

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

**January 27, 2004**

Those present at the January 27, 2004 Planning Board meeting were:

Planning Board: S. Bulger, Chairman, R. d'Amico, T. Karam, J. Larkin, J. Marzola, S. Pace, J. Russell

Absent: None

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

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

Public Hearings:

[2003-076] Belmonte, Peter – Proposed (2) lot subdivision, 1744 Route 9 – Preliminary public hearing and possible determination.

The Chairman called the public hearing to order. The Secretary read the public notice as published in the Daily Gazette on January 19, 2004.

Mr. Nicholson, consultant for the applicant, described this application that remains generally as presented at the December 9, 2003 meeting. He explained that this subdivision would allow for the construction of an 8,000 SF credit union facility. Connection will be made to the Saratoga County Sewer District and the Clifton Park Water Authority. A single access on Route 9 will be provided to serve all of the facilities that will be constructed on the 5.78 acre site. Easements will be provided to the existing restaurant located to the south to allow for future cross-access. The site plan for the credit union building will be submitted for consideration at the next meeting: other development proposals for the remaining lands will be submitted at a later date.

Mr. Nicholson reported that the concerns of neighbor Iacabucci may now be irrelevant because Belmonte Builders is now under contract to purchase this parcel.

Mr. Kemper reported that this project last appeared before the Board on December 9, 2003 at which time the Board found the proposed subdivision acceptable. Timothy Iacabucci, adjoining property owner, forwarded a letter to the Planning Department and to the applicant's consultant regarding drainage concerns at the neighboring residence. An ingress/egress easement will have to be established over the common driveway. The wetlands located around the property line must be delineated. The Saratoga County Planning Board approved the project on December 18, 2003. If the lots and the

stormwater management area will be separately owned, a drainage easement must be established. Sheryl Reed requires the placement of a hydrant at the front entrance. Access into the neighboring parcels to the north should be provided. The existing trees to the west of the stormwater management area should remain to provide a visual buffer from the Northway. It appears that the existing property line is very close to the edge of pavement for Route 9: additional right of way should be dedicated by the applicant for possible future roadway improvements.

Mr. Grasso reported that Clough, Harbour, and Associates reviewed the subdivision plan and offered the following comments. Access easements should be provided across Lots #1 and 2. The access easement on Lot #2 should extend all the way around lot #1 to allow a possible connection to the Harbor House parcel more to the west and the easement should be granted to both the Harbor house lot and Lot #1. A drainage easement over Lot #2 in favor of Lot #1 should be provided over the stormwater management area. The postal address numbers of the proposed lots should be shown on the plan.

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

There being no public comment, Mr. Bulger moved, seconded by Mr. Larkin, to close the public hearing at 7:22p.m. The motion was unanimously carried.

Mr. Bulger observed that Belmonte's contract with Iacobucci removes a significant problem regarding drainage. Mr. Nicholson agreed with this observation, noting that a single access will now serve the original site and the several additional developable acres. Mr. Bulger advised the developer to maintain the substantial vegetative buffer along the Northway. In response to Mr. d'Amico's question regarding the size of the stormwater management area, Mr. Nicholson explained that the area had been designed to handle up to 65% impervious area on the total site, the full build-out potential for the site. Many of the Board's concerns will be addressed during site plan review for the Capital Communications' application.

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

Mr. Karam offered Resolution #2, seconded by Mr. Larkin, to grant preliminary and final subdivision approval to this application, waiving the final hearing, conditioned upon satisfaction of the comments offered by Mr. Kemper and Mr. Grasso. Ayes: Larkin, Pace, d'Amico, Karam, Marzola, Russell, Bulger. Noes: None.

Old Business:

[2002-042] Assembly of God – Proposed 3,265 SF church, 635 Englemore Road – Preliminary site plan review and possible determination.

Mr. d'Amico recused himself from any discussion and vote on this application.

Mr. Dwight Moore, Pastor, presented this application for the Board's consideration. The project calls for the construction of a 5,914 SF church facility to be developed in two phases. Phase I call for the construction of a 3,227 SF building. He explained that since the last meeting, the driveway location has been relocated to increase the distance from adjoining residences. The detention basin has been redesigned pursuant to comments issued by the Town Engineer. The parking area now shows an adequate emergency vehicle turnaround area.

