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**Town of Clifton Park Planning Board**  
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PLANNING BOARD

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Heather Fariello  
Mario Fantini  
Keith Martin  
Lisa Westrick  
Matthew Luke (alt.)

**Planning Board Minutes**  
**March 25, 2025**

Those present at the March 25, 2025 Planning Board meeting were:

Planning Board: E. Andarawis, H. Fariello, E. Ophardt, K. Martin, L. Westrick, M. Luke (alternate)

Those absent were: D. Bagramian, Chairwoman, M. Fantini

Those also present were: J. Scavo, Director of Planning  
W. Lippmann, M J Engineering and Land Surveying, P.C.  
V. Sheehan, Counsel  
P. Cooper, Secretary

Mr. Ophardt called the meeting to order at 7:00 p.m. All in attendance stood for recitation of the Pledge of Allegiance.

Mr. Ophardt welcomed Mr. Luke as the new alternate member of the Planning Board and noted he would be a voting member this evening in the absence of Mr. Fantini. Mr. Ophardt noted that as Vice Chairman, he would be fulfilling Denise's role as Chairperson this evening in her absence.

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**Minutes Approval:**

Ms. Fariello moved, seconded by Mr. Andarawis, approval of the minutes of the February 25, 2025 Planning Board meeting as written. The motion was unanimously carried.

Ms. Westrick moved, seconded by Ms. Fariello approval of the minutes of the March 11, 2025 Planning Board meeting as written. The motion was unanimously carried.

**Public Hearings:**

None

**Old Business:**

**#2024-053 100/200 Technology Park Telecommunications Tower SUP**  
SBL: 271.-4-13 Telecommunications Tower, Technology Park (Pvt) , Zoned: B1 -  
Business Non Retail 1 Status: SEQRA Determination Applicant: Cellco Partnership dba  
Verizon Wireless , Consultant: Young/Sommer LLC, D. Brennan Last Seen On:  
12/10/2024

**Consultant/Applicant Presentation:**

Dave Brennan stated that he is here tonight with Julia Monahan and Brian Starkey. He stated the intent of the application is to fill in coverage gaps with Verizon cell service. He stated that they are looking tonight for the Planning Board as lead agency to issue a SEQRA determination. Mr. Brennan stated that the application was sent to Professor Bill Johnson for perspective, and it took longer to come back than expected, which is why there was a delay since the applicant's last appearance before the Board. He stated that the Professor had no negative comments and they have responded to questions that were given as feedback. Mr. Brennan stated that the monopole is proposed to go north of the Shenendehowa football field and to fill a coverage gap along Route 146 to the north, south, east, and west. Mr. Brennan stated that it is proposed to be a 120' monopole with a 4' lightning rod on top. He stated there would be a generator on site and would test run every Tuesday at approximately 9 am.

**Staff Comments:**

**The Environmental Conservation Commission and issued a memo recommending:**

- As noted in the SEQRA Application, the proposed telecommunications tower is located within 1,500 feet of several school facilities, housing thousands of children ranging in age from infants to late teens. The ECC recommends that the Planning Board require that best

management practices are being utilized to minimize radiation exposure from the cell tower.

- The ECC recommends that the Planning Board and/or Zoning Board of Appeals require the applicant to provide evidence demonstrating the economic and technical necessity for this facility on this site.
- The ECC notes that the telecommunication tower will include backup electric equipment which will be located approximately 189 feet from a residential structure. The applicant shall provide technical information indicating that the noise will not disturb the residents

**John DeSimone, Fire Marshall issued a memo:**

- Please make access road 14' wide.
- Assure turn around at tower meets the dimensions in appendix D of the 2020 NYSFC (multiple option)
- Knox box will be required at gate for fire department access. (document will be provided during building permit application)
- The site will need to have postal number at road and on gate with assigned postal number #300. Please reference approved postal plan in documents.
- This postal plan will be finalized with Saratoga County Emergency Services upon final approval of Planning Department.

