

## **Clifton Park Planning Board Meeting Minutes April 26, 2005**

Those present at the April 26, 2005 Planning Board meeting were:

Planning Board: S. Bulger, Chairman, S. Hughes, T. Karam, A. Kramer, S. Pace, J. Russell

Those absent were: J. Larkin

Those also present were: 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. All in attendance stood for recitation of the Pledge of Allegiance.

Public Hearings:

[2005-009] Clifton Park – Halfmoon Public Library – 55,000 SF library, Moe Road - Preliminary public hearing and possible determination.

Mr. Bulger called the public hearing to order at 7:10p.m. The Secretary read the public notice as published in the Daily Gazette on April 19, 2005.

Mr. Gavin Vuillaume, consultant for the applicant, explained that the project plans remain generally as presented at the April 12, 2005 meeting. The plan has been revised, however, to address the most significant concern identified by the Board – the construction of a multi-use pathway to link the library with the adjoining school property. An increase in the number of plantings along Moe Road was also an issue. The plan now shows the requested bike path extension and details of improvements that would be necessary to build the path through the wetlands. The library has submitted a letter of understanding to the Town in which the library agrees to accept the conditions for pathway construction imposed by the Board. Library representatives have agreed to accept the conditions imposed by the Town.

Mr. Vuillaume addressed items of concern identified in the comment letter prepared by Clough, Harbour, and Associates. Crosswalks and ADA accessible ramps are now shown at the existing shared-use trail to cross the driveway entrance to the library. The trail will follow the existing path and will have a gravel and stone surface. Additional plantings have been shown along Moe Road and around the stormwater management basin. The applicant recognizes that a portion of the proposed parking lot and stormwater management area are located with the Archaeological Sensitive Area where a Phase II investigation is being conducted. Mr. Vuillaume submitted a letter from the New York State Office of Parks, Recreation, and Historic Preservation that states that library may proceed with construction if the Library Site I is protected by fencing around the

boundary established by the archeologist.

Mr. Bulger stated that trail development, including the methods of funding its construction and design details, will be completed in accordance with plans developed cooperatively by the Town, the library, and the school. Mr. Pelagalli stated that a time frame has been established for the escrow: it will be posted just prior to the issuance of the Certificate of Occupancy – completion of the trail would occur approximately a month prior to the anticipated school opening in September, 2007. The amount of the required escrow will be determined at a later date. If both the school and the library agree to trail construction, the Town of Clifton Park will assume responsibility for its maintenance and liability.

Mr. Kemper reported that this project was last considered by the Board on April 12, 2005. The major issues raised by the Board included a sign-off from the New York State Office of Parks, Recreation, and Historic Preservation, the timing for the construction of the trail, and photometric plans being supplied to the Town Engineer. The façade renderings that were provided to the Board on January 21, 2005 and April 15, 2005 should be provided in color with the final set of plans. The timing for the construction of the trail must be resolved. A waiver must be provided from homeowners across the street with regard to the plantings being placed on their properties. Some additional understory plants must be placed along Moe Road and plantings must be added to the stormwater management basin.

Mr. Grasso reported that although Clough, Harbour, and Associates previously reviewed this set of plans, the comments offered at this time provide more detailed technical comments. The proposed project will result in significant demand for pedestrian facilities to and from the site, and these facilities should accommodate both pedestrians and bicyclists. Given the site's close proximity to the Arongen school complex to the east, which is one of the primary reasons this site is a suitable location for a public library, the firm continues to support the construction of a multi-use pathway commensurate with site development. The environmental impacts should be appropriately mitigated. Crosswalks and ADA accessible ramps should be placed at the existing shared-use trail to cross the driveway entrance to the library. The existing multi-use path along Moe Road should remain open throughout construction or alternative temporary facilities provided.