Mr. Kemper explained that this project last appeared before the Board on March 11, 2003 at which time there were a number of comments from Town officials as well as the Town Engineer. The Board advised the applicant to meet with Town representatives to attempt to address the issues identified. As a result of this meeting, a majority of the previous concerns have been addressed. A signoff must be received from Sheryl Reed, Chief of the Bureau of Fire Prevention. The applicant should consider connecting to the public water supply. Handicapped and no parking signs should be depicted on the plans. Plantings should be provided in and around the stormwater management area. Limits on hours of construction for the project should be established and included as a note on the plan. Sheryl Reed provided the following comments dated January 27, 2004: "the Emergency Vehicle Turnaround area shall be built to withstand the weight of a 50,000 lb vehicle. This detail should be provided on the site map." Colored architectural renderings must be provided with future plan submissions. Buffering should be provided between the proposed driveway and the residences on Englemore Rd.

Mr. Grasso reported that Clough, Harbour, and Associates reviewed the revised site plan for this project and found that a number of comments from the review letters of August 7, 2002 and March 5, 2003 remain unaddressed. A note should also state the date the special use permit was granted and all conditions that permit. The location of the proposed well and wastewater disposal system should be shown on the concept plans. At least two percolation tests and test pits should be performed within the proposed absorption area with the bottom of the test holes at 24" to 30" below grade. A 100 percent expansion area should be provided. Soil test pit logs, percolation results, and wastewater computations and details should be provided with the preliminary plans. Notes that appear on the Site Utilities Layout indicate that the new well and septic system are "by others". The proposed location for the new well and the design of the wastewater disposal system must be provided at this stage of plan development. The applicant is strongly encouraged to explore the possibility of tying in to the municipal water supply at this time. A residential development (Hidden Crest) is currently under construction which has extended municipal water on Englemore Road west of the project site. The Board may wish to require extension of this main as condition of approval. Faint line work shown on Dwg. C2 indicates the limits to which the applicant might want to further expand parking in the future. The applicant is cautioned that the expansion at the south end of the proposed lot infringes on the property line. Future parking areas should be clearly labeled as such on the site plan. The construction of the driveway creates a dam and cuts off the natural drainage of the area to the west: provisions need to be included to maintain this existing

drainage course. The new electric service should be installed underground in accordance with generally accepted practices in residential areas. The grading plan relies heavily on conveying concentrated discharge via sheet flow through the parking lot including across pedestrian access routes between parking spaces and the sidewalk curb line. This design is not recommended due to the potential for erosion and ice accumulation. Details should be provided for the proposed light fixtures. A spill prevention plan for the LP gas tank should be detailed including proposed containment measures. The northern third portion of the parking lot is shown completely flat at elevation 95.0. This design is not recommended due to lack of proper drainage and potential for ice accumulation.

Mr. Grasso offered the following additional comments. A “No Parking” sign should be provided for the striped aisle between the handicap parking spaces. Detail grading, including spot elevations, should be provided for the proposed driveway connection to Englemore Road. All pavement slopes shall be a minimum of 1.0%. Extensive grading impacting an existing tree line is proposed along the eastern property line adjacent to the existing multi-family residence. A landscape buffer including deciduous and evergreen trees should be added in this area. The proposed lights along the access drive should have house side shields. It is recommended that the pavement section include a 1½” wearing course, 2½” binder course and 12” of subbase material. Erosion control mat should be used on all proposed slopes of 3 to 1 or greater. A stockpile area for snow removal should be shown on the plan.