**Scott Reese, Zoning Administrator issued a memo stating:**

- The proposed telecommunications tower is proposed on a parcel located in the Business - Non-Retail Zoning District (B1). Per Town Code Chapter 208-32 B. (5) All other telecommunication towers are special uses pursuant to Town Code Chapter 208-79.
- The application is for a new communication pole. The Application should follow Town Code Chapter 208-95 E (3). It appears that the proposed communication tower is within 500 feet of the Residential Planned Development District Zone (London Square). An area variance will need to be obtained per Town Code Chapter 208-95 E (3) (b).

**Scott Reese, Stormwater Management Technician issued a memo stating:**

- It appears that the proposed access drive can restrict overland drainage at Station 3+00. The applicant should consider installing a culvert or other methods to prevent stormwater runoff from backing up to off site properties.

**The Trails, Open Space and Riverfront Advisory Committee issued a memo stating:**

- The site is away from route 146 or trails so no comments

**John Scavo, Director of Planning issued a memo stating:**

- The report issued by William P. Johnson, RF Engineering Consultant for the Town of Clifton Park Planning Board, evaluates the proposed telecommunications tower by Celco Partnership d/b/a Verizon Wireless at 100/200 Technology Park in Clifton Park, NY. The report confirms that the application complies with the Town of Clifton Park's site plan review process in several key areas: RF Coverage and Capacity. The proposed site is designed to meet reasonable RF coverage threshold levels (-85 dBm), consistent with similar sites in the region. The need for additional traffic capacity and coverage in the area has been demonstrated, with evidence showing that lower antenna heights would not adequately address existing service gaps. The proposed tower height of 120 feet (124 feet with lightning rod) is necessary to achieve the required coverage and capacity relief for neighboring cells. Site Selection and Alternatives The applicant considered three

potential sites, but only the proposed site was viable due to non-responses from other landowners. The report recommends that the applicant provide further clarification on why alternative technologies or lower heights are inadequate. Additionally, the applicant should perform RF analyses for any additional nearby sites identified during public hearings that may offer improved visual impact. Regulatory Compliance The proposed tower structure does not exceed 199 feet, thus avoiding FAA marking and lighting requirements. The applicant has provided a non-binding FAA airspace study and a certification of compliance with FCC regulations regarding electromagnetic energy exposure, ensuring that the site will not expose the general population to excessive levels of electromagnetic energy. Future Considerations The report highlights the importance of considering future co-location requests and the potential need for additional neighboring sites to address remaining coverage gaps. The proposed site will serve as a fixed area of coverage, influencing the placement and height of future sites. The planning board should request information from the applicant to understand how approval of the current site will impact future network expansion and community planning goals.

- Based on the review of the attached Draft SEQR Resolution and Draft SEAF Part II Form, I recommend that the Clifton Park Planning Board issue a negative declaration for the proposed telecommunications tower project by Verizon Wireless at 100/200 Technology Park. The SEQR record appears complete, and the project qualifies as an Unlisted Action under SEQRA regulations. Reasons supporting this recommendation are:
  1. The project has undergone a thorough SEQRA review process, including the submission of a Full Environmental Assessment Form (FEAF) and various supporting documents. The Planning Board has conducted a coordinated review and determined that the project will not have a significant adverse environmental impact.
  2. The EAF and supporting materials indicate that the project will have minimal impact on land, water, air, plants, animals, agricultural land resources, aesthetic resources, historic and archeological resources, open space and recreation, critical environmental areas, transportation, energy, noise, odor, public health, and the growth and character of the community. The proposed tower height and design have been carefully considered to minimize visual impact.
  3. The proposed telecommunications tower has the ability for future co-location of additional providers, which aligns with the town's goals for efficient use of infrastructure and minimizing the need for additional towers.
  4. The Planning Board's resolution for a negative declaration is supported by detailed findings that the project will not result in significant adverse environmental impacts. The resolution outlines the project's compliance with SEQRA regulations and the thorough review process undertaken by the Planning Board. Given these points, I recommend that the Clifton Park Planning Board issue a negative declaration for the proposed telecommunications tower project, allowing it to proceed without the need for an Environmental Impact Statement (EIS). This determination is based on the comprehensive review and documentation provided, ensuring that the project meets all necessary environmental and regulatory standards.

