

**Clifton Park Planning Board Meeting Minutes
June 27, 2006**

Those present at the June 27, 2006 Planning Board meeting were:

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

Those absent were: S. Hughes, A. Kramer

Those also present were: J. Kemper, Director of Saratoga County 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

[2006-024] Pasquarell, James - Proposed two-family residence in an R-1 zone, 10 Linden Court – Public hearing for Special Use Permit and preliminary site plan review.

Mr. Bulger, Chairman, called the public hearing to order at 7:12p.m. The Secretary read the public notice as published in the Daily Gazette on June 18, 2006.

Mr. Pasquarell, applicant presented this application. He requests approval of a Special Use Permit that would allow the construction of a two-family residence in an R-1 zone. The speaker explained that he received approval of a setback variance from the Zoning Board of Appeals on August 16, 2006. The variance allowed for a variance of 9 feet from the required setback: the setback would permit a 1 foot setback to provide for the construction of a two-car garage. Since his daughter is now in need of an apartment, Mr. Pasquarell intends to construct a 900 SF apartment above the garage. He will be using roofing and siding materials that match the existing home.

Mr. Kemper explained that the property is bordered by a 55' strip that provides access to property currently owned by the Town of Clifton Park and he advised Mr. Pasquarell that the area may become an entranceway to a park. He reported that Mr. Myers, Director of Building and Development, has requested that the applicant provide a certified survey map to confirm the setback from Town-owned property. Mr. Kemper recommended that a colored rendering of the proposed addition be provided to ensure its compatibility with the existing residence.

Mr. Grasso asked that the existing tree line be maintained. Mr. Pasquarell stated that the trees are located on Town-owned property and, therefore, will remain.

Mr. O'Brien, Environmental Specialist, reported that the ECC found the project acceptable.

There being no public comment, Mr. Bulger moved, seconded by Ms. Pace, to close the public hearing at 7:19p.m. The motion was unanimously carried.

Mr. Karam mentioned Mr. Myers' comment on the application form that reported that there appeared to be an equipment trailer, scaffolding, and a vehicle stored on the Town property. Mr. Pasquarell stated that these items have been moved to his back yard.

The Board first considered the Special Use Permit application.

Mr. Bulger 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.

Ms. Pace offered Resolution #17, seconded by Mr. Bulger, to grant approval to this Special Use Permit application. Ayes: Larkin, Pace, Karam, Russell, Bulger. Noes: None.

The Board next considered the site plan.

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

Old Business

[2004-051] Cillis Builders – Proposed (12) lot subdivision, Bruno Road – Final determination from public hearing held on October 6, 2005.

Mr. Gavin Vuillaume, consultant for the applicant, explained that the most significant issue to be addressed prior to final approval for this project was the issuance of wetland permits. He explained that on June 7, 2006, the New York State Department of Environmental Conservation (NYSDEC) issued the following permits for the project: Article 24 Freshwater Wetlands Permit; Article 15, Protection of Waters Permit; 401 Water Quality Certification. In addition to these permits, the applicant applied for Nationwide Permit 39, Commercial, Residential, and Institutional Developments, from the United States Army Corps of Engineers (USACE) to disturb .18 acre of wetland and 15 linear feet of stream channel in association with the project. No additional information was requested from the ACOE and over 45 days has passed since the submittal of the application. In accordance with ACOE Nationwide Permit Program general conditions,

the applicant is able to proceed without further authorization from the ACOE.

Mr. Vuillaume reported that substantial effort has gone into designing drainage improvements along Bruno Road. The proposed improvements have been reviewed by McDonald Engineering, have been deemed acceptable, and will be included in the design plans.

Mr. Kemper reported that several residents of Glenbrook Drive have expressed concerns regarding the proposed removal of trees between Lots #44 and #50. This tree removal is necessary to accommodate the installation of the sewer connection from Glenbrook Court to Nicole Court. Mr. Vuillaume agreed to “center” the line as much as possible, minimizing clearing to the greatest extent practicable, to tag the trees to be removed, and to meet with the residents to explain the sewer connection process. Mr. Kemper also asked that the fencing along Lot #1 and the Town property be illustrated on the plan. Mr. Kemper explained that a preliminary public hearing was held on October 6, 2005. The project was last considered by the Board on January 10, 2006 when the Board issued a negative declaration pursuant to SEQRA and granted preliminary subdivision approval.

