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April 20, 2026

**Via Email**

Town of Clifton Park Town Board  
Philip Barret ([pbarrett@cliftonpark.org](mailto:pbarrett@cliftonpark.org))  
Agatha Reid ([areid@cliftonpark.org](mailto:areid@cliftonpark.org))  
Zabed Manir ([zmanir@cliftonpark.org](mailto:zmanir@cliftonpark.org))  
Mario Fantini ([mfantini@cliftonpark.org](mailto:mfantini@cliftonpark.org))  
Nancy Bellamy ([nbellamy@cliftonpark.org](mailto:nbellamy@cliftonpark.org))

**Re: 1910 Route 9 Clifton Park, LLC – Public Comment  
Proposed Local Law Establishing a Moratorium on Batch Concrete Mixing  
Plant Facilities**

Dear Supervisor Barrett and Members of the Town Board:

This firm represents 1910 Route 9 Clifton Park, LLC (the “Applicant”) in connection with its application to the Town of Clifton Park (the “Town”) Planning Board (the “Planning Board”) for site plan approval for construction of a ready-mix concrete batch plant (the “Project”) to be located at 1910 Route 9, Clifton Park, New York (the “Project Site”).

On April 7, 2026, the Town of Clifton Park Town Board (the “Town Board”) adopted a resolution setting a public hearing on a purported proposed moratorium to prohibit the acceptance, review, or issuance of any permits, site plans, special use permits, or other approvals for the construction or operation of any “Batch Concrete Mixing Plant facilities” (the “Proposed Moratorium”). See **Exhibit A**. As discussed more fully herein, the Proposed Moratorium violates federal and New York State law and is nothing more than a bad faith attempt by certain members of the Town Board to usurp the authority and obligations of the Planning Board and target and stop the Project.

If adopted, the Proposed Moratorium would impermissibly and unconstitutionally impair Applicant’s rights and subject the Town to litigation including, but not limited to, under United States Constitution § 1983 and New York Civil Practice Law and Rules Article 78. For these

reasons, the Town Board must reject the Proposed Moratorium. If the Town Board does not reject the Moratorium, then it must revise the moratorium to exempt the Project.

Unless the Moratorium is withdrawn, the Town should notify its insurance carrier of the circumstances surrounding this proposed legislation and potential liability that may result.

Our office separately submitted a comprehensive Freedom of Information Law (“FOIL”) request to the Town to better understand the origins of the Proposed Moratorium and its connection to the pending Planning Board review of the Project. As such, we request that the public hearing be adjourned until a response to our FOIL request is obtained to allow the Applicant to comment on the same prior to its property rights being divested by the Proposed Moratorium and future zoning changes, which will subject the Applicant to significant financial loss. Our office also submitted to the Town a Preservation Notice to put the Town on notice that all documents and communications must be preserved including but not limited to emails (whether on Town or personal emails), text messages, social media, and other electronic correspondences, related to the Proposed Moratorium, Project, Project Site, or the Applicant and/or its members and representatives.

## **I. The Project**

The Project includes construction of a ready-mix concrete production plant on a 19.4-acre lot in the Town of Clifton Park sitting between Route 9 and Interstate I-87 (i.e., the Project Site). The Project includes construction of single building (the “Batch Plant”), aggregate bin system, conveyor belt, enclosed elevated aggregate bins, and cement silos that load concrete mixer trucks. The Project also includes an aggregate sand/stone pile storage area along with on-site stormwater management.

In March of 2025, the Applicant submitted a site plan application to the Planning Board for the Project. That Application is still pending. During the Planning Board’s review of the Project, on April 18, 2025, the Applicant received a determination from the Town Zoning Enforcement Officer that the Project is a permitted use in the Town’s Light Industrial (LI-2) District. *See Exhibit B.* The Applicant has also applied to the Town Zoning Board of Appeal (“ZBA”) for and, on June 3, 2025, received a height variance for the Project. On January 13, 2026, the Planning Board classified the Project as “Unlisted” and circulated a Lead Agency notice under the State Environmental Quality Review Act (“SEQRA”). We understand that no other agency, including the New York State Department of Environmental Conservation, indicated its desire to be Lead Agency or objected to the Planning Board serving as Lead Agency under SEQRA.

The Applicant was last in front of the Planning Board on January 13, 2026 and since that time has been working on responses to comments by the Planning Board, the public, and Planning Board engineers. In total, the Project has been before the Town Planning Board for over a year, and the Applicant has expended in excess of \$100,000 toward advancing the Project, and made at the direction of the Town and in reliance on the determinations of the Planning Board and ZBA.

## **II. The Proposed Moratorium**

On April 6, 2026, the Town Board posted an agenda that included a resolution titled “Resolution No. \_\_\_ of 2026, a resolution scheduling a public hearing to consider a local law establishing a moratorium on Batch Concrete Mixing Plant facilities” (the “Resolution”). *See* Exhibit A. The Resolution purports to schedule a public hearing “to consider a local law establishing a moratorium on Batch Concrete Mixing Plant facilities.” *Id.*

The Resolution further states, the purpose of the Proposed Moratorium is to “provide sufficient time to study and address any concerns, including but not limited to zoning, environmental impacts, public safety, and economic implications.” *Id.* The Resolution does not include a proposed local law rather it references an attachment which appears to be an e-mail from Town of Clifton Park Official Website to the members of the Town Board with another draft resolution (the “Resolution Attachment”) in the text of that e-mail. Contrary to the Resolution, the Resolution Attachment states the purpose of the Proposed Moratorium is to consider zoning amendments in response to the Town Board “identifying” that batch concrete mixing facilities are “incompatible with the Town of Clifton Park Comprehensive Plan due to potential impacts on community character, air quality, traffic, noise, and proximity to residential uses.” *See* Exhibit A, Resolution Attachment. Contrary to both the Resolution and Resolution Attachment, the Town Board has stated the purpose of the Proposed Moratorium is to “thoroughly review” the Project, obtaining and consider public comment, and address citizen concerns. *See* **Exhibit C**.

## **III. The Proposed Moratorium Violates Federal and New York State Law and Must be Rejected**

Under settled and binding decisional law of the New York Court of Appeals, the Appellate Division, and the United States and New York Constitutions, the only legitimate basis for adoption of a moratorium is in response to a crisis or emergency while a local law amending locality’s comprehensive plan or land use laws has been proposed for adoption. *See Charles v. Diamond*, 41 N.Y.2d 318 (1977); *Belle Harbor Realty Corp. v. Kerr*, 35 N.Y.2d 507 (1974) (“While we have consistently recognized the right of a municipality pursuant to its police powers to prevent conditions dangerous to public health and welfare...we have also insisted that such restrictions or limitations must be kept ‘within the limitations of necessity’”) (citations omitted); *Cellular Tel. Co. v. Vill. Of Tarrytown*, 209 A.D.2d 57, 66 (2d Dept 2009); *Matter of MHC Greenwood Vil. NY, LLC v. County of Suffolk*, 58 A.D. 3d 735 (2d Dept 2009). A municipality may not adopt a moratorium solely to address public opposition. *Belle Harbor Realty Corp. v. Kerr*, 35 N.Y.2d 507 (1974) (“Consequently[,] a municipality may not involve its police powers solely as a pretext to assuage strident community opposition”). Also, speculative and unfounded reasons for a moratorium are not enough to support adoption of a moratorium. *See Cellular Tel. Co.*, 209 A.D.2d at 66-67 (holding a municipality does not have the authority to enact a moratorium based solely upon a scientifically unfounded public perception that such use will create adverse health risks to those residents in the surrounding community.).

New York law also prohibits the adoption of a local law – i.e., a moratorium – that is inconsistent with state law. *See* Municipal Home Rule Law § 10(1)(i); *Troy Sand & Gravel Co., v. Town of Sand Lake*, 185 A.D. 3d 1306 (3d Dept 2020) (holding a local law that “usurps powers

reserved under SEQRA, ...is facially flawed and, as such must be annulled.”); *Miranda Holdings, Inc. v. Town Bd. Of Town of Orchard Park*, 152 A.D.3d 1234 (4th Dept 2018) (“a local law that is ‘inconsistent with SEQRA’ must be invalidated”).

The Town Board identifies three completely separate and inconsistent bases for adopting the Proposed Moratorium:

1. To study and address zoning, environmental, public safety, and economic concerns with Batch Concrete Mixing facilities. *See Exhibit A, Resolution.*
2. To adopt zoning amendments in response to the Town Board “identifying” that batch concrete mixing facilities are “incompatible with the Town of Clifton Park Comprehensive Plan due to potential impacts on community character, air quality, traffic, noise, and proximity to residential uses.” *See Exhibit A, Resolution Attachment.*
3. To review the Project with public input to respond to public concern and complaints. *See Exhibit C.*

***a. The Town Board has not established a crisis or emergency necessitating a moratorium***

None of the bases cited by the Town Board, nor the Resolution or the Resolution Attachment, reference, let alone establish, a crisis or emergency necessitating a prohibition on the review or approval of ready-mix concrete batch plants while the Town Board considers zoning amendments. Rather, the Town Board has blatantly admitted that the sole purpose of the Proposed Moratorium is to stop the Project. For this reason alone, the Proposed Moratorium must be rejected.

***b. The Town Board’s reasoning for the moratorium lacks rational basis***

In addition to not establishing a crisis or emergency, the Town Board’s reasoning that it needs to study the Project, or concrete batch plants, generally, is completely devoid of a rational basis. The Planning Board is already conducting the exact environmental and land use review that the Town Board is now claiming it requires a moratorium to perform. As noted above, the Project is currently pending in front of the Planning Board and has been for over a year undergoing a comprehensive review under the Town Zoning Code and SEQRA. During this time, the Applicant has applied for and the ZBA has issued an area variance for the Project, the Town Zoning Enforcement Official determined that the Project is a permitted use and, thus, in compliance with the Town Zoning Code and the Town Comprehensive Plan, and the Planning Board has classified the Project and issued a Lead Agency notice under SEQRA.

It is well beyond the Town Board’s jurisdiction under SEQRA to conduct an environmental review of a pending land use project. That jurisdiction rests with the appropriately designated Lead Agency under SEQRA. The Town Board is not even an interested agency, let alone an involved agency in the SEQRA review of the Project. Every single concern the Town Board has raised – air quality, traffic, noise, community character, public safety, economic considerations – are environmental impacts that SEQRA is designed to address. The Town Board’s moratorium thus

seeks to impermissibly subvert the ongoing SEQRA process and assume the Lead Agency functions in a parallel environmental review.

There is also no rational basis for the Town Board to consider amendments to the comprehensive plan in response to a purported determination by the Town Board that Concrete Batch Plants are incompatible with the Town's Comprehensive Plan due to potential impacts on "community character, air quality, traffic, noise, and proximity to residential uses." There is not a single shred of evidence in the Town Board record to support this purported "determination," or that the Project will have any impact on any of the foregoing. Notwithstanding this arbitrary and capricious "determination," the Town Comprehensive Plan and Town Code already address what the Town Board is claiming they need a moratorium to address. For example, the Town Comprehensive Plan considered light industrial uses and recommended the continued encouragement of such uses in industrial zones. *See Exhibit D*, p. 34. The Town Code also prohibits any processing or light manufacturing use in the LI-2 District that results in "any noxious noise or odor outside the district and does not have a deleterious effect on the air or water quality." Town Code § 208-64. Thus, the Town Board has already addressed the very concern the Town Board is now claiming it needs a moratorium to address.

***c. The Proposed Moratorium violates Municipal Home Rule Law***

The Proposed Moratorium is inconsistent with state law and, thus, violates Municipal Home Rule Law ("MHRL"). *See* MHRL § 10(1)(i). As stated above, according to the Town Board, the purpose of the Proposed Moratorium is to perform an environmental review of the project and hear public concerns regarding the same. Under New York law, a Town's authority and obligations with respect to site plan and environmental review of a proposed action are governed by New York Town Law, the Town Code, and SEQRA. New York Town Law and the Town Code provides the authority to review site plans, including public participation, to the Planning Board. *See* Town Law § 274-a; Town Code §§ 208-113 to 208-125. In addition, SEQRA mandates that the environmental review of the Project be conducted by the Lead Agency. Here, the Town Board is neither an interested nor an involved agency under SEQRA and, thus, cannot serve as Lead Agency – and, thus, cannot perform any environmental or other review of the Project. *See* New York Environmental Conservation Law § 8-0111(6). The Proposed Moratorium is nothing more than a politically motivated attempt to circumvent Town Law and SEQRA to allow the Town Board to stop the Project.

The Proposed Moratorium does not include a proposed local law. Rather, it is a resolution (i.e., the Resolution) with another draft resolution attached (i.e., the Resolution Attachment) calling a public hearing on the potential future adoption of a local law that is not in the record, nor has anyone seen or reviewed. Thus, the Proposed Moratorium is not in compliance with procedural and substantive requirements of Municipal Home Rule Law for adopting local laws. *See, generally*, MHRL.

***d. The Town Board is also not in compliance with General Municipal Law***

Under General Municipal Law, the local law must be referred to the Saratoga County Planning Department. *See* General Municipal Law ("GML") § 239-m. Indeed, the Town Board admitted

this was a requirement. However, GML § 239-m requires that the Town Board submit a “full statement of such proposed action” which is defined as “the complete text of the proposed ordinance or local law as well as all existing provisions to be affected thereby, if any, if not already in the possession of the county planning agency or regional planning council.” Failure to comply with the requirements of GML § 239-m is a jurisdictional defect rendering the Proposed Moratorium void. *See Caruso v. Town of Oyster Bay*, 172 Misc.2d 93 (1997); *Burchetta v. Town Bd. Of Town of Carmel*, 167A.D.2d 339 (1990).

Here, the only documents in the record that the Town Board could possibly refer to the Saratoga County Planning Board is the Resolution and the Resolution Attachment. There is no complete text of the proposed local law, rather, just a resolution calling for a public hearing on the adoption of a local law. Thus, the Town Board is in violation or will be in violation of GML § 239-m – rendering the Proposed Moratorium void.

***e. The Town Board is bound by the Planning Board’s review and determinations with respect to the Project***

The Proposed Moratorium is also unlawful to the extent the Town Board seeks to take action inconsistent with the previous determinations of the Town.

The ZBA has already issued an area variance for the Project, and the Zoning Enforcement Official has issued a determination that the Project is a permitted use. As a matter of administrative *stare decisis*, the Town Board cannot go against prior determinations of the Town with respect to the variance approval and/or zoning determination. *Matter of Richardson v Commissioner of New York City Dept. of Social Servs.*, 88 NY2d 35, 39-40 (1996); *Matter of Martin*, 70 NY2d 679 (1987) (agency’s failure to reach consistent determination based on essentially same facts was irrational); *Knight v Amelkin*, 68 NY2d 975, 977 (1986); *Matter of Callanan Indus., Inc. v Rourke*, 187 AD2d 781, 782-783 (3d Dept 1992); *Kinderhook Dev., LLC v City of Gloversville Planning Bd.*, 88 AD3d 1207 (3d Dept. 2011).

**IV. The Town Board Must Exempt the Project from the Moratorium**

If the Town Board does not reject the Proposed Moratorium, then it must exempt the Project.

It is well-settled in New York that a moratorium cannot be adopted, in bad faith, to only prohibit a specific project, which would otherwise be permitted. *See Hamptons, LLC v. Rickenbach*, 98 A.D.3d 736 (2d Dept 2012 (holding that a local law adopted in bad faith to only prohibit the proposed project, which would otherwise be permitted, is inapplicable and would vest the developer’s rights at that moment).

Here, the Town has been aware of the Project for over a year since the Applicant applied to the Planning Board for site plan review. During that time the Applicant has sought and obtained a use variance from the ZBA and a determination from the Zoning Enforcement Officer that the Project is a lawful and permitted use under the Town Code. During this process, and at the direction of the Planning Board, and in complete reliance on the determinations and approvals issued but the Town over the last year, the Applicant has expended in excess of \$100,000 in furtherance of the Project.

The Proposed Moratorium purports to prohibit the review or approval of any Batch Concrete Mixing Plant facilities. However, there is only one proposed ready-mix concrete batch plant in the Town – the Project. In addition, remarkably, the Town Board blatantly admits on the record that the sole purpose of the is to target the Project. The fact that the Town Board has waited over a year to do so after the Town determined the Project was a permitted use and issued an area variance, is a clear attempt, not to pause, but to permanently halt the Project. This is clear and undeniable bad faith. As such, the Proposed Moratorium must exempt the Project to avoid the Applicant completely losing its entire substantial investment in the Project and protect the Town against unnecessary litigation.

**V. Conclusion**

The Town Board should withdraw the Proposed Moratorium as it fails to comply with New York or Federal law as set forth above. The Town has failed to demonstrate that a crisis or emergency circumstance exists and/or that a dire necessity exists to issue a pause on development. If the Town Board elects to continue with the unlawful Proposed Moratorium, the Town Board should exempt the Project because the Project's compliance with the Zoning Code and environmental impacts are being reviewed and determined by the Planning Board and will not have any impact any of the alleged concerns noted in the Moratorium.

If not, and if the Town Zoning Code is amended to reduce or prohibit the Project, the Applicant will not be able to make a reasonable return on its investment, an investment that was completely made in reliance on the existing zoning coupled with the Planning Board and ZBA entertaining the review of the Project for over a year.

We urge the Town board to carefully consider every impact of the Proposed Moratorium and exempt the Project from the Moratorium to ensure that our client need not pursue legal avenues and remedies in the courts.

Please do not hesitate to contact my office with any questions.

Sincerely,

/s/ *T.J. Ruane*

T.J. Ruane, Esq.

Enclosures

cc: Kevin Dailey ([kdailey@cliftonpark.org](mailto:kdailey@cliftonpark.org))  
Kevin Luibrand ([kluibrand@cliftonpark.org](mailto:kluibrand@cliftonpark.org))  
Stefanie Bitter ([sbitter@cliftonpark.org](mailto:sbitter@cliftonpark.org))

# **EXHIBIT A**

Resolution No. \_\_\_\_\_ of 2026, a resolution scheduling a Public Hearing to consider a local law establishing a moratorium on Batch Concrete Mixing Plant facilities.

Introduced by \_\_\_\_\_, who moved its adoption, seconded by \_\_\_\_\_

WHEREAS, the Town of Clifton Park is committed to ensuring the health, safety, and welfare of its residents and the proper regulation of land uses within its boundaries, and

WHEREAS, the Town Board deems it prudent to temporarily pause the approval or establishment of any Batch Concrete Mixing Plant facilities to provide sufficient time to study and address any concerns, including but not limited to zoning, environmental impacts, public safety, and economic implications, and

WHEREAS, the Town Board deems it prudent to temporarily pause the approval or establishment of any new Batch Concrete Mixing Plant facilities to provide sufficient time to study and address any concerns, including but not limited to zoning, environmental impacts, public safety, and economic implications, and

WHEREAS, the Town Board seeks public input and discussion regarding the establishment of a moratorium on such operations within the Town of Clifton Park; now, therefore, be it

RESOLVED that the Town Board of the Town of Clifton Park hereby sets a public hearing to consider the establishment of a 180-day moratorium on any new Batch Concrete Mixing Plant facilities within the Town of Clifton Park; and be it further

RESOLVED that the public hearing shall be held on April 21, 2026, at 7:05 p.m., at the Clifton Park Town Hall, located at 1 Town Hall Plaza, Clifton Park, New York, to hear all interested persons on this matter; and be it further

RESOLVED, that the attached proposal be referred to the Saratoga County Planning Board for its review pursuant to Section 239-m of the New York State General Municipal Law; and be it further

RESOLVED that the Town Clerk is hereby directed to publish notice of said public hearing in the official newspaper of the Town and to take any other actions necessary to provide proper notice to the public pursuant to applicable laws and regulations.