Mr. Grasso noted that portions of the proposed parking lot and stormwater management area are located within the Archaeological Sensitive Area which is slated for additional Phase 2 investigation. The results of the investigation should be discussed with the Planning Board. "No Parking" signs should be added to the striped aisles adjacent to the handicap parking spaces. The plans should be submitted to the Chief of Bureau of Fire Prevention to determine the adequacy of the fire hydrants proposed. The proposed 8" sewer main should be made public and an easement granted to the Saratoga County Sewer District to allow unrestricted connection and extension to the north. Sewer laterals should be provided along its length to serve the adjacent properties as discussed during the conceptual review. A stub should be extended out of manhole #1 to reduce the need to reconstruct the sidewalk when the sewer is extended. A profile of the off-site sanitary

sewer should be provided. The method of crossing Moe Road with the proposed watermain should be indicated on the plan. Two 45-degree bends should be provided to replace the 90-degree bend on the proposed watermain. In addition, the location of the 8"x6" reducer should be shown on the plan. A clean out for sanitary sewer service should be provided within five feet of the building connection. All proposed building mounted lighting should be shown on the plan. The proposed grading will create a large low area in the northwest corner of the site. It should be verified that runoff will not pond or impact the sidewalk in this area.

Clough, Harbour, and Associates also reviewed the Stormwater Management Report dated March 23, 2005 and offered the following comments:

- The emergency overflow discharge should not be routed into the side of the existing pole barn.
- The impacts of the infiltration basin on the foundation on basement of the adjacent residence that is less than fifty feet away should be investigated.
- Due to the infiltration rate of the underlying soils being greater than 5 inches/hour, 100% of the water quality volume is to be pre-treated prior to entry into the infiltration basin. The volume of storage provided in the stilling basin/forebay should be stated in the report.
- Rip-rap should be provided at the inlet to the Stormwater Management area.
- A Stormwater Pollution Prevention Plan should be provided.

Mr. O'Brien, Environmental Specialist, reported that, after reviewing the project, the ECC had no additional comments.

Ms. Sue Martin, Director of Finance for the Shenendehowa Central School District, reported that school district representatives have met with Gordon Nicholson, consultant for the library, who provided information regarding the multi-use trail proposal that will be designed to link the library with adjoining school properties. She stated that members of the Board of Education have been made aware of the plans and that attorneys are determining the number and types of approvals that would be required to participate in the creation of a trail network.

Ms. Margaret Catellier, 26 Royal Oak Drive, appeared to be pleased that there would be a single access on Moe Road to serve the library. She encouraged the Board to consider traffic impacts of the incremental development on neighbors and the safety of those who travel along Moe Road. Mr. Bulger explained that this applicant has completed a traffic study and will be required to construct all mitigating measures as identified by Creighton-Manning Engineers.

Mr. Larry Brown, 20 Hearthsides Drive, reiterated Ms. Catellier's concerns, noting that an application for construction of six office buildings along Moe Road would also be considered by the Board at this meeting. Mr. Bulger assured the speaker that the Board will require that applicant to complete a traffic study to identify significant impacts. He noted that it would be incumbent upon that applicant to meet required safety standards.

There being no further public comment, Mr. Bulger moved, seconded by Ms. Pace, to close the public hearing at 7:33p.m. The motion was unanimously carried.

Mr. Karam asked if the proposed crushed stone or stone and oil pathway design was acceptable. Mr. Grasso found the design generally acceptable since it was ADA compliant and required minimal maintenance, though he cautioned that a pathway paved with asphalt would be required if the trail was to be used on a year-round basis. In response to his question regarding the concerns expressed by Mr. McGee, Mr. Vuillaume stated that the issues regarding lights and traffic impacting his property were addressed by the library's plan to plant trees along the west side of Moe Road. Mr. McGee, a resident of the west side of Moe Road had submitted a letter requesting that impacts to his property be mitigated.

Though Mr. Russell stated that he would prefer that the proposed trail be paved, Mr. Bulger withheld comment, explaining that he would like to meet with representatives of the library, school, Buildings and Grounds Department, YMCA, and the Town Engineer to develop reasonable specifications and construction standards. Members discussed whether or not lighting would be required to ensure the safety of those using the trail. They agreed that it would be necessary to defer such a determination until the amount of trail use is established. It was his opinion that the Town may have to assume the financial burden of adding such lighting to the area.