Mr. Grasso reported that Clough, Harbour, and Associates’ review of the revised plan resulted in the following comments. The firm previously recommended that an existing berm along the backyard of the existing house remain to buffer views towards the rear yards on Lots #5, #7 and #9. The seventeen 7’ high white pines spread across over 300 feet may only provide limited screening. Clough, Harbour, and Associates remained concerned over the rear yard drainage behind Lots #8, #10, #12 and #14: it is recommended that a storm sewer be extended between at least two of the lots to provide a point to grade to as the lots are developed.

Mr. O’Brien, Environmental Specialist, reported that, after reviewing project plans, the ECC offered the following comments. The applicant should outline any inspection or performance requirements required by the Army Corps of Engineers (ACOE) for the wetland mitigation area. The Town of Clifton Park shall be copied on all correspondence and reports. Due to potential cost and liability, the Town of Clifton Park will accept conveyance when the applicant completes all reporting requirements imposed by the ACOE and upon the ACOE determining that the wetland mitigation program has been completed.

Mr. Karam asked the applicant to address Clough, Harbour, and Associates’ concerns regarding the number of trees shown on the plan that would be provided to screen the existing residence. Though Mr. Vuillaume explained that the applicant would like to minimize grading and land disturbance in the area, it was the consensus of the Board that additional trees would be needed to provide adequate buffering. Mr. Larkin’s concern focused on the drainage to the rear of Lots #8, #10, #12, and #14. Mr. Vuillaume stated that the lots would have at least 50 feet of useable rear yard area. He agreed to extend the storm sewer in the area to minimize the rear yard drainage and impacts to adjoining properties on Glenbrook Court.

Mr. Bulger commended the applicant for working with the Board and area property owners to improve existing drainage problems along Bruno Road and for creating a plan that would preserve the existing residence.

Mr. Karam offered Resolution #18, seconded by Ms. Pace, to grant final subdivision approval to this application conditioned upon satisfaction of the comments offered by Mr. Kemper, Mr. Grasso, and the Board. Ayes: Larkin, Pace, Karam, Russell, Bulger. Noes: None

New Business

[2005-060] Belmonte Builders – Proposed (33) lots (Waite Meadows Subdivision), 626 Waite Road – Revised conceptual review.

Mr. Dom Arico, consultant for the applicant, presented this application for the Board's consideration. He noted that the wetlands have been verified on site: on-site investigations determined that there are more wetlands than originally mapped, particularly along the northern portion of the site. The 80' wide boulevard remains as do three cul-de-sacs. A pedestrian pathway is illustrated on the plan and includes a "loop" through the densely-treed area in the northeastern portion of the site. Though ACOE representatives have visited the site, no jurisdictional letter has been provided. The consultant explained that wetland disturbance will be minimized and that mitigation will be provided on the development site. Homes will be set back approximately 100 feet from the roadway. Water and sewer lines will be connected to existing lines along NYS Route 146.

Mr. Kemper reported that Steve Myers, Director of Building and Development provided a memo stating that he had no additional concerns regarding this application. The speaker explained that the applicant must determine if he will seek Town Board approval of additional lots through the amenity zoning process. The plan now shows the recommended fencing, though landscaping for the boulevard entranceway has not been included on the plan. Sign-offs will be required from the sewer district, Clifton Park Water Authority, the ACOE, and NYSDEC. Mr. Kemper believes that the proposed trail will be a benefit to the neighborhood.

Mr. Grasso read the several comments prepared by Clough, Harbour, and Associates. In general the plan does a commendable job at incorporating many of the features required in the CR (Conservation Residential) zoning district and the zones development guidelines. Noteworthy features include minimization of impacts to environmentally sensitive features (primarily federal wetland and streams) and a layout that has rural development characteristics (low density visible from existing collector roads and inclusion of two mini-farmstead lots). These characteristics should continue to be developed and strengthened as level of detail on the plans increases. It appears that the extent of unconstrained land (96.95 acres) has been correctly calculated, though this is subject to confirmation of the wetland boundaries by the Army Corps of Engineers and NYSDEC. The resultant maximum allowable density is 32 lots. Because 35 lots are

proposed, the project will be seeking a 3 lot density bonus per the amenity zoning. At \$30,000 per amenity lot, a total of \$90,000 will be required for contribution to the Town's dedicated open space fund. This will require approval by the Town Board.

In order to avoid landlocked open space parcels, Clough, Harbour, and Associates recommends that areas of open space behind Lots #13, #14, #15 and #20 be provided to allow interconnected open space and appropriate access by the Town. Measures to address the protection of the federal wetlands within the lots should be included in the plans.

