements. The applicant proposes 30' front yard setbacks, 25' rear yard setbacks, and 10' side yard setbacks, with a minimum 10,036 SF lot area. The trails committee is in the process of reviewing the plans and will be providing comments prior to the next submission.

Mr. Bianchino explained that Clough, Harbour, and Associates has reviewed new street and lot layout of the 10.19 acre detached parcel based upon actual field topography and wetland delineation. It appears as though development of the entire site is possible with a conventional layout of 118 lots. As such, it is recommended that the maximum allowable density for the site be established at 118, which is what is proposed in the cluster layout. Consideration should be given to providing increased open space along Van Vranken Road and Crescent Road.

The traffic impacts of the project should be evaluated and the analysis should include the intersections of Crescent Road with Van Vranken Road and Lapp Road, taking into account the additional traffic to be generated by the Countryman Estates North Subdivision which is currently under construction. Consideration should be given to providing recreational paths to make use of the proposed open space areas for passive recreation.

Although Clough, Harbour, and Associates has no objection to the proposed minimum lot size of 10,000 square feet, thirty-foot front yard setbacks and ten-foot side yard setbacks, the Planning Board should make a formal determination regarding their acceptability. The conceptual layout for storm drainage, water supply, and sewer service should be shown on future plan submittals for review and comment. The New York State Office of Parks, Recreation and Historic Preservation should be consulted to determine if an archeological investigation is deemed appropriate for this site.

Mr. O'Brien, Environmental Specialist, reported that the ECC asks that the applicant consider reducing the number of lots and realigning the roadway to eliminate or reduce wetland impacts. They also recommend that open space corridors should be linked to permit a possible trail network to traverse the parcel.

Mr. Bulger expressed his appreciation to the applicant for responding positively to Board comments in a timely manner. He stated the proposed density is consistent with members' expectations. Mr. d'Amico pointed out that the lots in the area traversed by the stream are extremely small and the building area appears to be very limited. He asked that the applicant reconsider the cul-de-sac that was originally proposed for the northeastern portion of the site since that lay-out better protected designated land preservation areas. Mr. Larkin asked that future ownership of the open space parcels be clarified. He would prefer that a homeowners' association retain control of the Class A open areas. He also suggested that the trails committee look at the 10-acre detached parcel as a possible link to the Vischer Ferry Nature Preserve. In response to his inquiry regarding the time for complete build-out, Mr. Sipperly stated that the applicant plans to complete the project in three to four years. Board members agreed that the 118 lot proposal was acceptable and requested that the Planning Department begin coordinated review.

[2002-014] Jarose, George and Eva – Proposed (20) lot subdivision, Grooms Road – Determination from public hearing held on September 11, 2002 and determination.

Mr. Tom Andress, ABD Engineers and Surveyors, presented this application that calls for the development of a (20) lot subdivision in an R-1 zone on Grooms Road. Review of the proposal was delayed since coordinated review was required for the project. Stormwater details have been revised per Clough, Harbour, and Associates' comments and the narrow lots previously planned for the parcels adjoining the future stub street have been revised in order to provide frontage on Horizon Lane.

Mr. Kemper explained that this project plan was last presented to the Planning Board at the public hearing on September 11, 2002. The Board identified the following concerns at that meeting: the orientation of the houses along the proposed future road and the small rear yards; conducting coordinated review under SEQRA; wetland disturbance on the proposed Lot #18; and the orientation of the houses along the proposed future road. Given normal development activities, the wetland disturbance area for Lot #18 does not seem practical. Erosion control measures should be depicted on the plot plan. A coordinated review was performed and all involved agencies concur with the Town of Clifton Park Planning Board acting as Lead Agency for this application. The Saratoga County Planning Board approved the project. No SEQRA determination has been made. The future town road should be illustrated on the individual plot plans and described in the deeds for adjacent properties.

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

Mr. Bianchino offered a number of comments from Clough, Harbour, and Associates. Foundation drain laterals should be shown for all of the proposed lots and appropriate details should be provided. Since the Town Highway Superintendent has requested that all cul-de-sacs be drained to their center and a catch basin installed to facilitate drainage, this should be provided. In addition, the maximum recommended gutter flow is 350 feet. The stormwater management area and access way should be located in a parcel to be conveyed to the Town of Clifton Park.

