Clifton Park Planning Board Meeting Minutes
January 24, 2006

Those present at the January 24, 2006 Planning Board meeting were:

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

Those absent were: S. Hughes
J. Larkin arrived at 7:28p.m.

Those also present were: J. Kemper, Director of Planning; J. Viggiani, Open Space Coordinator; J. Grasso, Clough, Harbour and Associates; 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:

[2005-058] Dunseath, Hugh – Proposed (2) lot subdivision, Moe Road, Preliminary public hearing and possible determination.

Mr. Bulger, Chairman, called the public hearing to order at 7:10p.m. The Secretary read the public notice as published in the Daily Gazette on January 16, 2006.

Brien Ragone, consultant for the applicant, presented this application that remains generally as presented at the November 22, 2005 Planning Board meeting. Mr. Ragone explained that the applicant proposes the construction of a single-family residence on the new lot with water service provided by the Clifton Park Water Authority. A septic system will be installed on site.

Mr. Kemper reported that this project last appeared before the Board on November 22, 2005 at which time the only major issue raised by the Board members was the location of the well on the adjoining property. The adjoining property owner has submitted a signed statement indicating that the well is where it is shown on the plans. Steve Myers, Director of Building and Development, provided a memo dated January 10, 2006 that included the following comments: "As stated on previous reviews, the subdivision creates a keyhole lot which requires a 50' setback on all sides. The driveway will be required to meet the requirements for emergency vehicle access." Mr. Kemper asked that the 100 foot buffer be labeled as Town of Clifton Park L-C zone. A sign-off must be provided by the Clifton Park Water Authority.

Mr. Grasso found the project acceptable.

Mr. O'Brien, Environmental Specialist, reported that the ECC offered the following comments regarding this application. After reviewing the project, the ECC reiterated the following comments. 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.
• 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).
• This parcel (subdivision) is located in an area where aviation activity occurs. Such activity may include, but is not limited to periodic noise, vibration, hours of operation, and other associated activities. A study describing this impact in detail is available for inspection in the office of the Albany International Airport.
Additionally, the ECC offered the following comments. The applicant shall delineate the DEC wetlands and indicate them along with their associate Land Conservation (LC) Zone. The following additional standard statement should be added to the plot plan:
• The Land Conservation (LC) Zone has been delineated in accordance with Section 208-69 of the Clifton Park Town Code. 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.

There being no public comment, Mr. Bulger moved, seconded by Ms. Pace, to close the public hearing at 7:16p.m. The motion was unanimously carried.

Mr. Bulger read a letter sent by Mr. John Caher who resides at 10 Bridle Path that registered his opposition to the proposed subdivision. He believes that this subdivision would encroach on an existing sensitive wetland area: he would prefer to see the area maintained as forever wild. The applicant's consultant noted that the approximate wetland boundary has been shown on the plan as has the approximate location of the proposed septic system. Adequate separation has been provided.

Mr. Karam moved, seconded by Ms. Pace, 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 #4, seconded by Mr. Russell, to waive the final hearing for this application, and to grant preliminary and final subdivision approval to this application conditioned upon satisfaction of the comments offered by Mr. Kemper. Ayes: Kramer, Pace, Karam, Hughes, Russell, Bulger. Noes: None.

Old Business

[2005-066] TCT Federal Credit Union – Proposed 3600 SF credit union, Vischer Ferry Road – Preliminary site plan review and possible determination.

Mr. Nick Costa, consultant for the applicant, presented this application that remains generally as presented for conceptual review. The speaker reported that the applicant has addressed a number of the concerns identified by the Town Engineer and Board members at the December 13, 2005 meeting. The plan has been revised to show a front yard setback of 80 feet. Information regarding traffic impacts was provided. TCT reports that at peak use – Friday afternoons – approximately 27 vehicles will utilize the site. It has been the credit union's experience that customers who cannot find parking spaces leave the site. The applicant wishes to eliminate this inconvenience at the new facility. The site will have more that 69% green space. Mr. Costa reported that the applicant is willing to provide an easement along the DwaasKill corridor for installation of the sewer infrastructure. A lighting plan will incorporate house shields for those portions of the site that are adjacent to residential properties.

Mr. Costa introduced Mr. John Riley, project architect, who presented a colored rendering of the proposed facility. He explained that the building has been designed to be compatible with adjoining buildings with a semi-residential design. Columns have been added to accentuate the front entranceway and to enhance the drive-thru area.

Mr. Kemper reported that this project was considered by the Board on December 13, 2005. Board members found the plan generally acceptable. Members did request that some of parking spaces be eliminated. CIP fees will be due on this project. Colored façade renderings with building materials must be included in the set of plans submitted for stamping. A sign-off must be provided from Sheryl Reed. House shields must be added to the lighting plans. Mr. Kemper advised the applicant to remove all indications of signage from the façade rendering submitted with the final plan.

Mr. Grasso reported that Clough, Harbour, and Associates reviewed this plan and offered the following comments. The speaker first reiterated comments made at a previous meeting. The current plan appears to show a twenty foot setback line along the front of the property. Section 208-38 of the Town's Zoning Ordinance requires that front yard setbacks in a B-3 zone be established at eighty (80) feet. The plan should be revised to comply with this provision. The plan provides for a total of thirty-two (32) parking spaces. This number is fourteen spaces beyond the number required by the Town code. The applicant should provide justification for the greater number of spaces. If justification is not provided the Board may require the applicant to "land bank" the excess spaces until their need can be justified by the actual use of the building. The applicant should provide a sanitary sewer easement extending between Manhole C-7 as shown on the plan and a point to be determined at the northwesterly corner of the property. The applicant should consult with the Town's engineer to determine the best location for this easement. If the site development proposal will impact in any way the ability to install this trunk sewer extension at any point in the future, it is recommended that a dry sewer line and two manholes be installed at this time.