Mr. Bulger identified two issues of concern. The photometric plan must be submitted for review by the Town Engineer. The colored rendering must be included with the final plans submitted for stamping. He believes that since the library has been very responsive to Board requests and since there was no significant public comment offered at the meeting, approval of the application appeared reasonable.

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

Mr. Bulger offered his congratulations to the library representatives present at the meeting and believes that this will be "an exciting project for both the Town of Clifton Park and the Town of Halfmoon." Ms. Chris Thurston, President of the Library Board of Directors thanked the Board for helping the project plan become a reality.

Old Business:

[2003-072] Brooks Heritage, Ltd. – Proposed (9) lot subdivision, Ushers Road  
Determination from preliminary public hearing held on August 10, 2004.

Mr. Gil VanGuilder, consultant for the applicant, provided a brief description of this proposed project that has been reviewed by the Board several times since November, 2003. He listed the significant concerns and the means of resolving them. The first issue concerned the Niagara Mohawk agreement that would allow the applicant to cross lands controlled by the company: documents permitting the crossing have been prepared and await execution company executives. The sight distance issue has been resolved by the proposed removal of two trees that are located in the existing roadway right-of-way. Connection will be made to the existing water main located on the south side of Ushers Road and the gravity sewer on Hilltop Hollow. The applicant has agreed to install fencing along the rear property lines of properties bordering the land preservation areas: no tree cutting, excavating, or other disturbance will be permitted on the steep slope. Property owners will be prohibited from disposing of yard waste within the protected areas. This condition will be included as a note on the map and in individual deeds. Mr. VanGuilder has submitted a letter from NYSDEC that states that the agency has no jurisdiction over the stream corridor that borders the parcel. Appropriate postal addresses have been received and will be added to the plan.

Mr. Kemper reported that this project last appeared before the Board on September 28, 2004, though the applicant appeared at the October 26, 2004 meeting to describe revisions to the project plan. The major outstanding item was getting a sign-off letter from Niagara Mohawk to permit the proposed power line crossing. He explained that the Board closed the public hearing on August 10, 2004, but has not issued a SEQR determination or any approvals. Since the project will now connect into the Town of Clifton Park sewer system, a sign-off will be required from the Town of Clifton Park Town Board. Sign-offs must be provided by the Saratoga County Sewer District and the Clifton Park Water Authority. Plantings must be provided along the frontage of Lot #1. The variance that was granted by the ZBA should be placed on the plans. Note number 5 under General Notes on the cover sheet should refer to the correct subdivision. Mr. Kemper stated that it appeared that sight distance issues were resolved. He agreed that installation of split rail fencing along the top of bank would be a reasonable deterrent to disturbance of the land preservation areas.

Mr. Grasso stated that he was satisfied that all engineering concerns had been addressed. Mr. O'Brien reported that the ECC found the project plan acceptable.

Mr. Karam asked if the new road would be conveyed to the Town. Mr. VanGuilder explained that the roadway, to be known as Chandler Drive, would become a Town road. In response to Mr. Russell's question regarding the fencing, Mr. VanGuilder stated that the fence would run continuously along the land preservation area and that individual homeowners would be responsible for its maintenance. Mr. Pelagalli commented that enforcement issues surrounding the maintenance of the fence would reside with those who "took from a common grantor" – those purchasing homes from the developer of the subdivision. The Town would have no role in such enforcement. Board members discussed the issue of sight distance, noting that the removal of trees and the clearing of brush along the north side of Ushers Road would increase the safety of all travelers. Mr. Hughes expressed his concern regarding the proposed access to the subdivision. Others

on the Board commented on the icing conditions that occur in the area during the winter. Mr. Bulger will discuss the situation with the Highway Superintendent.

Mr. Bulger explained that this was a Type I action pursuant to SEQRA. All involved agencies agreed that it was reasonable for the Planning Board to assume Lead Agency status.

