



**Planning Board Meeting**  
**September 25, 2007**

Those present at the September 25, 2007 Planning Board meeting were:

Planning Board: S. Bulger, Chairman, A. Kramer, J. Larkin, S. Pace, J. Thorne,  
T. Werner

Those absent were: None

Those also present were: K. Maynard, Director of Planning;  
J. Grasso, Clough, Harbour and Associates;  
M. O'Brien, Environmental Specialist;  
L. Renzi, Town Attorney  
P. Pelagalli, Counsel;  
J. Dean, Secretary and Assistant Director of  
Planning

Mr. Bulger, Chairman, called the meeting to order at 7:10p.m. All in attendance stood for recitation of the Pledge of Allegiance.

The first three items to be considered at this evening's meeting were deferred from the September 11, 2007 meeting until this evening's meeting due to the ruling that Planning Board meetings end at midnight.

Mr. Lou Renzi, Town Attorney, acted as Counsel until Mr. Pelagalli arrived.

**New Business**

[2007-044] **International Center for Learning** – Proposed (2) lot subdivision, 1585-1587 Route 146, Rexford – Conceptual review.

Mr. Kevin Dailey, legal representative for the applicant, presented this subdivision plan that proposes the subdivision of lands within an existing Planned Development District. Mr. Dailey explained that Local Law #10 of 1999 created a Planned Unit Development district known as the International Center Planned Unit Development. The approximately 10 acre parcel located within the existing B-2 zone provided for the development of six (6) two-story office buildings with approximately 6,000 SF of office space per building and retail space in an existing structure that is generally referred to as the Southard House. The legislation was recently amended to permit office use and/or retail use in the Southard House. The subdivision proposal will permit the current owners to maintain control of a 2.18 parcel that contains the existing two-story brick office building. Mr. Dailey explained that the future use of the remaining 7.82 acres will likely include the development of additional medical office buildings. The older historical structure will be leased back to the present owner.

Mr. Dailey offered additional information regarding possible future development of the site. Noting that medical facilities in Schenectady County were being closed or restructured, he stated that several medical practitioners were considering relocating offices to Saratoga County: the International Center Planned Development District would provide an ideal location for their offices. Mr. Dailey explained that the proposed rear property boundary may be “adjusted” in the future: such an adjustment would be dependent upon approval of a sewer line extension from property owned by the Niskayuna School District. An existing septic system is now located within the proposed property boundary.

Ms. Maynard offered comment on the application, requesting that the discrepancy in lot sizes from subdivision review application form and the plan be corrected. A site statistics table should be shown on plans.

Mr. Grasso explained that Clough, Harbour, and Associates provided the following comments. The proposed project appears to be an “Unlisted” action pursuant to SEQRA, and as such, coordinated review is optional. The only anticipated involved agency is expected to be the Clifton Park Planning Board with Subdivision approval. The parcel is located within the limits of a Planned Development District. It should be verified that the PDD regulations permit the proposed action. An ingress/egress easement located over the access drive should be provided from Lot #2 to Lot #1. The approximate location of the exiting septic area on proposed Lot #2 should be depicted on the plan. NYSDEC regulations require a 100% expansion/replacement area for on-site septic systems and the proposed subdivision will significantly restrict the area available for replacement of the septic system on lot #1. An adequately sized area should be shown on the plan.

In response to Mr. Grasso’s comments regarding the establishment of ingress/egress easements, Mr. Dailey stated that reciprocal easements are proposed.

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

Mr. Bulger stated that he found the project proposal acceptable since the application involved only a subdivision of property. In response to Mr. Werner’s

question regarding access to the site, Mr. Dailey explained that the current access will serve existing buildings as well as future development.

[2007-045] **Steam Plant** – Proposed 13,335 SF addition to existing facility, 900 Commerce Drive – Conceptual site plan review.

Mr. Dan Proper, consultant for the applicant, presented this application for review. The project plan calls for the addition of 13,330 SF to the existing facility on Commerce Drive. The consultant explained that Steam Plant Systems, Inc. is a Solutions & Services provider that specializes in steam generation for industrial and institutional boiler plants, utility power generating stations, cogeneration facilities, and hydroelectric power generation, pulp and paper industry support, and water/waste water treatment plants. Expertise includes process control systems, boilers, auxiliary equipment, steam and condensate distribution, steam and condensate distribution, combustion controls, burner management, emissions monitoring, and the efficient use of steam. Steam Plant Systems is set up to provide comprehensive support in the areas of engineering, systems integration, and field service. The firm also offers mechanical fabrication and equipment supplies for boiler room applications. Mr. Proper explained that there are a number of business operations that are conducted at the Commerce Drive site. These include the following: corporate offices; business development and sales; instrument and control services to the power and process industries including on-site field service for customers; design, hardware purchase, and assembly of industrial control panels; distribution of electrical automation and control products; engineering and design of CHX Heat Recovery systems that are fabricated at the Schoharie County facility.

The project plan calls for an expansion of the building footprint by 10,000 SF, for a total new footprint of 20,000 SF. The new addition would be a single-story building and would be used as warehouse space. Existing office space in the original building would be increased by expanding the two story section and decreasing the single story section. The total expansion of the two story section is planned to be 3,335 SF. The proposed total square footage of the building would be 26,665 SF. The usage of the building area would be as follows: 13,330 SF office space; 3,335 SF factory assembly; 10,000 SF warehouse. The company anticipates that eight (8) new jobs would be created over the next three (3) years. The site currently has eighteen (18) parking spaces. The plan calls for the installation of twenty-two (22) additional spaces and relocation of the dumpster. The facility is currently served by the Clifton Park Water Authority and the Saratoga County Sewer District. A proposed gravel walk way is illustrated on the eastern portion to create a link from the site to Commerce Drive.

Ms. Maynard provided comments prepared by the Planning Department. The applicant was asked to clarify the rationale for the proposed 40 parking spaces since the required number of spaces would be 5. Correspondence from NYSDEC states that there is a possibility that habitat for rare or state-listed animals and plants such as the dusted skipper butterfly and frosted elfin plant lies in close proximity to the site. The applicant must provide further information regarding these species and supply all relevant correspondence to and from NYSDEC to the Planning Department. The property is

located within the Wood Road GEIS area and thus is subject to GEIS findings and fees. GEIS fees were paid in 1997 for the original 10,000SF building. It is recommended that the applicant retain as much of the existing buffer to east as possible. Relocation of the eight (8) evergreens currently serving as a buffer should be considered. The Saratoga County Sewer District requires that a permit application be submitted to determine what impacts the addition will have on the existing private grinder pump and the District's receiving system. The Clifton Park Water Authority has reported that the additional water supply requirements will be well within the available capacity for area. Mr. Steve Myers, Director of Building and Development, reports that the proposal appears to meet most zoning requirements: the parking lot as designed may encroach upon setbacks.

In response to the query regarding the number of parking spaces provided, Mr. Proper explained that this facility serves as the company's main headquarters and often is used for training programs.