**Professional Comments:**

No professional comments.

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**Public Comments:**

No public comment.

**Planning Board Review:**

Mr. Ophardt noted the applicant had initially investigated three sites for the proposed cell tower before settling on this location. He asked where these proposed sites were located. Mr. Brennan stated they had looking into two alternative sites on the northside of Route 146, but there were a significant number of single-family homes in the area. The proposed site on the south side of Route 146 was minimally visible to nearby residents and passing motorists. Mr. Ophardt asked if there were any comments received from the School District. Mr. Scavo stated there have been none. Mr. Brennan stated that Verizon has a tower by CBA and one by the Clifton Commons. There will be minimal visibility, but it will be above the tree line. He also noted that public schools are challenging to work with and typically don't any show interest in housing the towers. Mr. Ophardt Mr. Ophardt stated agreed with the applicant that a cell town was needed, and the proposed location provided the least intrusive environment.

Mr. Ophardt asked if the tower would allow for colocations. Mr. Brennan stated that the tower would be able to house up to 3 carriers and they have a standard letter they can attach to the application. Mr. Ophardt asked if this would be a monopole or steel framed structure. Mr. Brennan stated it would be similar to the Rusty Nail pole.

Mr. Andarawis thanked the applicant for the noise study and stated he would like the level of enclosure on others to be kept here. Mr. Brennan stated that he has a pole near his office and that he has only heard the generator once in 10 years, and he would still be able to have a conversation with it running. He stated that the generators are important as people need to be able to call emergency services during a power outage.

Mr. Andarawis stated he is interested in alternatives like cell poles attached to telephone poles, or electrical poles as Professor Johnson had suggested. Mr. Brennan stated that they look at this in small areas of dead spots, but they are rarities and more efficient in smaller areas.

Ms. Westrick stated this is close to the school and residential neighborhoods and asked about the risks these pose, as well as the cell usage. Mr. Brennan stated that towers are RF safety regulated and that this has been regulated by the government since the 1990s. He stated that they are at less than 1% of the standard set. He stated that if there is no demand for cellular service the tower turns off and is not constantly running and Verizon does their RF testing at full capacity. Mr. Brennan stated that if the FCC changes their regulations, Verizon is required to apply the changes. He stated that the phone in his pocket had more power than the pole. Mr. Brennan stated that Clifton Park also has more standards to follow than other towns in the area that he has worked with, such as the fall zone.

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Mr. Ophardt asked about the esthetic view from the football field. Mr. Brennan stated that it would not look out of the ordinary with the placement and at 120 feet tall, may look worse with esthetic treatments attached such as faux pine.

Mr. Andarawis moved to establish the Planning Board as Lead Agency for this application, an Unlisted action and to issue a negative declaration pursuant to SEQRA.

**Roll Call:**

- D. Bagramian - Absent
- E. Andarawis - Yes
- E. Ophardt - Yes
- H. Fariello - Yes
- K. Martin – Yes
- M. Fantini - Absent
- L. Westrick – Yes
- M. Luke (alternate) – Yes

Full SEQRA Determination Resolution document can be found in application file.

**New Business:**

**#2025-009 540 Waite Rd 3 Lot Subdivision**

SBL: 270.-1-65.2 Proposed subdivision of an 82.01-acre lot into 3 lots, 540 Waite RD  
Zoned: CR - Conservation Residential Status: Concept Applicant: Prestige Build – R.  
Nizhikioyskiy, Consultant: GVG Land Surveyor, PLLC – K. Weed

**Consultant/Applicant Presentation:**

Bob Wilklow of Gil VanGuilder Land Surveyor, PLLC stated that the application is on the west side of Waite Road in the CR zone. He stated there are 82 acres of land and the applicant plans to create 3 lots for single family homes. He stated Lot A would be 550 Waite Road and be about 27.33 acres, Lot B would be 548 Waite Road and 47.34 acres, and Lot C would be 540 Waite Road and be about 27.34 acres. Mr. Wilklow stated that each lot exceeds requirements and will have a private well and septic system. He stated that a total of 2.2 acres would be disturbed and there would be no impact on the wetlands or their buffers. He stated that the SWPPP is being done, and DEC has re-examined the wetlands in 2024 with VanGuilder Land Surveying.