Mr. Russell moved, seconded by Mr. Karam, 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. Bulger offered Resolution #9, seconded by Ms. Pace, to waive the final hearing for this application and to grant preliminary and final subdivision approval conditioned upon satisfaction of the comments offered by Mr. Kemper. Ayes: Kramer, Pace, Karam, Hughes, Russell, Bulger. Noes: None.

New Business:

[2005-019] Miller, Derek – Proposed two-family residence, 471 Vischer Ferry Road – Conceptual review for Special Use Permit and site plan review.

Mr. Derek Miller presented this application that calls for approval of a Special Use Permit that would allow the construction of a two-family dwelling in an R-1 zone. The property is located on the east side of Vischer Ferry Road approximately 550 feet north of the intersection of Vischer Ferry and Clifton Park Center Roads. The residences will be served by municipal water and the Saratoga County Sewer District. Mr. Miller presented letters of approval from both utilities. All required setbacks will be respected. An architectural rendering of the proposed 2,500 SF duplex was presented for the Board's consideration. A single access from Vischer Ferry Road is proposed in accordance with Saratoga County Department of Public Works policies. Mr. Miller agreed to include a note regarding the parcel's proximity to the Clifton Common on the subdivision plat.

Mr. Kemper explained that the applicant is proposing a two family residence in the R-1 zone. He recommends that a note be added to the plans regarding the noise and lights associated with activities on the Clifton Common. Mr. Kemper received the following comments from Jim DiPasquale in a memo dated April 14, 2005: "Service will be a grinder pump connecting to a force main on the West side of Vischer Ferry Road, north of Clifton Park Center Road. Consideration should be given to service for surrounding properties." The application was referred to the Saratoga County Planning Board on April 5, 2005 and reviewed at the April 21, 2005 meeting: it was determined that there would be no significant county-wide or inter-community impact. The applicant must receive a permit from Saratoga County Department of Public Works prior to the stamping of the plans.

Mr. Grasso offered comments prepared by Clough, Harbour, and Associates. The

proposed project appears to be an “Unlisted” action pursuant to SEQRA, and as such, coordinated review is optional. The only involved agency is expected to include the Clifton Park Planning Board with Site Plan and Special Use Permit approval being required. Proposed water and sanitary sewer service connections should be shown on the plan. The adequacy of sight distance at the proposed driveway location should be verified.

Mr. O’Brien reported that the ECC provided the following comments regarding this application. The plot plan should clearly indicate that the Clifton Common and a Town of Clifton Park Buildings and Grounds maintenance facility adjoin the property. Noise, odors, and late evening operations are frequent occurrences. 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.

Addressing Mr. Bulger’s recommendation that all evergreen trees that were planted on this parcel in the early 1990’s to provide a buffer to the Clifton Common should remain, Mr. Miller explained that he has been working with Mr. Handerhan, Director of Buildings and Grounds for the Town, to selectively remove some of the trees that have grown too close to others. Mr. Bulger stated that the Planning Board generally requires substantial buffering between residential land that adjoins other types of properties. He suggested that a tree expert may be called upon to determine the viability of the trees. Mr. Karam commented that if the trees do require thinning, the trees should be relocated on site. Mr. Grasso advised the applicant that Vischer Ferry Road may be widened during its proposed reconstruction.

Board members found the project plan generally acceptable, though a determination regarding the tree line will be dependent upon recommendations of a profession tree expert.

[2005-021] Carlson Farm – Proposed (48) lot subdivision, Moe Road – Conceptual review.

Mr. Gavin Vuillaume, consultant for the applicant, presented this application that calls for the subdivision of 62.95 acres of land in an R-1 residential zone on the northeast corner of the Moe Road/Englemore intersection into (48) single-family building lots. Mr. Vuillaume explained that the parcel is currently vacant and undeveloped with the exception of an existing farmhouse and outbuildings. The proposed plan has been designed based on an actual survey and field-delineated NYSDEC wetlands. Access to the subdivision will be provided by two access points on Moe Road and one on the existing Arbor Lane. Connection will be made to the Clifton Park Water Authority and

the Saratoga County Sewer District. Stormwater will be managed on site. Mr. Vuillaume stated that he expects that the applicant will request the preparation of a cluster design in an effort to preserve wetlands located along Moe Road. The existing farmhouse will likely remain. Creighton-Manning will conduct a traffic study.