## Cynthia Zlogar

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**From:** Town of Clifton Park Official Website <info@cliftonpark.org>  
**Sent:** Tuesday, March 31, 2026 8:17 PM  
**To:** Cynthia Zlogar; Phil Barrett; Jean Spiegel; Mark Heggen; Darlene Allen; Zabed Manir; Agatha Reid; John Scavo; Christine Pagniello; Walter Smead; Kelly Miller; Nancy Bellamy; Mario Fantini; Kevin Dailey; Caitlin Fantini  
**Subject:** New Resolution Request #2750

A new resolution request has been submitted. The details of this resolution request are included below.

**Department:** Town Board

**Your Name:** Mario Fantini

**Your Email:** [mFantini@cliftonpark.org](mailto:mFantini@cliftonpark.org)

**Sponsor:** Mario Fantini

**Agenda Session Date:** 04/07/2026 ✓

**Board Meeting Date:** 04/07/2026 ✓

**Alternate Date:** 04/07/2026

**Budget Number:** NA

**Budget Description:** NA

**Amount:** NA

**Brief Description:** Resolution No. \_\_\_\_ of 2026

A resolution adopting a 180-day moratorium on Batch Concrete Mixing Plants Introduced by Councilman Fantini, who moved its adoption, seconded by \_\_\_\_.

WHEREAS, Batch Concrete Mixing Plants have been identified as incompatible with the Town of Clifton Park Comprehensive Plan due to potential impacts on community character, air quality, traffic, noise, and proximity to residential uses; and

WHEREAS, the Town requires time to prepare and adopt permanent zoning amendments prohibiting such facilities while preventing premature permit applications that could create vested rights; and

WHEREAS, a temporary land-use moratorium is an authorized and appropriate tool under New York State law and New York State Department of State guidance to preserve the status quo during this process; and

WHEREAS, a 180-day duration is reasonable and consistent with State guidance for targeted zoning amendments; now, therefore, be it

RESOLVED, that the Town Board hereby adopts a 180-day moratorium on the acceptance, review, processing, or issuance of any permits, site plan approvals, special use permits, or other approvals for the siting, construction, or operation of Batch Concrete Mixing Plants within the Town of Clifton Park; and be it further

RESOLVED, that this moratorium shall take effect immediately upon filing with the New York State Department of State and shall expire 180 days thereafter unless extended by further action of the Town Board.

# **EXHIBIT B**

4/22/25

**Town of Clifton Park Planning Board**  
**One Town Hall Plaza**  
**Clifton Park, New York 12065**  
**(518) 371-6054 FAX (518)371-1136**

PLANNING BOARD

DENISE BAGRAMIAN  
Chairwoman

VIDA SHEEHAN  
Attorney

PAULA COOPER  
Secretary



MEMBERS  
Emad Andarawis  
Eric Ophardt  
Heather Fariello  
Mario Fantini  
Keith Martin  
Lisa Westrick  
Matthew Luke (alt.)

**Planning Board Minutes**  
**April 22, 2025**

Those present at the April 22, 2025 Planning Board meeting were:

Planning Board: D. Bagramian, Chairwoman, E. Andarawis, H. Fariello, E. Ophardt, K. Martin, M. Fantini, L. Westrick, Matthew Luke (alternate)

Those absent were: E. Andarawis, H. Fariello - who arrived at 7:24 p.m. for considering of Old Business Agenda Items

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

Ms. Bagramian, Chairwoman called the meeting to order at 7:00 p.m. All in attendance stood for recitation of the Pledge of Allegiance.

Mr. Scavo stated that at tonight's meeting the Staff and Professional comments will not be read but attached to the finalized minutes for public record. He noted that written copies of the comments were provided to Planning Board Members and are available in print format to the public in attendance.

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**Minutes Approval:**

None

**Public Hearings:**

**#2025-014 1315 Route 146 - 3 Lot Subdivision (21st Century)**

SBL: 270.-2-2 3 Lot Subdivision, 1315 Rt 146, Zoned: B5 - Corporate Commerce, Status: Preliminary Applicant: MSW Properties, LLC Consultant: ABD Engineers – J. Hitchcock, Jr Last Seen On: (previously seen under a different project # and design consultant in 2024)

Ms. Bagramian explained the review and approval process to those present, stating that the Board was required to render a determination pursuant to SEQRA (State Environmental Quality Review Act) prior to conducting a public hearing on this application. She explained that the Planning Board would assume Lead Agency status for the project and issue a negative declaration as a “formality” which neither granted nor implied approval of the subdivision application. Should it be determined that additional environmental review is required, SEQRA discussions will be reopened and a decision rendered when deemed appropriate.

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

Ms. Bagramian called the public hearing to order at 7:05 p.m. The Secretary read the public notice as published in the Daily Gazette on April 12, 2025.

**Consultant/Applicant Presentation:**

John Hitchcock stated this parcel is 23.59 acres in the 21<sup>st</sup> Century Park. He stated it was originally seen a few years ago by a different firm but the applicant is now going through ABD. He stated that the lines have not changed since it was last seen as well as bulk standards and green space remaining the same. Mr. Hitchcock stated that lot 1 would have the existing buildings and be about 8 acres, lot 2 would be 8.21 acres, and lot 3 would be 6.77 acres with approved buildings on them. Mr. Hitchcock stated that easements for utilities are provided to Clifton Park Water Authority and Saratoga Sewer as well as a 40’ easement for required frontage to Route 146.

**Staff Comments:**

No additional staff comments

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**Professional Comments:**

No additional professional comments.

**Public Comments:**

Ingrid Hahn, 777 Waite Road stated she has concerns with the vacant lot as she feels there is already congestion with traffic and feels this may make it worse. Martin Wawrla, the applicant stated that all traffic would be going to 146, and all was found to be acceptable when the traffic study was done.

There being no additional public comment, Mr. Ophardt moved, second by Ms. Westrick, to close the public hearing at 7:12 p.m. The motion was unanimously carried.

**Planning Board Review:**

Mr. Ophardt stated that he feels comfortable with this as it has been seen before. He asked the applicant why they chose to subdivide. Mr. Scavo stated that a subdivision with IDA makes more sense and helps open up the lots to clarify what is allowed under the IDA's authority. He stated that it also helps with 911 addresses and response time and enables the applicant the option to sell individual improved lots down the road.

Mr. Ophardt offered Resolution No. 06 of 2025, seconded by Mr. Luke, to waive the final hearing for this application for the 1315 Route 146 - 3 Lot Subdivision approval, and to grant preliminary and final subdivision approval condition upon satisfaction of all comments, provided by the Planning Department, Town Designated Engineer, and all items listed in the final comment letter issued by the Planning Department.

**Roll Call:**

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

Ayes 6

Noes: 0

The resolution is carried.

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**Old Business:**

**#2025-001 26 Wood Rd Multi-Use Industrial Building Site Plan**

SBL: 259.-2-115.1 Proposed construct an additional 17,280 sq ft mixed-use building with parking and travel surfaces that connect to the existing development., 26 Wood RD, Zoned: L2 - Light Industrial 2 Status: Preliminary Applicant: DCG Consultant: EDP – J. Dannible Last Seen On: 02/11/2025

**Consultant/Applicant Presentation:**

Joe Dannible stated the applicant is seeking an amended site plan approval for lot 3A. He stated that the applicant has appeared before the board previously and prior deed restrictions have been removed, allowing an additional building site opposite an existing flex industrial park. Mr. Dannible stated that the parking was approved 2-3 years ago, and the building was proposed for 19,200 sf at that time and is now proposed for approximately 17,300 sf due to slopes on the site and the stormwater area. He stated there are 84 parking spaces between the two buildings and the new building will be a typical flex building with access on both sides. Mr. Dannible stated that water and sewer would be brought onto the site and stormwater would be mitigated on-site as well. Mr. Dannible showed the drainage plan and went through the key points under the Industrial Zoning District Standards. He also showed the planting plan and stated that the rear property line runs with the plantings and evergreens will be installed. Mr. Dannible showed the adjacent building and stated that the proposed building would mirror it in appearance.

**Staff Comments:**

Mr. Scavo read from the comments made by Mr. Reese, Zoning Administrator.

**Professional Comments:**

No additional professional comments.

**Ms. Fariello arrives at 7:24 pm**

**Public Comments:**

No public comment.

**Planning Board Review:**

Mr. Ophardt asked if the slopes seemed steep and if they had a long-term plan for this. Mr. Dannible stated that there is grass and other vegetative growth that they may or may not be mowed to provide slope stabilization.

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Mr. Martin asked how long the applicant thinks it would take for the vegetation to mature for stabilization. Mr. Dannible stated that for plantings, it would be about a year.

Mr. Scavo read from the GEIS the findings statement specific to traffic.

Mr. Ophardt moved, seconded by Ms. Westrick, to establish the Planning Board as the Lead Agency for this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA.

Ms. Westrick moved, second by Mr. Ophardt, to waive the final hearing for this application for the site plan review of 26 Wood Rd Multi-Use Industrial Building Site Plan, and to grant preliminary and final site plan approval conditioned upon satisfaction of all comments provided by the Planning Department, Town Designated Engineer, and all items listed in the final comment letter issued by the Planning Department.

Conditions:

1. Comments regarding Town Code 208-65 are addressed.

Ayes:   7  

Noes:   0  

The motion is carried.

**Old Business:**

**#2025-005 Wood Rd Outdoor Soccer Training & Fitness Facility Site Plan**

SBL: 250.-2-1.1 Proposed construction of a soccer field, Wood RD, Zoned: L2 - Light Industrial 2, Status: Preliminary Applicant: Cassroots Consultant: EDP – J. Dannible Last Seen On: 02/25/2025

**Consultant/Applicant Presentation:**

Joe Dannible stated that this application is to construct a parking lot to facilitate drop off and pick up for kids. He stated that 150 Wood Road is a 10-acre parcel that is flat and open. He stated it is currently being mowed and is being used as a soccer field. He stated the applicant would like a driveway and some parking. Mr. Dannible stated that 3 fields are being used and are 60'x125' each. Mr. Dannible stated that there is a gravel road that they would like to tie into and the existing structure would remain as it houses soccer equipment. He stated that a portable bathroom facility would be brought onto the site and fencing would be installed to the north and west. Mr. Dannible stated that no work needs to be done to the soccer fields and would have shared access to get to the fields and parking.

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**Staff Comments:**

Mr. Scavo stated the Saratoga County Planning Board issued a recommendation noting No Significant County-wide or Intercommunity Impact.

**Professional Comments:**

No additional professional comments.

**Public Comment:**

Mr. Scavo stated that there is a letter of concern was received today and is included in the applicant's file. He also noted the letter of concern was forwarded to the Planning Board Members and the applicant for their consideration.

**Planning Board:**

Mr. Fantini asked if the parking was adequate for the use. Mr. Dannible stated that no full games are being played, this is training for a few select athletes, and if there was a practice game, it would be no more than 5 vs. 5.

Ms. Bagramian asked where the parents would go if they wanted to stay. Mr. Dannible stated that there would only be 12 kids playing at a time and 16 spaces are being proposed, so parking is sufficient.

Mr. Ophardt asked if only one field would be used at a time since there are so few kids per session. Mr. Dannible stated they are not game fields but used only for drills and there would be 6-18 players per field and that they could add more parking if the Board felt they needed it. Slade Jones, the applicant stated that there would be 8-12 children per session and they have a limit on the members. He stated that they only operate 6 hours per day and 5 days per week from about Memorial Day through Labor Day. He stated that they only operate during daytime hours as there are no lights being proposed except for 3 security lights.

Mr. Martin asked who owns the home across from project site and inquired if there will be buffering. Mr. Jones stated Brewer owns the property. Mr. Dannible stated he feels there is animosity between the applicant and the homeowner but that they could plant evergreens along that side for buffers. Mr. Martin stated that the resident has real concerns and Mr. Martin believes that they do need to be addressed before he can move forward. Mr. Martin asked if the applicant could explain the lighting and how they would mitigate it. Mr. Dannible stated that it would be on the south side of the building and used only for security.

Ms. Bagramian stated she would like to see a buffer on the site plan so it is clear what is being done. She asked where the toilets would be located. Mr. Dannible stated they would be adjacent to the field, and there would be no dumpsters; everything is carry-in carry-out. Ms. Bagramian

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stated that kids will be kids, and garbage will be left on the site, and she would like the applicant to have a small receptacle on site, even if it is kept in the storage building.

Mr. Scavo stated that if he receives a County response to the application by April 29<sup>th</sup>, the application can be put on the May 13th meeting agenda.

Mr. Dannible stated the applicant can address code concerns and resident concern while they are awaiting response.

Mr. Ophardt asked where the access would be. Mr. Dannible stated it would primarily be on Wood Road with a secondary emergency access.

Mr. Fantini asked if the power lines were a concern. Mr. Dannible stated that they would have to look at them on the site.

Ms. Bagramian asked if the driveway and parking would be paved. Mr. Dannible stated it would be a gravel 20' access.

### **New Business:**

#### **#2025-012 117 Wood Road Office and Warehouse Storage Site Plan**

SBL: 250.-2-42 Proposed construction of office and warehouse storage space, 117 Wood RD ,  
Zoned: L2 - Light Industrial 2 Status: Concept Applicant: Remodel Now, Consultant: N/A

### **Consultant/Applicant Presentation:**

Chris Longo stated they are here tonight for a growing remodeling business with real estate. He stated that this application is on the south side of Wood Road on a subdivided parcel from years prior. Mr. Longo stated the application is for a 10,500 sf building with overhead doors and a service door on the side. Mr. Longo stated that there are 21 parking spots proposed and the renderings are currently being worked on. He states that there is a loop drive with septic proposed in front of the building and a well to the rear. He stated that they intend to stay under one acre of disturbance but the final grading plan still needs to be done and a full SWPPP will be addressed if needed. Mr. Longo stated that the wetlands have been delineated around the parcel but there are not any on the property, only buffer areas that are shown on the map.

### **Staff Comments:**

Mr. Scavo read from his comments regarding the previously established SEQR for the 2005 XAR and stated a copy has been attached to the file.

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**Professional Comments:**

No additional professional comments.

**Public Comments:**

No public comment.

**Planning Board Review:**

Ms. Bagramian asked if the flex space would have doors at grade. Mr. Longo stated that there would be doors at grade and rear emergency exits only so the pavement would not go around the building. Ms. Bagramian stated that he would like to see the dumpster location on the plan as well as the landscape plan with the subsequent submittal. She asked where the snow removal storage would take place. Mr. Longo stated that snow storage is available on site, but they would keep it away from the west and push it to the north. Ms. Bagramian asked how the parking ratio was determined. Mr. Longo stated that 21 are based on one car per 200sf, and the final number will have the calculation broken down. Ms. Bagramian stated she thinks that they will need more parking than they think and stated she would like to see access to the rear of the building. Mr. Longo stated that doing so break the 1 acre of disturbance they are trying to stay under but they can look at it if it will make a better business model.

Mr. Martin stated that the applicant needs to keep in mind the comments given by the ECC as they move forward. Mr. Martin asked if the SEQR XAR environmental analysis was based upon a 1 acre limit, or if this proposed limit was solely the applicant's preference for this application. Mr. Scavo stated it did not but the applicant is trying to minimize the disturbance.

Mr. Ophardt asked why the applicant is proposing 2 driveways, as zoning only requires one unless it improves the traffic flow. Mr. Longo stated that he feels it is appropriate to not have trailers back up. Mr. Ophardt asked what size trucks would be on the property. Mr. Longo stated that it would be a trailer towed by a pickup. Mr. Ophardt asked if fill would need to be brought into the site and if the applicant could bring back a design with one driveway to show it works or not; Ms. Bagramian agreed.

**New Business:**

**#2025-013 1143 Ballston Lake Rd 2 Lot Subdivision**

SBL: 257.16-1-31 Subdivision of a 2.54-acre lot into 2 lots, 1143 Ballston Lake RD, Zoned: HM - Hamlet Mixed Use Status: Concept Applicant: D. Reckner Consultant: GVG Land Surveyor, PLLC – K. Weed

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**Consultant/Applicant Presentation:**

Pat Jarosz stated he was present on behalf of the applicant for a 2 lot subdivision on Route 146A. He stated that lot 1 would have the existing home and garage and new garage is proposed, and lot 2 would have the existing outbuilding on it. He stated that the application is in the Hamlet Mixed Use zone.

**Staff Comments:**

No additional staff comments.

**Professional Comments:**

No additional professional comments.

**Public Comments:**

No public comment.

**Planning Board Review:**

Mr. Ophardt asked if this application was seen before. Mr. Jarosz stated it was seen in 2009 for an addition to a business under a site plan application.

Mr. Scavo stated that the next step is to respond to the comments and to go to the ZBA for needed variances.

**New Business:**

**#2025-015 VP Golf Club 5 Lot Single-family Subdivision Main Street**

SBL: 264.-3-94.1 5 Lot Single-family subdivision Main Street , 924 Main ST, Zoned: PDD

Status: Concept Applicant: Country Club Golf LLC Consultant: EDP – J. Dannible

**Consultant/Applicant Presentation:**

Joe Dannible stated he is here tonight for 924 Main Street which is part of the Van Patten Golf Course. He stated that there are 100 acres in total, and they are proposing 5 new lots on Main Street similar to what exists across the street. He stated that all of the lots would be 20,000 sf or greater and all of the curb cuts would be on Main Street and lots would meet bulk requirements. Mr. Dannible stated that each lot would have stormwater managed as well as water and sewer brought in. He stated that a full SWPPP would not be required.

**Staff Comments:**

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Mr. Scavo read from his comments regarding reviews handled by the SCDOH and stated it may change what actions are pursuant to SEQR.

**Professional Comments:**

No additional professional comments.

**Public Comment:**

No public comment.

**Planning Board:**

Ms. Bagramian asked if the homes would be affiliated with the golf course. Mr. Dannible stated they will just be creating new lots. Ms. Bagramian asked if there would be a buffer to the golf course. Mr. Dannible stated that there are natural trees that they may thin out for golf course views.

Mr. Martin moved, second by Ms. Fariello, to establish the Planning Board as Lead Agency pursuant to SEQRA. This was carried unanimously.

**New Business:**

**#2025-016 VP Golf Club 6 lot Single-family Subdivision Route 146A**

SBL: 264.-3-94.1 6 lot Single-family Subdivision Route 146A, 924 Main ST Zoned: PDD,  
Status: Concept Applicant: Country Club Golf LLC, Consultant: EDP – J. Dannible

**Consultant/Applicant Presentation:**

Joe Dannible stated he is here tonight for an application to subdivide 6 lots from the 100 acre golf course on Route 146A. he stated the subdivision has a wide right of way and is in a forested location. He stated there is about 600 feet of road frontage and it is part of the R-1 zoning. He stated that the lots would be about 40,000 sf and fronting Route 146A. Mr. Dannible stated they still have to look into site distance, and there would be public water and sewer brought to the sites. Mr. Dannible stated that there is less than 5 acres of disturbance, so no full SWPPP will be needed. He stated there would be more distance from the lots to the golf course than the last application, and there are no wetlands on the land they propose to subdivide, but there are on the 100-acre parcel.

**Staff Comments:**

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No additional staff comments.

**Professional Comments:**

No additional professional comments.

**Public Comment:**

No public comment.