Mr. Grasso stated that Clough, Harbour, and Associates provided the following comments regarding this application. 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 be the Clifton Park Planning Board with site plan approval being required. The adequacy of the existing utilities serve the proposed expansion should be evaluated. The adequacy of the existing storm water management area to treat the increase in impervious area should be verified. The proposed acreage of disturbance should be indicated on the plan. Disturbance of greater than 1 acre will require coverage under the NY SPDES General Permit. The proposed building height should be indicated on the plan. The proposed location of the existing trees to be relocated should be indicated on the plan. Retention of screening between this site and the sites to the north is critical. The number of handicapped accessible spaces will need to be increased due to the additional parking.

Mr. O'Brien, Environmental Specialist, provided the comments prepared by the ECC. The applicant must maintain a minimum of forty percent (40%) green space for the parcel. The ECC recommends that the applicant increase the vegetative screening throughout the parcel to reduce the impacts of a larger structure. All exterior lighting shall be directional and limited.

Mr. Proper stated that the existing storm water management basin will be brought into conformance with current standards, vegetation along the northern property boundary will be maintained, and the tractor trailer access will remain. The required 40% green space requirement will be met.

Board members found this application generally acceptable, supporting the recommendation that substantial screening of the site be provided.

[2007-046] **Tra-Tom Development, Inc.** – Proposed land transfer of multiple parcels, Moe Road – Conceptual site plan review.

Mr. Bulger, Chairman, called the public hearing to order at 7:30p.m. The Secretary read the public notice as published in the Daily Gazette on September 20, 2007.

Mr. Joe Dannible, consultant for the applicant, presented this project proposal that calls for the reconfiguration of several lots that border the Carlson Farm subdivision. The reconfiguration of the lots is necessary because the owners of Lots #12, 14, 16, 18, 20, 22, and 24 Huntwood Drive and 258 Moe Road have placed improvements on property that is to be conveyed to the Town of Clifton Park. The Laymans, residents of 258 Moe Road, will receive 14,505 SF of land north of their existing garage. The additional property owners will receive parcels ranging in size from 1,870 SF to 3,690 SF.

Ms. Maynard explained that prior to the stamping of the final subdivision plans for the Carlson Farm Subdivision, it became evident that several property owners had placed fences and other structures on property that was to be conveyed to the Town of Clifton Park as open space. Though the Town first considered requesting removal of the improvements, both Town Attorneys McCarthy and Pelagalli agreed that this multiple land transfer application would be the best and most expedient method of resolving the issue. A consolidated deed for each parcel must be submitted to the Planning Department with the final plat.

Mr. Grasso reported that Clough, Harbour, and Associates provided the following comments regarding this application. The proposed project appears to be an "Unlisted" action pursuant to SEQRA, and as such, coordinated review is optional. Involved agencies are expected to be the Clifton Park Planning Board with subdivision approval. The plan provides for the transfer of small parcels of land to adjoining property owners to remedy encroachments that developed over the years. No improvements are planned for the transferred parcels, other than those that already exist due to the encroachments and no new lots will be created.

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

Mr. Paul Bylenok, 3 Kline Court, spoke in opposition to this application, stating that he believes that this action encourages others encroach on property that does not belong to them. He believes that approval of the application would send the following message to others: "Go ahead and stake your claim – you may be rewarded."

Mr. Jim Baisley, 22 Barkwood Lane, asked that the consultant describe the lands proposed for dedication to the Town. Mr. Dannible pointed out the parcels on both the east and west sides of Moe Road slated for conveyance. Mr. Baisley commented that there were parklands behind other homes within the Huntwood development on which other families might consider locating improvements.

There being no public comment regarding this application, Mr. Bulger moved, seconded by Ms. Pace, to close the public hearing at 7:40p.m. The motion was unanimously carried.

Addressing the comments made by the public, Mr. Bulger explained that approval of this application does mean that the situation is one that the Board condones or encourages. He stated that the Town negotiated with the developer of Carlson Farm to

provide the conveyance of open space and that the transfer of lands to respective property owners appears the most reasonable way of resolving the encroachment issue. He explained that the Board reviews applications on a site-specific basis: no precedent is set for future Board decisions. Mr. Kramer agreed that the proposed multiple land transfers seemed reasonable since, in many instances, the current property owners are not the ones who placed improvements beyond the property boundaries. These owners should not be penalized for encroachment that occurred several years ago. Mr. Larkin commented that his concern was that the encroachment issue was presented to the Board after subdivision approval was granted and the boundaries of the dedicated lands were delineated. He believes that the “concept of squatting” is not acceptable. Ms. Pace stated her dismay that those who used land belonging to others would benefit from the Board’s approval. Mr. Werner stated that the application represents a reasonable accommodation: approval is warranted. Ms. Thorne supported this opinion. Though Mr. Bulger expressed his displeasure with those who would use lands belonging to others, he believes that that approval of the land transfers is the best way to resolve an “unfortunate occurrence”.

Mr. Larkin moved, seconded by Mr. Werner, 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. Thorne offered Resolution #21, seconded by Mr. Kramer, to waive the final hearing for this application and to grant preliminary and final subdivision approval conditioned upon satisfaction of the comments offered by the Planning Department. Ayes: Kramer, Pace, Thorne, Werner, Bulger. Noes: Larkin.

### **Old Business**

[2006-035] **Dickinson, Michael** - Proposed (20) lot subdivision, Main Street – Final review and possible determination.

Mr. Scott Reese, consultant for the applicant and Mr. Bill Nikas, legal representative for the applicant, presented this application for final consideration. Mr. Nikas explained that Mr. Reese has met with Mr. Grasso in an attempt to resolve all outstanding issues. Notes regarding preservation of the Smith house and design review for the two homes proposed along Main Street have been added to the plan. Mr. Nikas stated that language regarding these two restrictions will be forwarded to Mr. Pelagalli for approval and will be placed in a declaration of covenants. All outstanding comments will be addressed.

Ms. Maynard offered comments prepared by the Planning Department. All easements required by the Saratoga County Sewer District must be shown on the plan. The Sewer District also requires the submission of an engineering report to determine impacts of the proposed discharges on receiving systems, particularly the Kinns Road - Carlton Road pump station. The speaker noted that the Historic Preservation Commission continues to be concerned about preservation of Smith House after Mrs. Smith’s death as well as the designs for the two proposed homes fronting on Main Street.

Sign-offs from the Clifton Park Water Authority and Saratoga County Sewer District will be required.

Mr. Steve Myers, Director of Building and Development, provided a number of comments regarding this application. The proposed split rail fence should have gate at access point to the storm water management area. The plan should clarify whether or not the fence will be extended along Crabapple Farm property and the railroad. The Notice of Intent is not included in Storm Water Pollution and Prevention Plan. Information related to the safety bench required for pool depth must be provided. The speaker reported that all required variances have been granted by the Zoning Board of Appeals.