The buildable land within the two mini-farmstead lots should not include any of the federal wetland areas and these areas should be established with a readily visible feature such as a split rail fence. A detailed description of the allowable and restricted uses of these lots should be provided and the measures necessary to guarantee performance should be discussed with the Planning Board. It is Clough, Harbour, and Associates' understanding that the sewer main installed along Route 146 to serve the Corporate Commerce Zone is a 3" diameter low pressure force main. The ability of such a small main to serve full build-out of the 21st Century Park and 33 homes should be verified. The firm recommends that a narrative description of the plans for extension of water and sewer to serve the project be submitted. The adequacy of the site distance at the proposed access to Waite Road should be verified and reflected on the plans. The CR (Conservation Residential) district requires a minimum 50 foot setback between structures and federal wetlands.

Mr. O'Brien, Environmental Specialist, reported that the ECC offered the following comments on this application. The ECC suggests that the applicant clarify the meaning of dedicated open space on what appears to be private building lots. The applicant will be required to perform a jurisdictional determination on the wetlands labeled "potential isolated wetlands." The trails subcommittee should review the proposed trail system for the desirability of a connection to Waite Road.

Mr. Bulger commented that it is important to remember that the initial application for this parcel proposed 144 single-family residential lots. It stands as a significant example of the benefits provided by the GEIS study for Western Clifton Park and subsequent zoning legislation. Mr. Karam expressed his approval of the lay-out design as did Mr. Russell. In response to Mr. Larkin's concerns regarding disturbance to ACOE wetlands, Mr. Arico explained that culverts will be installed to ensure uninterrupted drainage and/or water flow. Ms. Pace's concern involved the disturbance of the apparent tree line intersecting one of the lots on the northern side of the roadway. Mr. Arico explained that the area contained mostly brush and scrub-type vegetation that could be removed by the future owner. Mr. Larkin commented that he would like to see the isolated open space areas combined and, to accomplish this, he recommended that the applicant consider the elimination of the two "farmette" lots. Mr. Bulger supported protection of the isolated wetlands and he found the proposed trail acceptable. Mr. Kemper recommended the addition of park benches or other amenities along the stormwater management area located near the center of the site.

[2006-022] Parkland Development – Proposed (12) townhomes in (6) buildings, NYS Route 146 – Conceptual site plan review.

Mr. Vuillaume, consultant for the applicant, presented this application that has been revised since it was submitted on June 7, 2006. The speaker explained that, as a result of a formal wetland delineation, two of the proposed units have been omitted from the plan: the plan now shows (10) townhomes on a 5.12 acre parcel. Mr. Vuillaume explained, however, that the applicant reserves the right to increase the site's density through the amenity zoning law. The driveway locations have been changed in response to a comment offered by Clough, Harbour, and Associates. Mr. Vuillaume reported that the townhomes will be served by existing water and sewer systems located along NYS Route 146, that the proposed access along NYS Route 146 must be approved by NYSDOT, and that the applicant will consider a trail connection that would link it to the existing Sterling Heights subdivision. The consultant explained that attempts were underway to align the proposed project with the access for the approved Brookhaven Subdivision located on the south side of Route 146.

Mr. Kemper offered several comments on the application. He noted that sign-offs would be required from NYSDOT, the Army Corps of Engineers, the Saratoga County Sewer District, and the Clifton Park Water Authority. He asked that documentation of the proposed Homeowners' Association be prepared and submitted for review. The applicant will be required to provide a stormwater management plan. Architectural renderings must be submitted with the preliminary application. Mr. Myers stated in a memo dated June 13, 2006 that "a Special Use Permit for two-family homes is needed." He also commented that "a base density of 3,000 SF of multi-family per acre of unconstrained land appears to have been met." Ms. Reed offered a number of concerns in a memo dated June 27, 2006. She noted that (12) living units on a "Private Driveway or Road" raises numerous concerns for emergency service access. She listed the following items to be considered:

- Who will maintain the road in the future specifically if a homeowners association is formed then dissolves?
- Overflow parking into the "Private Road" is a serious problem for emergency equipment accessibility.
- The turning radius on the "Private Road/Driveway" is much smaller than it is for a Town Road.
- Will hydrants be placed on the "Private Road"?

She concluded that it would be in the best interest of emergency service personnel to provide a "Town Road" to the proposed (12) living units.