Mr. Kramer explained that since he lived in an adjoining neighborhood as a child, he takes great interest in this proposal. He recalled that Mr. Scherer had once reported that wood in the existing barn had been salvaged from Thomas Edison's laboratory.

Mr. Kemper offered a number of comments on this subdivision proposal. He commented that Lots #4, 16,17,18,19 and 20 have been designed with minimal useable areas. As presented, the plan would pose a threat to the L-C zone buffer area on the lots. Since there is no way these buffer areas could be protected over time they would, most certainly, disappear eventually. It is doubtful that homes could be built on the lots without encroachment into the buffer area during construction. Mr. Kemper explained that experience has taught that if there is not a minimum of 50 feet from the proposed house to a protected area, the parcel should not be approved as a building lot. Mr. DiPasquale stated, in a memo dated April 14, 2005, that since this project will be served by the Englemore Road pump station, impacts on that station and connecting sewers will need to be evaluated. Mr. Kemper asked that the layout be revised so that each lot has at least 50 feet of useable rear yard area. The plan should provide a multi-use path connection to the Huntwood Subdivision. The applicant should clarify whether or not the existing farmhouse will remain. He observed that there is a cemetery plot located on the parcel. Sign-offs will be required by the Saratoga County Sewer District and the Clifton Park Water Authority. A jurisdictional determination letter must be provided by the ACOE.

Mr. Grasso reported that Clough, Harbour, and Associates reviewed the subdivision plan and offered the following comments. Although the general subdivision design is in conformance with the Town's subdivision regulations, a cluster layout should be considered. A number of lots have short rear yards that back up to environmentally sensitive areas or other lots. This typically results in incremental wetland impacts and poor lot arrangements that compromise privacy. The cluster design should incorporate the following creative design principles:

- Preservation of significant corridors of open space and interconnected corridors between adjacent developments.
- Minimal subdivision of wetlands.
- No lots developed along Moe Road.
- Reduced roadway widths and smaller lot sizes.

Mr. Grasso stated that even though a portion of the wetlands within the site may be considered isolated, and, therefore not jurisdictional by the Army Corps of Engineers, they likely provide significant stormwater management benefits and their protection should be included in the proposal. Access to all proposed lots should be provided from the proposed new Town roads. Moe Road is depicted in the Town's Trails Master Plan to receive paved multiuse pathways. A pathway should be proposed from the Town lands along Huntwood Drive through the project site to Moe Road and along the entire project

frontage including the remaining Lands of Carlson. The small residential lot to the southwest was previously subdivided off of this parcel and it is believed that right-of-way was provided to accommodate the multi-use pathway. This should be confirmed. A potential future connection to the lands to the east should be investigated. The cemetery shown in the middle of the project site is believed to be historically significant and contains the burial site of Abraham Moe. Comments from the Town historian should be sought and adequate protection of this resource incorporated in to the plans.

Mr. Grasso offered several additional comments. It is recommended that the large areas of remaining lands in the northern and southern areas of the project site be dedicated to the Town as open space. The existing farm house access drive should be relocated to the proposed Town road. The proposed utilities and any off-site improvements should be shown on the plan. Lot areas and lot width at the front building line should be shown on future plan submittals. The firm reviewed the Full Environmental Assessment Form (FEAF) and offered the following comments:

- A.2. The 30.0 acres of roads, buildings and other paved surfaces after completion do not appear accurate. A portion of the area would likely be lawn.
- A.6 and A.7. Copies of correspondence from the NYS Office of Parks, Recreation and Historic Preservation should be provided regarding the inclusion of the building, site, or district in State or National Registers of Historic Places or 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.

