

## **Clifton Park Planning Board Meeting Minutes October 25, 2005**

Those present at the October 25, 2005 Planning Board meeting were:

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

Those absent were: S. Hughes

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**

[2005-021] Carlson Farm – Proposed (44) lot subdivision, Moe Road - Preliminary public hearing.

The Chairman called the public hearing to order at 7:10p.m. The Secretary read the public hearing notice as published in the Daily Gazette on October 17, 2005.

Mr. Gavin Vuillaume, consultant for the applicant, presented this application that was last considered by the Board on July 12, 2005. Describing the project plan as a “cluster” subdivision, the consultant explained that the proposal focuses on green space preservation and the protection of both NYSDEC and ACOE wetlands. Though no jurisdictional letter has been received from the ACOE, wetland disturbance on the site will total less than 1/10 of an acre. A Phase I archaeological study has been completed and a Phase II study has begun. Mr. Vuillaume reported that Mr. John Scherer, Town Historian, was unable to attend this meeting. Mr. Scherer has expressed interest in the preservation of the existing house and barn and does plan to attend a future meeting to describe the property’s historical significance. The speaker noted that the lay-out remains as previously presented with clustered lots and larger estate-type lots with substantial buffering. The multi-use pathway has been relocated: it will be installed from Huntwood Drive through the wooded areas of the Carlson Farm to Moe Road. In response to concerns raised by Clough, Harbour, and Associates, Mr. Vuillaume reported that the traffic study indicates that the sight distance at proposed ingress/egress locations meet ASHTO standards. He stated that some existing vegetation on the south side of Moe Road will be removed and additional land on the south side of the road will be conveyed to the Town for future road improvements. Drainage from the site will be directed to three stormwater management areas. Mr. Vuillaume stated that the applicant is willing to provide fencing around the stormwater management areas: Board recommendations regarding such fencing were requested.

Mr. Kemper reported that this project last appeared before the Board on July 12, 2005. The major issues raised by the Board included the trail connection to Huntwood, and the submission of a traffic study and accident reports. The trail connections to Huntwood and Arbor Lane must be illustrated on the plans. In accordance with Board recommendations, the trail connection should meander from Huntwood, through the open space, with an eventual connection to Arbor Lane. Sign-offs will be required from the Clifton Park Water Authority and the Saratoga County Sewer District. Information regarding the archeological study must be supplied to the Planning Department. The multi-use pathway must be shown on the subdivision map as well as the grading plan. A note stating that the project will be located in the Stoney Creek Park District should be added to the plans. The jurisdictional letter from the ACOE has yet to be submitted. Lots #25 and 26 should be eliminated or relocated so a usable yard is provided without disturbance to the L-C zone. The deed restricted area note should be changed to state that no vegetation over 4" can be removed. Sheryl Reed submitted a memo dated October 25, 2005 that asks the applicant to provide a street name for postal verification purposes. The memo also requests that the plans specify the construction of a 24' carriage way without curbing in accordance with rural road design standards. Plans currently show a 22' carriage way.

Mr. Grasso reported that Clough, Harbour, and Associates reviewed the revised subdivision plan and the Preliminary Stormwater Management Report that were submitted for the above referenced project. Although the speaker anticipates that additional comments will be provided as plans are revised, the following comments were offered at this time. At the last Planning Board meeting the need for a traffic study that addresses the impacts to Moe Road and, specifically, the impact to traffic movements at the sharp corner of Moe Road were discussed. Although a traffic study that addresses the adequacy of sight distance and impacts to nearby intersections was submitted, it did not address the specific area of concern. Additional investigation is required. Due to the potential for excessive long term maintenance issues associated with long runs of storm sewers at relatively flat slopes and the potential for the system to dewater existing wetland areas, there is a concern with the grading of the storm sewer system and storm water management areas as currently designed. Eight hundred foot long outfalls will not be permitted. Significant revisions to the proposed drainage system are anticipated. It is recommended that the design engineer contact the Town Engineer to discuss alternatives. The need for chain link fence around the storm water management area should be discussed. It is recommended that appropriate safety benches be provided, eliminating the need for the fencing and thereby complying with NYSDEC's guidelines. If protection from the residential lots is required, it is recommended that a split rail fence with 2"x 4" galvanized mesh be installed around the residential lots rather than around the storm water management area. The limits of clearing and grading, driveway locations, house locations, and finished floor elevations should be shown on the plan. The centerline roadway slope should be increased around the cul-de-sac to provide a minimum slope of 1% along the outside radius. The utility pole located within the proposed multi-use pathway along Moe Road should be labeled to be relocated. Appropriate signage, crosswalks, and detectable warning strips should be installed wherever the multi-use path will cross a public road. Appropriate signage should be provided at the intersections. The