Mr. Grasso offered the following comments prepared by Clough, Harbour, and Associates. The project site is permitted within the HM (Hamlet Mixed Use) zone and multi-family dwellings are located within this zone. The zone limits density to 3,000 square feet of residential area per acre of unconstrained acre within the project site. Because the zoning does not differentiate or define the types of building square footage, it is assumed all area per floor including garage space counts towards the project's

density. This should be confirmed by the code enforcement officer. The plan indicates 1,200 square feet per unit: this seems extremely small for the current industry average. The amount of constrained land should be verified as it greatly affects the allowable density. A jurisdictional determination from the Army Corps of Engineers should be provided. The plan indicates that the intersection with the proposed residential street across NYS Route 146 will require re-alignment. Plans for the relocation should be presented so the Board can consider the necessary changes to that previously approved project. Correspondence from NYSDOT should be provided. The plan fails to propose any open space even though the project site lies adjacent to open space within an adjacent subdivision (Sterling Heights) that was developed prior to the new Land Conservation Plan and Open Space zoning legislation. It is recommended that the northwest corner of the site be proposed open space, thereby providing a significant buffer of approximately 300 feet from the large NYSDEC wetland complex. This upland buffer will provide a viable wildlife corridor around the wetland complex. A continuous easement to the Town should be provided over the access road to allow cross access connections from the adjoining properties. Pedestrian facilities connecting this project to the Sterling Heights subdivision should be provided. Clough, Harbour, and Associates does not support the narrow strip provided between the driveways, as the width of the two driveways dominates and negatively impacts the curb appeal of the townhouses. More aesthetically pleasing site layouts and footprints should be considered.

Mr. O'Brien, Environmental Specialist, reported that, after reviewing the project, the ECC offered the following comments. This parcel is heavily wooded. Therefore, the applicant should incorporate the existing vegetation to the maximum extent possible. The applicant should provide a trail connection to the newly built Sterling Heights neighborhood in consolidation with the trails subcommittee.

Mr. Larkin offered several comments on the proposal. He favored the proposed realignment of the proposed roadway with the roadway approved for the Brookhaven Subdivision, though he did not approve of an access drive that would create two front yards for the parcel currently owned by Strzok. He requested a sign-off from the ACOE and asked that Clough, Harbour, and Associates review the proposed stormwater management plan. Mr. Larkin also suggested that the applicant consider providing a section of the northwestern portion of the property as open space to provide continuity with existing open space areas. He recommended that the proposed homes be moved to the south to provide additional open space area and proposed that the applicant consider incorporating cluster design elements into the project plan. Mr. Karam and Mr. Bulger both expressed concerns about the roadway design. The applicant was instructed to be certain that the roadway was constructed to Town standards and that it be approved by Ms. Reed, Chief of the Bureau of Fire Prevention. The Board found the project proposal generally acceptable.

[2006-023] MRK Realty, LLC – Proposed 3,750 SF additional office space and (9) parking spaces to existing building, 653 Plank Road – Conceptual site plan review.

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

Board's consideration, explaining that the applicant proposes to utilize the basement portion of an existing office building for additional professional office space. Nine additional parking spaces are also proposed. A traffic study completed by Creighton Manning Engineers, LLP provides an analysis of area roadways and concludes that "the proposed expansion of the existing Plank Road Office Building will not have a significant impact on existing traffic conditions." The plan proposes an additional wetland disturbance of 3,300 SF, installation of a 10' – 12' retaining wall, and an additional culvert. Mr. Vuillaume explained that the original approval was dependent upon setback variances from the Zoning Board of Appeals and the Planning Board restriction that the "basement floor being utilized for storage purposes only."

Mr. Kemper reported that the Saratoga County Planning Board returned this application for a local decision at its June 15, 2006 meeting. He listed the several previous approvals granted to this application and the several re-affirmations by the Board that restricted use of the basement to storage only uses. He explained that Ms. Reed provided the following comment regarding the application: the applicant must provide a code-compliant Handicapped Accessible walkway per the State Code from all basement exits to the parking lot area. Mr. Kemper noted that approval of the design plan will require the approval of additional variances by the Zoning Board of Appeals.