Mr. Grasso reported that since the proposed project involves a subdivision with four or more lots of less than five acres, it is considered a Realty Subdivision by NYSDOH, and, therefore, is a Type I action pursuant to SEQR. As such, coordinated review is required. Involved agencies are expected to include the following: Town of Clifton Park Planning Board – Subdivision Approval; NYSDEC –Wastewater Disposal System Approval, SPDES Permit for Stormwater Discharges Associated with Construction Activity; NYSDOH – Water Supply System Approval, Realty Subdivision Approval; C.P.W.A. – Water Connection Permit; Saratoga County Sewer District #1 – Sewer Connection Permit.

Mr. O'Brien, Environmental Specialist, reported that the ECC offered the following comments. The proposed subdivision is located in an area where significant wildlife travel occurs. A new design is encouraged to provide an upland corridor for wildlife movement. The excessive lot density of the plan places the footprint of several proposed homes very close to or within the LC Zone/wetland buffer or federal wetlands. The subdivision should be reconfigured to reduce potential impacts to these sensitive areas. The ECC encourages the trails committee review this plan to determine if the inclusion of trunk and connecting trails is appropriate and feasible.

Mr. Kramer reiterated his interest in this project, asking that the historic significance of the property be considered. He reported that deer move through the wooded corridors between Huntwood and the Stony Creek Reservoir and he recommended that such

corridors be protected. Mr. Kramer expressed concerns for traffic safety, noting that the curve on Moe Road is treacherous during winter storms. He recommended that vegetated buffers be maintained along the border of the proposed subdivision with the existing Huntwood and Arbor Lane subdivisions. He found proposed connections to the bordering neighborhoods desirable. Mr. Russell recommended that the applicant consider larger lots with higher-end homes that would preserve more open space. Mr. Hughes asked that the applicant consider alternative lay-outs. Mr. Bulger remarked that there were a number of issues to be addressed and Mr. Karam suggested that Mr. Scherer be invited to speak to the Board regarding the historic significance of the property.

[2005-020] Moe Road Office Complex – Proposed 27,960 SF professional office space in (6) buildings, 509 Moe Road – Conceptual site plan review.

Mr. Michael Szemansco, owner of the property and principal in the firm of Synthesis, represented himself as applicant for this project. The speaker explained that he had owned the property at 509 Moe Road for nearly seven years. During that time, the property was re-zoned to B-1. He now proposes the construction of six 4,600 SF office buildings on the 5.35 acre parcel. Mr. Szemansco explained that access to the site would be located directly opposite the school's entrance road. Though the stormwater management area will be located along Moe Road, site development will begin approximately 200 feet from the roadway. Parking requirements would be dependent upon the types of office use. General office use would require 93 spaces: medical and/or dental office use would require 186 spaces. The plan proposes the initial construction of 96 spaces, though the total possible number of spaces would total 192. Greenspace would amount to 51% of the site if the largest number of parking spaces installed. The 25' side yard setback requirements will be respected. Mr. Szemansco presented Board members with "architectural image elements" that he proposes to utilize. The one-story residential-style buildings will be compatible with others in the area: construction will be of brick and vinyl.

Mr. Kemper reported receipt of a memo from Don Clemens dated April 25, 2005 that states that "this design does not appear to meet minimum access requirement for emergency services." He advised the applicant to meet with Sheryl Reed to resolve issues related to accessibility for emergency vehicles. He received the following comments from Jim DiPasquale on April 14, 2005: "Details on the connection and impacts to the system will need to be determined." The proposed project lies within the Exit 9 GEIS and as such must conform to the Statement of Findings. Colored façade renderings must be provided with future submissions. Sign-offs from SCSD, CPWA, and emergency service agencies will be required.

Mr. Grasso reported that Clough, Harbour, and Associates' review of the concept plan for the project resulted in the following comments. The proposed project appears to be an "Unlisted" action pursuant to SEQR, and as such, coordinated review is optional. The only involved agency is expected to be the Planning Board because site plan approval is required. It is anticipated that the significant environmental impacts to be addressed include access and traffic. The actual location of the Shenendehowa School entrance road

and lane arrangements on Moe Road should be accurately shown on the plans. A traffic study addressing the operation of the access and that addresses the need for a turn lane should be provided. Access to the adjoining commercially zoned properties should be evaluated, including the Bonar and LeFrancois parcels along Route 146. Pursuant to Section 208-34.D.4 of the zoning regulations, a minimum ten foot wide planted buffer along the rear and side property lines must be provided. The width of this buffer should be increased where the property abuts Collins Park and the school. Architectural elevations and building heights should be discussed with the Planning Board to ensure compatibility with others in the area. The proposed method of water and sewer service should be shown.