initial 20' of the relocated existing gravel drive on Lot #1 should be paved. Catch basin #23A should be shown outside the limits of the multi-use pathway. Water services, sanitary sewer services, and foundation drain laterals should be shown on the plan. A plan should be provided showing the multi-use pathway connection to the south. The multi-use pathway detail should be revised to comply with the detail currently in use by the Town. The applicant's engineer should contact Clough, Harbour, and Associates for a copy of the detail. A detail of the proposed multi-use pathway boardwalk should also be provided.

Mr. Grasso offered several additional comments. The proposed roadway names should be shown on the plan. Street lights should be provided at the proposed intersections with Moe Road. The lights should be oriented over the new streets at their respective intersections with Moe Road. The extension of the guide rail along Moe Road should be designed in accordance typical highway design practices and appropriately set back from the travel way where possible. The proposed pavement radii at the intersections with Moe Road should be increased to accommodate truck turning movements through use of a three centered curve or alternatively a fifty foot radius.

Mr. Grasso reported that the following comments resulted from review of the Stormwater Management Report:

- 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(s) to a depth of two feet below the bottom of the basin(s).
- A minimum 10-foot wide gravel access drive should be constructed from the proposed roadways to each of the stormwater management areas to facilitate future maintenance by the Town.
- A Stormwater Pollution Prevention Plan with erosion and sediment control methods and details should be provided.
- A Construction Phasing/Sequencing Plan should be prepared to illustrate how the site will be developed while limiting disturbance to a maximum of 5 acres at a time. The plan should also show additional temporary erosion control measures including temporary diversion measures, temporary sediment basins, a stabilized construction entrance, and designated topsoil and fill stockpile areas.

Mr. O'Brien, Environmental Specialist, presented the comments prepared by the ECC. Any potential Army Corps of Engineers (ACOE) wetlands that are pending a ruling by the ACOE should be noted on the plot plan, specifically Lots #9, 37, 38, 39, 40, and 41. The results of this ruling should be reflected on each plot plan since any ruling may affect the ability to build residences on these lots. Due to the potential of a high water table, the ECC recommends that the applicant put comments to that effect on each individual plot plan. Additionally, the ECC recommends that the L-C Zone be indicated on the plot plan.

Mr. Alan Broers, 24 Huntwood Drive, expressed concerns for the "influx of residents" into the Huntwood neighborhood if the proposed multi-use pathway is installed as planned. He believes that the pathway will generate "traffic" that will disturb the small-

neighborhood feel experienced by current residents of the Huntwood subdivision. His recommendation was to design a pathway that would parallel Moe Road. If the pathway is to be built as designed, he encouraged the Board to require the installation of additional plantings to screen the pathway from the homes along Huntwood Drive in an effort to preserve existing residents' sense of privacy.

Ms. Barbara Arisohn, 12 Arbor Lane, asked if the applicant intended to construct a roadway on the stub street that exists between her home and 14 Arbor Lane. She would oppose such a connection since the Arbor Lane neighborhood is a "very private cul-de-sac" that contains only fifteen homes. The number of cars that would be using such a roadway would be very disruptive to those living on Arbor Lane. A multi-use pathway would be more acceptable to the neighborhood. Ms. Arisohn's greatest concern was whether or not drainage from the proposed development would impact the water problems that are already experienced by those residing on Arbor Lane. She explained that the stream bed that crosses the northern portion of the property often floods and that the area water table is very high. Her family has sump pumps that run continuously and during significant storm events have experienced flooding in the basement. She asked that the project be designed to prevent additional run-off to Arbor Lane homes.