Mr. Grasso stated that Clough, Harbour, and Associates reviewed the subdivision plan last revised September 5, 2007 and Storm Water Pollution Prevention Plan dated September 5, 2007 both prepared by Erdman & Anthony for this project. The following comments from the August 7, 2007 letter remain to be addressed. The subdivision plan should be stamped by a licensed surveyor. The proposed road names and postal addresses should be included on the subdivision plan. An easement should be provided in all locations where the proposed water main is within 10' of the right-of-way limit. The profile should label all that all utility crossings maintain 18" minimum separation. The cul-de-sacs should be graded to provide 1% minimum slope along the outside edge of curb. The centerline slope should be increased to achieve this requirement. The Soil Erosion and Sediment Control Plan should depict how the project will be constructed without disturbing more than 5 acres at one time during the lot development. The Storm Water Pollution Prevention Plan should be stamped and signed by a NYS Licensed Professional Engineer and contain the statement that downstream properties will not be adversely affected by the proposed development. The following additional comment was provided. The subdivision plan does not reflect the pavement and curbing revision to the layout plan around the existing sanitary sewer manhole.

Mr. O'Brien, Environmental Specialist, reported that the ECC found that all of their previous comments had been addressed.

Board members discussed appropriate language for the notes regarding the two homes along Main Street and preservation of the existing residence. It was agreed that if the potential home owners of the homes fronting on Main Street can not agree with Historic Preservation Commission recommendations, site plan review by the Planning Board will be required. Mr. Nikas will provide language for such a note for Mr. Pelagalli's review.

Mr. Bulger explained that the Board had assumed Lead Agency status and issued a negative declaration pursuant to SEQRA, waived the final hearing and granted preliminary subdivision approval at the August 14, 2007 meeting.

Mr. Kramer offered Resolution #22, seconded by Mr. Bulger, to grant final subdivision approval to this application conditioned upon satisfaction of the comments offered by the Planning Department, Clough, Harbour, and Associates, and the Planning Board Ayes: Kramer, Larkin, Pace, Thorne, Werner, Bulger. Noes: None.

[2007-027] **DeMarco-Stone** – Proposed 4,000 SF funeral home, 533 MacElroy Road – Preliminary site plan review and possible determination.

Mr. Francis Bossolini, consultant for the applicant, explained that, in response to Board recommendations issued during conceptual review of this project, a revised plan was submitted at the July 10, 2007 meeting that illustrated relocation of the building closer to the Hatlee – MacElroy Road intersection. At that time members voiced their support for setback variances that would permit the relocation. On August 21, 2007 the Zoning Board of Appeals granted the requested variances. Mr. Bossolini was confident that all issues identified by Clough, Harbour, and Associates could be addressed. He addressed each issue of concern. Parking has been designed in accordance with Town Code and to provide for arrangement of processions on site. The applicant is pursuing discussions regarding provision for overflow parking with adjoining property owners. Connection to a municipal sewer system is being explored, though review and construction costs may be prohibitive. Mr. Bossolini noted that separate discharges from the prep room are held in a “hold and haul” facility for removal by a private hauler. NYSDEC has jurisdiction over the handling of these wastes and ensures that the facility is operated in accordance with all regulations. The applicant is concerned that he may be solely responsible for extension of a sewer line that will benefit a number of other Town residents. The speaker reported that for the first few years of operation, preparation of bodies would occur at another location. Traffic flow has been considered. The site would typically handle three services per week which would generally occur during “off peak” travel times. The consultant proposes signage along MacElroy Road to discourage illegal parking.

Ms. Maynard reported that this project was reviewed by the Planning Board at its July 10, 2007 meeting at which time discussion focused on traffic circulation, parking within the hamlet area, and installation of a septic system. Board members recommended that the applicant pursue shared parking arrangements with adjacent landowners such as the Country Store and/or Grace Chapel church. In response to the Board’s recommendation that reduced setbacks from Hatlee and MacElroy Roads would allow for a more aesthetically pleasing site design, the applicant applied for and received a variance from the 80’ setback requirement: the 30’ setback shown on the revised plan appears to be more in keeping with the adjacent existing residential and commercial land uses. It is recommended that the applicant continue to seek a connection to the municipal sewer system. Façade renderings must be provided for the Board’s consideration: the building’s design should be compatible with the existing neighborhood character.

Mr. Steve Myers, Director of Building and Development, offered the following comment on this application. The plan should clarify the party responsible for maintenance of the CDS unit: the CDS sediment separator unit will be located on private property and maintenance will be required by the property owner. The owner may want to propose a maintenance agreement to the town for the unit since the owner does not possess the equipment needed for cleaning the unit and the town does. No maintenance proposal is included in the Storm Water Pollution and Prevention Plan, just information from the manufacturer on how to clean it. The manufacturer also makes general

recommendations on when to clean the unit, though each installation needs to be analyzed for cleaning frequency. It is recommended that verification of acceptability of septic system use be provided. The proposed septic system design must be stamped and signed by a licensed engineer. Mr. Myers recommended relocation of the septic system to the rear of property to put as much distance as possible between it and residents' water supply. The applicant should investigate whether the project qualifies as a project entering into the waters of NYS since a protected trout stream (Longkill) is located in close proximity.

Mr. Bossolini explained that the proposed storm water management system will be held and maintained privately.

Mr. Grasso offered comments prepared by Clough, Harbour, and Associates for the above referenced project. In general the plans lack sufficient detail for site plan approval: additional detail with respect to all plans is required. Provisions for overflow parking are a significant concern that has not been addressed adequately. The landscaping plan should be revised since it provides an overuse of apples and minimal use of shrubs and under story plantings. The minimum caliper for deciduous trees should be 3"-3 1/2". Verification that emergency vehicle apparatus can maneuver through the site should be completed. The height of the proposed light fixtures should be indicated on the plan and a cut sheet for the wall mounted lights should be provided. The detail with 42" concrete bases does not appear to be applicable. The plans should specify the hours of use for the lighting. In keeping with the residential uses in close proximity to the site, the maximum fixture height shall be no greater than twenty feet. Details should be provided for the proposed screening fence. A typical wood stockade fence is not appropriate for this setting and type of commercial use. A twenty-two foot wide entrance aisle appears too narrow for the intended use. A "No Parking" sign should be added to the striped aisle adjacent to the accessible space and a "Do Not Enter" sign should be provided at the northeast corner of the parking lot at the exit of the one-way drive. The dashed lines that appear to depict the outline of the underground infiltrator units does not match the size depicted on the detail. Additionally, the location of the isolator row should be shown on the plan.

Mr. Grasso emphasized the fact that Clough, Harbour, and Associates is concerned with traffic flow through the site. Though he recommended that the applicant consider an access onto Hatlee Road, Mr. Bossolini stated that the applicant would prefer a single access.

Clough, Harbour, and Associates offered the following comments regarding the Storm Water Management report.