**Planning Board:**

Ms. Bagramian asked how far the driveways are from the railroad tracks and how large the homes are. Mr. Dannible showed a map of the proposed lots and the location of the railroad tracks and stated the home would be about 2,000 sf.

Ms. Fariello stated that her main concern is 6 driveways onto a road that has fast travelers. She stated that she would like to see site distances and shared driveways. Mr. Dannible stated he would yield to DOT and, if necessary, will consider shared drives.

Mr. Ophardt moved, second by Ms. Fariello to establish the Planning Board as Lead Agency pursuant to SEQRA. This was carried unanimously.

**New Business:**

**#2025-017 1910 Route 9 Commercial Buildings Site Plan**

SBL: 259.-2-44 Proposed construction of a ready-mix concrete production plant, 1910 Us Rt 9  
Zoned: L2 - Light Industrial 2 Status: Concept Applicant: L. Clemente, Consultant: EDP – G.  
Vuillaume

**Consultant/Applicant Presentation:**

Gavin Vuillaume stated this is a new project at 1910 Route 9, just to the south of Ushers Road, and Styles is across the street, and is for a concrete plant. He stated that it has an existing residence structure, a garage and a commercial building on the site. Mr. Vuillaume stated that the parcel is about 19.4 acres and has 700 feet of frontage which is an open field to the front of the property and woods areas to the rear. He stated that the Dwaas Kill is to the rear of the property as well and they are proposing no future development behind it. Mr. Vuillaume stated that the Dwaas Kill will have a 100' buffer and they are trying to screen the plant from Route 9, so they are working on the planting plans. Mr. Vuillaume stated that the plant would load concrete onto

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trucks and the only other facility is in Wilton and they have an average of 20 trucks per day. Mr. Vuillaume stated a traffic analysis will be done and they plan to use the existing curb cut. He stated most of the noise would be from trucks and they would have to look at the waste produced on-site and may need to apply for a variance for a water tower.

**Staff Comments:**

No additional staff comments.

**Professional Comments:**

No additional professional comments.

**Public Comment:**

No public comment.

**Planning Board:**

Ms. Bagramian asked if there would be a cleanout area for the trucks and, if so, how it would be mitigated. She stated that he would like to see a plan with sprinklers to control the dust that may be generated on the property.

Mr. Ophardt stated there is one on Fonda Road and it is well screened. Mr. Vuillaume stated that he is trying to buffer it from Route 9 but the visual impact is greater from the south. Mr. Ophardt stated that it is a benefit that there is no residential area around and asked about the hours of operation. Mr. Vuillaume stated he will get the hours for the next submittal.

Ms. Bagramian asked if water would be brought to the site. Mr. Vuillaume stated they are going to try to use the well. Ms. Bagramian asked if there would be fuel storage on the property, and she would like to see the traffic flow on the site. Mr. Vuillaume stated there would be no fuel stored on the property, and there would be 4-5 trucks parked overnight.

Mr. Martin asked how far the operations and batching building would be from the centerline of the Dwaas Kill. He stated that it looked to him as if it was proposed to be approximately 150' to 200'. Mr. Vuillaume agreed with the number, and stated that the batching plant building is about 500'-600' from Route 9 and all of the runoff would go the northeast. Mr. Martin stated he would like to see the plant operations further from the Dwaas Kill and he believes screening from Route 9 is a subordinate concern to placing the plant in close proximity to the sensitive Dwaas Kill. Mr. Vuillaume stated they were pushing it back to try to screen the plant from the roadway.

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**Discussion Items:**

Mr. Scavo asked if the Board was comfortable with eliminating the reading of comments submitted to the Board. The Board unanimously agreed to keep them in file and not to be read aloud in the meetings.

Ms. Fariello moved, seconded by Mr. Ophardt, to adjourn the meeting at 9:06 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on May 13, 2025.

Respectfully submitted,

*Paula Cooper*

Paula Cooper, Secretary

**ATTACHED:**

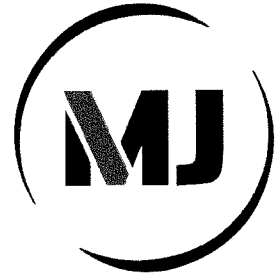
**PROFESSIONAL STAFF, TOWN  
DESIGNATED ENGINEER & ADVISORY  
COMMITTEE COMMENTS**

## 📈 Review Comments by Project ID

Project ID Number: 2025-014

File#	Permit#	Project ID Number	Route Name	Activity Type	Reviewer	Completion Date	Comment
25-000379	SUB25-000005	2025-014	Subdivision - Preliminary	Stormwater Review	Scott Reese	04/11/2025	With the parcel being subdivided and the stormwater management areas (SMAs) going to be split up on the lots, describe how the future maintenance and who's responsibility it will be of the individual SMAs. If there will be a drainage easement it should be shown on the subdivision plans. If there are going to be three different owners, then three different Stormwater Management Practice Maintenance Agreements will need to be filed.
25-000379	SUB25-000005	2025-014	Subdivision - Preliminary	Zoning Plans Review	Scott Reese	04/11/2025	The three lot subdivision appears to meet Town Code Chapter 208-54 the space and bulk standards.
25-000379	SUB25-000005	2025-014	Subdivision - Preliminary	Zoning Plans Review	Scott Reese	04/11/2025	It appears that the three lots will be sharing the private roadway. Will there be an ingress/egress easement for the three separate parcels? If there will be an easement it should be shown on the subdivision plans.
25-000379	SUB25-000005	2025-014	Subdivision - Preliminary	Planning Director Plans Review	John Scavo	04/17/2025	Develop a reciprocal easement agreement with a note to add to the plan. Below is a draft note for the reciprocal easement that contains the content the applicant should take into consideration for addressing in the easement agreement. Reciprocal Easements Note This subdivision plan includes provisions for reciprocal easements for parking, access, maintenance, and utilities. These easements are established to ensure mutual benefits and responsibilities among all property owners within the subdivision. The easements are designed to: a. Parking: Allow shared use of designated parking areas by all property owners and their guests. b. Access: Provide unobstructed access to all properties within the subdivision, ensuring ease of movement and connectivity. c. Maintenance: Facilitate cooperative maintenance of shared infrastructure, including roads, landscaping, and common areas. d. Utilities: Ensure the efficient distribution and maintenance of utility services, such as water, electricity, and sewage, across all properties. All property owners are required to adhere to these

							easements and work collaboratively to maintain the subdivision's functionality and aesthetic appeal.
25-000379	SUB25-000005	2025-014	Subdivision - Preliminary	Planning Director Plans Review	John Scavo	04/17/2025	The applicant must verify that each proposed lot has its own private water supply and sanitary sewer service laterals from a public main.
25-000379	SUB25-000005	2025-014	Subdivision - Preliminary	Planning Director Plans Review	John Scavo	04/17/2025	Add notes reflecting prior variances granted to the subdivision plat. Area Variance #80214 in 1999 granted relief to allow a 105 sq.ft. wall sign on the single-story concrete building within Lot #3 for Enterprise Rent-A-Car. Maximum allowed 35 sq.ft. = 70 sq.ft. of relief granted. Wall sign height also granted 2' relief to allow 12' height where 10' is required = 2' relief granted. Use Variance #80080 in 1996, allowing relief from Section 208-128 of the Town Code to allow a church in the Corporate Commerce Zoning District within the single-story concrete building on proposed Lot #3.
25-000379	SUB25-000005	2025-014	Subdivision - Preliminary	Planning Director Plans Review	John Scavo	04/17/2025	Please add to the site statistics table a parking summary for each of the three lots per the attached example
25-000379	SUB25-000005	2025-014	Subdivision - Preliminary	Planning Director Plans Review	John Scavo	04/17/2025	The County Planning Board will consider this subdivision application at their meeting on April 17th for a recommendation to the Clifton Park Planning Board in accordance with GML Section 239 (m).
25-000379	SUB25-000005	2025-014	Subdivision - Preliminary	SEQR Review	John Scavo	04/29/2024	I have attached a draft SEQR SEAF Part II and Notice of Non-Significance for the Planning Board's consideration and review.



April 16, 2025

Mr. Luigi P. Palleschi, PE  
ABD Engineers, LLP  
411 Union Street  
Schenectady, New York 12305

**Re: 1315 Route 146 3-Lot Subdivision**  
**Tax Map ID 720.-2-2**  
**CP File: 2024-054**  
**MJ File: 700.408**

Dear Mr. Palleschi:

MJ Engineering, Architecture, Landscape Architecture, and Land Surveying, P.C. (MJ) has reviewed the submission for the above-mentioned project. Documents received for our review included the following:

- Short Environmental Assessment Form dated March 27, 2025
- Subdivision Plan titled "Lands Now or Formerly of MSW Properties LLC Street No. 1315 New York State Route 146" as prepared by ABD Engineers Surveyors, 1 sheet in total, and dated March 11, 2025
- Subdivision Plan in color titled "Lands Now or Formerly of MSW Properties LLC Street No. 1315 New York State Route 146" as prepared by ABD Engineers Surveyors, 1 sheet in total, and dated March 11, 2025

Based upon our review of the above documents, we offer the following comments for consideration.

### **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 subdivision. 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: GML 239-m County Referral
  - c. Clifton Park Water Authority: Water Connection
  - d. Saratoga County Sewer District #1: SCSD Connection
  - e. New York State Department of Transportation: Proximity to Route 146

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. 9. - The applicant did not answer the question Part 1 9. in the SEAF, the applicant should resubmit the completed application.
3. Part 1. 10. - The applicant did not answer the question Part 1 10. in the SEAF, the applicant should resubmit the completed application.
4. Part 1. 11. - The applicant did not answer the question Part 1 11. in the SEAF, the applicant should resubmit the completed application.
5. No further comments at this time.

### **SUBDIVISION**

6. Subsequent submissions shall include the metes and bounds of the affected lots and right-of-way. This plat shall be prepared by a surveyor licensed to practice in the State of New York.
7. There appears to be several shared ingress/egress easements among the parcels. Show on the subdivision plat all ingress/egress shared easements. Also provide a copy of the shared access agreement to the Town for review.
8. There also appears to be several utility easements (water, sewer and storm) among the parcels. Show on the subdivision plat all ingress/egress shared easements. Also provide a copy of the shared access agreement to the Town for review.
9. Consider placing the westernmost driveways for Lot 1 within Lot 1.
10. 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.
11. Considering this plan is conceptual in nature, subsequent comments will be provided with a preliminary plan submission.

The applicant shall provide written responses to all technical comments provided by Town staff and consultants as part of the next submission. Should you have any questions, please do not hesitate to contact me at (518) 371-0799.

Sincerely,

A handwritten signature in black ink, appearing to read 'Walter F. Lippmann', written over a horizontal line.

Walter F. Lippmann, P.E.  
Associate, Land Development Group Manager

## 📄 Review Comments by Project ID

Project ID Number: 2025-001

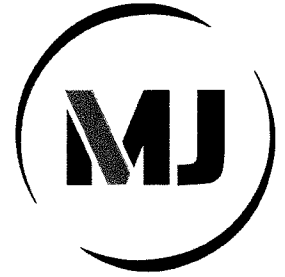
File#	Permit#	Project ID Number	Route Name	Activity Type	Reviewer	Completion Date	Comment
25-000055	SPR25-000002	2025-001	Site Plan Review - Concept	Postal Verification	John DeSimone	02/04/2025	Approved postal verification 30 Wood Road. Prior postal verification completed and confirmed with Saratoga County Emergency Services. See attached documents (Approved Postal Verification)
25-000055	SPR25-000002	2025-001	Site Plan Review - Concept	Fire Marshall Plans Review	John DeSimone	02/04/2025	Please provide construction type, utility plan showing existing hydrants and distance to closet hydrant.
25-000055	SPR25-000002	2025-001	Site Plan Review - Concept	Planning Director Plans Review	John Scavo	02/06/2025	The applicant should address whether they will update/replace the existing SWPPP for the site to construct the proposed improvements with this application.
25-000055	SPR25-000002	2025-001	Site Plan Review - Concept	Planning Director Plans Review	John Scavo	02/06/2025	The conceptual site plan shows the relocation of the existing stormwater management area to accommodate the proposed development with this application.
25-000055	SPR25-000002	2025-001	Site Plan Review - Concept	Planning Director Plans Review	John Scavo	02/06/2025	As part of the site plan application review process and in compliance with the Wood Road Generic Environmental Impact Statement (GEIS), the applicant shall provide vehicle trip generation data based on the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. The analysis shall include peak hour trip generation estimates for the proposed use, including AM and PM peak hours. This information will be used to assess traffic impacts and ensure consistency with the findings and mitigation measures outlined in the Wood Road GEIS.
25-000055	SPR25-000002	2025-001	Site Plan Review - Concept	Planning Director Plans Review	John Scavo	02/06/2025	In a table format, account for parking spaces required per the Town Code, Section 208-99B, for the proposed LI-2 permitted uses and its correlation to spaces provided.
25-000055	SPR25-000002	2025-001	Site Plan Review - Concept	Planning Director Plans Review	John Scavo	02/06/2025	Provide documentation showing the Clifton Park Water Authority and Saratoga Co. Sewer District #1 have adequate capacity and are willing to service the proposed building improvement.
25-000055	SPR25-000002	2025-001	Site Plan Review - Concept	Planning Director	John Scavo	02/06/2025	Please clarify whether dock areas are proposed for the building and designed to be at grade for smaller vehicles or elevated to

				Plans Review			accommodate larger tractor-trailers. This information is necessary to assess site access, circulation, and potential impacts on traffic flow and site design.
25-000055	SPR25-000002	2025-001	Site Plan Review - Concept	Planning Director Plans Review	John Scavo	02/06/2025	The proposed project is subject to Section 239 of General Municipal Law since the site is within 500' of I-87. Therefore, the future preliminary plan submittal will be referred to the Saratoga Co. Planning Board for a recommendation.
25-000055	SPR25-000002	2025-001	Site Plan Review - Concept	Planning Director Plans Review	John Scavo	02/06/2025	Additional comments will be provided once detailed plans are submitted for preliminary site plan consideration.
25-000055	SPR25-000002	2025-001	Site Plan Review - Concept	SEQR Review	John Scavo	02/03/2025	The applicant previously provided the attached SHPO letter for Planning Board Project #2021-001, for a three-lot subdivision that included this project. The applicant should confirm that the information is still applicable and accurate for this site plan application.
25-000055	SPR25-000002	2025-001	Site Plan Review - Concept	ECC Review	Scott Reese	02/06/2025	The existing conditions show a stand of existing trees adjacent to the proposed retaining wall. In keeping with the recommendations and goals of the Town Comprehensive Plan, the Applicant should retain existing vegetation to the maximum extent practical and/or the use landscaping and grading to provide visual and auditory buffering between the project and adjacent roadways or other properties.
25-000055	SPR25-000002	2025-001	Site Plan Review - Concept	ECC Review	Scott Reese	02/06/2025	As the intended use of this space is yet to be determined, the Applicant should indicate all other environmental permits that may be required for the activities that are proposed under the planned use of the site. Furthermore, the Applicant shall comply with the Town's Hazardous Materials Policy, which can be obtained from the Town Environmental Specialist.
25-000055	SPR25-000002	2025-001	Site Plan Review - Concept	ECC Review	Scott Reese	02/06/2025	The ECC notes that an existing trail ROW is located at the south end of wood road connecting to Ushers Road. The ECC suggests that the Planning Board explore the possibility of a ROW along the front of this project to connect to this previously approved trail.
25-000055	SPR25-000002	2025-001	Site Plan Review - Concept	Zoning Plans Review	Scott Reese	02/07/2025	Per Town Code 208-66 A. There shall not be more than one curb cut per lot unless the Planning Board finds that traffic safety will be

							improved with the addition of another curb cut.
25-000055	SPR25-000002	2025-001	Site Plan Review - Concept	Stormwater Review	Scott Reese	02/07/2025	If the applicant is proposing on including the stormwater management area to be included in the greenspace, per Town Code Chapter 208-65 B. "The stormwater retention area may be included in the green space calculation upon proof that the stormwater retention area will be improved to form an integral part of the landscaping scheme and would enhance the overall aesthetics and thus serve the purpose of the green space requirements of this article."
25-000055	SPR25-000002	2025-001	Site Plan Review - Concept	Zoning Plans Review	Scott Reese	02/07/2025	Per Town Code 208-65 C. "there shall be established a minimum twenty-five-foot planted buffer along the rear and side property lines of all parcels." Provide the proposed greenspace in the site statistics on the plan.
25-000055	SPR25-000002	2025-001	Site Plan Review - Concept	Zoning Plans Review	Scott Reese	02/07/2025	Provide the proposed height of the structure. If the structure is over 35 feet in height a visual assessment and a completion of the Appendix B of the SEQR will need to be done.
25-000055	SPR25-000002	2025-001	Site Plan Review - Concept	Zoning Plans Review	Scott Reese	02/07/2025	Applicant to provide a parking schedule on the plans. There should be more than the minimum of the required parking needed for warehousing, or land banked, as commercial recreation is allowed in this zone.
25-000055	SPR25-000002	2025-001	Site Plan Review - Concept	Stormwater Review	Scott Reese	02/07/2025	A Notice of Termination has been filed to the NYSDEC for the Stormwater Permit for the first structure and parking area on this parcel. A new NYSDEC GP-0-25-001 permit will need to be obtained for this second structure and parking for this project.
25-000055	SPR25-000015	2025-001	Site Plan Review - Preliminary	Postal Verification	John DeSimone	04/11/2025	Approved postal verification 30 Wood Road. Prior postal verification completed and confirmed with Saratoga County Emergency Services. See attached documents (Approved Postal Verification)
25-000055	SPR25-000015	2025-001	Site Plan Review - Preliminary	Fire Marshall Plans Review	John DeSimone	04/11/2025	No concerns or comments with revision.
25-000055	SPR25-000015	2025-001	Site Plan Review - Preliminary	Zoning Plans Review	Scott Reese		Per Town Code 208-65 C. "there shall be established a minimum twenty-five-foot planted buffer along the rear and side property lines of all parcels." The applicant has proposed 9 Norway Spruce trees that are between 5 to 6 feet in height at this location.

							The Planning Board shall take in consideration is this is sufficient for a 25 foot wide planted buffer.
25-000055	SPR25-000015	2025-001	Site Plan Review - Preliminary	Stormwater Review	Scott Reese		If the applicant is proposing on including the stormwater management area to be included in the greenspace, per Town Code Chapter 208-65 B. "The stormwater retention area may be included in the green space calculation upon proof that the stormwater retention area will be improved to form an integral part of the landscaping scheme and would enhance the overall aesthetics and thus serve the purpose of the green space requirements of this article." The applicant has provided a planting plan showing showing several deciduous and evergreen trees by the basins. The Planning Board shall take in consideration if this is sufficient for enhancing the overall aesthetics of the green space.
25-000055	SPR25-000015	2025-001	Site Plan Review - Preliminary	SEQR Review	John Scavo	04/29/2024	Pursuant to the Wood Road GEIS, the 18 vehicle trips in the a.m., as the highest peak hour, are used to calculate the transportation mitigation fee due at the time of stamping the final plan, which is \$13,015.62. This fee is due at the stamping of the final site plan. The formula is 18 Trips x Unit Cost of 723.09 per Trip = \$13,015.62. Please note the GEIS preparation FEE based on acres at a rate of \$74.28 was previously collected with the existing building developed on the property.
25-000055	SPR25-000015	2025-001	Site Plan Review - Preliminary	SEQR Review	John Scavo	04/29/2024	The subject property is located within the Wood Road GEIS Study Area. If the development of the project is deemed to be in conformance with the statement of findings, then a negative declaration pursuant to SEQR may be issued by the Planning Board.
25-000055	SPR25-000015	2025-001	Site Plan Review - Preliminary	Planning Director Plans Review	John Scavo	04/17/2025	Add the attached site plan CADD File Approval to the Final Plan
25-000055	SPR25-000015	2025-001	Site Plan Review - Preliminary	ECC Review	Scott Reese	04/18/2025	The ECC notes that an existing trail ROW is located at the south end of wood road connecting to Ushers Road. The ECC suggests that the Planning Board explore the possibility of a ROW along the front of this project to connect to this previously approved trail.