Mr. Grasso reported that Clough, Harbour, and Associates' review of the proposed resulted in several comments. The proposed project is appears to be an "Unlisted" action pursuant to SEQR: coordinated review is optional. Involved agencies are expected to include the following: Clifton Park Planning Board – Site Plan Approval; Clifton Park Zoning Board of Appeals-Area Variance. The plan proposes constructing nine additional parking spaces, predominately within a federal wetland area and within the LC (Land Conservation) zoning district. In addition, additional encroachment up to the existing stream is proposed, leaving very little natural buffer along the stream corridor. Deed restricting 1.1 acres on the other side of the stream in an area already restricted from development does not appear to be appropriate mitigation for the project's environmental impacts. Variances will be required for the proposed parking and expanded use of the building. The limits of the LC-Land Conservation zoning district should be shown on the plan. The concept plan fails to address storm water management from the additional pavement areas. There is a note on the plan that states "The Town of Clifton Park Planning Board granted approval to this site plan conditioned upon the basement floor being utilized for storage purposes only. This restriction will be enforced." Clarification should be provided as to how this proposal conforms to the restriction.

Clough, Harbour, and Associates does not support extension of the Town's storm sewer across the parking lot and through the proposed retaining wall. A jurisdictional determination should be provided from the Army Corps of Engineers and NYSDEC regarding the site's wetlands and streams and the proposed impacts. The location of the dumpster should be addressed on the plans. It is recommended that a Full EAF be prepared for the project. The response to question #8 regarding conformance with existing zoning and land use restrictions should be revised to "No". The project site is located within the Exit 9 Area GEIS study area, and as such, conformance with the

statement of findings will be required. The traffic study indicates that the available sight distance looking left for left-turning vehicles exiting the site is 470 feet whereas the guidelines presented in the American Association of State Highway and Transportation Officials (AASHTO) A Policy on Geometric Design of Highways and Streets, 2004 recommends a 500 feet minimum. Revisions to the intersection warning signage are proposed as mitigation. The applicant's consultant should clarify if there is any decrease in safety caused by the deficiency in sight distance.

Mr. O'Brien, Environmental Specialist, reported that, after reviewing the project, the ECC offered the following comment. The current site was labeled as a restricted site. Any expansion would negatively impact the initial approved use and site design. The ECC believes the Planning Board should not change its initial approval, thereby protecting the environmental integrity of the site.

Board comments were generally unfavorable to the application. Mr. Karam pointed out the expansion of the site has been considered by the Board on several previous occasions. It was continuously rejected. He noted that the applicant previously agreed to the restriction of use that has been noted on the approved site plan. Mr. Larkin explained that all the issues involved in previous decisions are still valid: there is no reason for the Board to modify its position. Mr. Bulger spoke to comment number 6 of Clough, Harbour, and Associates' review letter, asking the applicant's consultant to identify reasons for the current application. Mr. Vuillaume explained that the applicant is asking for relief from that restriction by supplying information regarding traffic, wetlands, and parking. Mr. Bulger responded that the Board is unwilling to consider expansion of the site since the basis for and conditions of approval remain valid.

Mr. Russell recused himself from any comment and/or vote on the application.

Mr. Karam stated that he does not support the applicant's request because of the number of additional negative impacts to the site. Both Mr. Vuillaume and Mr. Klimkewicz, applicant, asked the Board to consider the fact that office space was a reasonable use for the property. Mr. Grasso pointed out the proposal relies on additional, significant impacts to environmentally sensitive areas, concluding that it would not be reasonable to approve an intensity of site use. Mr. Kemper noted that the applicant had purchased the property though he was well aware of the restrictions imposed on its use by the Planning Board. Mr. Bulger explained that he viewed the application as a "violation of an existing site plan" and that he could find no reason to review the application again.

Minutes Approval:

Mr. Bulger moved, seconded by Mr. Karam, approval of the minutes of June 13, 2006 as amended by Mr. Larkin. The motion was unanimously carried.

Discussion Items

Jolley Associates

On April 11, 2006, the Board reviewed project plans submitted by Jolley Associates for renovation of the existing Mobil station at the intersection of Clifton Country Road and NYS Route 146. At that time the Board identified a number of concerns including the lack of sufficient greenspace, the conspicuous location of the proposed car wash, and traffic flow through the site. Mr. Rob Spiak, consultant for the applicant and representative of Bohler Engineering, and Mr. Sean Crumb, representative of Jolley Associates, presented revised site plans and photographs of other Jolley convenience stores. The Board found the plans much more acceptable since the carwash had been relocated to the rear of the site and driving lanes and parking spaces had been relocated. They recommended that the blue band at the top of the canopy be eliminated and that the applicant add elements of visual interest to the solid wall areas.