Lots #7 and #8 are considered corner lots and in accordance with the zoning regulations "a corner lot has no rear lot line but has at least two front lines." Application of this policy brings back the issue of house orientation that was raised at the last Planning Board meeting. The plans should identify the proposed stub street connection to the east as a possible future Town road connection to alert future homebuyers. Due to the length of the stub street, consideration should be given to extending the street to the property line at this time. A water main stub and valve should be extended across Horizon Lane to eliminate the need for excavating through the road in the future. The grading plan does not adequately address how runoff will be handled at the southeast corner of Horizon Lane and Grooms Road.

The profile indicates extensive runs of storm sewer constructed at 0.1% slope. Clough, Harbour, and Associates recommend the minimum slope of a storm sewer to be 0.5%, as slopes any less are difficult to obtain proper grade from a construction standpoint. In

addition, pursuant to Section 86-7.A.2 of the Construction and Design Standards, full pipe velocities shall not be less than three feet per second. The respective design calculations should be included in the stormwater report. 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.

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.

The engineering firm continues to recommend that protective measures such as deed restrictions be placed over the wetland areas that will not be impacted in order to alert future lot owners to their presence and provide long term protection. 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.

Design information corresponding with the stormwater management report should be provided for CB #8.

Clough, Harbour, and Associates offered comments on the Stormwater Management Report last revised September 27, 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, we recommend utilizing the Unified Stormwater Sizing Criteria to meet pollutant removal goals, reduce channel erosion, prevent overbank flooding and help control extreme floods. 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. The design should reduce the potential for clogging of the outlet and should not have the catch basin and outlet pipe exposed.

Mr. Andress assured the Board that the homes to be built on Lots #7 and 8 will front on Horizon Lane.

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

Mr. Larkin offered Resolution #36 seconded by Mr. Russell, to grant preliminary and final subdivision approval conditioned upon the satisfaction of the comments offered by Mr. Kemper and Mr. Bianchino and a note on the subdivision plan and individual plot plans that states that Lots #7 and #8 are to adjoin a future road Ayes: Larkin, Czub, d'Amico, Marzola, Russell, Bulger. Noes: None.

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

Mr. Tom Andress, ABD Engineers and Surveyors, presented this application that was considered in conjunction with the Jarose Subdivision. This site plan now calls for the construction of a 6,300 SF church on a 4.58 acre parcel in an R-1 zone. The site will contain 81 parking spaces and 81% greenspace. The plan adheres to the 50' setback requirement. Mr. Andress asked that the fencing recommended by the Board be installed at a later date.

Mr. Kemper reported that the project last appeared before the board on September 11, 2002. The Saratoga County Planning Board reviewed the project on March 21, 2002. No dumpsters are proposed for the site. A substantial planted buffer or fence should be placed along the edge of the parking lot to prevent vehicle lights and other activities from affecting the adjoining properties. Though the project received a Special Use Permit on May 29, 2002, no SEQRA action has been taken on the project at this point in time and preliminary site plan approval has not been granted.

Mr. Bianchino listed the concerns identified by Clough, Harbour, and Associates. The stormwater management plan proposes two distinct stormwater management areas. The drainage areas for the basin and the dry well should be evaluated separately in the report. The report currently evaluates the required storage for the entire parcel, but does not differentiate between the flow to the traveling to the basin and the flow traveling to the drywell. The stormwater management areas do not provide for adequate storage of the 100-year storm. Discharge to the adjacent wetlands is not an acceptable form of storage. The engineering firm also recommends that a screening fence be installed along the western side of the parking lot to screen headlights in the direction of the residences.

The ECC had no comment on this application.

Ms. Czub moved, seconded by Mr. Russell, to establish the Planning Board as Lead Agency and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. Marzola moved, seconded by Mr. Larkin, to grant preliminary and final site plan approval to this application conditioned upon satisfaction of the comments issued by Clough, Harbour, and Associates and Mr. Kemper's sign-off of the screening material and the location of such screening. The motion was unanimously carried.

[2002-051] Equinox Construction – Proposed renovation of former Grand Union – 90,000 SF retail store, 54 Crossing Boulevard – Preliminary site plan review.