Mr. Bulger addressed two of Ms. Arisohn's concerns. He explained that a road connection to Arbor Lane would not be constructed. He also stated that it was the policy of the Town Board as well as the Trails Committee to provide trail links throughout the Town that would connect as many neighborhoods and community service sites as possible. Though the Board sometimes receives complaints from adjoining property owners, the Board attempts to locate the trails in areas that provide the safest and most reasonable routes.

Mr. Jay Honsinger, 10 Arbor Lane, provided a copy of a letter written by Mr. Theodore Carlson in 1997 when he applied for Town Board approval of a conservation easement for his agricultural property. Mr. Honsinger noted that the letter mentions Mr. Carlson's intent to "keep Moe Farm as an open and agricultural feature of our area of Town." The speaker asked if penalties would be assessed for breaching the conservation agreement. Mr. Kemper explained that the applicant was aware of the payments that would be required. Mr. Honsinger shared the concerns regarding drainage that were expressed by Ms. Arisohn, noting that the homes on Arbor Lane are at a lower elevation than the proposed residences. He was most concerned about the water flow from proposed Lots #7 and 8 and asked that more information be supplied regarding designated ACOE wetlands. The speaker also reported the existence of turkey and deer on the property. He concluded his comments by observing that "although the applicant has a right to develop his property, he has no right to ruin existing properties."

Mr. Bulger remarked that the small stream shown on the map appears to be more significant than previously believed. He recommended that additional investigation into its significance and possible impact to existing adjoining residences be undertaken.

Mr. Steve Kineke and Ms. Ann Schwanda, 12 Huntwood Drive, addressed the Board.

Ms. Schwanda questioned the reliability of the traffic report, noting that the traffic study was conducted during a testing week at the high school when fewer cars were traveling on Moe Road. Ms. Schwanda labeled the curve on Moe Road “extremely dangerous” and asked the Board to carefully review the sight distance at the proposed subdivision entrance and the impact of the new intersection to travelers along Moe Road. The speaker also commented on the multi-use pathway location: she was concerned with the safety of young children using such an “isolated” area. Mr. Kineke asked the Board to request the elimination of the southernmost proposed ingress/egress location since he believes that travel in the area is currently quite dangerous. He asked that the multi-use pathway be designed along Moe Road since this would encourage more bicycle and pedestrian use from NYS Route 146 to Crescent Road.

Mr. Stephen Konn, 14 Arbor Drive, reiterated the concerns regarding drainage expressed by the residents of Arbor Lane. He explained that the small stream indicated on the project plan often extends substantially beyond the boundaries indicated on the plan. During times of significant rainfall or ice melt, the water flows from the stream and approaches his back yard. He fears that the construction of homes will reduce the site’s ability to absorb water and create problems for existing property owners.

Board members discussed the project plan at length. Mr. Karam spoke to Mr. Kineke’s recommendation that the southernmost access be eliminated, noting that the ingress/egress was required due to the number of lots served: Town law permits only (18) lots on a cul-de-sac. Emergency services’ policies require more than a single access for larger subdivisions. Mr. Kramer commented that the curve in Moe Road is “treacherous” during the winter months and a problem even in better weather. He asked that the Town Engineer “take a careful look” at the traffic report and proposed location for the new road. Though he suggested that a connection to Jarose Place be considered, Mr. Grasso explained that the wetlands located between the two subdivisions would make such a connection impossible. No future roadway connection was provided on Jarose Place. Ms. Pace called for further investigation of the stream corridor to the north of the site that often creates drainage problems for those residents of Arbor Lane. In response to Mr. Karam’s question regarding soil characteristics in the area, Mr. Vuillaume reported that soil studies will be undertaken and grading plans will be reviewed. Mr. Karam asked if the Carlson Farm’s higher elevation would contribute to increased water problems for the residents of Arbor Lane. Mr. Grasso explained that although the water from the site will be generally directed to the southwestern portion of the site, Clough, Harbour, and Associates takes the concerns of adjoining property owners seriously and will carefully review the proposed grading plans. Mr. Bulger noted that the jurisdictional letter from the ACOE may impact the project plans and require protection and/or preservation of the stream corridor.