**Staff Comments:**

**The Environmental Conservation Commission and issued a memo recommending:**

- The ECC recommends that this project be carried out in keeping with the goals of tree preservation as stated in the Town Comprehensive Plan, to the greatest extent practicable.
- The ECC recommends that the Planning Board require as a condition of approval that the applicant file a deed restriction indicating that there shall not be any construction and or backfill of the adjacent NYSDEC Wetlands or within the 100 foot adjacent area.

**John DeSimone, Fire Marshall issued a memo:**

- Parcel that is assigned 550 Waite Rd may require driveway modifications due to the length. Per section 511, sub section 511.2 of the NYSFC
- Please see approved postal verification in documents. These postal numbers will be finalized with Saratoga County Emergency Services upon final approval from planning dept.

**Scott Reese, Zoning Administrator issued a memo stating:**

- The proposed subdivision meets Town Code Chapter 208-16 E. (2) (b) Development on 10 acres or more. A parcel consisting of 10 acres or more may be developed at a density of one residential dwelling unit per 10 acres, provided there is at least one acre of unconstrained land available to accommodate a residential use, including any required well and septic system.
- The front yard setback should be shown offset from the front property line, as the minimum width at the building line between property lines is 80 feet.

**Scott Reese, Stormwater Management Technician issued a memo stating:**

- When applying for a driveway permit with the Highway Department, include installing a culvert to allow drainage to continue down Waite Road.
- Plans shall show and provide the acreage for the Soil Disturbance Limits on the subdivision plans.
- Verify if the project requires to be submitted for NYSDEC Wetland parcel jurisdictional determination.
- Show the Land Conservation District Boundaries.
- Show the 100-year Floodplain Boundaries.

**The Trails, Open Space and Riverfront Advisory Committee issued a memo stating:**

- Provide 15 feet right of way for future all-purpose trail on Waite Road.

**Scavo, Director of Planning issued a memo stating:**

- Lot Size and Density Requirements - The CR Conservation Residential Zoning District typically has specific minimum lot size and density requirements to ensure low-density development and conservation of open space. Each lot must meet the minimum size specified in the zoning regulations. 1. Add a note to the subdivision plan stating: This subdivision complies with Section 208-16E(2)(b) Development Option under the Clifton Park Town Code that states for development on 10 acres or more. A parcel consisting of 10 acres or more may be developed at a density of one residential dwelling unit per 10 acres, provided there is at least one acre of unconstrained land available to accommodate a residential use, including any required well and septic system. With each of the three proposed lots at least 27 acres consisting of at least one acre of unconstrained land for development, the concept plan lots exceed the minimum lot size and density requirements to ensure low-density development within the CR Zoning District.