Mr. Chris Smith, C.T. Male Associates, presented this application for the Board's consideration. Mr. Paul Goldman, legal representative, and Todd Fischer, Equinox Construction, were also in attendance. Mr. Smith addressed the major concerns identified

by the Board at the September 11, 2002 meeting: parking, greenspace, rear access for emergency vehicles, stormwater management, and lighting.

Mr. Smith explained that the wetlands to the rear of the site have been delineated. Fire officials have approved the project that now provides adequate access to the rear of the building. The number of parking spaces has been provided in accordance with lease requirements. The site contains 38.8% greenspace. Two alternative architectural plans were presented for the Board's review: Board members agreed that "Alternative B" showing the Kohl's prototype with green pillars at the building's corners, was the most desirable.

The applicant's representative discussed the traffic flow through the site and at impacted signalized intersections. Based upon the traffic study prepared in 1995, his conclusion was that traffic generated by the proposed Kohl's retail store would be less than that generated by the former grocery store. He further stated that all technical engineering issues listed by Clough, Harbour, and Associates will be addressed in the final plans.

Mr. Kemper stated that Sheryl Reed had submitted a memo dated November 13, 2002 that stated that the proposed site plan meets the needs of emergency services for accessibility per the Chief of the Clifton Park Fire Department. The Saratoga County Planning Board approved the project on September 19, 2002. The project last appeared before the board on September 11, 2002 at which time the main issues raised by the board and staff at that point included the stormwater management area, proposed lighting, and the accessibility of emergency vehicles. All of these issues have been addressed and, in addition, the applicant has submitted traffic count information to the Town Engineer.

Mr. Bianchino stated that during Clough, Harbour, and Associates' continued review of the project and subsequent visits to the site, it has been observed that the intersection of Sitterly Road and the Crossing Boulevard appears to be operating at an unsatisfactory level of service. The proposed project will result in an intensification of the use of the site in terms of increased traffic, which will likely have a direct impact on this intersection. In addition, since the original Crossing development was approved and the last traffic study was prepared, the entire area has seen incremental increases in traffic volumes. As such, an analysis should be completed evaluating the impacts of the proposed development based on current conditions. The traffic study should focus on this intersection and should address the need for the installation of a signal and designated turning lanes.

In general, the engineering firm believes that the plan proposes more parking than needed and consideration should be given to land banking some of the area as greenspace until it is determined that the additional parking is warranted. It is recommended that additional landscaping along the façade of the building, including Bradford Pears spaced approximately fifteen feet on center, be shown on the plan.

The proposed handicap parking areas appear to have curbed islands and thus not be van accessible. The curbed islands should be removed and each handicap parking space should have access to the striped island. In accordance with NYS Building Code, an

eight-foot wide access aisle is required for all handicapped spaces and “No Parking” signs are required in front of the striped islands.

The lighting plan does not clearly describe the proposed lighting but the information appears to be shown on the separate plan prepared by WLS Lighting Systems. All respective design information should be shown on the set of site plans to be approved. The lighting plan proposes luminaires mounted at 42 feet. We do not recommend any lighting mounted higher than thirty feet, as this is the current standard for commercial parking lot lighting. The proposed 42-foot height would be higher than any other lighting in the Exit 9 area, believed to be the Target store which has lighting 38 feet high. The plan does not indicate any exterior building mounted lighting. If this is the case, it should be so noted on the plan.

A note should be added to the plans stating that sewer flows will be maintained while the existing sewer is being relocated. The limit of clearing and grading should be shown on the plan. The stormwater management report only evaluates runoff from a 10-year and 25-year storm events. The consultant should evaluate the 2, 10, and 100-year design storms pursuant to the Construction and Design Standards and 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. The report indicates that development of the site will result in a decrease in runoff from the site. The report should clarify how this is possible with a 12,346 square foot increase in impervious surface area and no proposed changes to the stormwater management areas. As discussed during the conceptual review of the project, the report should also evaluate the operation of the existing stormwater management basins and verify that they are providing the required detention in accordance with the current stormwater management requirements (i.e. 2-year, 10-year and 100-year storm events).