Mr. Bulger summarized the discussion, noting that several issues must be satisfactorily addressed prior to approval of the final plans. The traffic report will be carefully reviewed with particular interest focused upon the southernmost ingress/egress location; the status of the stream corridor along the northern property boundary is of significant concern; screening of the multi-use pathway from the properties along Huntwood Drive

should be provided; ACOE determinations may require revision of the project plan. Mr. Bulger expressed his appreciation to those residents who spoke during the public hearing and explained that the public hearing will be reconvened at a later date.

There being no additional public comment, Mr. Bulger moved, seconded by Ms. Pace, to adjourn the public hearing for reconvening at a later date. The motion was unanimously approved.

[2005-052] Towers, Sandra – Proposed (2) lot subdivision and land transfer, 481 Moe Road – Preliminary public hearing and possible determination.

Mr. Bulger, Chairman, called the public hearing to order at 8:15p.m. The Secretary read the public hearing notice as published in the Daily Gazette on October 17, 2005.

Mr. Vuillaume, consultant for the applicant, presented this application that remains generally as presented at the October 6, 2005 meeting. The consultant expects that both water and sewer services will be available to serve the site. A common driveway will be provided to limit the number of curb cuts on the multi-use pathway. Mr. Vuillaume explained that the Zoning Board of Appeals approved a 15' setback variance for the existing residence at the October 4, 2005 meeting. It has now been determined that a 19' setback variance will be required for the existing home.

Mr. Pelagalli explained that he has consulted with Mr. Renzi, Counsel for the Zoning Board of Appeals, regarding the variance issue. It is Mr. Renzi's opinion that the Zoning Board would approve the amended variance and that the amended variance will be considered at the next Zoning Board meeting. Mr. Pelagalli recommended that approval of the variance be included as a condition of approval by the Planning Board at this evening's meeting.

Mr. Kemper reported that this application was reviewed by the Board on October 6, 2005 at which time the Board found the application acceptable and unanimously supported approval of the variance needed from the Zoning Board of Appeals. Steve Myers, Director of Building and Development, provided the following comments in a memo dated October 25, 2005: "The property is located within 100' of the library site. Does this subdivision have to connect to the sewer and water currently at the library?" The Zoning Board of Appeals granted a 15' setback variance on October 4, 2005, though it was later discovered that a 19' variance was required. The Zoning Board attorney has advised that because the request appears to be a minor amendment to the approved variance, no additional meeting will be required resolve the issue.

Mr. Grasso explained that Clough, Harbour, and Associates reviewed the subdivision plan for this project and offered the following comments. The location and size of the existing septic system should be confirmed and it should be determined if adequate area for future replacement exists. Prior to final approval it appears an area variance will be required. An ingress/egress easement should be provided over the combined portion of the driveway.

Mr. O'Brien reported that the ECC again requested that the following standard statements 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.
- The Land Conservation (LC) Zone has been delineated in accordance with Section 208-69 of the Clifton Park Town Code. Uses in this area are restricted. The Town of Clifton Park Building Department shall be notified before undertaking any land disturbance activities in the LC Zone.
- 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).

There being no public comment regarding this application, Mr. Bulger moved, seconded by Ms. Pace, to close the public hearing at 8:25p.m. The motion was unanimously carried.

Mr. Karam, Mr. Bulger, and Mr. Larkin supported connection to municipal water and sewer systems for both the existing residence and the proposed home. Mr. Larkin asked that the adequacy of existing systems be certified if new connections to municipal systems are not made.

Mr. Kramer moved, seconded by Mr. Karam, 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 offered Resolution #33, seconded by Mr. Larkin, to waive the final hearing for this application and to grant preliminary and final approval conditioned upon satisfaction of the comments issued by Mr. Kemper, Mr. Grasso, approval by the Zoning Board of Appeals for a 19' setback variance for the existing home, and connection of both properties to municipal sewer and water systems or certification that the systems associated with the existing home are operating properly. Ayes: Kramer, Larkin, Pace, Karam, Russell, Bulger. Noes: None.

Old Business

[2004-004] Wilton Development LLC – Proposed 760 SF addition and renovation of existing retail facility, Crescent Road – Preliminary review and possible determination.