The Town Engineer then offered additional comments. In order to verify 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 areas to a depth of 2' below the bottom of the basins. The final stormwater report should have the seal and signature of a licensed New York State Professional Engineer. NSYDEC guidelines require a safety bench for those stormwater management areas with side slopes of 3:1 on or greater. Fencing the stormwater basin as a safety precaution for those areas of the stormwater basin which exceed that maximum slope is recommended. The required aquatic bench within the pocket pond must be provided. A detailed landscaping plan should be provided for the stormwater management basin per NYSDEC manual guidelines. The applicant should verify lighting and photometric plans as they appear to differ. Mounting heights, fixtures types, and other details should match on both plans. Photometrics should represent a house side shield for those portions of the site adjacent to residential properties. A scale must be added to the plan sheets. Since the project will involve the disturbance of greater then 1 acre of land, the applicant is required to submit a Notice of Intent (NOI) pursuant to the State Pollution Discharge Elimination System (SPDES). It is recommended that the SWPPP be expanded to include the following: sequence of activities; temporary & permanent stabilization measures; waste disposal; timing of controls; maintenance and inspection procedures; inventory of materials; spill prevention; hazardous product handling.

Board members discussed the requested easement to provide for a sewer extension across the site and/or installation of the line. The consultant noted that the applicant would be willing to provide an easement that would permit installation of the sewer line across the rear of the parcel. Since the applicant will not benefit from the installation of the line, however, he is not willing to install it. Following a brief discussion regarding the sewer issue, Mr. Bulger recommended that representatives of the sewer district, the applicant, and Town officials meet to determine the best way to provide for sewer connections in the future.

Mr. Kramer reminded the Board that an easement to the existing North Country Commons was discussed at the previous meeting. Members decided that such a provision would not be necessary. Mr. Kramer also commented that the architectural design was attractive and "fit well" with the buildings on adjoining properties. Mr. Bulger noted that the proposed project represented a significant reduction in density than the restaurant and recreational area previously presented for review. He believed that the number of parking spaces was reasonable since significant greenspace has been provided on the site.

Mr. Karam moved, seconded by Ms. Pace, 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. Kramer moved, seconded by Mr. Karam, to grant preliminary and final site plan approval to this application conditioned upon satisfaction of the comments provided by Mr. Kemper and Mr. Grasso and a satisfactory resolution of the issues surrounding the sewer line. Ayes: Kramer, Pace, Karam, Russell, Hughes Bulger. Noes: None. Abstained: Larkin.

New Business

[2006-002] Roschinsky, Mark – Proposed transfer of .46 acres from 868 Main Street to 866 Main Street, Jonesville – Conceptual review.

Mr. Gil VanGuilder, consultant for the applicant, presented this application that calls for the transfer of .46 acres of land from 868 Main Street owned by Country Club Acres to adjoining property owners at 866 Main Street. The area to be transferred has been used by the Roschinsky family for lawn area for the past several years. No new building lots will be created by this action and no changes to the property are proposed.

Mr. Kemper reported receipt of the following comments from Steve Myers: "The parcels involved in the proposed transfer have been previously zoned R-3 (866) and a combination of R-1 and B-3 (868). 866 Main is now zoned B-3 which means land transfer is not between different zones. The application notes current zoning as R-1 only which is incorrect since only the northern portion of 868 Main is R-1." Mr. Myers will need to determine if the lot at 868 Main Street will become a keyhole lot. A consolidated deed must be submitted for review.

Mr. Grasso reported that although no written comments were prepared by Clough, Harbour, and Associates, Mr. Myers' determination regarding whether or not Lots 868 will become a keyhole lot should be required.

Mr. Kemper reported that the ECC found this project plan acceptable.

Board members agreed that the plan was acceptable.

Discussion Items

Mr. Kemper presented a plan submitted by Mr. John Brock for development of a 28-acre parcel of land located at the intersection of Glenridge Road and Balltown Road. The parcel is now located within the Hamlet Mixed Use (HM) District. Mr. Kemper explained that this applicant submitted a project plan for 170,000 SF of development during the fall and winter of 2002-2003. If the applicant were to pursue his original proposal today, his request for additional density would require a cash outlay of approximately 1.4 million dollars pursuant to incentive zoning provisions. The revised plan now consists of 85,500 SF of office space and 26,500 SF of retail space. This plan, though significantly reduced in scale, would cost the applicant approximately $750,000. The applicant requests that the Town Board or Planning Board consider waiving the applicable fees since the project was well underway prior to the establishment of the moratorium.

Board members discussed the request, concluding that the applicant should submit his request to the Town Board for review and recommendation.

Minutes Approval

Mr. Bulger moved, seconded by Mr. Karam, approval of the minutes of the meeting of January 10, 2006 as written. The motion was unanimously carried.

Mr. Bulger moved, seconded by Ms. Pace, adjournment of the meeting at 7:50p.m. The motion was unanimously carried. The next meeting of the Planning Board will be held as scheduled on February 14, 2006.

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 #4
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 24, 2006, there were:

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

Absent: S. Hughes, J. Larkin

Mr. Bulger offered Resolution #4, and Mr. Hughes seconded, and

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

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held January 24, 2006 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 24, 2006, 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 Hugh Dunseath consisting of (2) lots is hereby granted preliminary and final approval conditioned upon satisfaction of the comments offered by Mr. Kemper.

Resolution #4 passed 1/24/06
Ayes: Kramer, Pace, Karam, Russell, Bulger
Noes: None

Steven J. Bulger,
Chairman