- The statement in the report that "there is no increase in runoff leaving the site that enters into the water of the State; therefore this proposal does not require an NOI to be filed and SWPPP to be created" is incorrect. An NOI is required to be filed and a SWPPP prepared for a commercial project when greater than 1 acre of soil is to be disturbed. As such, an NOI and SWPPP are required for this project.
- The report should discuss the post construction maintenance responsibilities of the storm water management system.

Mr. O'Brien, Environmental Specialist, reported that, after review of data presented, the ECC reiterated concerns regarding impacts to the surrounding neighbors and screening from headlights in the parking lot and at the exits. The ECC additionally made the following recommendations. The applicant should submit façade renderings for review of the Planning Board to ensure the building will be consistent with the surrounding area. The following standard statements must 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.
- If hazardous materials will be stored on-site, the applicant must submit a plan addressing handling and storage and spill response to the Town of Clifton Park Environmental Specialist before such materials are stored.

The ECC also recommended that the applicant should investigate the feasibility of hooking-up to the public sewer connection.

Mr. Bulger stated that the Board would not render a decision on this application at this evening's meeting, explaining that the Board has the discretion to schedule a public hearing for site plan applications: he believes that a public hearing would be appropriate for this application. Limited comments were accepted by the Board.

Ms. Angela Krulls, 529 MacElroy Road, stated that she owns property to the west that directly adjoins this site. She is very concerned that run-off from the paved areas will impact her well and create ponding on her property. The speaker also noted that her residence is close to the proposed access: the loss of privacy, noise, and the glare of headlights are all concerns.

Mr. Dan Gorski, 5 Dyer Drive, expressed concerns regarding the possible contamination of the area's shallow wells. Mr. Bossolini stated that the chemicals used in the funeral home generally act as disinfectants. In response to Mr. Gorski's question regarding the number of wakes that would typically be scheduled and the number of "turn-overs" of each parking space, Mr. Bossolini stated that are two to three wakes per week and that the number of cars would vary with each one. Mr. Gorski described the proposed 4,000 SF funeral home as "the largest structure in Jonesville," implying that it would not be compatible with the village's existing character.

Mr. John Scherer, Town Historian, described the subject parcel as a "critical corner" in the Jonesville hamlet and urged the Board to ensure that the funeral home's design would be compatible in scale and design with surrounding properties. Reporting

that the site was “archeologically rich,” he asked that the Board request additional review.

Ms. Alvina Forney, 8 Dyer Drive, provided anecdotal evidence of existing traffic congestion at the MacElroy Road, Hatlee Road, and Main Street intersection, explaining that traffic travels at a dangerously high rate of speed and that the stacking of cars at the intersection often interferes with the movements of emergency service vehicles. She believes that the funeral home will increase an already difficult situation.

Ms. Pam Marshall, 5 Fairlawn Court, reported that she travels through Jonesville regularly and has observed traffic problems. She asked that the Board consider the safety of those in funeral processions entering traffic at the intersection as well as other travelers along the roadway.

Mr. Bruce Newman, Pastor of the Grace Chapel church and resident of 15 Hillside Drive, stated that the applicant’s representatives had recently contacted him to discuss the possibility of shared parking or provision for “overflow” parking on the church property. Though Mr. Newman believes that the church elders always attempt to act as good neighbors, they have not discussed the parking issue and have offered no comment on the proposed funeral home construction. Church representatives are amenable to discussing possible shared parking arrangements.

Mr. Mike Schleicher, 524 MacElroy Road, described himself as a former tree farmer. He presented Board members with a photograph of a large maple tree that currently stands on the DeMarco property. He reported that there are several other trees that are over 100 – 150 years old that the Board should request be preserved. Mr. Schleicher was also concerned that headlights from cars exiting the site would be directed to his property. The speaker echoed the concerns expressed by others regarding the formation of funeral processions and the safety of those traveling in them.

Mr. Kevin Greiner, 11 Dyer Drive, asked that the Board consider the danger of carcinogens and other hazardous chemicals used at the funeral home that may pose a danger for those in the area – particularly those with shallow wells.

Mr. Werner asked if the applicant and/or consultant had considered relocation of the septic system to other areas of the site and whether the location of existing wells had been plotted. Mr. Bossolini stated that neither of these items had been considered. In response to Mr. Werner’s question regarding the informal parking arrangement with the Jonesville Country Store, Mr. Bossolini reported that there are no existing arrangements between the property owners: there is no agreement that Mr. DeMarco will provide parking for the store.

Mr. Larkin asked that the consultant provide information regarding the “hold and haul” provisions. Mr. Bossolini stated that containment for waste would be compliant with all NYSDEC requirements. In response to Mr. Larkin’s question regarding the number of viewing rooms, Mr. Bossolini explained that there would be two (2) rooms.

Mr. Larkin calculated the amount of parking required, estimating that the amount of parking needed for the facility could at times be double that provided. Concerns regarding simultaneous church activities with funeral home needs were discussed: it was determined that restrictions for parking lot use would likely be included in any shared parking agreement. Mr. Bulger stated that, while he agreed that most funerals involved only a few relatives and friends, occasionally there were situations that required significantly more parking places. While the speaker recognized that the applicant has met code requirements, he believes that adequate parking for 125 vehicles should be available and that routing of traffic and pedestrian accommodations must be designed to ensure the "health, safety, and welfare" of all who may visit the site. Mr. Bulger noted that if the applicant was unable to secure an agreement with the adjoining church, other alternatives might be considered. In response to Mr. Werner's question regarding a possible access from Hatlee Road, Mr. Bossolini reported that although such access had been briefly considered, the access from MacElroy seemed to offer a safer location for ingress and egress to the site.

Mr. Bulger moved, seconded by Mr. Larkin, to require that a public hearing be held for this site plan application. The motion was unanimously carried.

[2007-040] Levine, Dr. Andrew – Proposed renovation of an existing professional office building to a dental office, 983 NYS Route 146 – Preliminary site plan review and possible determination.

Mr. Francis Bossolini, consultant for the applicant, presented colored façade renderings for the Board's consideration. He explained that project plans call for the renovation of an existing professional office on the northern side of Route 146 west of its intersection with George Drive to a dental office. The existing garage area will be removed and a 1,180 SF addition will be added to the eastern side of the building. The existing asphalt access drive and parking area will be removed. Access will be provided along the eastern property boundary. Nineteen (19) parking spaces, including one handicapped space, will be installed. Municipal water and sewer services will serve the site. Screening and landscaped buffers have been shown on the plan. Lighting fixtures will include a 10' – 12' pole lamp in the parking area: "dark sky" fixtures will be considered. Though the Board has recommended that the applicant pursue a shared parking arrangement with the adjoining dental office, it is unlikely that such an agreement will be made since both properties will contain dental offices with similar hours of operation.