Mr. Gavin Vuillaume, consultant for the applicant, presented this application that remains

generally as presented at the September 15, 2005 meeting. He noted that the proposal calls for a 760 SF addition to the existing center to create a lobby area for the proposed fitness center and the installation of a 400' long drive-thru area that would serve the Dunkin' Donuts store. Mr. Vuillaume explained that the previous plan called for a right out from the site into the existing park and ride facility. NYSDOT, owner of the park and ride property, will not approve the access as planned. An alternative plan that eliminates the right out to the park and ride facility and proposes a right out onto Crescent Road at the existing curb cut was presented to the Board. Mr. Burke, owner of the shopping center, asked the Board for a favorable decision because he believes that all reasonable development alternatives have been explored. Mr. Vuillaume explained that, in accordance with zoning law, a Special Use Permit must be issued for the proposed fitness center. Mr. Vuillaume has submitted the appropriate application to the Department of Building and Development.

Mr. Kemper explained that this project last appeared before the Board on September 15, 2005 at which time the Board found the plan generally acceptable. The applicant will need to apply to the Department of Building and Development for a Special Use Permit that would allow the construction of a recreational facility in a B-3 zone. This application has been filed with the building department. Subsequent to the last meeting, NYSDOT found the proposed layout unacceptable, resulting in the reconfiguration of the exit drive. Façade renderings must be provided for the Board's consideration. Locations for the Handicap and No Parking signs must be shown on the plans.

Mr. Grasso observed that the plan indicates there will be modifications to the stormwater management area. A summary of the calculations indicating compliance with NYSDEC stormwater regulations should be provided for Clough, Harbour, and Associates' review. The location of the "No Parking" sign for the handicap parking aisle should be shown on the plan.

Mr. O'Brien reported that, after reviewing the project, the ECC asked that 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.

The applicant shall examine the stormwater management system to ensure that it is operating properly. In addition, the ECC recommends that any additional exterior lighting be directional and limited.

Mr. Kramer called the project plan "a great redevelopment of the site" and he found the right-out onto Crescent Road an acceptable alternative to the right-out exit into the park and ride lot. Mr. Karam reminded the applicant that the proposed signage shown on the façade renderings was not included in the Board's approval. Though he believed that the

park and ride lot was not usually busy, he did agree that the right-out onto Crescent Road would be acceptable. In fact, all Board members agreed that the proposed plan would be acceptable. Mr. Bulger, however, asked that a substantial curb be designed to prevent other traffic maneuvers such as left in and/or out of the site.

[2003-053] Mama Vee's, Inc. – Proposed 1,301 SF Addition, NYS Route 146 – Revised conceptual site plan review.

Mr. VanGuilder, consultant for the applicant, presented this project plan. He explained that Ms. VanAuken, former owner of MaMa Vee's, Inc. proposes an amendment to the previous site plan application to include a lounge area on the Route 146 side of the existing restaurant. The addition will take the place of the seasonal patio (728 SF) and will not extend as close to Route 146 as the present patio area. Mr. VanGuilder reported that the Zoning Board of Appeals granted an area variance for the permanent addition that will replace the patio area. The current seating for the restaurant is 60 seats and the seasonal use of the patio added 20 seats. The seating in the existing building will not change. The lounge area will seat 14 people, resulting in a reduction in the required number of parking spaces. Zoning requires one parking space for each three seats – the required number of spaces would be 25. The site currently contains 28 spaces. The restaurant has been connected to the Saratoga County Sewer District. Mr. VanGuilder explained that the existing access from NYS Route 146 to the restaurant cannot be changed. The exterior of the building will be updated and improved. Mr. VanGuilder reported the discovery of a 1988 agreement that allows MaMa's and the shopping center to share the common parking areas.

Mr. Pelagalli has reviewed the easement agreement and has determined that it adequately provides for additional parking for MaMa's. Mr. Pelagalli did recommend, however, that the owner of MaMa's provide any additional agreement that would assure flexibility for future connections to adjoining properties. He asked that a note indicating this be added to the plan.

Mr. Kemper reported receipt of the following comments from Steve Myers in a memo dated October 25, 2005: "Area variances were previously granted (#80479 and #80567) – change will again reduce green space." The application previously appeared before the Board back in June, 2004. The applicant is now proposing that the patio area be enclosed to include a bar. Mr. Kemper reported that the applicant has provided a recorded agreement which indicates that the restaurant can use parking on the adjoining shopping center parcel. Colored façade renderings must be provided. Sign-offs will be required from the Saratoga County Sewer District and the Clifton Park Water Authority. All Handicap and No Parking signs should be illustrated on the plans.