- Setback Requirements - The minimum setback requirements for front, sides, and rear yards for each lot appear to comply with the CR Zoning requirements pursuant to Town Code Section 208-16E.(7),(8) & (9). These setbacks ensure that buildings are appropriately distanced from property lines and neighboring structures.
- Access and Roadway Standards: Prior to the construction of the new dwelling units, the property owner shall contact the Town Highway Superintendent to obtain a highway work permit to construct the driveways in the Town's ROW to connect to Waite Road. The applicant, in consultation with the Town Highway Department, should determine if a driveway culvert pipe and drainage ditch within the Town's Right-of-Way will be required. If required, the property owner shall coordinate such installation with the Town's Highway Department.
- The proposed driveways shall conform to section 511 of the Fire Code of New York State.
- Environmental Considerations: Add a note to the plan stating: Regulated freshwater wetlands with 100' buffer areas are present on the lots. Prior to undertaking any project that may be within the wetland buffer, the property owner shall contact both the DEC Region 5 Office at (518) 623-1286 and the Town of Clifton Park at (518) 518-371-6651 to obtain the required freshwater wetlands permit and LC Zone disturbance/activity permit.
- Add a note to the plan stating: Clifton Park is a Right to Farm Community. Residents should be aware that farmers have the right to undertake farm practices that may generate dust, odor, noise, smoke, and vibration associated with farming practices.
- The proposed subdivision is subject to Section 239 of General Municipal Law and will be referred to the Saratoga Co. Planning Board for a recommendation since it is within the boundaries of the County's Consolidated Agricultural District.
- The SEAF Part I identifies less than 1 acre of soil disturbance as a result of the project. The applicant should verify the soil disturbance is likely to remain below what is reported on the form.
- The proposed subdivision is an Unlisted Action pursuant to SEQRA.

**Professional Comments:**

**Walter Lippmann, P.E. of MJ Engineering in a letter had the following comments:**

**STATE ENVIRONMENTAL QUALITY REVIEW**

1. Based upon our review of Part 617 of NYS Environmental Conservation Law, the project appears to be an "Unlisted" action. In Town Code Section 208.95(F)(9): Subject to and in accordance with the State Environmental Quality Review Act (SEQRA), the Planning Board shall be the lead agency for the purpose of conducting the environmental review of the application for a site plan. The Planning Board shall conduct an integrated comprehensive environmental review of the proposed project in combination with its review of the application under this article. If the Planning Board is to request Lead Agency status under SEQRA, the need to undergo a coordinated review is optional. Under a coordinated review, involved / interested agencies to be engaged may include, but is not necessarily limited to the following:
  - a. Town of Clifton Park Planning Board: Plan approval

b. Saratoga County Planning: 239-m County Referral

The applicant has submitted Part 1 of the Short Environmental Assessment Form (SEAF). Based upon our review of the submitted Part 1 SEAF, the following comments are offered:

2. Part 1. 13.a. – The response indicates that wetlands or other waterbodies regulated by federal, state or local agencies adjoin or are contained within the project site (per the EAF Summary Report). The applicant should provide documentation that confirms the presence or absence of federal or state regulated wetlands adjacent to the project site. Should this change as the project design progresses, additional approvals and permits may be required.
3. Part 1.16 – The applicant indicated that portions of the site is within the 100-year flood plain. For future development of the lots, it may be necessary to complete a flood analysis to confirm no adverse impact.
4. The applicant indicates that the action will disturb sediment control only would be required.
5. No further comments at this time.

SUBDIVISION

6. The project is located within the Town’s Conservation Residential District (CR). The proposal for single family homes is a permitted principal use within the CR District as noted in Section 208- 16(D)(1)(b) of the Town’s Zoning.
7. The applicant is proposing to create three new lots from one existing lot that has a total area of 82.01 acres. The proposal follows the development option outlined in Section 208-16(E)(2)(b) of Town’s Zoning where the density of a parcel consisting of 10 acres or more may be developed at a density of one residential dwelling unit per 10 acres, provided there is at least one acre of unconstrained land available to accommodate a residential use, including any required well and septic system. Based on the above it appears the proposed layout meets this requirement.
8. Identify the date and by whom the wetlands shown were delineated.
9. Show the limits of the Town’s LC Zoning District.
10. On January 1, 2025, the NYSDEC implemented new wetland regulations that expand their regulatory jurisdiction. The regulations list eleven criteria for wetlands to be deemed of “unusual importance,”. The applicant is responsible for obtaining correspondence from the NYSDEC regarding their jurisdiction relative to the on-site wetlands and whether permitting through the NYSDEC is required. The Town shall be provided with any required permitting prior to construction.
11. Provide the limits of disturbance on the plan. It would appear greater than 1-acre will be disturbed. If more than 1-acre of land is disturbed it will be subject to the NYSDEC Phase II Stormwater Regulations and General Permit GP-0-25-001. For a residential subdivision with between 1 and 5 acres of disturbance pursuant to GP 0-25-001, Table 1 if the project has less than 25% impervious cover at total site building-out, a SWPPP that addresses erosion and sediment control only would be required.
12. Any new access proposed onto Waite Road is subject to the review, approval and permitting from the Clifton Park Highway Department. Provide notation on the plat to that effect.
13. There may be a need to provide a drainage culvert at the new road to support existing drainage along Waite Road. The applicant will need to coordinate with Clifton Park