Mr. O'Brien reported that, after reviewing the project, the ECC recommended the applicant consider a less dense development for the area in consideration of the existing uses in the area and the parcel size.

Mr. Bulger stated that the ability of emergency service vehicles to access and travel through the site would be a "key factor" in determining the feasibility of the project plan. He also stated that he would recommend that a traffic study be completed because this project along with other projects proposed along Moe Road may cumulatively impact traffic flow. He explained that the school district may propose a roadway to the south to create a connection to proposed new buildings. Though he finds the proposed number of buildings too dense for the parcel's configuration, he acknowledged that the plan does meet current zoning regulations.

Mr. Karam suggested that the applicant consider the construction of two-story buildings. Such buildings would not be feasible since building size is limited to 4,800 SF. Mr. Russell asked that the exteriors of the buildings be treated the same way on all sides. In response to his question concerning site maintenance, the applicant explained that he expected the site to remain under single ownership. Mr. Bulger pointed out that there is an "informal network" of trails in this area and he asked that, if possible, access to these trails be incorporated in the project design. In response to Mr. Russell's comment regarding stormwater, Mr. Grasso explained that the applicant may have to use an infiltration system. Mr. Bulger concluded the discussion by stating that he would favor a reduction in the project's density. He commented that traffic study results may require such a reduction.

[2005-022] County Waste – Proposed 39,611 SF processing center, NYS Route 9 – Conceptual review.

Mr. Bianchine, consultant for the applicant, explained that although this applicant received approval last year for an expansion of the existing waste management facility, new technologies and the need to streamline the process of residential and commercial recycling has resulted in revisions to the approved site plan. The speaker explained that County Waste processes paper and cardboard at its Albany facility; glass bottles and tins are processed at the Schenectady plant. Mr. Bianchine explained that the owner would like to consolidate operations in a state-of-the-art processing center that will handle 40

tons a day in curbside recycling of bottles, cans, plastics, newsprint and cardboard. The center is also permitted to process 200 tons of construction debris. The new facility will improve the company's efficiency, allowing for the full automation of these operations in an indoor area. All operations will be compliant with New York State recycling laws. The hours of operation will be from 6:00a.m. to 11:00p.m. Monday thru Saturday. It is anticipated that an additional 30 to 40 employees will be needed to work on and with the machinery.

Mr. Bianchine explained that County Waste has purchased a ten acre parcel from adjoining property owner Wunderlich to create additional space for the recycling operation. A stormwater detention basin will be developed on the south side of the site. The pine trees on the slope visible from Route 9 would remain as a buffer.

Mr. Kemper reported receipt of a memo of April 25, 2005 that reports that the applicant has submitted an application for a use variance to the Zoning Board of Appeals. A hearing has been scheduled for May 3, 2005. Jim DiPasquale submitted the following comments in a memo dated April 14, 2005: "Connection is proposed to the Saratoga County Sewer District trunk sewer in the Town of Halfmoon. Flow volumes and content of the discharge will need to be evaluated." The application was referred to the Saratoga County Planning Board on April 6, 2005. Façade renderings for the proposed building must be provided for review.

Mr. Grasso reported that Clough, Harbour, and Associates reviewed the concept plan for the project and offered the following comments. From the information provided it was difficult to differentiate between the existing and proposed site improvements. The site plan is unclear and the narrative offered little additional information. The project is located both in the Town of Clifton Park and the Town of Halfmoon. The Board should determine which Planning Board will become the designated Lead Agent.