25-000055	SPR25-000015	2025-001	Site Plan Review - Preliminary	ECC Review	Scott Reese	04/18/2025	Per Town Code 208-65 C. "There shall be established a minimum twenty-five-foot planted buffer along the rear side property lines of all parcels." The current planting plan does not show a minimum 25-foot buffer along the rear side property line. The ECC recommends that the Planning Board requires the plan to be modified to reflect this buffer requirement.
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April 16, 2025

Mr. Gavin Vuillaume  
Environmental Design Partnership  
900 Route 146  
Clifton Park, New York 12065

Sent via email: [gvuillaume@edpllp.com](mailto:gvuillaume@edpllp.com)

**Re: 26 Wood Avenue Multi-Use Industrial Site Plan  
Tax Map ID 259.-2-115.1  
CP File: 2025-001  
MJ File: 700.410**

Dear Mr. Vuillaume:

MJ Engineering, Architecture, Landscape Architecture, and Land Surveying, P.C. (MJ) has reviewed the submission for the above referenced project. Documents received for our review included the following:

- Short Environmental Assessment Form, dated January 15, 2025
- Agricultural Data Statement and Control Form, undated
- Conceptual Site Plan titled "Wood Road Flex Building – Lot 3A", last dated January 21, 2025, prepared by Environmental Design Partnership, LLP.
- Applicant Ethics Disclosure Form, dated January 15, 2024

Based upon our review of the above documents, we offer the following comments for consideration.

#### **STATE ENVIRONMENTAL QUALITY REVIEW**

1. No further comments at this time.

#### **SITE PLANS**

##### Cover Sheet

2. No comments.

##### Existing Conditions

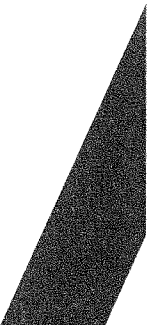
3. Provide the locations and soil information for the proposed infiltration basin.

##### Site Plan

4. It appears the western parcel boundary will be adjusted as part of the project.

##### Grading and Drainage Plan

5. Show the test pit and infiltration locations on the plan.





6. It appears a gravel diaphragm is being utilized for pretreatment into the infiltration basin. Refer to the NYSSMDM Section 6.3.3 for pretreatment options.
7. It appears the natural depression pond is located over an existing sanitary sewer manhole. This should be reviewed by SCSD so the manhole does not become submerged in the pond.
8. If the natural depression is truly a pond, pursuant to Section 6.1.6 of the NYSSMDM, warning signs must be posted prohibiting swimming, wading, and skating, warning of possible contamination or pollution of pond water, and indicating maximum depth of pond.

#### Utility Plan

9. The sanitary sewer and easement is subject to the review and approval of the Saratoga County Sewer District No. 1. The final plans shall incorporate any technical comments issued by the Saratoga County Sewer District No. 1.
10. The water is subject to the review and approval of the Clifton Park Water Authority. The final plans shall incorporate any technical comments issued by the Clifton Park Water Authority. The applicant may want to confirm there is adequate cover over the watermain at the inlet of the culvert under the driveway.

#### Planting Plan

11. No comments.

#### Erosions and Sediment Control Plan

12. Add the following note "Infiltration practices shall never serve as a sediment control device during site construction phase and shall be installed at the end of the construction sequence, to the greatest extent practical".

#### Site Details - Sheet 8

13. No comments.

#### Site Details - Sheet 9

14. No comments. Sewer details subject to review by SCSD.

#### Site Details - Sheet 10

15. No comments. Water details subject to review by CPWA.

#### Site Details - Sheet 11

16. No comments.



### Lighting Plan

17. The prepared sheet shall become part of the overall plan set.

### **STORMWATER POLLUTION PREVENTION PLAN**

18. Section 2 Erosion and Sediment Control Plan Site Map was not included.

19. Appendix H – NYCDEP SWPPP approval forma and Appendix I MS4 No Jurisdiction are not required for this project and should be removed.

### **STORMWATER MANAGEMENT NARRATIVE**

20. Section 2.1 mentions the USDA soil types, noting that soil tests were conducted in November 2022 where the current stormwater management area is located but no soil information on the relocated stormwater management area. The text shall summarize the in-situ soil testing including infiltration tests and test pits in this new location.

21. As previously noted, a gravel diaphragm is not a form of pretreatment for an infiltration system per Section 6.3.3. The pretreatment calculation should verified to ensure the 25% WQv is achieved.

22. Provide a narrative on how the stormwater from the existing facility to the east is being pretreated prior to entering the infiltration basin.

23. It appears the natural depression pond is being modeled as an infiltration basin, provide a narrative on the functioning of the pond. It should be considered piping the pond drainage area to the new stormwater management infiltration basin.

### **ITE TRIP GENERATION**

24. The trip generation document appears to be accurate. The estimated 15.4 trips in the PM peak hour would consist of 2 entering and 13 exiting vehicles. The AM peak hour is slightly more with a total of 18 trips generated, consisting of 16 entering and 2 exiting vehicles.

Should you have any questions, please do not hesitate to contact me at (518) 371-0799.

Sincerely,

A handwritten signature in black ink, appearing to read 'Walter F. Lippmann', written over a white background.

Walter F. Lippmann, P.E.  
Associate, Land Development Group Manager

## 📈 Review Comments by Project ID

Project ID Number: 2025-005

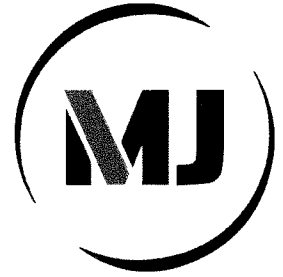
File#	Permit#	Project ID Number	Route Name	Activity Type	Reviewer	Completion Date	Comment
25-000115	SPR25-000006	2025-005	Site Plan Review - Concept	Postal Verification	John DeSimone	02/12/2025	Please use assigned postal number from 8/1/24 150 Wood Rd. (See approved postal verification in documents)
25-000115	SPR25-000006	2025-005	Site Plan Review - Concept	Fire Marshall Plans Review	John DeSimone	02/14/2025	Provide width of access road and turning radius measurements.
25-000115	SPR25-000006	2025-005	Site Plan Review - Concept	Fire Marshall Plans Review	John DeSimone	02/14/2025	Concerned about parking. 1. Proposed parking inadequate for use. 2. Concerned patrons will park along u-shape access road and impede emergency vehicles.
25-000115	SPR25-000006	2025-005	Site Plan Review - Concept	Fire Marshall Plans Review	John DeSimone	02/14/2025	Will there be bathrooms and handwashing stations during use? please show on plan location.
25-000115	SPR25-000006	2025-005	Site Plan Review - Concept	Fire Marshall Plans Review	John DeSimone	02/14/2025	What will be done with structure on site?
25-000115	SPR25-000006	2025-005	Site Plan Review - Concept	ECC Review	Scott Reese	02/19/2025	The ECC notes that the proposed parking area is inadequate for a facility with two full-sized soccer fields and seven smaller practice fields. For example, if two teams are playing on the full-sized fields, there will be a minimum of 44 total player participating. That equates to 44 vehicles that will require parking. The proposed 14 parking spaces are inadequate.
25-000115	SPR25-000006	2025-005	Site Plan Review - Concept	ECC Review	Scott Reese	02/19/2025	The ECC notes that there are no restroom facilities shown on the plan to accommodate players and spectators. The ECC requests the applicant to include these facilities in their next submission.
25-000115	SPR25-000006	2025-005	Site Plan Review - Concept	ECC Review	Scott Reese	02/19/2025	The ECC notes that the proposed project has an existing utility line bisecting this property which may present a safety concern for players and spectators.
25-000115	SPR25-000006	2025-005	Site Plan Review - Concept	ECC Review	Scott Reese	02/19/2025	It is noted that there is no fence along Wood Road and NYS Rt 9 for the protection of players and spectators.

25-000115	SPR25-000006	2025-005	Site Plan Review - Concept	Planning Director Plans Review	John Scavo	02/21/2025	A copy of the application has been sent to the Town of Malta and the Village of Round Lake since the project location is adjacent to a municipal boundary with reach.
25-000115	SPR25-000006	2025-005	Site Plan Review - Concept	Planning Director Plans Review	John Scavo	02/21/2025	Planning Staff agrees with the comments offered by MJ Engineering.
25-000115	SPR25-000006	2025-005	Site Plan Review - Concept	Planning Director Plans Review	John Scavo	02/21/2025	A future preliminary plan submittal shall demonstrate compliance with the requirements prescribed under Section 208-115 of the Clifton Park Town Code.
25-000115	SPR25-000006	2025-005	Site Plan Review - Concept	Planning Director Plans Review	John Scavo	02/21/2025	The proposed project is subject to Section 239 of General Municipal Law and the preliminary plan set and application will be referred to the Saratoga Co. Planning Board for a recommendation.
25-000115	SPR25-000006	2025-005	Site Plan Review - Concept	Zoning Plans Review	Scott Reese	02/21/2025	This parcel is located in the LI-2 Light Industrial 2 Zoning District. Per Town Code Chapter 208-64 B. (13) Commercial recreation facilities are permitted in the B-5 Corporate Commerce Zoning District. The applicant shall refer to Town Code Chapter 208-94 B. Recreation centers site plan considerations.
25-000115	SPR25-000006	2025-005	Site Plan Review - Concept	Zoning Plans Review	Scott Reese	02/21/2025	Since this application is for an outdoor recreation fields and not an indoor establishment, the proposed amount of parking spaces should adhere to the Institute of Transportation Engineers.
25-000115	SPR25-000006	2025-005	Site Plan Review - Concept	Zoning Plans Review	Scott Reese	02/21/2025	Per Town Code Chapter 208-66 A. The Planning Board shall determine if more than one curb cut will improve traffic safety.
25-000115	SPR25-000006	2025-005	Site Plan Review - Concept	Zoning Plans Review	Scott Reese	02/21/2025	Per Town Code Chapter 208-66 B. The Planning Board shall determine if the existing natural vegetation is substantial to provide enough screening and aesthetics.
25-000115	SPR25-000006	2025-005	Site Plan Review - Concept	Zoning Plans Review	Scott Reese	02/21/2025	Per Town Code Chapter 208-66 D. will there be any sanitary sewers and / or water required for the public.
25-000115	SPR25-000006	2025-005	Site Plan Review - Concept	Stormwater Review	Scott Reese	02/21/2025	No additional comments other than supporting MJ Engineering's comment letter dated February 19, 2025, regarding the Site Plan and Stormwater Pollution Prevention Plan comments.
25-000115	SPR25-000006	2025-005	Site Plan Review - Concept	Planning Board Meeting	John Scavo	03/04/2025	Please review the attached document which contains notes from the feedback and comments offered by the Planning Board at the 2/25 Planning Board Meeting for

							advancing your site plan applicaiton forward.
25-000115	SPR25-000017	2025-005	Site Plan Review - Preliminary	Zoning Plans Review	Scott Reese	04/18/2025	This parcel is located in the LI-2 Light Industrial 2 Zoning District. Per Town Code Chapter 208-64 B. (13) Commercial recreation facilities are permitted in the B-5 Corporate Commerce Zoning District. The applicant shall refer to Town Code Chapter 208-94 B. Recreation centers site plan considerations.
25-000115	SPR25-000017	2025-005	Site Plan Review - Preliminary	Postal Verification	John DeSimone	04/11/2025	Please use assigned postal number from 8/1/24 150 Wood Rd. (See approved postal verification in documents)
25-000115	SPR25-000017	2025-005	Site Plan Review - Preliminary	Fire Marshall Plans Review	John DeSimone	04/14/2025	Concerned about parking on the sides of the emergency vehicle access roads. Temporary signage may be required during events to assure emergency vehicles can gain access. Please reference document
25-000115	SPR25-000017	2025-005	Site Plan Review - Preliminary	Zoning Plans Review	Scott Reese	04/18/2025	Per Town Code Chapter 208-66 A. The Planning Board shall determine if more than one curb cut will improve traffic safety.
25-000115	SPR25-000017	2025-005	Site Plan Review - Preliminary	Stormwater Review	Scott Reese	04/18/2025	No additional comments other than supporting MJ Engineering's comment letter dated April 16, 2025, regarding the Site Plan comments.
25-000115	SPR25-000017	2025-005	Site Plan Review - Preliminary	ECC Review	Scott Reese	04/18/2025	The ECC notes that the proposed parking area is inadequate for a facility with one full-sized soccer field or three smaller practice fields. For example, if two teams are playing on the full-sized fields, there will be a minimum of 22 total players participating. That potentially equates to 22 vehicles that will require parking, not including substitutes, referees, coaches, and spectators. Inadequate parking on site will lead to inappropriate parking on Wood and Herlihy roads, a safety concern for attendees and a nuisance for the residents.
25-000115	SPR25-000017	2025-005	Site Plan Review - Preliminary	ECC Review	Scott Reese	04/18/2025	The ECC notes that the proposed parking area has an existing overhead utility line which may present a safety concern for players and spectators. The applicant shall provide information as to the existing clearance of this utility line to ensure that emergency vehicles and/or other trucks can safely access the parking facility.
25-000115	SPR25-000017	2025-005	Site Plan Review - Preliminary	Zoning Plans Review	Scott Reese	04/18/2025	The number of proposed parking spaces is using Town Code Chapter 208-99 B. (1) Recreation establishments, exhibit halls or other similar places of assembly - 1 for each

							200 square feet of gross floor area. The chart should be used as a guide to the project planner, and the Planning Board shall reserve the right to amend these requirements based upon local or unique conditions.
25-000115	SPR25-000017	2025-005	Site Plan Review - Preliminary	SEQR Review	John Scavo	04/18/2025	The Saratoga Co. Planning Board issued a recommendation noting No Significant County-wide or Intercommunity Impact.
25-000115	SPR25-000017	2025-005	Site Plan Review - Preliminary	Planning Director Plans Review	John Scavo	04/18/2025	The Saratoga Co. Planning Board issued a recommendation noting No Significant County-wide or Intercommunity Impact

April 16, 2025



Mr. Slade Jones  
220 Elm Street SW  
Vienna, VA 22180

Sent via email: [sjfounder@outlook.com](mailto:sjfounder@outlook.com)

**Re: Wood Road Outdoor Soccer Training Facility**  
**Tax Map ID 250.-2-1.1**  
**CP File: 2025-005**  
**MJ File: 700.412**

Dear Mr. Jones:

MJ Engineering, Architecture, Landscape Architecture, and Land Surveying, P.C. (MJ) has reviewed the submission for the above referenced project. Documents received for our review included the following:

- Short Environmental Assessment Form no dated
- Site Plan Map titled "Cassrotts Soccer Facility" as prepared by EDP, 1 sheet in total, and dated March 30, 2025.
- Comment response letter prepared by EDP dated March 31, 2025.

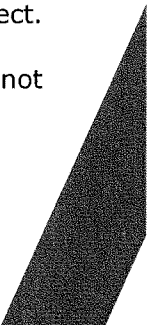
Based upon our review of the above documents, we offer the following comments for consideration.

#### **STATE ENVIRONMENTAL QUALITY REVIEW**

1. The SEAF should be signed by the applicant or consulting agent.

#### **SITE PLANS**

2. Provide a scale on the site plan drawing.
3. As noted in Comment 6 of our February 19, 2025 review, per Section 208-66 (A) there shall not be more than one curb cut per lot unless the Planning Board finds that traffic safety will be improved with the addition of another curb cut. The current plans shows one existing driveway on Herlihy Road and one on Wood Road.
4. Show the fire apparatus access road for the project site. If the existing driveway is to be utilized the width and materials should meet NYSFC requirements or a turnaround will need to be provided as the driveway is greater than 150 feet.
5. The SEAF indicates the project will disturb more than 1-acre of land, however the comment response indicates less than 1-acre will be disturbed. The limits of disturbance should be shown on the plans as this should be clarified to determine if a SWPPP is required as part of this project.
6. The comment response letter indicates three flood lights will be installed, however they are not





shown on the plans.

7. The applicant should provide written responses to the above comments.

Should you have any questions, please do not hesitate to contact me at (518) 371-0799.

Sincerely,

A handwritten signature in black ink, appearing to read 'Walter F. Lippmann', written over a faint circular stamp.

Walter F. Lippmann, P.E.  
Associate, Land Development Group Manager

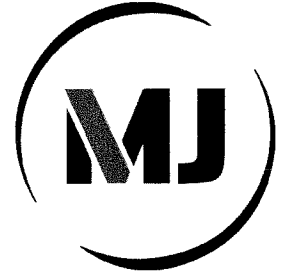
ecc: Clifton Park Planning Board  
John Scavo, Director of Planning  
Scott Reese, Zoning Administrator/Stormwater Management Officer  
Jennifer Viggiani, Open Space Coordinator  
Melinda Acker

## Review Comments by Project ID

Project ID Number: 2025-012

File#	Permit#	Project ID Number	Route Name	Activity Type	Reviewer	Completion Date	Comment
25-000351	SPR25-000013	2025-012	Site Plan Review - Concept	Zoning Plans Review	Scott Reese	04/18/2025	This parcel is located in the Light Industrial District LI-2. Per Town Code Chapter 208-64 B. (2) Storage, warehousing or distribution of manufactured products and (6) Warehousing, public and private is a permitted use. Warehouses with an office is an acceptable accessory use.
25-000351	SPR25-000013	2025-012	Site Plan Review - Concept	Planning Director Plans Review	John Scavo	04/17/2025	An initial review of the concept plan shows that the minimum bulk lot requirements are met under Section 208-65 of the Town Code.
25-000351	SPR25-000013	2025-012	Site Plan Review - Concept	Planning Director Plans Review	John Scavo	04/17/2025	The proposed project is subject to Section 239 of General Municipal Law and the preliminary plan will be referred to the Saratoga Co. Planning Board for a recommendation.
25-000351	SPR25-000013	2025-012	Site Plan Review - Concept	SEQR Review	John Scavo	04/17/2025	SEQR was previously completed for the 2005 XAR Subdivision Project which notes on the approved subdivision plan that future development of the approved subdivision lots shall generally conform to the conceptual development plan evaluated as part of the SEQRA process with respect to the total square footage proposed for the development footprint on the lots shown on the plat. Each future lot development plan will require site plan approval, and at that time, the arrangement of the elements on the lot, the height of the proposed structures, and the proposed use will be evaluated and, if necessary, further environmental review may be required. Any future uses proposed for the lots shall conform to the zoning regulations. This project is below the build-out threshold contemplated for this parcel under the previous subdivision and SEQR review that considered a build-out scenario based on the LI2-Light Industrial Zoning bulk and development standards.
25-000351	SPR25-000013	2025-012	Site Plan Review - Concept	SEQR Review	John Scavo	04/17/2025	An electronic copy of the XAR Subdivision SEQR Negative Declaration issued by the Planning Board in 2009 has been added to the project documents and is titled: XAR Neg Dec 22-09.pdf and is attached for reference.