Mr. Grasso offered the following comments that were prepared by Clough, Harbour, and Associates. The plan depicts parking for the site encroaching on the adjacent property to the east. Although this is an existing condition and the applicant is proposing removal of some of the encroachment, Clough, Harbour, and Associates does not support continuation of this condition. It is recommended that all parking necessary to support the

use to be included within the project site or covered by an appropriate easement governing such use. It should be verified that the existing sanitary sewer system including grease traps are operating properly and are adequately sized to accommodate the restaurant facilities. This does not appear to have been verified when the patio area was initially put into use. The labels for the proposed landscaping should correspond with the landscaping legend. The handicap parking signage should be shown on the site plan or verified as existing. The project site is located within the Vischer Ferry Road Corridor GEIS study area. Mitigation fees for the expanded use may be applicable. The applicant's consultant should prepare an analysis to aid in the Board's determination of mitigation fees.

The ECC found the project acceptable.

Mr. Bulger found the plan generally acceptable, though he identified the following items to be addressed prior to the granting of final approval: the submission of colored façade renderings; a note on the plan regarding the establishment of an easement allowing access from and to adjoining sites; sign-off from the Saratoga County Sewer District.

New Business

[2005-053] Baptist Church of Clifton Park – Proposed (2) lot subdivision, Clifton Park Center Road – Conceptual review.

Mr. Gil VanGuilder, the applicant's consultant, presented this application that calls for the subdivision of 18.356 acres of land in an R-1 zone into lots of 43,525 SF and 17.357 acres, respectively. The smaller parcel on the southerly side of Clifton Park Center Road will contain an existing residence. The remaining parcel will contain the existing church, cemetery, and accessory buildings. The residence will no longer be used as a parsonage. The property is served by the Clifton Park Water Authority and an individual septic system.

Mr. Kemper found the project acceptable.

Mr. Grasso explained that Clough, Harbour, and Associates reviewed the subdivision plan for this project and offered the following comments. The project is located in the Vischer Ferry Road Corridor GEIS study area. The proposed subdivision appears to comply with the Findings Statement which includes a maximum density of one lot per 40,000 square feet. Because no new principal buildings are expected to be created as a result of the action, mitigation fees may not be applicable. The proposed project appears to be an "Unlisted" action pursuant to SEQRA, and as such, coordinated review is optional. The involved agencies include the Clifton Park Planning Board for subdivision approval and possibly the Zoning Board of Appeals for a possible front yard variance. The location of the existing septic system should be shown on the plan.

The ECC offered no comment on the application.

Following a brief discussion regarding Mr. Grasso's comments concerning the Statement of Findings for the Vischer Ferry Road Corridor, Board members agreed that the smaller parcel could not be further subdivided.

#### Minutes Approval

Mr. Bulger moved, seconded by Mr. Karam, approval of the minutes of October 6, 2005 as written. The motion was unanimously carried.

Mr. Bulger moved, seconded by Ms. Pace, adjournment of the meeting at 9:20p.m. The motion was unanimously carried. The next meeting of the Planning Board will be held as scheduled on Wednesday, November 9, 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

#### Resolution #33

##### 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 October 25, 2005, there were:

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

Absent: None

Mr. Russell offered Resolution #33, and Mr. Larkin seconded, and

Whereas, an application has been made to this Board by Sandra Towers for approval of a subdivision entitled Subdivision of Lands of Sandra Towers consisting of (2) lots.

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on October 25, 2005 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 October 25, 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 Subdivision of Lands of Sandra Towers consisting of (2) lots is hereby granted preliminary and final approval conditioned upon satisfaction of the comments issued by Mr. Kemper, Mr. Grasso, approval by the Zoning Board of Appeals for a 19' setback variance for the existing home, and connection of both properties to municipal sewer and water systems or certification that the systems associated with the existing home are operating properly.

Resolution #32 passed 10/25/05

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

Noes: None

Steven J. Bulger,  
Chairman