After listening to Mr. Bianchine's presentation, Mr. Grasso asked if site improvements would result in greater visibility from Route 9. Mr. Bianchine was uncertain whether or not the facility would be more visible from the road; however, he agreed to provide additional screening if warranted. Mr. Grasso also asked about the impacts such as noise and odors on neighboring properties. The owner of County Waste reported that two complaints have been received since the company has operated in this location. Neither complaint involved operations at this facility.

Mr. Pelagalli explained that because of the existing moratorium on all decisions involving properties within the L-I zone, the Zoning Board of Appeals will be unable to grant the required use variance at this time. He recommended that the applicant contact the Town Board to request a special exemption.

Mr. Karam asked about the amount of truck traffic generated by the site. The applicant stated that the amount of traffic using the site will likely remain the same, though it may decrease. Members found the project plan acceptable, though they asked that the site be screened to the greatest extent practicable. No action may be taken until a use variance is

granted by the Zoning Board of Appeals. Since the project crosses town lines, the Board responsible for assuming Lead Agency and issuing a determination pursuant to SEQRA must be determined. Comment from the Town of Halfmoon will be requested.

Mr. O'Brien reported that, after reviewing the project, the ECC prepared the following comments. The ECC recommends the applicant assess the current status of the stormwater collection system. The applicant must take steps to eliminate any negative impacts this construction and operation will have on water quality in the area.

#### Minutes Approval:

Mr. Bulger moved, seconded by Mr. Hughes, approval of the minutes of April 12, 2005 as written. The motion was unanimously carried.

#### Discussion Items:

##### Special Projects Site Plan

Mr. VanGuilder explained that stormwater management areas for this project were originally designed in elongated basins along both eastern and western property boundaries. The applicant would now prefer to install infiltration systems that would be placed underground. Mr. VanGuilder believes that the proposed changes would improve the aesthetics of the site and reduce the number of required plantings. The Board found this proposal acceptable, though they asked that Mr. Grasso review the proposed changes to the stormwater management plan.

##### Telecommunications Tower in Town of Halfmoon

Mr. Kemper reported receipt of an application that has been submitted to the Town of Halfmoon that seeks approval for a co-location on an existing telecommunications tower. Though the application was forwarded to the Town of Clifton Park because it lies within 500' of the Town boundary, Board members preferred not to comment because the tower lies completely within Town of Halfmoon.

##### Wood's Edge PUD

The developer of the Wood's Edge PUD would like to expand the PUD by adding a garage adjacent to the existing single-family residence. Board members referred the request to Mr. Pelagalli for his review.

##### Wendy's Restaurant

Mr. Kemper explained that the manager of Wendy's has requested approval to improve the dumpster area on the site. Board members found the proposed changes acceptable – no formal site plan review will be required.

## Parkwood Plaza

The owner of Parkwood Plaza has asked permission to refurbish the main building. Board members expressed some concerns regarding the proposed changes to the building's façade since it appeared that the changes would be significant. Formal site plan review will be required.

Mr. Bulger moved, seconded by Ms. Pace, adjournment of the meeting at 9:40p.m. The motion was unanimously carried. The next meeting of the Planning Board will be held as scheduled on May 10, 2005.

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 #9

#### 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 April 26, 2005, there were:

Present: S. Bulger, Chairman, S. Hughes, T. Karam, A. Kramer, S. Pace, J. Russell

Absent: J. Larkin

Mr. Bulger offered Resolution #9, and Ms. Pace seconded, and

Whereas, an application has been made to this Board by Brooks Heritage, Ltd. for approval of a subdivision entitled Brooks Residential Subdivision of consisting of (9) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on August 10, 2004 and;

Whereas, the Planning Board was established as Lead Agency for this application, a Type I action, and a negative declaration was issued pursuant to SEQRA on April 26, 2005, 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 that the final subdivision plat entitled Brooks Residential Subdivision consisting of (9) lots is hereby granted preliminary and final approval conditioned upon satisfaction of the comments offered by Mr. Kemper and Mr. Grasso.

Resolution #9 passed 4/26/05

Ayes: Kramer, Pace, Karam, Hughes, Russell, Bulger

Noes: None

Steven J. Bulger, Chairman