25-000351	SPR25-000013	2025-012	Site Plan Review - Concept	Stormwater Review	Scott Reese	04/18/2025	The Limits of Disturbance (LOD) should include the disturbance for the proposed well. Since the LOD is close to the requiring a FULL SWPPP, the boundaries of the LOD shall have Orange Construction Fencing located by a surveyor and installed on the LOD prior to any ground disturbing activities.
25-000351	SPR25-000013	2025-012	Site Plan Review - Concept	ECC Review	Scott Reese	04/18/2025	The ECC notes that wetlands of unusual importance are regulated by the NYSDEC. These include wetlands in flood prone areas, wetlands with endangered species habitat and vernal pools. The ECC requests the applicant validate that these features are not present.
25-000351	SPR25-000013	2025-012	Site Plan Review - Concept	ECC Review	Scott Reese	04/18/2025	In keeping with the recommendations and goals of the Town Comprehensive Plan, the Applicant should retain existing vegetation to the maximum extent practical and/or the use landscaping and grading to provide visual and auditory buffering between the project and adjacent roadways or other properties.
25-000351	SPR25-000013	2025-012	Site Plan Review - Concept	Zoning Plans Review	Scott Reese	04/18/2025	Per Town Code Chapter 208-66 A. Ingress/egress. There shall not be more than one curb cut per lot unless the Planning Board finds that traffic safety will be improved with the addition of another curb cut.
25-000351	SPR25-000013	2025-012	Site Plan Review - Concept	Stormwater Review	Scott Reese	04/18/2025	The applicant should explain how the project complies with the most recent amendments to the NYSDEC Freshwater Wetlands Act.
25-000351	SPR25-000013	2025-012	Site Plan Review - Concept	Postal Verification	John DeSimone	04/18/2025	Existing postal number will cover this project. 117 Wood Rd Clifton Park, NY 12065



April 16, 2025

Mr. Chris Longo, PE  
Empire Engineering, PLLC  
1900 Duanesburg Road  
Duanesburg, New York 12056

**Re: 117 Wood Road Office  
Tax Map ID 250.-2-42  
CP File: 2025-012  
MJ File: 700.416**

Dear Mr. Longo:

MJ Engineering, Architecture, Landscape Architecture, and Land Surveying, P.C. (MJ) has reviewed the submission for the above referenced project. Documents received for our review included the following:

- Short Environmental Assessment Form dated March 24, 2025.
- Conceptual Site Plan Map titled "Remodel Now 117 Wood Road Clifton Park, NY" as prepared by Empire Engineering, PLLC, 1 sheet in total, and dated March 18, 2024.
- Town of Clifton Park Agricultural Data Statement and Control Form, undated.

Based upon our review of the above documents, we offer the following comments for consideration.

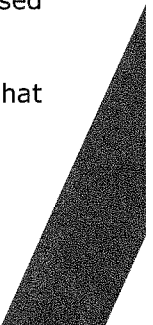
### **STATE ENVIRONMENTAL QUALITY REVIEW**

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 subdivision. 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: GML 239-m County Referral
  - c. New York State Department of Environmental Conservation: Stormwater Discharge and Notice of Intent
  - d. NYS Historic Preservation Office: Archeological sensitive area

Additional agencies may be identified by the Town during its review of the project.

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. 12.b. – The applicant had indicated No however, the EAF Mapper response indicates that





the project site is located within or adjacent to an area designated as sensitive for archeological sites on the NY State Historic Preservation Office (SHPO) archeological site inventory. The applicant should review and provide a correspondence letter from SHPO to confirm the presence or absence of archeologically sensitive resources.

3. The applicant indicates that the action will disturb +/- 0.98 acres of land. The proposed action will create discharge from point or non-point sources. Should the disturbed area be greater than one acre, the project will be subject to the NYSDEC Phase II Stormwater Regulations and General Permit GP-0-25-001. Therefore, a full SWPPP will be required that address water quantity and quality. As the project proceeds through the Town's regulatory review process, a fully conforming SWPPP shall be provided for review.

#### **SITE PLANS**

4. The project is located within the Town's Light Industrial District (LI-2). The proposal for office/warehouse uses are a permitted principal use within the LI-2 District as noted in Section 208-64(B) of the Town's Zoning.
5. Based upon a review of the lot configuration, it appears the minimum bulk lot requirements as identified in Section 208-65 of the Town's Zoning are satisfied, however the proposed green space should be identified.
6. Identify the date and by whom the wetlands shown were delineated.
7. Per Section 208-66 (A) there shall not be more than one curb cut per lot unless the Planning Board finds that traffic safety will be improved with the addition of another curb cut. The applicant shall provide a narrative as to why a second curb cut is warranted.
8. Subsequent plans shall describe or illustrate the project's proposed landscaping to ensure conformance with Section 208-66(B) of the Town Zoning. The overall intent of this section is to promote and achieve, where possible, a well-landscaped site that takes into consideration the surroundings and the total environment. Consideration shall be given to preservation of natural and existing vegetation as well as new plantings throughout an entire site.
9. Subsequent submissions should include architectural renderings of the building along with identification of materials of construction. There should also be indication whether or not roof top units are expected and how they may be screened from the public right of way.
10. Show any proposed free standing or building mounted lights. If any are proposed, provide proposed footcandle values at pavement levels.
11. Show the location of and provide a detail for any exterior refuse areas.
12. Show locations for snow removal. Avoid area on top of proposed septic system leach fields.
13. The SEAF indicates that 0.98 acres of disturbance is anticipated for this project. As detailed plans progress this should be reevaluated to determine if the limits of disturbances are accurate. At a



minimum, with an increase in impervious, it is recommended that a stormwater analysis be conducted to show how the site changes may impact runoff from the site. It may be necessary to incorporate stormwater management systems to retain pre-development conditions and to mitigate against increases in stormwater runoff. If over 1-acre a full SWPPP will be required.

14. The applicant proposes to service the lot 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.
15. The applicant should demonstrate that the horizontal distances between the well and septic system have been met in accordance with Appendix 75A of the Sanitary Code in which there should be at least 100 feet of separation unless the well is downgradient from the septic then 200 feet is required.
16. The wastewater disposal system requirements notes and associated design calculations rely upon record soil data for lateral lengths. Show the location of the record data on the plans. If these are not located within the footprint of the proposed sewage disposal system, additional soil tests will be required. (percolation tests and test pit).
17. Show the 100% redundancy area on the plans for the proposed septic system per NYSDEC.
18. The proposed site plan indicates water will be provided via an on-site well. The owner shall be required to hook into a community water and sewer system as soon as one becomes available as defined by the New York State Uniform Fire Prevention and Building Code.
19. The applicant should review and consider how appropriate fire protection will be provided to the facility in accordance with Section 507.2 of the NYS Fire Code. Without public water available, it may be necessary to utilize NFPA 1124 to determine the minimum water supply necessary to fight a structural fire. This matter shall be reviewed with the Town's fire official and building official.
20. Show the location of any required fire department connection and/or knock boxes or indicate the location shall be reviewed during the building permit process.
21. Provide a fire truck turning template throughout the site utilizing the largest responding emergency vehicle. This should be reviewed by and is subject to the approval of responding agency.
22. The project proposes access onto Wood Road, which includes construction of a new curb cut. This proposed work is subject to the review and approval of the Clifton Park Highway Department.
23. The plan shows 21 parking spaces utilizing 1/500 SF. The applicant should provide a breakdown of the office and warehouse space being proposed. Per Town Code Section 208-99 office space requires 1 space for each 300 square feet of gross floor area and warehouses require 1 space for each 2,000 square feet of gross floor area, plus 1 per employee.



24. It is recommended that at a minimum the number of peak hour vehicle trips, including truck trips and sight distance at the project entrance be provided.
25. Confirm that the new site drive will have adequate sight distance. The sight distance analysis shall utilize ASHTOO standards for the 85th percentile travel speed of Wood Road.
26. There may be a need to provide a drainage culvert at the new driveway to support existing drainage along Wood 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.
27. Considering the plan submitted is conceptual in nature, we will reserve further comments until more detailed plans and reports are submitted. Subsequent submissions shall include information as outlined in Section 208-115 of the Town zoning specific to site grading, lighting, erosion control and stormwater management to fully assess the design and its compliance to the applicable standards.

Should you have any questions, please do not hesitate to contact me at (518) 371-0799.

Sincerely,

A handwritten signature in black ink, appearing to read 'Walter F. Lippmann', with a stylized flourish at the end.

Walter F. Lippmann, P.E.  
Associate, Land Development Group Manager

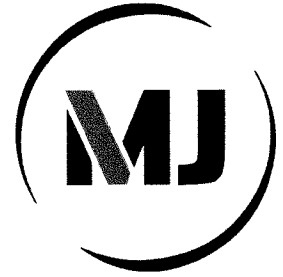
ecc: Clifton Park Planning Board  
John Scavo, Director of Planning  
Scott Reese, Zoning Administrator/Stormwater Management Officer  
Jennifer Viggiani, Open Space Coordinator  
Melinda Acker

## 📌 Review Comments by Project ID

Project ID Number: 2025-013

File#	Permit#	Project ID Number	Route Name	Activity Type	Reviewer	Completion Date	Comment
25-000352	SUB25-000004	2025-013	Subdivision - Concept	Postal Verification	John DeSimone	04/14/2025	Assigned postal number for subdivision will be 1145 NY Rt 146A Ballston Lake NY 12019 (reference approved postal verification in documents)
25-000352	SUB25-000004	2025-013	Subdivision - Concept	Zoning Plans Review	Scott Reese	04/21/2025	The proposed subdivision is in the Hamlet Mixed Use Zoning District. The existing lot is 2.54 acres. The proposed subdivision is placing a single family home on a 0.67 acre lot and a pre-existing nonconforming use of an autobody shop on the remaining 1.87 acres. Per Town Code Chapter 208-43.3 A.(1) Base density for a one-family-detached dwelling in one unit per acre. Therefore, the lot size for the residential lot will need to increase to one acre or an area variance will need to be granted. The existing structure on the other lot is approximately 12,335 square feet. Per Town Code Chapter 208-43.3 B. (1)(a)[2] Commercial uses - Retail uses: 2,000 gross square feet per acre. The maximum square footage for a commercial lot of 1.87 acres is 3,740 square feet. Therefore, an area variance for the commercial building size will need to be granted.
25-000352	SUB25-000004	2025-013	Subdivision - Concept	Stormwater Review	Scott Reese	04/16/2025	No stormwater comments at this time.
25-000352	SUB25-000004	2025-013	Subdivision - Concept	Planning Director Plans Review	John Scavo	04/18/2025	Add a note to the plan that states: Notice to Future Homeowners Please be advised that your property is adjacent to a preexisting non-conforming use, specifically an auto repair and body shop. This business is permitted to operate under its preexisting non-conforming status. As such, homeowners should be aware that the auto repair and body shop may generate noise, odors, vibrations, and other activities typically associated with such facilities. These operations are legally allowed to continue, and homeowners should consider this factor when purchasing property within the subdivision.
25-000352	SUB25-000004	2025-013	Subdivision - Concept	Planning Director	John Scavo	04/18/2025	Please provide a copy of the proposed ingress/egress easement to the Planning Board for review by the Planning Board

				Plans Review			Attorney and Town Planning Staff. This review will assist with better confirming that all legal and logistical aspects of the easement are addressed adequately between the two private parties engaged in the easement agreement.
25-000352	SUB25-000004	2025-013	Subdivision - Concept	Planning Director Plans Review	John Scavo	04/18/2025	The proposed project is subject to Section 239 of General Municipal Law and will be referred to the Saratoga Co. Planning Board for a recommendation.
25-000352	SUB25-000004	2025-013	Subdivision - Concept	Planning Director Plans Review	John Scavo	04/18/2025	The applicant is addressing an encroachment issue that this subdivision would create. The plan shows that the existing garage will be removed, and a new garage will be constructed within the setback requirements of Proposed Lot #1. Subdivision approval by the Planning Board should be conditioned upon confirmation that the existing structure has been removed to prevent the creation of an encroachment issue. The final plan should only be stamped once this confirmation is received.
25-000352	SUB25-000004	2025-013	Subdivision - Concept	Zoning Plans Review	Scott Reese	04/21/2025	Per Town Code Chapter 208-97 B. Regulation of nonconforming uses, no nonconforming use may be enlarged, extended, reconstructed, substituted or structurally altered. Since none of the prior are being part of this application the current nonconforming use can continue.



April 16, 2025

Mr. Robert Wilklow, PLS  
Gilbert VanGuilder Land Surveyor, PLLC  
988 Route 146  
Clifton Park, New York 12065

**Re: 1143 Ballston Lake Road 2-Lot Subdivision**  
**Tax Map ID 257.16-1-31**  
**CP File: 2025-013**  
**MJ File: 700.417**

Dear Mr. Wilklow:

MJ Engineering, Architecture, Landscape Architecture, and Land Surveying, P.C. (MJ) has reviewed the submission for the above referenced project. Documents received for our review included the following:

- Short Environmental Assessment Form not signed and dated March 10, 2025
- Subdivision Map titled "Subdivision Lands of Donald L. Reckner" as prepared by Gilbert VanGuilder Land Surveyor, PLLC 1 sheet in total, and dated January 10, 2025
- Town of Clifton Park Agricultural Data Statement and Control Form, undated

Based upon our review of the above documents, we offer the following comments for consideration.

### **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: GML 239-m County Referral
  - c. Clifton Park Water Authority: Water Connection
  - d. Saratoga County Sewer District #1: SCSD Connection
  - e. New York State Department of Transportation: Proximity to Route 146

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. 20 – The response indicated the site of the proposed action, or an adjoining property has been the subject of remediation. The applicant should provide additional details from the Environmental Site Remediation Database.
4. No further comments at this time.

### **SUBDIVISION**

5. Provide the base density calculation to ensure size of proposed lots meet the requirements of Section 208-43.3 (B).
6. It appears the garage is being relocated as part of the proposed subdivision.
7. The plat shall include contour lines at five-foot intervals to United States Geological Survey (USGS) datum pursuant to Section 179-8 of the Town Subdivision Law.
8. Provide the parcel setback lines for each parcel.
9. A portion of the existing asphalt driveway currently extend into Lot 2, will this portion be included in an easement or eliminated as part of the subdivision.
10. The project proposed a shared drive. The applicant shall provide a draft maintenance agreement for review by the Planning Board's legal counsel.
11. Verify the septic system locations meet the horizontal offset requirements from property lines in accordance with NYSDOH Appendix 75A of 10 feet.
12. 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.
13. Considering this plan is conceptual in nature, subsequent comments will be provided with a preliminary plan submission.

The applicant shall provide written responses to all technical comments provided by Town staff and consultants as part of the next submission. Should you have any questions, please do not hesitate to contact me at (518) 371-0799.

Sincerely,

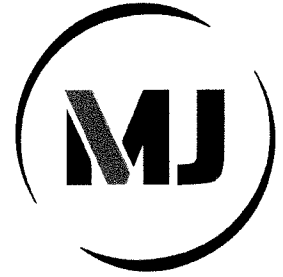
A handwritten signature in black ink, appearing to be 'M. J.', with a long, sweeping underline.

## Review Comments by Project ID

Project ID Number: 2025-015

File#	Permit#	Project ID Number	Route Name	Activity Type	Reviewer	Completion Date	Comment
25-000390	SUB25-000006	2025-015	Subdivision - Concept	Zoning Plans Review	Scott Reese	04/18/2025	Per Town Code Chapter A217-351 Establishment of district - "Lots 2, 4 and 5 shall continue to be zoned as Residential R-1," the residential subdivision is a permitted use. See attached document titled "Van Patten Golf Lot PDD Amendment Lot 5.pdf for location of lots.
25-000390	SUB25-000006	2025-015	Subdivision - Concept	Zoning Plans Review	Scott Reese	04/18/2025	Per Town Code Chapter 208-98 Main Street requires a 100 feet setback from the centerline of the roadway. This will need to be shown on the plans.
25-000390	SUB25-000006	2025-015	Subdivision - Concept	ECC Review	Scott Reese	04/18/2025	In keeping with the recommendations and goals of the Town Comprehensive Plan, the Applicant should retain existing vegetation to the maximum extent practical and/or the use landscaping and grading to provide visual and auditory buffering between the project and adjacent roadways or between individual residential properties.
25-000390	SUB25-000006	2025-015	Subdivision - Concept	Stormwater Review	Scott Reese	04/18/2025	It appears that this development will require the preparation of a SWPPP that only includes erosion and sediment controls.
25-000390	SUB25-000006	2025-015	Subdivision - Concept	Stormwater Review	Scott Reese	04/18/2025	It appears that this development is separated more than a quarter-mile from the other residential development (6 Lot - Route 146A) - therefore the two subdivisions are not considered a Larger Common Plan of Development.
25-000390	SUB25-000006	2025-015	Subdivision - Concept	Planning Director Plans Review	John Scavo	04/18/2025	Effective April 1, 2025, the Saratoga County Department of Health (SCDOH) will handle new applications for realty subdivisions. The SCDOH's contact information is <a href="mailto:environmental@saratogacountyny.gov">environmental@saratogacountyny.gov</a> or 518-584-7460. SCDOH has assumed functions previously performed by the New York State Department of Health (NYSDOH) related to approvals for water and sewage systems.
25-000390	SUB25-000006	2025-015	Subdivision - Concept	Planning Director Plans Review	John Scavo	04/18/2025	Modify and replace the Agricultural Data Statement and Control Form to list parcel 264.-3-64-113, address 753 Tanner Road, owned by POPOLIZIO, FRANK, A. to be listed as an active farming operation located within five hundred feet of the adjacent property.

25-000390	SUB25-000006	2025-015	Subdivision - Concept	Stormwater Review	Scott Reese	04/18/2025	This proposed development is within a census-defined urban area. The applicant shall describe how the project will adhere to the NYSDEC Freshwater Wetlands Act.
25-000390	SUB25-000006	2025-015	Subdivision - Concept	Planning Director Plans Review	John Scavo	04/18/2025	The proposed project is subject to Section 239 of General Municipal Law and will be referred to the Saratoga Co. Planning Board for a recommendation.
25-000390	SUB25-000006	2025-015	Subdivision - Concept	Planning Director Plans Review	John Scavo	04/18/2025	Additional comments will be provided upon review of future submittals, which will contain survey data beyond the concept plan level (i.e., existing utilities and drainageways within the State ROW).
25-000390	SUB25-000006	2025-015	Subdivision - Concept	SEQR Review	John Scavo	04/18/2025	A copy of the proposed application will be sent to the Saratoga County Health Department, New York State Department of Transportation, and Saratoga County Sewer District with a desire for the Clifton Park Planning Board to seek Lead Agency Status for the State Environmental Quality Review process.
25-000390	SUB25-000006	2025-015	Subdivision - Concept	SEQR Review	John Scavo	04/18/2025	It is recommended that the Planning Board declare its desire to seek lead agency status for the proposed action and do a coordinated review process.
25-000390	SUB25-000006	2025-015	Subdivision - Concept	Planning Director Plans Review	John Scavo	04/18/2025	The Saratoga County DPW is the entity for permitting any work to be performed within the Saratoga County ROW. Please get in touch with Gary Meier, Saratoga Co. DPW, at 518-885-2235 to discuss obtaining the necessary permit.
25-000390	SUB25-000006	2025-015	Subdivision - Concept	Fire Marshall Plans Review	John DeSimone	04/21/2025	No concerns at this time
25-000390	SUB25-000006	2025-015	Subdivision - Concept	Postal Verification	John DeSimone	04/21/2025	Please see and follow approved postal verification in documents.