Mr. Grasso offered the following comments on the Stormwater Management Study:

- The stormwater management plan should be designed in accordance the Unified Stormwater Sizing Criteria as outlined in the New York State Stormwater Design Manual, dated October 1, 2001. The water quality volume (WQv) should be captured and treated in accordance with the 90% Rule. Post developed peak discharge rates should be restricted to the pre-developed peak discharge rates for the 1, 10 and 100-year design storms for channel protection (CPv), overbank flood (Qp), and extreme storm (Qf). A summary table comparing pre-developed and post-developed peak discharge rates for each of these design storms at the design point should be provided.
- Based upon the proposed grading a large portion of the access road drains to the existing drainage swale along Englemore Road without providing the adequate water quality treatment.
- The consultant should reference the SMP Selection Matrices identified in the Stormwater Design Manual in order to determine the appropriateness of the proposed method of stormwater treatment. Consideration should be given to utilizing the Pond or Wetland SMP Groups with a forebay, low marsh zone, a micropool and a landscaping plan for additional biological uptake of pollutants and wildlife habitat.
- In order to verify existing soil conditions such as soil type, impermeable layers, high groundwater and percolation rates, test pits and percolation tests should be performed within the limits of the proposed stormwater management area to a depth of two feet below the bottom of the basin.
- Pre-developed and Post-developed Drainage Pattern Maps should be provided delineating drainage areas, the time of concentration travel paths and land cover types. The computations appear to not accurately include the entire upstream contributing

drainage area.

- Documentation of the weighted curve number calculations should be provided, including values for woods, brush and/or meadow as appropriate.
- The stormwater management area and the outlet control structure should be designed for full potential buildout of the facility including future building and parking areas.
- The outlet control structure should either discharge to the Englemore Road right-of-way or a drainage easement should be obtained from the adjacent Lands N/F of Belanger for discharge onto private lands.
- The report should contain the standard statement that the proposed stormwater management system will function properly and will not adversely affect adjacent or downstream properties.
- A Stormwater Pollution Prevention Plan with erosion and sediment control methods and details should be provided in accordance with the New York Guidelines for Urban Erosion and Sediment Control.
- Since the project will involve the disturbance of greater than one acre of land, the applicant is 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 requested the submission of a Stormwater Pollution Prevention Plan as per the Phase II stormwater regulations.

Mr. Bulger recommended that the applicant resolve the water issue, asking that the applicant analyze the feasibility of extending the water line from the Hidden Crest subdivision or accessing the water line that serves the Bristol Gate subdivision. Pastor Moore stated that the costs of such extensions may be prohibitive and that exemptions for church facilities from state building codes may allow the development of a less costly water supply. Mr. Russell asked that the applicant explore the possibility of having other property owners, including Wayne VanPatten, share the cost of the water supply extension. Mr. Bulger explained that due to the number of significant issues to be resolved, the Board would take no action at this meeting.

[2003-072] Brooks Heritage, Ltd. – Proposed (10) lot subdivision, Ushers Road – Revised conceptual review.

Mr. Gil VanGuilder, consultant for the applicant, described this project plan for the Board's consideration. He explained that this application was first presented to the Board on November 25, 2003 at which time eleven (11) lots were proposed. The plan now proposes ten (10) single-family residences on parcels ranging in size from 20,274 SF to 44,257 SF. The lots will be served by the Clifton Park Water Authority and the Saratoga County Sewer District. Approximately 6.5 acres of land will be conveyed to the Town of Clifton Park as open space. Mr. VanGuilder noted that the stormwater management area has been relocated to a "flatter" area and that house locations have been moved farther from the steep slopes. He noted that variances would be required for the residences proposed along Ushers Road and stated that similar Zoning Board applications have been successful because the lot configurations limited additional driveways on main highways. He pointed out that the access for proposed Lot #10 would be accessed by an easement

across Lot #9. Mr. VanGuilder also explained that Niagara-Mohawk has indicated approval of the plan as presented because required separations between the utility lines and residences will be respected. He did state that since a National Grid company is now involved, written approval will take a considerable time. The consultant pointed out that the steep slopes on Lots #6 and 7 will be protected: other areas of steep slopes will be conveyed to the Town for permanent preservation. He explained that site grading will reduce the slopes and create a “better relationship” with the cul-de-sac.

Mr. VanGuilder addressed comments from the Highway Superintendent. Mr. Gerard has stated that it would not be in the best interests of the Town to accept a road of limited length. Mr. VanGuilder identified several projects approved by the Planning Board that have roads shorter than the 653-foot cul-de-sac proposed for this development. Among those projects were the Healy subdivision with 566 linear feet of road and Addison Estates (Peck Subdivision) that contains a cul-de-sac that is 540 feet in length.