Mr. O’Brien, Environmental Specialist, stated that the ECC reiterates the comments regarding the reduction of parking spaces until a need presents itself. The following standard statements should be added to the plot plan:

- The borders of all land that is to remain undisturbed shall be clearly marked on the site before site preparation begins. These on-site boundary markers shall remain until construction is completed and soils are stabilized.
- All erosion and water quality controls shall be put into place at the initial phase of site preparation and shall be maintained until all construction ends and soils are stabilized.
- The Applicant will control fugitive dust and debris during the construction/demolition phase of the project.
- If hazardous materials will be stored on-site, the applicant must submit a plan addressing handling and storage and spill response to the Town of Clifton Park Environmental Specialist before such materials are stored.

Mr. d’Amico stated that he was reluctant to impose the cost of the installation of an additional traffic signal upon this applicant since it is the cumulative development of The Crossing that has resulted in the reduction of service levels at various intersections. He believes that traffic improvements in the area should be a “shared responsibility”.

Mr. Bulger stated that although the construction of the Target store did impact traffic in the area, new traffic signalization is now warranted at the intersection of Crossing Boulevard and Sitterly Road and the applicant should be responsible for the installation of the required traffic improvements. Mr. Larkin supported Mr. Bulger's position.

Ms. Czub 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. Russell moved, seconded by Mr. Larkin, to grant preliminary and final approval to this application conditioned upon the satisfaction of all comments by Mr. Kemper, Clough, Harbour, and Associates, the submission of architectural drawings represented at this meeting as "Alternative B" that illustrates green pillars at the corners and a brick façade, and the installation of traffic improvements, including the installation of a traffic signal at the intersection of Sitterly Road and Crossing Boulevard as recommended by Clough, Harbour, and Associates. The motion was unanimously carried.

New Business:

[2002-068] Chili's Restaurant – Proposed 5,555 SF restaurant, 5 Northside Drive – Conceptual site plan review.

Mr. Rob Spiak, Bohler Engineering, presented this application that calls for the construction of a 5,555 SF Chili's Restaurant on a 2.2 acre parcel adjoining the recently-completed Comfort Suites. Mr. Pablo Manderos, representative of Chili's corporation, was also in attendance. The property lies within the B-4 zoning district. Access to the site will be provided from Fire Road and the current private road designated as Northside Drive. Connection will be made to the municipal water and sewer services currently serving the area. Parking has been provided for 131 vehicles and generous landscaping improvements are proposed. These include multiple landscaping beds around the building and the site perimeter. Street tree type plantings are also proposed along the site access drives and along NYS Route 146. The facility is described as a full service, casual dining sit-down restaurant with 217 seats and a full service bar. Hours of operation are proposed to be 11:00a.m. to 1:00a.m.

Mr. Kemper stated that Sheryl Reed submitted a memo dated November 13, 2002 that stated that the applicant must provide an ingress/egress point east of building through the hotel parking lot or provide adequate access for emergency services. The project will require a signoff from C.P.W.A., S.C.S.D., and the Saratoga County Planning Board. The S.C.S.D. submitted a memo dated October 29, 2002 that outlined the issues to be addressed prior to a sign-off from that agency. Façade renderings should be included for the next meeting. The rear of the building (Northside drive) should be constructed to a standard similar to the front because of the hotel traffic entering this site.

Mr. O'Brien, Environmental Specialist, stated that the ECC recommended that the

applicant should provide at least 35% greenspace for the project and identify greenspace on the plot plan.

Mr. Bianchino reported that, pursuant to Clough, Harbour, and Associates' comments, 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 following: Town of Clifton Park Planning Board - Site Plan Approval; C.P.W.A. – Water Connection Permit; S.C.S.D. #1 – Sewer Connection Permit; Saratoga County Planning Board – Section 239 Referral.

The contours shown on the plan do not accurately represent existing field conditions. In particular the stormwater management area located on the lot for future development has not been fully constructed as originally designed. It is assumed that the currently proposed project will utilize this area for stormwater management and that the stormwater management area will need to be constructed as originally designed.

The minimum drive aisle width should be 24 feet. The application should clarify if a subdivision of lands will be proposed. If so, the plan should clarify if the frontage along Route 146 has rights of access. The plan should address the impacts associated with the loss of three parking spaces for the hotel.

Future plan submittals should include the following: existing and proposed lot statistics, including setbacks, site location map, proposed building height, and existing and proposed utilities.

Board member found the plan acceptable.