Ms. Maynard reported that this project was last presented to the Planning Board on August 14, 2007 at which time the Board found the project generally acceptable. Discussion centered on the need for submission of grading and drainage plan, minimizing the impacts of light and noise on adjoining residences, and adding significant landscaping to enhance the site and provide screening along the western property boundary. A voluntary contribution for future traffic studies of improvements to the Route 146 corridor will be required. Ms. Maynard stated that public comments had been sent to the Planning Department by residents living on Trice Drive. They asked that Board members

consider the impacts of noise, light, and lack of privacy on their properties. The applicant was asked to continue to explore the possibility of shared parking with the neighboring site. It is recommended that fencing as well as landscaping materials be placed along the northern property line to offer a more substantial buffer and that additional screening materials be provided to the west. Sign-offs from the Clifton Park Water Authority and the Saratoga County Sewer District are required. NYSDOT must review and approve the driveway relocation. More detailed photometric information must be submitted for review to ensure that there is no “spillover” onto adjacent residences.

Mr. Myers, Director of Building and Development, reported that required variances have been granted by the Zoning Board of Appeals. No Storm Water Pollution and Prevention Plan has been provided. Drywells appear to be proposed for stormwater management: they are acceptable for roof run-off only.

Mr. Grasso reported that Clough, Harbour, and Associates reviewed the preliminary site plan for this project. The following comment from our August 6, 2007 letter remains to be addressed. The applicant should provide architectural renderings/elevations to confirm that the proposed building will satisfy the requirements of Section 208-33.D of the Town Code. The following additional comments were provided. The connection of the proposed sanitary sewer force main to the municipal system should be shown on the plan. Additionally, details of the grinder pump station should be provided. The grinder pump cover should be traffic rated as it is located within the parking lot. Calculations should be provided documenting the adequacy of the proposed storm sewer system. A test pit should be performed within the area of the proposed drywells to determine the appropriateness of this method of treatment. The top of frame of the proposed catch basin and drywells should be provided on the plan. Erosion and sediment control measures should be provided. The adequacy of the proposed 20' wide drive aisle to accommodate two-way traffic is of concern: the minimum width should be 22'. The height of the existing building and proposed addition should be indicated on the plans. A “No Parking” sign should be added to the striped aisle adjacent to the accessible space. The light fixture detail depicts curbing adjacent to the light pole base; however the site plan does not appear to provide curbing. If curbing is not proposed it would appear the light pole base height should be increased to protect the pole against damage from vehicles. If a dumpster is proposed, it should be depicted on the site plan.

Mr. O'Brien, Environmental Specialist, stated that after review of data presented, the ECC reiterated the following recommendations. The following standard statements shall be added to the plot plan:

- 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 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.

Ms. Virginia Condon, 3 Trice Drive, described the problems that have been ongoing with Dr. Gleason who operates a dental office at 981 Route 146 – a parcel that adjoins hers. Dr. Gleason has reputedly expanded his parking area along Ms. Condon's eastern property line which is defined by an existing fence. Problems arise from the lack of privacy and damage to her fence resulting from winter plowing. She explained the current use of parcel under review as a real estate office operated by a single individual with parking only in the front yard has ensured the privacy she currently enjoys in her back yard. Ms. Condon fears that the proposed renovation of the space to a dental office will reduce the privacy of her rear yard, devalue her property, and result in the intrusive glare of headlights from vehicles entering and exiting the parking lot that is to be located to the rear of the building. The noise produced by winter plowing and garbage removal is also of concern. Ms. Condon submitted written correspondence to Board members as well.

Mr. Bulger addressed Ms. Condon's concern regarding expansion of the existing Gleason site and asked that the approved site plan for that site be reviewed to determine if violations have occurred. He stated that appropriate screening and buffering for existing properties was of concern to Board members and that such issues would be seriously reviewed as part of the site plan review process. The project applicant, in attendance at the meeting, stated that his firm is not opposed to installing whatever landscaping and fencing the Board deems appropriate.

Mr. Nick Rawlings, 5 Trice Drive, stated that he has resided in the Woodland Hills development for nearly 10 years. Through the years he and his family have experienced a number of problems with the businesses – a day care facility and three medical arts buildings - that adjoin their property. The speaker listed lack of privacy, noise, night lighting, debris from dumpsters, and the dumping of yard waste as "problematic situations" he and his family have encountered. He recommended that the Board consider requesting that the applicant provide a privacy barrier, install limited lighting, and locate dumpsters away from existing residences.

Ms. Stefanie Rawlings, 5 Trice Drive, explained that during the years she and her family have resided on Trice Drive, they have witnessed a great deal of growth along the Route 146 corridor. With that growth has come increased traffic congestion and diminishing property values. She asked that the Board require this applicant to provide privacy fencing, since the rear yards of many homes on the southern side of Trice Drive are visible to adjoining businesses and those traveling along Route 146. Ms. Rawlings expressed serious concern about the reduction of property values due to the proximity to commercial parking lots and professional offices to residences.

Board members supported Mr. Kramer's request that the applicant provide fencing along the rear property line in addition to the proposed earthen berm. Though the Board considered requiring property easements that would allow access to the site from George Drive, it was uncertain whether such easements could be achieved. Mr. Bulger asked that the consultant provide more detailed plans for review.

[2007-024] **PVC Industries** - Proposed 25,000 SF addition to existing building, 107 Pierce Road – Preliminary site plan review and possible determination.

Mr. Francis Bossolini, consultant for the applicant, provided a brief history of this application, explaining that code violations at the site prevented its review at the initial meeting. Since that time, the portions of the building that were constructed with neither Planning Board approval or issuance of a building permit have been removed. The speaker explained that the project plan now calls for the construction of a 24,928 SF building expansion, relocation of the driveway along the northeast property boundary, and installation of a parking area in the southeastern portion of the site. 97 parking spaces can be installed on site, though the applicant will install only 70, including three (3) handicapped accessible spaces: 27 spaces will be “land banked”. The applicant will preserve a large portion of the treed area, though additional plantings will be provided as required. Pursuant to §208.64A(3) of the Town Code, trees with a 6” diameter at breast height have been inventoried on the parcel. 388 trees throughout the site meet these criteria; 177 trees are located within the area to be improved; 211 trees are located outside the improved area. Per the preservation requirement, 106 trees must be preserved. The consultant reports that 155 will be preserved on the site. The storm water management plan includes infiltration beneath the parking area: this area will be owned and maintained by the property owner. The building addition will be 26’ high. The applicant believes that all comments and recommendations provided by Clough, Harbour, and Associates can be adequately addressed.

Ms. Maynard provided Planning Department comments. This application was reviewed by the Planning Board at its August 14, 2007 meeting at which time the Board recommended preservation of the wooded buffer along Pierce Road. Members also supported the proposed “land banking” of parking space beyond the 70 spaces the applicant states will be needed, and requested that a 15’ right-of-way conveyance be made for future roadway or trail improvements. The current proposal shows 70 parking spaces: an additional 27 can be provided on site if warranted. Ms. Maynard recommended that more diverse plantings be included in the landscaping plan since only Douglas firs are now provided to screen the southeast portion of site. Additional landscaping should be provided around the building. The speaker also recommended that landscaped islands be incorporated into the parking lot design to allow for storm water infiltration. It is recommended that the sidewalk be extended. Colored façade renderings must be submitted with future submissions. A note must be added to the plans that states the all existing noncompliant additions will be removed.