Mr. VanGuilder explained that the applicant has agreed to convey a strip of land along Ushers Road for future right-of-way improvements. Sight distance information has been provided: easterly distances exceed NYSDOT standards, though westerly distances are 50 feet shorter than required. Mr. VanGuilder believes that an adequate sight distance can be achieved by trimming shrubs that encroach on the right-of-way.

Mr. Kemper reported that this project last appeared before the Board on November 25, 2003 when the main issues of concern included the houses being located on steep slopes, the proximity of development to steep slopes, and the length of proposed town roadway. He asked that the LC Zone be delineated on the parcel. An e-mail from the Trails Committee requested an additional 12 foot of right-of-way for future trail improvements. This project will be located in the Longkill 1 Park District: a note stating this should be added to the plans.

Mr. Kemper explained that the applicant proposes a town road with a length of approximately 425 feet. Due to the constraints on the property such as steep slopes, power lines, and wetlands, the applicant should explore the feasibility of providing a private drive to serve a reduced number of lots. There are lots within the subdivision that will require a variance from the Zoning Board of Appeals. A wetland delineation should be performed on the project site. A signoff must be received by Niagara Mohawk/National Grid for the proposed road location under the utility lines.

Mr. Grasso explained that Clough, Harbour, and Associates reviewed the revised concept subdivision plan for this project and have found that the following issues from the November 18, 2003 comment letter remain to be adequately addressed:

Several comments were related to information supplied on the Full Environmental Assessment Form (FEAF) dated November 5, 2003:

- The name, address and phone number of the current property owner should be completed.
- A.6 and A.7. Copies of correspondence from the NYS Office of Parks, Recreation and

Historic Preservation should be provided regarding building, site or district listed on the State or National Registers of Historic Places or listing on the Register of National Natural Landmarks.

- A.11 Copies of correspondence from the NYSDEC should be provided regarding any species of plant or animal life that is identified as threatened or endangered.
- A.15 Since the site does not drain to the Long Kill across Ushers Road, we recommend that reference be made to the surface water which bisects the project site.
- A.16 It appears that freshwater wetlands may be located along the drainage course bisecting the rear of the project site. The wetlands should be delineated and jurisdictional determination should be made before a conceptual lot layout should be considered.
- A. 17 The site is not currently served by public utilities and offsite improvements will be required to allow connection.
- B.25 The project does not require site plan approval but does require subdivision approval by the Town Planning Board.
- C.1 The project does not require site plan approval but does require subdivision approval.

Mr. Grasso does not recommend that SEQR determination of environmental significance be made until the plans and FEAF have been revised.

He offered several additional comments. It appears that freshwater wetlands may exist on the project site along the drainage course which bisects the project site. A formal wetland delineation should be performed by a wetland biologist and the wetland delineation map should be submitted to both the United States Army Corps of Engineers and NYS Department of Environmental Conservation for a jurisdictional determination. Only after both agencies have reviewed, field verified, and approved the wetland delineation can the exact limits of onsite wetlands and LC-Land Conservation zone limits be known. All correspondence from these agencies should be copied to the Town for their records. There is an LC-Land Conservation zone that may enter the site from the north. This should be verified by accurate site analysis information. Ushers Road is a fifty foot right of way. It is recommended that a minimum ten foot wide strip of land along the Ushers Road frontage be transferred to the Town for planned sidewalk and roadway improvements. Access to the project is proposed at a horizontal curve in Ushers Road. The consultant should verify the adequacy of sight distance at this location. According to Section 208-11c. of the Town Zoning Code, the minimum width of all lots at the front building line along Ushers Road shall be 200 feet in all residential districts. It appears that the two proposed corner lots along Ushers Road do not comply with this section. Overhead electrical transmission lines bisect the project site. The consultant should contact the utility company to gain permission for work within their right of way. The exact limits of the right-of-way or permanent easement should be clearly shown on the plans. A letter from the transmission line owner indicating their willingness to grant a public road right-of-way to the Town should be provided. Offsite sanitary sewer and water supply improvements appear required to serve the proposed project. The consultant should verify if sanitary sewer improvements require review and approval by CK Sanitary Systems, a Transportation Corporation.