Highway Department for any such improvements. If required, show the location, size and materials of construction.

14. The proposed points of access to Waite Road should be verified to ensure proper site distance is achieved.
15. The applicant proposes to service the lots with an on-site septic system. The proposed septic system shall be designed by a New York State licensed professional engineer and conform to the requirements of the New York State Department of Health (Section 208-91) for review and approval by the Town Building Department.
16. Subsequent submissions shall include the septic system percolation and test pit results.
17. Confirm the wells and septic systems meet the setbacks required of Appendix 75-A of the State Sanitary Code. It appears the septic system on Lot A is upgradient from the well, therefore would require a 200-foot setback.
18. The proposed septic systems shall be laid out so they are parallel to the existing contours.
19. Show the location of the well and septic system on the adjacent lot Lands N/F of Ljutica to ensure compliance with NYSDOH Appendix 75A the horizontal separation from Lot B well.
20. Prior to approval or filing of the subdivision plat with the Saratoga County Clerk, the appropriate 911 emergency response numbers must be obtained for and assigned to each lot created and placed on the filed plat.
21. Considering this plan is conceptual in nature, subsequent comments will be provided with a preliminary plan submission.

**Public Comments:**

No public comment.

**Planning Board Review:**

Mr. Martin asked how much wetlands are there before the subdivision. Mr. Wilklow stated there is a considerable amount on the property, they did not delineate all the way back to the rear of the property. Mr. Wilklow showed a map with the 100' buffer.

Mr. Andarawis asked about the potential for future development after this. Mr. Wilklow stated that there is an option for less than 10 acres if it comes back. Mr. Scavo stated if any of the lots comeback with 1 dwelling per 3 acres of uplands or 10% of unconstrained lands it can go further. Mr. Wilklow stated that 80' of frontage is required, so no further subdivision can be done on lots A and B, and it could be done but would be challenging for Lot C. He stated that this is the lowest density option there is.

Mr. Ophardt asked if it is the intension of the applicant to construct these gearing towards the privacy of the buyer. Mr. Wilklow stated they are.

**Discussion Items:**

**1 Year extension of Project 2024-001 King of Kings Site Plan**

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Mr. Scavo stated that this application is for the portico addition and parking improvements. He stated that the approval expires tomorrow and the church is still raising funds for the improvements. Mr. Ophardt stated he has no issue with the Board granting an extension. The Planning Board unanimously agreed to a one year extension.

**Advisory decision to the ZBA for 3 Woodland Drive regarding pending area variances for the potential creation of a new keyhole lot (Project #2024-052 3 Woodland Drive 2-Lot Subdivision)**

Luigi Palleschi from ABD gave a brief presentation on the applicant and stated the ZBA was looking for confirmation from the Planning Board for the keyhole lot. After discussion, the Planning Board made the following advisory opinions for the ZBA to consider:

1. We are concerned that the applicant is proposing a new dwelling where one was not originally envisioned or planned.
2. Adjoining neighbors may have valid concerns about development at this location, as the lot is not buildable without relief from the zoning requirements for the minimum width of a keyhole lot.
3. The property's use and return are not compromised without an area variance, as the existing single-family dwelling and lot have met the zoning code's intent since their construction circa 1998.

Ms. Fariello moved, seconded by Mr. Martin, adjournment of the meeting at 8:28 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on April 8, 2025.

Respectfully submitted,

*Paula Cooper*

Paula Cooper, Secretary