Mr. Meyers, Director of Building and Development, commented on the proposed on-site storm water management plan that proposes the use of infiltrators and a CDS unit. The CDS sediment separator unit will be located on private property and maintenance will be required by the property owner. The owner may want to propose a maintenance agreement to the town for the unit since the owner does not possess the equipment needed for cleaning the unit and the town does. No maintenance proposal is included in the Storm Water Pollution and Prevention Plan, though the manufacturer makes general

recommendations on when to clean the unit, but each installation needs to be analyzed for cleaning frequency.

Clough, Harbour, and Associates reviewed the site plan as revised and offered the following comments. Mr. Grasso explained that Clough, Harbour, and Associates is concerned with the proposed grading in multiple areas of the site. It appears drainage from the proposed relocated driveway and from the slope along the eastern side of the proposed addition is being directed towards the building. Although a perforated HDPE pipe is proposed to assist in the drainage, there is not enough detailed grading provided to ensure positive surface drainage flow. Additionally, more detailed grading should be provided within the area between the existing and proposed building. It also appears as though run-off is being directed towards the southeast corner of the existing building without providing a means to drain this area. The location of the test pits and percolation tests should be shown on the plan. It should be verified that the test pits were dug to a minimum of 4' below the bottom of the infiltration facility and the test pits were conducted 2' below the bottom of the infiltration facility. There appears to be a discrepancy between the header pipe elevation labeled on the grading and drainage plan and the detail of the underground infiltration system. The bottom of the infiltration system should be verified as that elevation is critical in determining the appropriateness of the proposed method of treatment. The size of the existing water main along Pierce Road and the material of the proposed 4" service and the proposed method of connecting to the existing water main should be indicated on the plan. The finished floor elevation of the existing building should be labeled on the plans. It should be verified that the existing grinder pump has adequate capacity for the proposed additional flows. Additionally, design information for the proposed sanitary service lateral and the location of the existing service should be provided. It is recommended that a 12" minimum storm sewer pipe be utilized. The proposed 6" pipe from CB 1.05 would appear to be inadequate based upon the contributing drainage area. The existing hydrant that will be located along the proposed edge of pavement within the parking lot should be protected by bollards. The proposed building height of the addition should be indicated on the plans. A detail should be provided of the proposed dumpster enclosure. The minimum caliper of the proposed deciduous trees should be 3"-3 1/2". A "No Parking" sign should be provided at the handicap accessible aisles. The following comments on the Storm Water Management Report dated August 22, 2007:

- The statement in the report that "there is no increase in runoff leaving the site that enters into the water of the State; therefore this proposal does not require an NOI to be filed and SWPPP to be created" is incorrect. An NOI is required to be filed and a SWPPP prepared for a commercial project when greater than 1 acre of soil is to be disturbed. As such, an NOI and SWPPP are required for this project.
- The time of concentration travel path should be depicted on the pre-development and post development drainage area maps.
- Based upon the infiltration rates of the underlying soils it should be verified that the proposed water quality unit is cable of treating 100% of the water quality volume.

Mr. O'Brien, Environmental Specialist, reported that, after review of information presented, the ECC reiterated the following recommendation. The ECC requested that the applicant provide a drawing illustrating the available green space for the project excluding the storm water management area: the green space should total 40% or more of the site. Additionally the ECC recommends that per Section 208-64 A(3) of the Town Code, the proposed project should include a tree inventory top ensure that at least fifty

percent (50%) of the trees, six inches (6") or more in diameter are preserved. The ECC requests that the applicant determine whether an original tree inventory was prepared. If so, this project should not result in a significant loss of mature trees identified at that time. Mr. O'Brien noted that information regarding the tree inventory was submitted for this evening's meeting.

Board members found the project plan generally acceptable, recommending that the applicant address the issues identified by Clough, Harbour, and Associates and provide substantial screening.

### **New Business**

[2007-047] **Latham Construction** – Proposed(2) lot subdivision, Biette Road – Conceptual review.

[2007-048] **Latham Construction** – Proposed 14,200 SF Construction, Maintenance, Equipment Repair, and Storage Facility, Biette Road – Conceptual site plan review.

These applications were considered concurrently by the Planning Board.

Mr. Brien Ragone, consultant, presented these applications for the Board's consideration. The subdivision application involves the subdivision of a 9.06 acre parcel of land on the east side of Biette Road in a B-4A (Highway Business) zone into lots of (5) acres and 4.06 acres, respectively. Lot 1 will remain existing and undisturbed. Lot 2 will contain a private maintenance and equipment repair facility. An on-site conventional waste sanitary disposal system and a private well will be installed to serve the proposed buildings. On-site storm water management will be accomplished with the construction of a storm detention basin.

The site plan application involves the construction of a private 14,200 SF construction, maintenance, equipment repair, and storage facility. The applicants propose the construction of two buildings in accordance with the "group of establishments" law: an 8,200 SF building will house an office and equipment repair facility; a 6,000 SF building will provide equipment storage. An existing driveway crosses the site from east to west and provides an emergency service access to the Turf Trailer Park that is located directly east of the site. The plan illustrates a "possible 100' buffer from a residential zone" along the eastern property line, septic system, and storm water management area to in the south western portion of the parcel. Though an individual well is proposed, the applicant is investigating the possible connection to the water line owned by Hoffman. Access will be from an existing driveway off of Biette Road. 25 parking spaces have been provided. There are no wetlands on the site. 74% of the site will be reserved as green space. Comments from Clough, Harbour, and Associates will be addressed.

Ms. Maynard offered comments from the Planning Department. Though she recommended that the applicant investigate the distance to the nearest water system and possible connection, it is the consultant's understanding that the distance to the nearest

line is too great to provide a connection. Substantial screening of the residential properties to the east must be provided: both a berm and fencing may be necessary to adequately buffer the proposed use from the existing one. In response to her question regarding hours of operation, Mr. Ragone stated that normal business hours would be from 7:00a.m. to 3:30p.m. The site will become the construction company's main equipment repair facility. Ms. Maynard asked that the consultant provide a plan indicating the footprints of buildings on adjoining properties.

Ms. Maynard reported that the Town of Halfmoon provided comment on the proposed development. Ms. Zepko, Planner for the Town of Halfmoon, referenced the Town of Halfmoon zoning code, stating that Article VII, Section 702(F)(2) states the following:

Where the side or rear yard of a lot in a Residential District abuts a side of rear yard of a lot in an M-1 (Industrial), LI-C (Light Industrial-Commercial) or C-1 (Commercial), District, there shall be provided along abutting rear or side lot lines in thje C-1, LI-C or M-1 district a transitional yard of 100 feet or a transitional yard of 50 feet plus an opaque fence 6' in height or evergreen plantings planted three (3) feet on center and four (4) feet in height. Any such fences, walls, or plants shall be maintained in such condition to fully provide the visual screening of business uses from residential ones.