Mr. Grasso offered the following additional comments. The Town engineer expressed concern over the development of a new Town road of such short length (430 feet) and that serves so few residences. It would appear that the cost to the Town for ownership and maintenance of the road and stormwater management system would not be appropriately offset by the tax revenues from the homes. If a Town road continues to be pursued, a fiscal analysis should be provided which looks at the municipal costs associated with the development. The analysis should include costs specific to the subdivision (i.e. life cycle cost of the road) and not just a proportionate share of the Town's current expenditures. It appears Lots #1, 6 9 & 10 do not appear to meet minimum lot width at the building line.

Mr. O'Brien, Environmental Specialist, reported that the ECC recommended the incorporation of a "no-cut" buffer on Lots #6 and 7. Preservation of vegetation along the steep slopes is imperative to maintain slope stabilization on these parcels. Following Mr. VanGuilder's presentation, Mr. O'Brien found the project plan acceptable.

Mr. Karam commented on the Highway Superintendent's recommendation that that the proposed road not be conveyed to the Town, noting that if it would be cost-prohibitive to provide road maintenance and upkeep of the stormwater management area, perhaps the applicant should consider a reduction in density and the use of a combined driveway. In response, Mr. VanGuilder stated that the applicant requires the proposed ten lots to make the project economically viable. Mr. VanGuilder rejected Mr. Karam's suggestion that the applicant consider the use of a private road to serve the proposed lots stating that it was very difficult to market homes with shared ingress/egress easements and that the number of lots on a private drive was limited to eight.

Mr. d'Amico questioned the locations of houses in the areas of steep slopes. Mr. Grasso explained that site grading will provide room for separation between the proposed homes and the steep slopes. Mr. VanGuilder added that the homes will be located approximately 40' from the edge of the slopes and that water will drain from the rear of the lots to the cul-de-sac where it will be discharged to the stormwater management area.

Mr. d'Amico asked that there be a "significant visual buffer" installed between Ushers Road and the backyard areas of the new homes.

Mr. Bulger asked that the applicant consider a reduction in the proposed number of lots, noting that the homes proposed for Lots #9 and 10 are much too close together. He encouraged a reduction in the project density and commented that the Board's focus was on density appropriate for the area rather than the developer's economic returns.

Mr. Larkin supported Mr. Bulger's position identifying the power line, steep slopes, and required variances as problems for the developer. Stating that "even 7 lots would be too many," he asked the applicant to consider a reduction in the proposed number of lots. Mr. VanGuilder explained that, although he understood the Board's concerns regarding the project's density, the applicant has met or exceeded the requirements of Niagara Mohawk, has proposed the conveyance of substantial lands to the Town to preserve and

protect the steep slopes, and has revised house locations to avoid impacts to sensitive natural areas. He did agree, however, to discuss a reduction in the proposed number of lots with his client.

Mr. Karam stated his preference for an increased separation of the homes proposed for Lots #9 and 10: this was supported by Mr. d'Amico. Mr. Larkin, recalling a situation he was involved with that concerned the erosion of steep slopes following excavation, grading, and development, emphasized the importance of stabilizing slopes and the preservation of existing topography. Mr. Bulger advised the applicant to consider the comments offered by the Highway Superintendent and the comments regarding density offered by Board members.

Rosa, Ann – Proposed accessory use (business office) in residence in an R-1 zone, 13 Stockton Court – Special Use Permit and conceptual site plan review.

Mr. Bulger introduced this application, explaining that it was discussed at the previous Planning Board meeting. He reported that although Mr. Kemper had presented the application and neighbors had offered comments, the Board would appreciate a formal presentation by the applicant.

Ms. Ann Rosa, applicant, stated that she has resided on Stockton Court for the past four years. She also said that she operates three retail stores in area shopping malls. As part of this business, she uses a portion of her home as an office where computer work, filing, and other tasks are completed. She reported that there has been no change to the residence and there has been no impact on the environment. No customers visit this location, although the Rosas do employ one full-time clerk. The family also employs a full-time housekeeper.

Mr. Kemper stated that this project last appeared before the Board on January 13, 2004, though the applicant was not present at that meeting. He explained that the application sought approval to conduct support services for a family-operated business in one of the residence's lower rooms. The application states that the business will be involve only phone, computer, and paperwork. A single clerk is employed to help with filing. Mr. Kemper reported receipt of an e-mail that from Jill Delaney, resident of Stockton Court, describing her concerns with the application.