April 16, 2025

Mr. Gavin Vuillaume  
Environmental Design Partnership  
900 Route 146  
Clifton Park, New York 12065

**Re: VP Golf Club 5-Lot Single Family Subdivision**  
**Tax Map ID 264.-3-94.1**  
**CP File: 2025-015**  
**MJ File: 700.419**

Dear Mr. Vuillaume:

MJ Engineering, Architecture, Landscape Architecture, and Land Surveying, P.C. (MJ) has reviewed the submission for the above referenced project. Documents received for our review included the following:

- Short Environmental Assessment Form not signed and undated.
- Concept Rendering Map titled "Conceptual Subdivision for Country Club Golf, LLC" as prepared by Environmental Design Partnership, LLP, 1 sheet in total, and dated March 26<sup>th</sup>, 2024.
- Town of Clifton Park Agricultural Data Statement and Control Form, undated.

Based upon our review of the above documents, we offer the following comments for consideration.

### **STATE ENVIRONMENTAL QUALITY REVIEW**

1. Based upon our review of Part 617 of NYS Environmental Conservation Law, the project appears to be a Type 1 action. 10 NYCRR Part 97 is the NYSDOH regulation implementing SEQRA (Article 8 of the ECL). Section 97.14(b)(2)(ii) requires that a realty subdivision (5 or more lots) be classified as a Type I action and requires the completion a full environmental assessment form (FEAF). 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 subdivision. 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, coordinated review is required for Type 1 actions. 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: GML 239-m County Referral
  - c. Clifton Park Water Authority: Water Connection
  - d. Saratoga County Sewer District #1: SCSD Connection
  - e. New York State Department of Environmental Conservation: Stormwater Discharge and Notice of Intent
  - f. New York State Department of Health: Realty subdivision approval



21 Corporate Drive  
Clifton Park, NY 12065



518.371.0799  
mj@mjteam.com  
mjteam.com



Fishkill, NY  
Levittown, NY  
Picatinny, NJ  
Melbourne, FL



The applicant has submitted Part 1 of the Short Environmental Assessment Form (SEAF), however should submit a full environmental assessment form (FEAF) for a Type 1 action. Based upon our review of the submitted Part 1 SEAF, the following comments are offered:

2. Part 1. 1 - The applicant had indicated Yes, the action will involve legislative adoption of a plan, local law, ordinance, administrative rule, or regulation. Please review as it appears the answer should be no.
3. 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 federally or state regulated wetlands adjacent to the project site. Should this change as the project design progresses, additional approvals and permits may be required.
4. Part 1. 17 - The response indicates that the proposed action will create stormwater discharge. The applicant indicates that the action will disturb +/- 2.40 acres of land. As such, it will be subject to the NYSDEC Phase II Stormwater Regulations and General Permit GP-0-25-001. As the project proceeds through the Town's regulatory review process, a fully conforming SWPPP shall be provided for review.
5. No further comments at this time.

## **SUBDIVISION**

6. The project is located within the Town's Residential District (R-1). The Town has confirmed this parcel is located outside the Van Patten Golf Course Planned Development District, therefore the proposal for single family homes is a permitted principal use within the R-1 District as noted in Section 208-10(B)(2) of the Town's Zoning.
7. In reviewing the proposed lot layout in comparison to Section 208-11 of the Town's Zoning, it would appear all minimum bulk lot requirements are satisfied.
8. Provide contour lines at a minimum of two-foot intervals to United State Geological Survey datum within the parcel pursuant to Section 179-11 of the Town Subdivision Law.
9. The proposed project is a residential subdivision that will disturb between 1-acre and 5-acres of land therefore a SWPPP is required for only erosion and sediment control measures. The report should be developed following the New York State Department of Environmental Conservation's (NYSDEC) Phase II Stormwater Regulations, State Pollutant Discharge Elimination System (SPDES) General Permit GP-0-25-001 standards.
10. The NYSDEC implemented new wetland regulations that expand their regulatory jurisdiction. 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. Subsequent plans shall identify whether driveway culverts will be required at Main Street to adequately convey roadside drainage.
12. The submitted information indicates the project is proposing to connect to an existing water main(s) within proximity to the parcel. These mains are owned and operated by the Clifton Park Water Authority (CPWA). It is recommended that the Town be furnished with documentation that the CPWA is willing and capable of providing potable water to the project.
13. The submitted information indicates the project is proposing to connect to an existing sewer main(s) within proximity to the parcel. These mains are owned and operated by the Saratoga County Sewer District No. 1 (SCSD). It is recommended that the Town be furnished with documentation that the SCSD is willing and capable of providing sanitary sewer service to the project.
14. Provide notation on the plan as follows:
  - a. No Utilities shall be installed beneath the proposed driveways.
  - b. Any work required within the Town right-of-way shall be subject to any permitting from the Clifton Park Highway Department (driveway, culvert, water service, sewer).
15. Subsequent plans should show the existing and proposed utilities which will be serving the parcels.
16. 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.
17. Considering this plan is conceptual in nature, subsequent comments will be provided with a preliminary plan submission.

The applicant shall provide written responses to all technical comments provided by Town staff and consultants as part of the next submission. Should you have any questions, please do not hesitate to contact me at (518) 371-0799.

Sincerely,

A handwritten signature in black ink, appearing to read 'Walter F. Lippmann', written over a horizontal line.

Walter F. Lippmann, P.E.  
Associate, Land Development Group Manager

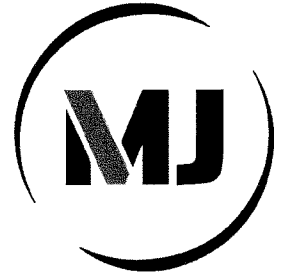
ecc: Clifton Park Planning Board  
John Scavo, Director of Planning  
Scott Reese, Zoning Administrator/Stormwater Management Officer

## Review Comments by Project ID

Project ID Number: 2025-016

File#	Permit#	Project ID Number	Route Name	Activity Type	Reviewer	Completion Date	Comment
25-000391	SUB25-000007	2025-016	Subdivision - Concept	Zoning Plans Review	Scott Reese	04/18/2025	Per Town Code Chapter A217-351 Establishment of district - "Lots 2, 4 and 5 shall continue to be zoned as Residential R-1," the residential subdivision is a permitted use. See attached document titled "Van Patten Golf Lot PDD Amendment Lot 5.pdf for location of lots.
25-000391	SUB25-000007	2025-016	Subdivision - Concept	Zoning Plans Review	Scott Reese	04/18/2025	Per Town Code Chapter 208-98 NYS RT 146A requires a 100 feet setback from the centerline of the roadway. This will need to be shown on the plans, although it does not appear it will impact this development.
25-000391	SUB25-000007	2025-016	Subdivision - Concept	ECC Review	Scott Reese	04/18/2025	The ECC is concerned with the horizontal sight distance at the driveway of Lot 6 and NY Rt 146A. The visibility of vehicles entering and exiting the driveway of Lot 6 is significantly reduced by the curb of NY RT 146A. The speed of vehicles on the curve can make it more difficult to react safely when a vehicle is entering or exiting the driveway. The ECC recommends that the applicant consider an alternative access point for this lot.
25-000391	SUB25-000007	2025-016	Subdivision - Concept	ECC Review	Scott Reese	04/18/2025	The ECC notes that wetlands of unusual importance are regulated by the NYSDEC. These include wetlands in flood prone areas, wetlands with endangered species habitat and vernal pools. The ECC requests the applicant validate that these features are not present.
25-000391	SUB25-000007	2025-016	Subdivision - Concept	ECC Review	Scott Reese	04/18/2025	In keeping with the recommendations and goals of the Town Comprehensive Plan, the Applicant should retain existing vegetation to the maximum extent practical and/or the use landscaping and grading to provide visual and auditory buffering between the project and adjacent roadways or between individual residential properties.
25-000391	SUB25-000007	2025-016	Subdivision - Concept	Stormwater Review	Scott Reese	04/18/2025	It appears that this development will require the preparation of a SWPPP that only includes erosion and sediment controls.
25-000391	SUB25-000007	2025-016	Subdivision - Concept	Stormwater Review	Scott Reese	04/18/2025	It appears that this development is separated more than a quarter-mile from the other residential development (5 Lot - 924 Main Street) - therefore the two subdivisions are not considered a Larger Common Plan of Development.
25-000391	SUB25-000007	2025-016	Subdivision - Concept	SEQR Review	John Scavo	04/18/2025	A copy of the proposed application will be sent to the Saratoga County Health Department, Saratoga County Department of Public Works, and Saratoga County Sewer District, with the desire for the Clifton Park Planning Board to seek Lead Agency Status for the State Environmental Quality Review process.
25-000391	SUB25-000007	2025-016	Subdivision - Concept	SEQR Review	John Scavo	04/18/2025	It is recommended that the Planning Board declare its desire to seek lead agency status for the proposed action and do a coordinated review process.
25-000391	SUB25-000007	2025-016	Subdivision - Concept	Planning Director Plans Review	John Scavo	04/18/2025	Effective April 1, 2025, the Saratoga County Department of Health (SCDOH) will handle new applications for realty subdivisions. The SCDOH's contact information is <a href="mailto:environmental@saratogacountyny.gov">environmental@saratogacountyny.gov</a> or 518-584-7460. SCDOH has assumed functions previously performed by the New York State Department of Health (NYSDOH) related to approvals for water and sewage systems.
25-000391	SUB25-000007	2025-016	Subdivision - Concept	Planning Director	John Scavo	04/18/2025	Modify and replace the Agricultural Data Statement and Control Form to list parcel 264.-3-64-113, address 753 Tanner Road, owned

				Plans Review			by POPOLIZIO, FRANK, A. to be listed as an active farming operation located within five hundred feet of the adjacent property.
25-000391	SUB25-000007	2025-016	Subdivision - Concept	Planning Director Plans Review	John Scavo	04/18/2025	Any utility work or construction within the State Highway Right-Of-Way, including the driveway curb-cuts, requires the property owner to obtain a highway work permit from the NYS Department of Transportation, whether it is for construction or installation of facilities, or for repairs and maintenance.
25-000391	SUB25-000007	2025-016	Subdivision - Concept	Planning Director Plans Review	John Scavo	04/18/2025	The proposed project is subject to Section 239 of General Municipal Law and will be referred to the Saratoga Co. Planning Board for a recommendation.
25-000391	SUB25-000007	2025-016	Subdivision - Concept	Planning Director Plans Review	John Scavo	04/18/2025	<p>The applicant is required to verify that adequate sight distances are available at the locations of the proposed driveways on the New York State Highway. The verified sight distances must be clearly indicated on the subdivision map. Methodology for Sight Distance Analysis: 1. Identify the Design Speed: <math>\hat{\phi}</math> Determine the design speed of the New York State Highway at the location of the proposed driveways. This can be obtained from the New York State Department of Transportation (NYSDOT) or through a speed study. 2. Measure Stopping Sight Distance (SSD): <math>\hat{\phi}</math> Stopping Sight Distance is the distance required for a driver to perceive an obstacle, react, and bring the vehicle to a complete stop. Use the formula provided in the AASHTO Green Book:</p> $SSD = 1.47 \hat{V} \hat{t} + V^2 / 20(a + G)$ $SSD = 1.47 \hat{V} \hat{t} + 30 \hat{V}^2 / (a + G)$ <p>where <math>\hat{V}</math> is the speed in mph, <math>\hat{t}</math> is the perception-reaction time (typically 2.5 seconds), <math>\hat{a}</math> is the deceleration rate (typically 11.2 ft/s<sup>2</sup>), and <math>\hat{G}</math> is the grade of the road. 3. Measure Intersection Sight Distance (ISD): <math>\hat{\phi}</math> Intersection Sight Distance ensures that drivers have sufficient view of the highway to safely enter or cross. Refer to the NYSDOT Highway Design Manual, Chapter 5, Appendix 5C for the appropriate sight distance values based on the type of intersection control (e.g., stop control, yield control). 4. Field Verification: <math>\hat{\phi}</math> Conduct a field survey to measure the actual sight distances at the proposed driveway locations. Ensure that the sight lines are unobstructed by vegetation, structures, or other obstacles. 5. Adjust for Grade: <math>\hat{\phi}</math> If the approach grade affects sight distance, apply adjustment factors as specified in the NYSDOT Highway Design Manual. 6. Document and Map: <math>\hat{\phi}</math> Clearly document the measured sight distances and any adjustments made. Add these verified sight distances to the subdivision map, ensuring they are easily readable and accurately placed. 7. Certification: <math>\hat{\phi}</math> Have a licensed professional engineer certify that the sight distances meet the required standards as per NYSDOT guidelines.</p> <p>_____ This detailed methodology ensures that the sight distance analysis is thorough and meets the necessary safety standards for the proposed driveways on the New York State Highway.</p>
25-000391	SUB25-000007	2025-016	Subdivision - Concept	Planning Director Plans Review	John Scavo	04/18/2025	Additional comments will be provided upon review of future submittals, which will contain survey data beyond the concept plan level (i.e., existing utilities and drainageways within the State ROW).
25-000391	SUB25-000007	2025-016	Subdivision - Concept	Fire Marshall Plans Review	John DeSimone	04/21/2025	No concerns at this time.
25-000391	SUB25-000007	2025-016	Subdivision - Concept	Postal Verification	John DeSimone	04/21/2025	See approved postal verification in documents. This will be finalized with Saratoga County Emergency Services upon final approval.



April 16, 2025

Mr. Gavin Vuillaume  
Environmental Design Partnership  
900 Route 146  
Clifton Park, New York 12065

**Re: VP Golf Club 6-Lot Single Family Subdivision**  
**Tax Map ID 264.-3-94.1**  
**CP File: 2025-016**  
**MJ File: 700.420**

Dear Mr. Vuillaume:

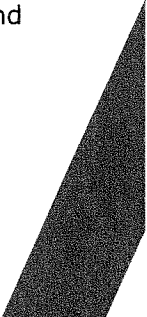
MJ Engineering, Architecture, Landscape Architecture, and Land Surveying, P.C. (MJ) has reviewed the submission for the above referenced project. Documents received for our review included the following:

- Short Environmental Assessment Form not signed and undated.
- Concept Rendering Map titled "Conceptual Subdivision for Country Club Golf, LLC" as prepared by Environmental Design Partnership, LLP, 1 sheet in total, and dated March 26<sup>th</sup>, 2024.
- Town of Clifton Park Agricultural Data Statement and Control Form, undated.

Based upon our review of the above documents, we offer the following comments for consideration.

### **STATE ENVIRONMENTAL QUALITY REVIEW**

1. Based upon our review of Part 617 of NYS Environmental Conservation Law, the project appears to be a Type 1 action. 10 NYCRR Part 97 is the NYSDOH regulation implementing SEQRA (Article 8 of the ECL). Section 97.14(b)(2)(ii) requires that a realty subdivision (5 or more lots) be classified as a Type I action and requires the completion a full environmental assessment form (FEAF). 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 subdivision. 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, coordinated review is required for Type 1 actions. 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: GML 239-m County Referral
  - c. Clifton Park Water Authority: Water Connection
  - d. Saratoga County Sewer District #1: SCSD Connection
  - e. New York State Department of Environmental Conservation: Stormwater Discharge and Notice of Intent
  - f. New York State Department of Transportation: Proximity to Route 146A





g. New York State Department of Health: Realty subdivision approval

The applicant has submitted Part 1 of the Short Environmental Assessment Form (SEAF), however should submit a full environmental assessment form (FEAF) for a Type 1 action. Based upon our review of the submitted Part 1 SEAF, the following comments are offered:

2. Part 1. 1 - The applicant had indicated Yes, the action will involve legislative adoption of a plan, local law, ordinance, administrative rule, or regulation. Please review as it appears the answer should be no.
3. 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 federally or state regulated wetlands adjacent to the project site. Should this change as the project design progresses, additional approvals and permits may be required.
4. Part 1. 17 - The response indicates that the proposed action will create stormwater discharge. The applicant indicates that the action will disturb +/- 2.40 acres of land. As such, it will be subject to the NYSDEC Phase II Stormwater Regulations and General Permit GP-0-25-001. As the project proceeds through the Town's regulatory review process, a fully conforming SWPPP shall be provided for review.
5. No further comments at this time.

**SUBDIVISION**

6. The project is located within the Town's Residential District (R-1). The Town has confirmed this parcel is located outside the Van Patten Golf Course Planned Development District, therefore the proposal for single family homes is a permitted principal use within the R-1 District as noted in Section 208-10(B)(2) of the Town's Zoning.
7. In reviewing the proposed lot layout in comparison to Section 208-11 of the Town's Zoning, it would appear all minimum bulk lot requirements are satisfied.
8. Provide contour lines at a minimum of two-foot intervals to United State Geological Survey datum within the parcel pursuant to Section 179-11 of the Town Subdivision Law.
9. The proposed project is a residential subdivision that will disturb between 1-acre and 5-acres of land therefore a SWPPP is required for only erosion and sediment control measures. The report should be developed following the New York State Department of Environmental Conservation's (NYSDEC) Phase II Stormwater Regulations, State Pollutant Discharge Elimination System (SPDES) General Permit GP-0-25-001 standards.
10. The NYSDEC implemented new wetland regulations that expand their regulatory jurisdiction. 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. Subsequent plans shall identify whether driveway culverts will be required at Main Street to adequately convey roadside drainage.
12. The submitted information indicates the project is proposing to connect to an existing water main(s) within proximity to the parcel. These mains are owned and operated by the Clifton Park Water Authority (CPWA). It is recommended that the Town be furnished with documentation that the CPWA is willing and capable of providing potable water to the project.
13. The submitted information indicates the project is proposing to connect to an existing sewer main(s) within proximity to the parcel. These mains are owned and operated by the Saratoga County Sewer District No. 1 (SCSD). It is recommended that the Town be furnished with documentation that the SCSD is willing and capable of providing sanitary sewer service to the project.
14. Provide notation on the plan as follows:
  - a. No Utilities shall be installed beneath the proposed driveways.
  - b. Any work required within the Town right-of-way shall be subject to any permitting from the Clifton Park Highway Department (driveway, culvert, water service, sewer).
15. Subsequent plans should show the existing and proposed utilities which will be serving the parcels.
16. 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.
17. Considering this plan is conceptual in nature, subsequent comments will be provided with a preliminary plan submission.

The applicant shall provide written responses to all technical comments provided by Town staff and consultants as part of the next submission. Should you have any questions, please do not hesitate to contact me at (518) 371-0799.

Sincerely,

A handwritten signature in black ink, appearing to read 'Walter F. Lippmann', written over a horizontal line.