Ms. Zepko asked that the Board consider this section of the code during review of the proposal, stating that "ideally our department would like to see the 100' buffer with some evergreen plantings added along the rear (easterly side) of the two buildings for additional screening for residents of the mobile home park to the east."

Mr. Myers, Director of Building and Development, offered comments on the application. He found the subdivision proposal acceptable. Mr. Myers recommended that the Town of Halfmoon be contacted regarding the influence of this project on the Turf Trailer Park and the availability of water and sewer. He believes that public water and sewer will be required for site, either from Route 9 or from Halfmoon. A full Storm Water Pollution and Prevention Plan must be provided.

Mr. Grasso reported that Clough, Harbour, and Associates has reviewed the concept subdivision and site plans prepared for this project and offered the following comments. The proposed project appears to be an "Unlisted" action pursuant to SEQRA, and as such, coordinated review is optional. Given that the property abuts the Halfmoon Town boundary and that the site includes an access to the Turf Mobile Home Park, it is recommended that a coordinated review be conducted with the Town of Halfmoon. The involved agencies are expected to include: Clifton Park Planning Board – Site Plan Approval and the Saratoga Co. Planning Board – Section 239 Referral. A separate subdivision plan, prepared by a NYS Licensed Surveyor, depicting existing and proposed lot lines bearing and distances should be provided. A detailed description of the existing road accessing the Mobile Home Park should be provided. The existing agreements and easement over the roadway and the proposed access following construction should be discussed. The access is currently gated at the intersection of Biette Road. Notes regarding the proposed hours of operation and outdoor storage of materials should be added to the plans. We are concerned over visual and noise related impacts. The

handicap parking space and accessible aisle should be paved. The adequacy of sight distance along Biette Road should be evaluated. The site plan appears to indicate an existing hydrant on the property. If municipal water is within the project vicinity, the applicant should connect to the existing system. The proposed building heights should be indicated on the plan. Oil/water separators should be provided.

Mr. O'Brien, Environmental Specialist reported that, after review of data presented, the ECC made the following recommendations. The following standard statements shall 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

Mr. Werner, stating his concern with the quality of the access to Route 9 from Biette Road, asked about the condition of that roadway. The consultant explained that Biette Road is a very minor Town road with approximately 24' – 25' wide. Mr. Bulger stated that screening of the adjoining residential properties would be required. He advised the applicant that oil separators and appropriate sanitary waste facilities would be required. In response to Mr. Larkin's question regarding the building's construction, Mr. Ragone stated that the buildings would be constructed of steel. Members of the audience expressed their concerns regarding the noise that would be generated at the site. Board members identified noise, screening of residential properties, and access to Route 9 as concerns.

[2006-031] **Hollandale Phase III** – Proposed amendment to Planned Development District – Referral from Town Board.

Mr. Bulger explained the review process for those in attendance, stating that the Town Board referred the proposed amendment to the Planning Board for its recommendation at the September 4, 2007 meeting. This Board will provide a recommendation back to the Town Board within 60 days. The Town Board may amend the legislation as presented, modify the proposed legislation, or reject it outright. If the Town Board adopts the proposed legislation, the project will be resubmitted to the Planning Board for site plan review.

Mr. Brien Ragone, consultant for the applicant presented the previous plan as well as the revised plan for the Board's review. He noted that the number of apartment units has been reduced from (24) to (20) and that these units are situated in two (2) buildings instead of three (3) buildings in an effort to reduce the overall mass of building density on the site. The three (3) garage buildings with eight (8) covered parking stalls depicted on the original submission have been replaced by one building with twelve (12) parking

stalls. The revised plan does maintain the seventy foot vegetated buffer an undisturbed area along the rear yards of the Kings Court subdivision and Clifton Park Center Road. Access to the Phase III area will be from the existing main entrance road as shown on the original plan. There will be minimal or no disturbance of the wetlands delineated on the site. 38 exterior parking spaces will be provided for a total of 50 spaces on site. Connection will be made to existing municipal water and sewer services. A sidewalk will connect the site with Clifton Park Center Road.

Ms. Maynard provided a brief history of this application, explaining that the Planning Board reviewed an initial application in 2006 and had forwarded a positive recommendation to the Town Board. Board members at that time did, however, identify several issues of concern. These included adequate buffering of existing homes along Kings Court, traffic impacts, pedestrian connections to both the existing Hollandale complex and Exit 9 businesses, and wetland disturbance. Revised plans were submitted on June 15, 2007. The Town Board has now referred those plans for review. Ms. Maynard recommended that the applicant incorporate pedestrian connections from the site to Clifton Park Center Road and easterly to Kings Court. The buffer to the existing residences must be maintained – and perhaps enhanced – to reduce impacts to existing residents. Protective measures for the delineated wetlands should be indicated on the plan. The plan should show any proposed amenities such as pools or tennis courts. It was recommended that additional buffering be provided to limit the impact of headlights from vehicles entering and exiting the garages on residents of Kings Court.

Mr. Myers, Director of Building and Development, observed that the garages and refuse enclosure appear remote from the apartment buildings. He also noted that a full Storm Water Pollution and Prevention Plan must be provided.

Mr. Grasso stated that Clough, Harbour, and Associates has reviewed the Planned Unit Development District Application above referenced project and offer the following comments. The proposed project appears to be a “Type I” action pursuant to SEQRA, and as such, coordinated review is required. The involved agencies are expected to be the following: Clifton Park Planning Board - site plan approval; Clifton Park Town Board – PUD amendment approval; Clifton Park Water Authority - Water Connection Permit; Saratoga County Sewer District #1 – Sewer Connection Permit; NYSDEC – SPDES Permit. A copy of the Original PUD legislation and SEQR documentation should be provided to determine conformance of the application with the original PUD approval. Pedestrian facilities should be provided from the proposed access drive to Clifton Park Center Road. Additional right-of-way along Clifton Park Center Road should be reserved for future highway widening and pedestrian facilities. Because the project site is its own separate lot ingress/egress easements will be required. The plan does not depict how water and sewer services will be extended to the buildings. The following comments were prepared after review of the Full Environmental Assessment Form. The “No” response to question #A.11 regarding threatened and endangered species should be verified in the “According to” box below. Question #A.16 should reference the existing on-site wetlands.

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

Mr. Ron McLagan, 12 Kings Court, offered a number of comments regarding the proposed expansion of the Hollandale Planned Development District. The speaker began his comments by stating that it was his understanding from the late 1980's that this parcel was to remain as a "buffer" to the apartment complex in perpetuity. While he sympathizes with Mr. Hollander's desire to develop his land, he would recommend other uses for the property, including the construction of condominium units that would appeal to "empty-nesters." The speaker noted that those residents of Kings Court would lose the privacy they currently enjoy and would be subject to the noise, night lighting, and other problems that the proposed apartment units would bring to their neighborhood. He noted that there is currently an issue with blowing debris and noise from the existing dumpsters. He concluded his remarks by stating that Mr. Hollander attempt to "maximize" his holdings is not a commendable "legacy."