Mr. Kemper explained that the application form states that the Rosas are "asking for approval to conduct our lives within the confines of our own home." Mr. Clemens, Director of Building and Development, has determined that a Special Use Permit is required pursuant to Sections 208-10 and 208-79 to permit the operation of a business use (as an accessory use) in a residence located in an R-1 zone. Mr. Kemper added that he received a memo from Don Clemens dated January 13, 2004 that read as follows: "This application was brought to the Board as a result of this department investigating complaints from people in the neighborhood. There were complaints of employees working there and parking on the street as well as many deliveries and pick ups daily. It is my understanding that they operate several stores in the area and this home is the

general business office for this business. It may not be appropriate for a residential neighborhood and is much more than the intent of the SUP for an accessory use as defined in our zoning law.

Ms. Rosa stated that some FedEx and UPS shipments are received at this location since she does a quantity of catalogue shopping and her husband's hobby is photography. Mr. Bulger noted that neighbors have reported a significant number of deliveries occurring on a daily basis. Ms. Rosa said that there are many days when no truck deliveries occur and that no traffic is generated by the site since no customers are served there. She stated that she had no knowledge of the neighbors' complaints and she was perplexed by their reported comments.

Mr. Larkin explained that the neighbors were particularly concerned about the volume of traffic that the business generated, the number of vehicles that were parked at the residence and in the cul-de-sac on a daily basis, and the interaction of employees with neighborhood children. He stated that the evidence they presented in opposition to the granting of the Special Use Permit "was fairly compelling." Mr. Larkin found the neighbors' reference to §208-104 especially significant since it states that "no permit shall be issued for a property where there is an existing violation of the law." In response to his question regarding the nature of the work conducted within the residence, Ms. Rosa stated that she was an authorized retailer for Verizon wireless.

Mr. Bulger suggested that the applicant obtain minutes from the previous meeting and speak with the neighbors regarding their concerns. He explained that this application requires the Board to hold a public hearing: that hearing will likely be held on February 24, 2004. At that time, the Board will consider all comments.

Mr. Grasso and Mr. O'Brien offered no comment on this application.

[2003-0032] Klimkewicz, Michael – Proposed two-family residence in an R-3 zone, 865 NYS Route 146A – Special Use Permit – Determination from public hearing held on November 25, 2003.

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

New Business:

[2004-004] Wilton Development, LLC – Proposed 7,000 SF building, carwash, and six gasoline dispensers, Crescent Road – Conceptual review.

Mr. Gordon Nicholson, consultant for the applicant, presented this application that calls for redevelopment of an existing shopping center that is located on a 4.14 acre site on the south side of Crescent Road in a B-3 zone approximately ¼ mile west of Exit 8 of the Northway, I-87. The applicant proposes the demolition of the existing building. The redevelopment plan calls for the construction of a 7,000 SF mixed use commercial building

that will contain a convenience store, automatic car wash, and bank. Six fuel dispensers and canopy will also be installed. Stormwater will be managed on site and connection will be made to existing water and sewer facilities. 47 parking spaces are proposed. 58% of the site will remain as greenspace. Access will be provided at the existing signaled intersection that also serves Plaza 8. The existing right-in entrance drive from Crescent Road will be modified and the right-out from the site will remain. Building elevations will be submitted with the preliminary project plan.

Mr. Kemper reported receipt of a memo from Jim DiPasquale dated January 23, 2004 which stated the following: "The proposed project for Wilton Development LLC which includes a carwash, will need to submit projected sanitary flow discharges. As presented it appears that sanitary flows will discharge to facilities owned by Crescent Waste. It will be necessary to confirm that adequate capacity is available to service the project within the existing system." The Saratoga County Planning Board approved the project at its January 15, 2004 with the following comments: "The proposed modification of access to County Road #92 requires a permit and the applicant should submit plans to the County Department of Public Works for review. We recommend access to DOT's roadway to the east be explored." Significant berms or plantings should be provided along Crescent Road. A signoff will be required by the CPWA. Mr. Kemper noted that when this project was previously approved, the only public road frontage was along Crescent Road. With the construction of two public roads, this project now has frontage on the east and the west as well. He recommended that the access onto Crescent Road be eliminated. Architectural renderings must be provided with future submissions.