[1999-004] Clifton Country Road Associates V – 66,700 SF retail and office plaza, Southside Drive – Amendment to approved site plan.

Mr. Tom Andress, consultant for the applicant, presented this proposed amendment to the approved site plan. He asked that the Board approve revisions to the proposed façade. Originally designed with an effis material, the applicant now asks that the Board approve a brick façade due to requirements of the lessee.

Board members were pleased with the changes.

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

Mr. d'Amico moved, seconded by Mr. Larkin, to grant preliminary and final site plan approval to this amendment to the retail and office complex currently under construction on Southside Drive by Clifton Country Road Associates. The motion was unanimously carried.

Minutes Approval:

Mr. Bulger moved, seconded by Ms. Czub, approval of the minutes of October 22, 2002 as written. Ayes: Larkin, Czub, d'Amico, Russell, Bulger. Noes: None. Abstained: Marzola.

Ms. Czub moved, seconded by Mr. Larkin, adjournment of the meeting at 10:10p.m. The motion was unanimously carried.

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 #33

#### 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 November 13, 2002, at 7:10 P.M. there were:

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

Absent: K. O'Brien

Mr. d'Amico offered Resolution #33 and Mr. Russell seconded, and

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

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on November 13, 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 permit the construction of a two-family home in an R-1 zone is hereby approved conditioned upon the addition of the following restriction to the plan: this Special Use Permit is conditioned upon the addition being used as an in-law apartment and not as a two-family dwelling and that the use be limited to the use by a family member of the Hubers or any of their successors and interests in the property: should the property be used as a two-family or rental unit, the Special Use Permit would be rendered null and void.

RESOLUTION #33 passed 11/13/02

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

Steven Bulger,  
Vice-Chairman

Resolution #34

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 November 13, 2002:

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

Absent: K. O'Brien

Mr. Marzola offered Resolution #34, and Mr. d'Amico seconded, and

Whereas, an application has been made to this Board by Stewart Construction Inc. for approval of a subdivision plat entitled Subdivision of the Lands of Arnold P. and Kathleen A. Carrese consisting of (2) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on November 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 November 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 final hearing for this application is waived and the final plat entitled the Subdivision of the Lands of Arnold P. and Kathleen A. Carrese is hereby granted preliminary and final approval.

Resolution #34 passed 11/13/02

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

Noes: None

Steven Bulger,

Vice-Chairman

Resolution #35

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 November 13, 2002:

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

Absent: K. O'Brien

Mr. d'Amico offered Resolution #35, and Mr. Marzola seconded, and

Whereas, an application has been made to this Board by Clifford G. and Eugenia A. Down for approval of a subdivision plat entitled Subdivision of the Lands of Clifford G. and Eugenia A. Down consisting of (4) lots and the transfer of .77 acres of land from Down to the adjoining property owner, Reiniger;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on November 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 November 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 final hearing for this application is waived and the final plat entitled the Subdivision of the Lands of Clifford G. and Eugenia A. Down is hereby granted preliminary and final approval conditioned upon satisfaction of the

comments offered by Mr. Kemper and Clough, Harbour, and Associates, the addition of a note to the plat that states that no further subdivision of Lot #1 will be permitted and the submission of ingress/egress easement descriptions.

Resolution #35 passed 11/13/02

Ayes: Czub, Bulger, Marzola, Russell, Larkin, d'Amico,  
Noes: None  
Steven Bulger,  
Vice-Chairman

Resolution #36  
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 November 13, 2002:

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

Absent: K. O'Brien

Mr. Larkin offered Resolution #36, and Mr. Russell seconded, and

Whereas, an application has been made to this Board by Paulsen Development Company for approval of a subdivision plat entitled Sunset Woods, 508 Grooms Road consisting of (20) 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 November 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 final hearing for this application is waived and the final plat entitled Sunset Woods, 508 Grooms Road, consisting of (20) lots is hereby granted preliminary and final approval conditioned upon the satisfaction of the comments offered by Mr. Kemper and Mr. Bianchino and a note on the subdivision plan and individual plot plans that states that Lots #7 and #8 are to adjoin a future road

Resolution #36 passed 11/13/02

Ayes: Czub, Bulger, Marzola, Russell, Larkin, d'Amico,  
Noes: None  
Steven Bulger,  
Vice-Chairman