Mr. Pelagalli addressed some of the concerns raised by Mr. McLagan, explaining that a review of records indicates that the parcel now being considered for development was always meant to be a separate phase of the PDD. He noted that the applicant could subdivide the parcel into approximately eleven (11) lots. The role of the Planning Board is to provide comment on the appropriateness of the proposed development in this location. Such issues as buffering, density, and site amenities could be considered: the Town Board would determine the zoning. Mr. Bulger noted that the significance of Planning Board's contribution to the process is evidenced by the fact that the applicant, when urged by this Board to verify wetland boundaries, determined that a less dense project would better suit the site. Mr. Pelagalli commented that the recommendation provided by the Planning Board is significant.

Ms. Margaret Catellier, 26 Royal Oak Drive, asked that the Board consider the ability of emergency service vehicles and personnel to access the buildings.

Mr. David TenEyck, 2 Kings Court, stated that he believes that development of the Hollandale site impacts existing residents in a number of ways. The minimal buffer provided to those residing on Kings Court is of major concern since it significantly reduces the privacy currently enjoyed by those families. The issue of traffic safety should be considered since accessing Clifton Park Center Road currently is often difficult. With development on the northwestern quadrant of the Clifton Park Center – Clifton Country Road intersection, traffic problems will be increased. The speaker urged the Board to consider all of the issues involved in development of this parcel.

Ms. Karen Mulvaney, 4 Kings Court, expressed concerns about traffic, loss of privacy, and noise. She believes that the construction process will require removal of a substantial number of trees – quite likely reducing the 70' buffer that is shown on the plan. She asked that the Board consider the reduction in the "quality of life" and property values for those living adjacent to the Hollandale apartment development.

Ms. Peg Palange, 19 Royal Oak Drive, spoke of the intrusive lighting from the Hollandale complex, stating that even though she lives quite a distance from the apartments, she is disturbed by the glare from the lights.

Mr. John McPhee, 13 Elm Place, expressed his surprise that the development site was considered a “piece of the old PDD,” since it would appear to him that the boundaries of the PDD development should be contained within the perimeter road. He was fearful that approval of the application would set a precedent for additional development. Mr. Pelagalli explained that the Hollandale PDD was one of the first approved by the Town Board and contained only general requirements. The proposed amended legislation would provide more specific development guidelines.

Mr. Bulger explained that the issues of concern identified by those who spoke related noise, traffic safety, pedestrian connections, and vegetated buffers were generally addressed during site plan review by the Planning Board. He explained that while the Board attempts to maintain as great a separation as possible between development areas, the 70’ illustrated on the plan will not provide “100% mitigation” for the proposed site development. If the Town Board adopts the proposed amendment, the site plan application will be returned to the Planning Board for additional review and approval. Mr. Bulger encouraged interested residents to attend the Town Board public hearing to voice their concerns and ask that mitigation measures be included in the approved legislation. Once the PDD amendment has been approved, the Planning Board will be unable to change it substantially. Mr. Larkin found the building location acceptable, though he recommended that the garages be moved further into the buffer area. Board members appeared to agree with Mr. Werner’s recommendation that coniferous trees be added to the existing vegetation and that lighting be limited to the site. It was suggested that the proposed apartment building along Hollandale Lane be moved to the east.

Mr. Bulger moved, seconded by Mr. Larkin, to authorize the Chairman to offer a positive recommendation to the Town Board for approval of the proposed amendment to the Hollandale PDD, noting that the buffering of existing residences, building location, lighting, and wetland protection were issues of significant concern. The motion was unanimously carried.

### **Minutes Approval**

Mr. Bulger moved, seconded by Mr. Kramer, approval of the minutes of the August 14, 2007 as amended by Mr. Larkin. The motion was unanimously carried.

### **Discussion Items**

There were no discussion items scheduled for this evening’s meeting.

Since two members of the Board would not be in attendance at the October 10, 2007 meeting and others were not certain that they would be available, Mr. Bulger moved, seconded by Mr. Kramer, to cancel that meeting. The motion was unanimously carried.

Mr. Bulger moved, seconded by Ms. Pace, adjournment of the meeting at 11:25p.m. The motion was unanimously carried. The next meeting of the Board will be held on October 23, 2007.

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, Tom McCarthy, 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 #21**

**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 September 25, 2007 there were:

Present: S. Bulger, Chairman, A. Kramer, J. Larkin, S. Pace, J. Thorne,  
T. Werner

Absent: None

Ms. Thorne offered Resolution #21, and Mr. Kramer seconded, and

Whereas, an application has been made to this Board by Tra-Tom Development, Inc. for approval of a subdivision plat entitled Lot Line Adjustment for the Lands of Carlson Farm, LCC consisting of the transfer of parcels of 3,609 SF, 3,138 SF, 2,699 SF, 2,205 SF, 2,303 SF, 1,870 SF, and 2,654 SF, respectively, to Lots #12, 14, 16, 18, 20, 22, and 24 Huntwood Drive and 14,505 SF of land to the Lands of Layman;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on September 25, 2007;

Whereas, the Planning Board established itself as Lead Agency for this application, an unlisted action, and a negative declaration was issued pursuant to SEQRA on September 25, 2007;

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 is waived and the subdivision plat entitled Lands of Carlson Farm, LCC consisting of the transfer of parcels of 3,609 SF, 3,138 SF, 2,699 SF, 2,205 SF, 2,303 SF, 1,870 SF, and 2,654 SF, respectively, to Lots #12, 14, 16, 18, 20, 22, and 24 Huntwood Drive and 14,505 SF of land to the Lands of Layman is hereby granted preliminary and final subdivision approval conditioned upon satisfaction of the comments offered by the Planning Department.

**Resolution #21** passed 9/25/07

Ayes: Kramer, Pace, Thorne, Werner, Bulger

Noes: Larkin

Steven J. Bulger,  
Chairman

**NOTICE OF DECISION****Resolution #22****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 September 25, 2007 there were:

Present: S. Bulger, Chairman, A. Kramer, J. Larkin, S. Pace, J. Thorne,  
T. Werner

Absent: None

Mr. Kramer offered Resolution #22, and Mr. Bulger seconded, and

Whereas, an application has been made to this Board by Michael Dickinson for approval of a subdivision plat entitled Subdivision of the Lands of Michael Dickinson consisting of (21) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on September 25, 2007;

Whereas, the Planning Board established itself as Lead Agency for this application, an unlisted action, and a negative declaration was issued pursuant to SEQRA on August 14, 2007;

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 Subdivision of the Lands of Michael Dickinson consisting of (21) lots is hereby granted final subdivision approval conditioned upon satisfaction of the comments offered by the Planning Department, Clough, Harbour, and Associates, and the Planning Board.

**Resolution #22** passed 9/25/07

Ayes: Kramer, Larkin, Pace, Thorne, Werner, Bulger

Noes: None

Steven J. Bulger,  
Chairman