Walter F. Lippmann, P.E.  
Associate, Land Development Group Manager

ecc: Clifton Park Planning Board  
John Scavo, Director of Planning

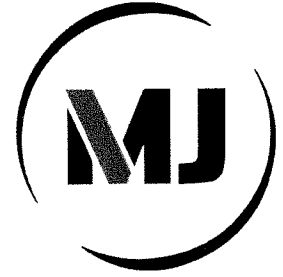
## Review Comments by Project ID

Project ID Number: 2025-017

File#	Permit#	Project ID Number	Route Name	Activity Type	Reviewer	Completion Date	Comment
25-000392	SPR25-000016	2025-017	Site Plan Review - Concept	Zoning Plans Review	Scott Reese	04/18/2025	Per Town Code Chapter 208-64 B.(1) Assembling/fabrication, processing is a permitted use. The applicant will need to provide a narrative on how the proposed use will not result in any noxious noise or odor outside the district and does not have a deleterious effect on the air or water quality and how the operation will not exceed any of the performance standards per Town Code Chapter 208-64 F.
25-000392	SPR25-000016	2025-017	Site Plan Review - Concept	Zoning Plans Review	Scott Reese	04/18/2025	As the Zoning Administrator, I visited one of the applicants operating concrete batch plants and did not observe / hear / smell of any noxious or deleterious conditions.
25-000392	SPR25-000016	2025-017	Site Plan Review - Concept	Zoning Plans Review	Scott Reese	04/18/2025	To clarify the prohibited uses in the Light Industrial zone Town Code Chapter 208-64 C. (3) Manufacture of cement or abrasives. The manufacturing of cement involves grinding limestone and clay to a fine powder, which is then heated to temperatures as high as 2,600 degrees Fahrenheit in a cement kiln. This process is considered a heavy industrial use.
25-000392	SPR25-000016	2025-017	Site Plan Review - Concept	Stormwater Review	Scott Reese	04/18/2025	With the project being installed adjacent to the Dwaas Kill a 303(d) list of impaired waters, NYSDEC Wetlands, and the Land Conservation District, a detailed stormwater management plan will need to address how these areas will be protected during construction and for the long term of the site operations.
25-000392	SPR25-000016	2025-017	Site Plan Review - Concept	ECC Review	Scott Reese	04/18/2025	The ECC notes that this project is adjacent to the Dwaas Kill a CT and a 303D protected water way. Concrete plants present several risks including but are not limited to air and water pollution as well as dust exposure. Given the proximity of the concrete plant to the Dwaas Kill the ECC is concerned about potential adverse environmental impacts. The ECC requests that the applicant reconsiders the location of the concrete batch plant further away from the wetland buffers.
25-000392	SPR25-000016	2025-017	Site Plan Review - Concept	ECC Review	Scott Reese	04/18/2025	The ECC notes that wetlands of unusual importance are regulated by the NYSDEC. These include wetlands in flood prone areas,

							wetlands with endangered species habitat and vernal pools. The ECC requests the applicant validate that these features are not present.
25-000392	SPR25-000016	2025-017	Site Plan Review - Concept	ECC Review	Scott Reese	04/18/2025	The ECC notes that the chemicals used in the mixing of concrete include gravel dust, silicate, and other chemicals harmful to the Dwaas Kill environment. The proposed siting places this sensitive environment in jeopardy from fugitive dust, stormwater runoff and potential catastrophic failures. The ECC requests that the planning board requires a Full SEQRA application when evaluating this project.
25-000392	SPR25-000016	2025-017	Site Plan Review - Concept	ECC Review	Scott Reese	04/18/2025	The ECC requests the applicant provide comprehensive disaster management spill response to any of the components that can enter the Dwaas Kill.
25-000392	SPR25-000016	2025-017	Site Plan Review - Concept	Planning Director Plans Review	John Scavo	04/18/2025	As the plan details progress, the applicant must provide comprehensive measures to prevent aggregate storage, concrete, and other materials from migrating into the Dwaas Kill and its protected adjacent areas.
25-000392	SPR25-000016	2025-017	Site Plan Review - Concept	Planning Director Plans Review	John Scavo	04/18/2025	As the plan details progress, the applicant must verify that adequate access for emergency vehicles is maintained.
25-000392	SPR25-000016	2025-017	Site Plan Review - Concept	Zoning Plans Review	Scott Reese	04/18/2025	Per Town Code Chapter 208-65 D. Height. Permitted height of buildings and structures shall be 50 feet. For any building or structure proposed over 35 feet in height, the Planning Board will conduct a visual assessment and require the applicant to complete Appendix B of the State Environmental Quality Review, Visual EAF Addendum for its consideration. The Planning Board shall also require a line-of-sight-profile with control points to be determined by the Board. It appears that the applicant shall need to conduct a visual assessment.
25-000392	SPR25-000016	2025-017	Site Plan Review - Concept	Planning Director Plans Review	John Scavo	04/18/2025	Due to the presence of heavy materials, equipment, and vehicles on the proposed site, the applicant must conduct soil tests to ensure the site has a stable foundation for heavy equipment.
25-000392	SPR25-000016	2025-017	Site Plan Review - Concept	Planning Director Plans Review	John Scavo	04/18/2025	Conduct a traffic analysis to assess the potential impact on local traffic and propose mitigation measures if impacts are identified.
25-000392	SPR25-000016	2025-017	Site Plan Review - Concept	Planning Director Plans Review	John Scavo	04/18/2025	An internal site traffic control and operations plan should be provided to demonstrate how the layout optimizes material flow and minimizes transport distances while controlling

							incoming and outgoing traffic on-site without negatively backing up onto the public roadway system.
25-000392	SPR25-000016	2025-017	Site Plan Review - Concept	Planning Director Plans Review	John Scavo	04/18/2025	Any utility work or construction within the State Highway Right-Of-Way requires the property owner to obtain a highway work permit from the NYS Department of Transportation, whether it is for construction or installation of facilities, or for repairs and maintenance
25-000392	SPR25-000016	2025-017	Site Plan Review - Concept	Planning Director Plans Review	John Scavo	04/18/2025	The proposed project is subject to Section 239 of General Municipal Law and will be referred to the Saratoga Co. Planning Board for a recommendation.
25-000392	SPR25-000016	2025-017	Site Plan Review - Concept	Stormwater Review	Scott Reese	04/18/2025	With the close proximity of this project to the Dwaas Kill, NYSDEC Wetlands, and Land Conservation District, it would reason for a Full Environmental Assessment Form be required to assist in evaluating potential environmental impacts.
25-000392	SPR25-000016	2025-017	Site Plan Review - Concept	Stormwater Review	Scott Reese	04/18/2025	The applicant should explain how the project complies with the most recent amendments to the NYSDEC Freshwater Wetlands Act.
25-000392	SPR25-000016	2025-017	Site Plan Review - Concept	SEQR Review	John Scavo	04/18/2025	While the action appears to be Unlisted pursuant to SEQRA, the Short EAF may not be sufficient for the Planning Board to adequately assess the potential for negative environmental impacts. Therefore, the Planning Board may request the applicant provide a Long Form EAF for its consideration.
25-000392	SPR25-000016	2025-017	Site Plan Review - Concept	SEQR Review	John Scavo	04/18/2025	he applicant must provide detailed information on the specific measures that will be implemented to control dust and noise pollution. Additionally, the applicant should include data on the typical decibel levels experienced by neighboring properties for concrete batch mixing plants of similar size, scale, and operations.
25-000392	SPR25-000016	2025-017	Site Plan Review - Concept	SEQR Review	John Scavo	04/18/2025	Provide information regarding the proper treatment and disposal of wastewater generated by the plant.
25-000392	SPR25-000016	2025-017	Site Plan Review - Concept	SEQR Review	John Scavo	04/18/2025	Provide information regarding if a concrete washout area will be provided and if so, the methods of operations to minimize environmental impacts to adjacent areas such as the Dwaas Kill.
25-000392	SPR25-000016	2025-017	Site Plan Review - Concept	Postal Verification	John DeSimone	04/21/2025	If parcel remains one parcel like plans show, existing address will cover this project. 1910 NYS Route 9 Clifton Park, NY 12065



April 16, 2025

Mr. Gavin Vuillaume  
Environmental Design Partnership  
900 Route 146  
Clifton Park, New York 12065

**Re: 1910 Route 9 Commercial Building Site Plan  
Tax Map ID 259.-2-44 and 260.-1-28  
CP File: 2025-017  
MJ File: 700.421**

Dear Mr. Vuillaume:

MJ Engineering, Architecture, Landscape Architecture, and Land Surveying, P.C. (MJ) has reviewed the submission for the above referenced project. Documents received for our review included the following:

- Short Environmental Assessment Form dated March 31<sup>st</sup>, 2025.
- Conceptual Site Plan Map titled "Batch Concrete Plant" as prepared by Environmental Design Partnership, LLP, 1 sheet in total, and dated March 28<sup>th</sup>, 2024.
- Town of Clifton Park Agricultural Data Statement and Control Form, undated.

Based upon our review of the above documents, we offer the following comments for consideration.

### **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 subdivision. 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: GML 239-m County Referral
  - c. New York State Department of Transportation: Proximity to Route 9
  - d. New York State Department of Environmental Conservation: Stormwater Discharge and Notice of Intent
  - e. Clifton Park Water Authority: Water Connection
  - f. Saratoga County Sewer District #1: SCSD Connection

Additional agencies may be identified by the Town during its review of the project.

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. 2 – The applicant indicated that the proposed action will require a permit, approval, or funding from another government Agency. The applicant will need to select yes since permitting agencies were identified.
3. 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 federally or state regulated wetlands adjacent to the project site. Should this change as the project design progresses, additional approvals and permits may be required.
4. Part 1. 15 - The response indicates that the project site contains species of plant or animal listed by NYS as rare or as a species of special concern, including the Frosted Elfin and Karner Blue. The applicant should ensure that this response is inclusive of the U.S. Fish and Wildlife Service IPaC tool to ensure no federally identified species of concern.
5. Part 1. 17 - The response indicates that the proposed action will create stormwater discharge. The applicant indicates that the action will disturb +/- 1.80 acres of land. As such, it will be subject to the NYSDEC Phase II Stormwater Regulations and General Permit GP-0-25-001. Therefore, a full SWPPP will be required that address water quantity and quality. As the project proceeds through the Town's regulatory review process, a fully conforming SWPPP shall be provided for review.
6. Part 1. 18 – The response indicates the proposed action will include construction or other activities that would result in the impoundment of water or other liquids. The applicant stated "Stormwater basin". The project will be subject to the NYSDEC Phase II Stormwater Regulations and General Permit GP-0-25-001.

#### **SITE PLANS**

7. The project resides within the Town's LI-2, Light Industrial District. In our review of Section 208-64(B) of the Town's Zoning, it appears that a bulk processing plant may be a permitted as of right use under 208-64(B)(1) processing of products but should be verified by the Town's Zoning Officer.
8. In reviewing the proposed site plan, it appears to be deficient in regards to meeting the minimum bulk lot requirements outlined in Section 208-65 of the Town's Zoning. The noted deficiencies are as follows:
  - a. Section 208-65(D) Height. Permitted height of buildings and structures shall be 50 feet. For any building or structure proposed over 35 feet in height, the Planning Board will conduct a visual assessment and require the applicant to complete Appendix B of the State Environmental Quality Review, Visual EAF Addendum for its consideration. The Planning Board shall also require a line-of-sight-profile with control points to be determined by the Board. The proposed building is 58 feet.



9. It appears a portion of sitework is within the Town of Halfmoon. Any improvements planned within the Town of Halfmoon are subject to the review and approval by the Town of Halfmoon Planning Board and other Town departments.
10. The applicant should review the NYSDEC requirements for operating/air quality permits to ensure the facility will meet these regulations.
11. Identify the date and by whom the wetlands shown were delineated.
12. Provide documentation that the NYSDEC has reviewed and determined that the wetland boundaries shown to be accurate. If a jurisdictional determination has been issued, provide copies to the Town for their records. It appears current operations are within the 100 foot adjacent area.
13. The project will disturb more than 1-acre of land. As such, it will be subject to the NYSDEC Phase II Stormwater Regulations and General Permit GP-0-25-001. Therefore, a full SWPPP will be required that addressed water quantity and quality controls. As the project proceeds through the Town's regulatory review process, a fully conforming SWPPP shall be provided for review.
14. The site statistics table indicates public utilities will be serving the proposed building however a proposed well is shown on the plans. Please confirm the proposed utility connection on site.
15. Provide the anticipated amount of water to be used in the process.
16. If a well is proposed, are on site storage tanks needed to meet the water demand for processing.
17. The submitted information indicates the project is proposing to connect to an existing sewer main(s) within close proximity to the parcel. These mains are owned and operated by the Saratoga County Sewer District No. 1 (SCSD). It is recommended that the Town be furnished with documentation that the SCSD is willing and capable of providing sanitary sewer service to the project.
18. Indicate on the plans the existing water and sewer utilities that are servicing the site.
19. The project proposes access onto NYS Route 9, which includes construction of a widened curb cut and utility connections. This proposed work is subject to the review and approval of the NYSDOT. The applicant shall coordinate with the regional office of the NYSDOT and obtain permitting in advance of construction.
20. Identify on the plans proposed employee parking spaces.
21. Indicate if there will be a truck washing station on site. If so, show how the runoff will be contained.
22. It will be essential to provide the necessary erosion and sediment control measures, especially for work adjacent to or near the Dwaas Kill to manage construction phase sediment transport since the Dwaas Kill is a TMDL impaired water body.



23. It is recommended that at a minimum the number of peak hour vehicle trips, including truck trips be provided.
24. Subsequent submissions shall include building elevations to demonstrate conformance with Section 208-66(C) of the Town Zoning.
25. The following comments are specific to the site layout and compliance with the Fire Code of New York State (FCNYS).
  - a. Confirm whether the building will require an automatic sprinkler. If the building is to be sprinklers, show the location of the fire department connection.
  - b. Show the location of the required Knox Box.
  - c. The location and layout of the fire apparatus access shall be reviewed by the responding agency(s).
26. Show any proposed free standing or building mounted lights. If any are proposed, provide proposed footcandle values at pavement levels.
27. Considering the plan submitted is conceptual in nature, we will reserve further comments until more detailed plans and reports are submitted. Subsequent submissions shall include information as outlined in Section 208-115 of the Town zoning specific to site grading, lighting, erosion control and stormwater management to fully assess the design and its compliance to the applicable standards.

Should you have any questions, please do not hesitate to contact me at (518) 371-0799.

Sincerely,

A handwritten signature in black ink, appearing to read 'Walter F. Lippmann', written over a light blue horizontal line.

Walter F. Lippmann, P.E.  
Associate, Land Development Group Manager

ecc: Clifton Park Planning Board  
John Scavo, Director of Planning  
Scott Reese, Zoning Administrator/Stormwater Management Officer  
Jennifer Viggiani, Open Space Coordinator  
Melinda Acker

# **EXHIBIT C**

**April 7, 2026 Town Board Meeting for The Town of Clifton Park**

Speaker 1:

This is Resolution 24, 2026, the resolution scheduling a public hearing to consider a local law establishing a moratorium on batch concrete mixing plant facilities.

Philip Barrett (Supervisor):

Has this been sent to the county for review?

Town Attorney:

It will be.

Philip Barrett:

No, I don't think it has. Which is a step that should happen before like solar.

Town Attorney:

We'll get it out soon. (What was said after was unclear in the video, he wasn't speaking with the microphone).

Philip Barrett:

I just want to make sure that if we're going to do something like this, we need to follow the proper process. We haven't sent it to the County yet.

Town Attorney

It will be sent to the County. We can have a public hearing, and we'll vote on it as soon as we can vote on it. It's up to you and the Board members.

Zabed Manir:

Is there any legal boundary if we can schedule the hearing, but in the process, we can also send it to the County or is there any obligation that we have to send it to the County first and then.

Town Attorney:

That I don't know.

Zabed Manir:

Okay, thank you.

Phillip Barrett:

It should go to the county first, like we did with the solar project. That was my question on the solar. I know the County's already reviewed this application, right?

Town Attorney:

Yes.

Philip Barrett:

But they haven't reviewed the moratorium idea.

Town Attorney:

They wouldn't have had an opportunity to review the idea because it was just drafted.

Phillip Barrett:

Right. Well, I think um we've been talking about legal liability which has been growing seemingly by the day, and I certainly don't want to create more if we've not following the right process.

Phillip Barrett:

Is this? And I'll ask the same question that I asked on the solar. Is this capturing any current applications that are under review by Zoning and/or Planning.

Town Attorney:

Yes.

Philip Barrett:

Oh, it is. But, not on the solar?

Town Attorney:

I don't know about the solar, but the intention here would be to capture all applications

Philip Barrett:

We have two moratoriums tonight—one isn't capturing current projects, but one is? Is that...

Town Attorney:

I can't comment on the first. I wasn't involved in that. I am involved in this.

Philip Barrett:

Well, that's kind of a important question, something we should know. Um.

Philip Barrett:

So, I wonder if it does if the solar moratorium does capture the project that is under consideration that has been submitted. Under what legal theory would we capture a project?

Town Attorney:

I'm not prepared to talk about that at this point.

Someone in the Audience:

Oh, boy

Philip Barrett:

Well, the solar application has been in for....

Philip Barrett:

I wish John was here. I want to say three, four months.

Philip Barrett:

Anybody from the Planning Board. Keith, do you know long the solar?

Keith Martin:

Speaking about McKray Voy Road

Philip Barrett:

Yeah.

Keith Martin:

It's been before the board for several months.

Philip Barrett:

Okay. And how long is this concrete batch plant been in front of the Planning Board?

Various People:

About a year.

At least a year.

Philip Barrett:

It went in front of the Zoning Board before that I think, right?

Keith Martin:

Correct.

Member from Audience:

It did not go to the Zoning Board for Zoning determination. It went to the Zoning Board for variance on the 60-foot height of the batch plant, but there was never any minutes or any zoning.

Philip Barrett:

So, it went to the Zoning Board for determination,

Member from Audience:

No, it did not. It did not go to the Zoning Board.

Philip Barrett:

Well, there was a determination on a variance.

Member from Audience:

On a variance, but never a determination.

Philip Barrett:

And then it went to the Planning Board. So, it's been about a year.

T.J. Ruane:

Supervisor, if you have any questions about the project, I'm here on behalf of the applicant. I can answer any questions that you got.

Philip Barrett:

Oh, okay.

Member from Audience:

If you have any questions on the process, I'm here in fact on behalf of the town committee that reviewed it and there are discrepancies and last night there was an appeal filed last night to decide.

Philip Barrett:

I don't want to get us into any more legal issues so that way we can avoid it.

Member from Audience:

Will the public be able to speak on it.

Philip Barrett:

I don't speak about projects, individual projects purposefully when they're when they have been submitted and have been reviewed for a period of time. So, I mean we need answers to these questions before we start putting in what is or can be a very controversial measure.

Philip Barrett:

Um so, you know these should be pretty simple questions.

Keith Martin:

I just wanted to identify myself by name. I'm Keith Martin. I'm on the Planning Board and I'm curious as to who this gentleman represents.

Philip Barrett:

We'll get to public privilege if you'd like to speak it publicly.

Keith Martin:

He's on the record he should identify by name.

T.J. Ruane:

Yes, happy to do so. I'm TJ Ruane, I'm an attorney with Whiteman Osterman & Hanna. We represent 1910 US Route 9 Clifton Park LLC. The applicant of this project would be effectively prohibited or banned that's been before the Planning Board for over a year by proposed local law.

Philip Barrett:

Okay.

Member of the Committee:

At a conceptual stage.

Philip Barrett:

Okay, thanks Keith.

Philip Barrett:

Any other discussions? If we're going to take measures like this we have to have answers to these questions and we can't treat different moratoriums and enact legislation like this with doing it equally across the board.

Philip Barrett:

I'm glad the next resolution is an open-ended hiring of a law firm because boy I think we are going to need it.

Member from the Audience:

I believe there was an ethics concern issue regarding campaign contributions. It's still under investigation. So, I just wanted to point that out.

Speaker:

Well maybe if you follow a process and do things the right way we could come to a suitable conclusion when we are voting on measures of this type

Zabed Manir:

I'd like to make a few comments. I understand we are talking about process. Today we heard from the citizens of Clifton Park, and everybody is concerned about this project. It's become a health issue and it's not good for our environment. When your citizens have a complaint and there are many people sending emails. So, I believe as an elected official it is our job to address it. I understand there are some procedural issues that's why I asked the council if there are any legal issues if we do not follow the process and I believe you said no there are no legal issues right?