Mr. Grasso approved of the applicant's efforts to re-develop an existing site. Mr. Grasso stated that a review of the conceptual site plan for this project has resulted in the following comments. 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: Clifton Park Planning Board - Site Plan Approval, Special Use Permit (Car Wash); Saratoga County Sewer District - Sewer Connection Permit; Saratoga County Planning Board - Section 239 referral. The parcel is located in the B-3 (Neighborhood Business) zoning district. The convenience store and bank are allowed uses in the district. The car wash is allowed per a Special Use Permit. However, per the zoning regulations if the facility has more than four sets of pumps, it is considered an automobile service station, which is not allowed in the B-3 Neighborhood zoning district. The applicant is proposing six fuel dispensing units and as such it appears a use variance will be required.

Mr. Grasso explained that the engineering firm does not support the proposed access onto Crescent Road. Adequate access should be developed from the existing Town road on the west side of the site and from the NYSDOT Park and Ride loop road. The applicant should contact NYSDOT regarding the possible use of the loop road. It appears the elimination of the curb cut on Crescent Road would allow for a significant pavement reduction between the front lot line and the proposed canopy. It appears that the width of the drive aisle located west of the canopy could be reduced from the sixty feet currently shown. The existing base map contours should be updated to more accurately reflect existing conditions, especially in the area of the Park and Ride facility. The installation of

a landscaped berm along the property frontage is recommended.

Mr. O'Brien, Environmental Specialist, reported that the ECC offered no comment on this application at this time.

Mr. Larkin found the plan acceptable. In response to his questions concerning the curb-cut modifications, Mr. Nicholson pointed out that there would be an increased separation between the right-in and right-out points. Mr. d'Amico preferred that traffic be directed to the signalized intersection. He also commented that the project would place an additional convenience store with gas in an area that already has several such businesses. Ms. Pace described the proposed traffic movements as "confusing" and supported removal of the existing access points on Crescent Road. Mr. Karam voiced his preference for removal of the existing access points. Board members generally found the plan acceptable, though they recommended removal of the existing right-in and right-out traffic design and encouraged connection to the state park and ride facility. Mr. Grasso recommended that pedestrian access be provided as part of the project design.

Minutes Approval: January 13, 2004

Mr. Bulger moved, seconded by Mr. Karam, approval of the minutes of January 13, 2004 as amended. The motion was unanimously carried.

Mr. Bulger moved, seconded by Mr. Larkin, adjournment of the meeting at 9:47p.m. The motion was unanimously carried. The next meeting of the Board is scheduled for February 10, 2004. Mr. Bulger reminded the members that the presentation to the Town Board regarding build-out projections for the GEIS study area is scheduled for the February 11, 2004.

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, Lou Renzi, Town Attorney, Jim Trainor, Town Attorney, Paul Pelagalli, Town Attorney, Department of Parks and Recreation, ECC, Saratoga County Planning Board, Shenendehowa Central School, Clifton Park Water Authority, Fire Districts.

Resolution #2

Preliminary and Final Approval

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on January 27, 2004, there were:

Present: S. Bulger, Chairman, R. d'Amico, T. Karam, J. Larkin, J. Marzola, S. Pace, J. Russell

Absent: None

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

Whereas, an application has been made to this Board by Belmonte Builders for approval of a subdivision entitled Proposed 2 Lot Subdivision for Belmonte Builders consisting of (2) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on January 27, 2004 and;

Whereas, the Planning Board was established as Lead Agency for this application, an unlisted action, and a negative declaration was issued pursuant to SEQRA on January 27, 2004, 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 subdivision plat entitled Proposed 2 Lot Subdivision for Belmonte Builders consisting of (2) lots is hereby granted preliminary and final approval conditioned upon satisfaction the comments offered by Mr. Kemper and Mr. Grasso.

Resolution #2 passed 1/27/04

Ayes: Larkin, Pace, D'Amico Karam, Marzola, Russell, Bulger

Noes: None

Steven Bulger,  
Chairman