Cumberland Farms

Mr. Rob Spiak, consultant for Cumberland Farms, explained that his client would like to operate a Dunkin' Donuts franchise within the existing Cumberland Farms store at the intersection of NYS Route 146 and NYS Route 146A. With the exception of an additional identification sign, no exterior changes are proposed. The plan calls for the removal of an existing coffee bar and the installation of a Dunkin' Donuts counter.

Mr. Martin Auffredou, attorney for Cumberland Farms, has sent a certified letter to VanVranken Associates, owner of the adjoining shopping center, requesting the establishment of a cross easement between the Cumberland Farms parcel and the shopping center.

Board members noted that this minor change to the building required Building Department approvals – no action by the Planning Board would be necessary.

Telecommunications Tower – Jonesville Fire House

Mr. John Stevens, consultant for the applicant, presented a sketch of the proposed location for the installation of the proposed telecommunications tower. The applicant originally proposed locating the tower on the southwestern corner of the site. Plans now show that the tower will be located in the center of the parcel near an existing barn on lands owned by the Jonesville Volunteer Fire Department. Board members found the new location much more acceptable since there was a greater distance between the tower and existing residences.

Jonesville Fire House

Mr. Bulger explained that the Jonesville Fire District would like to replace the existing firehouse on NYS Route 146A. Though the Planning Board does not have review powers, it may determine whether or not the proposed construction “fits within the fire district’s governmental role.” Mr. Pelagalli explained that the Board may determine if the

proposed project is undertaken to provide service to the public and whether benefits derived from the project would outweigh negative impacts. The fire district will present its project proposal to the Board for consideration.

Rekucki Office Building

Mr. Rekucki provided renderings of proposed changes to the roofline of the self-storage facility currently under construction near the intersection of Ushers Road and U.S. Route 9. The original mansard roof will be replaced with fiber cement siding in a light gray color placed horizontally to create a parapet. Board members were not in favor of the change and were concerned that it would be visible from Ushers Road. They agreed to drive by the site to determine if the proposed change would create a significant negative visual impact.

Best Western

Michael Kopchick, architect and representative of Best Western provided drawings of proposed changes to the buildings façade. Board members agreed that the proposed addition of dormers above secondary entranceways would be acceptable. No formal site plan review would be required.

Mr. Bulger moved, seconded by Mr. Larkin, adjournment of the meeting at 10:00p.m. The motion was unanimously carried. The next meeting of the Planning Board will be held as scheduled on July 11, 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.

NOTICE OF DECISION

Resolution #17

APPROVAL

Special Use Permit

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on June 27, 2006 there were:

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

Absent: S. Hughes A. Kramer

Ms. Pace offered Resolution #17 and Mr. Bulger seconded, and

Whereas, an application has been made to this Board by James W. Pasquarell for approval of Special Use Permit #80607 to permit the construction of a two-family dwelling in an R-1 zone pursuant to Section 208-79 of the Town Code;

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on June 27, 2006 in the Town Office Building,

Whereas, the Planning Board was established as Lead Agency for this application, an unlisted action, and a negative declaration was issued pursuant to SEQRA, and

Whereas, it appears to be in the best interest of the Town that said application be approved,

Now therefore, be it resolved that the application of to permit by James W. Pasquarell for approval of Special Use Permit #80607 to permit the construction of a two-family dwelling in an R-1 zone pursuant to Section 208-79 of the Town Code is hereby approved conditioned upon satisfaction of the comments offered by Mr. Kemper.

Resolution #17 passed 6/27/06

Ayes: Larkin, Pace, Karam, Russell, Bulger

Noes: None

Steven J. Bulger,
Chairman

NOTICE OF DECISION

Resolution #18

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 June 27, 2006, there were:

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

Absent: S. Hughes, A. Kramer

Mr. Karam offered Resolution #18, and Ms. Pace seconded, and

Whereas, an application has been made to this Board by Cillis Builders for approval of a subdivision entitled Bella Vista consisting of (11) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on October 6, 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 January 10, 2006;

Whereas, it appears to be in the best interest of the Town that said application be approved,

Now, therefore, be it resolved that the subdivision plat entitled Bella Vista is hereby granted final approval conditioned upon satisfaction of the comments offered by Mr. Kemper, Mr. Grasso and the Planning Board.

Resolution #18 passed 6/27/06

Ayes: Larkin, Pace, Karam, Russell, Bulger

Noes: None

Abstained: Russell

Steven J. Bulger,
Chairman