Town Attorney:

No. None that I am aware of. I do acknowledge that it does need to go to the County. It's pretty fresh. This resolution was only drafted in the last couple of days. So, it's a brand-new resolution. We want to get it on the agenda quickly. We will be sending it up to the County for a referral.

Zabed Manir:

Thank you so much and I'm very much about saving our environment and everything and saving our health and saving our next generation. My kids will grow up here. Your grandkids will grow up here. Thank you.

Mario Fantini:

I propose this resolution because I think it is important to give full thought on this project and this gives us time to do a thorough review and to hear from the citizens and I think it is important to be transparent. I think this resolution is in the direction of transparency and will allow us to have a thorough review and allow the public to express their opinions and that's why I wrote this resolution.

PB:

So, the Planning Board is in the midst of a lengthy environmental review right.

Various People from Audience:

No. Not yet

Philip Barrett:

So, they haven't started it yet because they asked DC to be lead agency.

Speaker from Audience:

That is correct.

Philip Barrett:

Where does that stand?

Keith Martin:

That stands at an interim. They won't be discussing this again till May. You have moratorium in between which puts a pause on the process. So, you can do a full examination if all the procedures, which we believe were not followed properly, including Zoning determination. There's nothing wrong with holding a Public Hearing

Philip Barrett:

Well, the Zoning Board is doing a zoning challenge.

Keith Martin:

They tabled that last night because the moratorium was coming to review and a review of briefs would be under the umbrella of the moratorium to see if the process from handled properly. So, what you're basically saying is I can have a public hearing in two weeks on whether we need a moratorium and you can have the county review the moratorium before that and after the 21st you can vote because you're not voting on moratoriums, you're voting on hearing from the public on whether you need a whether you need a moratorium. So that's what you're voting on tonight.

Philip Barrett:

Right and it's important that we do it the right way and I don't know why there's a big rush. It doesn't sound like they're getting Plannign Board approval anytime soon. They haven't even started their environmental review yet.

Philip Barrett:

If we do it the right way then we have a lot less to be concerned about from a legal stand point.  
That's it.

Moratoriums themselves we do them quite often but you have to follow the right process and do it the right way

Any further discussion?

(Vote is called)

Bellamy:

Yes

Fantini:

Yes

Manir:

Yes

Reid:

Yes

Supervisor:

Yes

# **EXHIBIT D**

# Town of Clifton Park Comprehensive Plan

Adopted by Town Board Resolution  
April 17, 1995  
(Local Law 6 of 1995)

Amended October 20, 1997  
(Local Law 5 of 1997)

Amended October 18, 1999  
Future Land Use Map Deleted  
(Local Law 9 of 1999)

Amended July 16, 2001  
(Local Law 8 of 2001)

Amended August 4, 2003  
(Local Law 4 of 2003)

Amended October 10, 2006  
(Local Law 7 of 2006)

Philip C. Barrett, Supervisor  
Councilpersons

Thomas Paolucci  
Sanford I. Roth

Roy A. Speckhard  
Lynda M. Walowit

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## Local Law No. 7 of 2006

# COMPREHENSIVE PLAN TOWN OF CLIFTON PARK

PREAMBLE: The Comprehensive Plan encourages a balance of land uses whereby residential and economic vitality can be pursued and the unique rural and historic character of the Town can be preserved. In addition, the comprehensive plan seeks to enhance the quality of life for Clifton Park. The comprehensive plan depicts this balance with residential areas comprising approximately 75 - 80% of the Town and the commercial/corporate areas being about 20 - 25% of the Town's approximately 50 square miles. The Comprehensive Plan is a flexible guidance tool that is frequently reviewed and amended to address current and long range issues with the intent of maintaining the diversity, economic vitality and environmental quality of the community.

### I. PURPOSE AND OBJECTIVES OF THE COMPREHENSIVE PLAN

The general purpose of the Comprehensive Plan is to provide a general blueprint for Town government in regulating land use to best provide for the safety and general welfare of all Town citizens.

Pursuant to Section 272-a of the New York State Town Law, a town comprehensive plan shall "...serve as a basis for land use regulation, infrastructure development, public and private investment, and any plans which may detail one or more topics of a town comprehensive plan".

### II. DEMOGRAPHIC AND HISTORICAL BACKGROUND

Clifton Park is a community with two distinct characteristics; the eastern portion located parallel to the Northway, is mainly residential with the major commercial areas of town; while the western portion of the Town retains its rural residential, agricultural and recreational nature (west of Vischer Ferry Road). Most of the developed land in Clifton Park is residential, with a lesser mix of commercial/office space, retail and light industrial uses. The most significant growth surge took place from 1960-1990, during which time the Town experienced a dramatic population increase.

(1) Capital District Regional Planning Commission, May 1993

The following are the major demographic characteristics of the Town based on the 2000 Census. (2)

-Total Population	32,995
- Median Age:	38.7
- Total Households	12,589
- Total Number of Housing Units:	13,069
- Per Capita Income:	\$31,997.00
- Median Household Income:	\$68,999.00
- Median House Value:	\$143,300.00

In the 2000 U.S. Census, the population of Clifton Park was 32,995, which represents a 9.6% increase in population growth from 1990.

#### Brief History of Clifton Park

The history of Clifton Park underlies its present development patterns, and is recognized in developing future land use. Excellent resources on the Town's history are Bits of Clifton Park History, by John L. Scherer, Historian for the Town of Clifton Park, produced by the Town of Clifton Park for the 175<sup>th</sup> Anniversary of the Clifton Park (1828 – 2003), as well as the book, Crossroads and Canals - The History of Clifton Park, by William R. Washington and Patricia S. Smith.

The first settlement of Clifton Park, in 1672, was on the riverbank below Vischer Ferry, at what was once called "Fort's Ferry". The last surviving house (called the Painter Place), built in about 1740, was destroyed by arson in 1973. Since the dredging of the New York State Barge Canal in 1912, most of the area of the original settlement has been taken over by the State, and is now a Game Management Area. The area has since been incorporated into what is now known as the Vischer Ferry Nature and Historic Preserve located along Riverview Road.

The Town of Clifton Park was formed in 1828, the twentieth and last Town to be organized in Saratoga County. Prior to this date, Clifton Park had been included in the Town of Halfmoon, and prior to 1791, when Saratoga County was formed, it was considered part of Albany County. For four years, between 1816 and 1820, the area of present day Clifton Park was called Orange Township, but this name was dropped and the town reverted to Halfmoon again.

Subdividing existing Towns with the ensuring loss of political and economic influence was not popular, and generally resulted in considerable legislative log-rolling.

On March 3, 1828, the Town of Clifton Park was born out of Halfmoon by an act of the legislature. In the following year, the official name was declared to be "Clifton Park".

The present Town of Clifton Park is bounded on the east by Halfmoon, on the north by Ballston and Malta, on the west by Ballston and the Mohawk River, and on the south by the Mohawk.

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The Town of Clifton Park developed primarily as a result of transportation patterns. The first settlements at Fort's Ferry, Vischer Ferry and Rexford Flats were along the river, the chief means of transportation, if not the only link with civilization during the early years. Ferries established at these points on the river became the focus for village life. Roads and turnpikes developed across the Town from paths and Indian trails. Taverns and villages grew up along the roads to serve independent travelers and stagecoach traffic. The villages of Jonesville, Clifton Park and Grooms Corners originated in this manner. The Erie Canal would give added life and population to Vischer Ferry and Rexford. The heyday of the canal was the "boom Town" era of these two hamlets. Never again would they support such industry and activity. The railroad would do the same for Jonesville and give birth to a new community named Elnora. Elnora, located at a railroad crossing, developed as a freight depot for the railroad.

### Recent Growth and Settlement Patterns

Much of Clifton Park's 20<sup>th</sup> century growth occurred in the eastern half of Town in relation to the highway access of the Northway, and where water and sewer lines have been developed. Today, as a result of this trend, approximately 90 percent of the Town's population resides in the eastern part of town, on half the town's developable acreage, while the western part of Town consists of primarily rural, agricultural and recreational lands.

Capital District Regional Planning Commission, May 1993

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### III. CURRENT TOWN LAND CHARACTERISTICS

General - This section describes the current land characteristics in the Town.

#### Physical Location and Major Features

The present Town of Clifton Park is located in southern Saratoga County, bounded on the east by the Town of Halfmoon, on the north by the Towns of Ballston and the Town of Malta on the northwest by the Town of Ballston, on the southwest by the Town of Glenville (Schenectady County). The Town's entire southern boundary is the Mohawk River. Across the Mohawk River to the south are the Towns of Niskayuna (Schenectady County) and Colonie (Albany County).

The Town's area occupies a mid-southern position in Saratoga County, and although originally some 50 square miles in area, is now somewhat smaller because of a rise in the river level caused by the creation of the New York State Barge Canal and a consequent loss of land along the southern edge of the Town.

Today the Mohawk River, with a length of approximately 12 miles along the town's southern edge, from the hamlet of Rexford to the Town of Halfmoon, is an active navigable waterway system, part of the New York State Canal System, under the operation of the New York State Thruway Authority/Canal Board. As such, notably, a significant riverfront area along the Mohawk River in Clifton Park is owned and managed by the New York State Canal Corporation.

In addition, the Mohawk River and its interwoven Erie Canal heritage are recognized as unique state and national assets. The Town of Clifton Park and its Mohawk Riverfront are part of the Erie Canalway National Heritage Corridor.

The entire length of the Mohawk Riverfront including the entire stretch of Riverview Road, Rexford, Vischer Ferry, the Vischer Ferry Historic District, and the Vischer Ferry Nature and Historic Preserve, are major features and resources included as part of the Mohawk Towpath Scenic Byway state and national scenic byway systems. State and federal scenic byway designation offers the opportunity to seek relevant funding. In 2006, New York State announced an initiative to support the creation of a new Erie Canal Greenway, of which Clifton Park is invited to join and participate in creating.

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## Geology

The Town of Clifton Park is located along the north shores of the Mohawk River, a drainage channel flowing from the Great Lakes to its convergence with the Hudson River at Waterford. When the last ice sheet melted about 10,000 years ago, ice was brought down by huge floods, filling the course of the Mohawk River with debris and turning its waters east and south of this original channel. The cliffs at Rexford Flats gave evidence of this erosion, revealing the original rock under this deluge as shale, which was easily broken up by the water's force.

Geologically, the Town of Clifton Park is split roughly in half, by the edge of a plateau of rock, shale, and sandstone that runs from south to north through the town. On the western side of town is the rock shelf, on the eastern side of town, bedrock drops away and is found at a depth ranging from 20 to 200 feet. The soils are coarse grained sands in the western half, with coarser sand on glacial sediment in the east. Generally, the land is flat with a rolling surface, and in the Jonesville-Elnora area, it is like a tabletop. The present wooded areas are either rough terrain or wetlands. These lowlands were good agricultural fields for the Indians, then for Dutch immigrants, and later for English and Irish settlers.

### Waters

As noted earlier the Mohawk River extends for about 12 miles as the Town's southern – southwestern edge and the Town's most significant defining water feature.

The Stony Creek Reservoir, a major body of water created by a dam for drinking water reservoir for the Town of Colonie, is along the Stony Creek, a major tributary to the Mohawk River. The Stony Creek Reservoir is also known as the Latham Reservoir for having served this particular area within Colonie.

The southeastern edge of Ballston Lake, a geologically unique, naturally occurring surface waterbody, is in northwestern Clifton Park. It is important to note that an area of Clifton Park is in this lake's watershed.

Other major streams in the Town of Clifton Park are the Dwaas Kill in central and northeastern area of town; the Long Kill, a tributary to the Dwaas Kill in the northern area of town; the Cooley Kill and the Anthony Kill, both in the northern half of town; and the Anthony Kill and Alplaus Creek on the western edge of town.

### Wetlands

The major wetlands are located along the Mohawk River, some of which are part of the Vischer Ferry Nature & Historic Preserve; Van Vranken Road and along the National Grid east-west utility corridor from Vischer Ferry Road to the town's boundary with Halfmoon; along the banks of the Stony Creek Reservoir and Stony Creek; along Appleton Road to the west side of Miller Road and northeasterly to Waite Road (both sides); between Grooms Road south to Ray Road; west of Waite Road in northern part of town; along the Alplaus Creek at the western edge of town; south of Ballston Lake; due west of Ashdown Road; and along the Dwaas Kill particularly between Kinns, Ushers Road, Carlton and Pierce Roads; between the east side of the Northway to Woods Road, and also east of Woods Road; and north of English Road – at the southwestern edge of Round Lake of which its southern edge is the town boundary with the Town of Malta and the Village of Round Lake. Other wetlands are located along smaller streams throughout town.

Extensive floodplain areas exist along the Mohawk River and others are located along some areas of streams and other low-lying areas of town.

Large-scale wetlands are mapped in the Town of Clifton Park by the New York Department of Environmental Conservation. Smaller wetlands generally require field verification by a qualified professional biologist or wetland delineator experienced with the U.S. Army Corps of Engineers wetland delineation protocol. The Army Corps of Engineers regulates small wetlands; the New York State Department of Environmental Conservation regulates wetlands 12 acres or greater.

### Ecological Resources

Many important natural areas exist throughout town including the shoreline wetlands along the Mohawk River, accessible via the Vischer Ferry Nature and Historic Preserve, important shoreline habitat for migratory birds.

The Dwaas Kill Natural Area is an important habitat area and wetlands area all along the Dwaas Kill but with a core area of ecological importance between Ushers Road and Van Patten Drive, Carlton Road and Pierce Road. The Town has purchased about 250 acres within the Dwaas Kill Natural Area to help conserve this habitat for wildlife and for community nature preserve use.

The forest, open fields and wetlands area in the northeast area of town from Wood Road to Route 9 to English Road and into Halfmoon is another important habitat area. The Ushers Road State Forest, a woodland area off of Ushers Road and English Road, is an 100-acre area of some protected land in this area, managed by the NYS Department of Environmental Conservation.

As identified previously, the numerous stream corridors and their smaller tributaries, and the large and small wetlands throughout town are also important habitats. Open fields and their vegetative edges that provide grasslands type habitat are also important to some plants and animals.

The Town of Clifton Park has an Environmental Conservation Commission as an advisory body on environmental and ecological issues in the Town of Clifton Park and the assistance of a staff person, the Town's Environmental Specialist.

In addition, the Town of Clifton Park Open Space, Trails and Riverfront Committee is working as an advisory committee to the Town of Clifton Park and with the Town's Open Space Coordinator to continue to increase protection of unique environmental areas of Clifton Park.

### Agricultural Resources

Today, the Town's existing active agricultural lands are located primarily in Western Clifton Park, with the most significant core area of adjacent, larger farm parcels located west of Vischer Ferry Road and Route 146 A from the Route 146 area south to Riverview Road. A few significant farms are still located north of Route 146A. About 2,000 acres of active farmlands exist, although some additional acreage in Town is former farmland, now fallow.

### Historic and Cultural Resources

Clifton Park is home to historic hamlets, individual homes and farms, scenic views, and other unique or historic sites. Some sites or districts have national or state historic designation, and others are recognized locally. About 40 sites are recognized to date as having historic and cultural significance. The town's historic hamlets include Rexford, Vischer Ferry, Grooms Corners, Ballston Lake Jonesville, Elnora, and Clifton Park Center.

A major historic area in Clifton Park and in Saratoga County is the Erie Canal along the 12 miles of Mohawk Riverfront in Clifton Park. The Erie Canal is an important part of Town, New York State and United States history, and is a tremendous historical asset. Part of the Erie Canal and its heritage is visible within the Vischer Ferry Nature and Historic Preserve located south of Riverview Road. The nearly 500-acre preserve extends approximately from Vischer Ferry, and Ferry Road all the way easterly to the Town of Halfmoon boundary.

The former towpath along the Erie Canal and the scenic, cultural and historic assets related to the Erie Canal and the Mohawk River have recently become recognized at the state and national level and designated as the Mohawk Towpath Scenic Byway. The scenic byway is a scenic, historic and recreational corridor that includes Clifton Park's entire waterfront and area along Riverview Road and beyond. The scenic byway within Clifton Park is part of a larger regional system that extends from the Village and Town of Waterford to the east of Clifton Park and also beyond the town's borders to the west.

In addition, the Vischer Ferry Historic Area is in and around the hamlet of Vischer Ferry and recognizes the historic significance of this area in the town's settlement history.

To help identify and monitor its historic resources, the Town has an appointed Town Historian as well as an appointed Historic Preservation Commission as an advisory body on historic properties and preservation to the town board. The Rexford Historical Society, the Friends of Grooms Tavern, and the Friends of Jonesville Cemetery are additional organizations interested in historic Clifton Park.

The Town of Clifton Park has played a key role in concert with the Friends of Grooms Tavern to protect the Grooms Tavern, located at the southwest intersection of Grooms Road with Sugar Hill Road, the site of the first town meeting. The Town purchased the property and has invested in its restoration with state grant assistance from the New York State Environmental Protection Fund.

### Recreation and Trails

The Town of Clifton Park and the local park districts in town offer a range of parks, and recreation areas, including a growing trails and pathways system throughout town. The Town has an active Recreation, Parks and Community Affairs Department that aids in the recreational and educational programming for the community. The Town's Building and Grounds Department plays a key role in helping to manage the town-owned facilities and properties. Park districts provide their own management and upkeep of their facilities and grounds.

More than a decade of commitment has provided more than 12 miles of constructed trailways, contributing to the future goal of an interconnected, town-wide trails and pathways system. Efforts for trail construction focus on constructing trails in existing settled areas, and extending new trails and sidewalks as development occurs. The Trails Subcommittee of the Open Space, Trails and Riverfront Committee recommends new trails connections for consideration.

The Town has an appointed representative for the Mohawk Towpath Scenic Byway to continue to create pedestrian and bicyclist improvements to this scenic byway corridor and connections to it.

### Planning Areas

For the purposes of more detailed characterization, the Town was subdivided into three planning areas. Each Area has a different characterization, which is generally applicable for the entire Area.

Area 1 - This Planning Area is located in the eastern section of the Town and is generally bordered by Vischer Ferry Road and CR 82 to the west, the Malta and Round Lake boundaries to the north, the Halfmoon/Clifton Park boundary to the east, and the county boundary to the south. It contains approximately 16,525 acres of land and water. Area 1 encompasses the series of neighborhoods, which have developed in Clifton Park over the past 30 years.

Topographically, Area 1 is relatively flat, with gently sloping areas distributed throughout and few environmental constraints. The southernmost part of Area 1, adjacent to the Mohawk River, has a large number of freshwater wetlands associated

with the Mohawk River and the Stony Creek (Colonie) Reservoir.

Two large freshwater wetlands are associated with a tributary system in the northern part of Area 1. Nine groundwater recharge areas are located within Area 1 and identified as Round Lake, Pierce Road, Elnora, Grooms Church, Stony Creek, Vischer Ferry, Mohawk River, Crescent, and Clifton Park Center. These represent a combined total of 1,839 acres of recharge, most of which is categorized as being in heavy use due to heavy pumping demands. They serve as two of the most productive ground water resource supplies. Suggested management techniques for these recharge areas include implementing planning controls to redirect development to more appropriate areas and watershed rules to protect ground water resources. (3)

Area 1 also abuts one of the larger water bodies in the area, Round Lake. Soil limitations are moderate in this area, with the exception of the northeastern corner, which tends to have severe development constraints in terms of its suitability for septic tanks, foundations and road construction.

Area 1 contains approximately 80% of the Town's housing and population. Given that Area 1 contains only 44 percent of the Town's land area, it holds a major portion of the Town's general population.

Area 1 is well served by a network of roads linking it with other areas of Town as well as neighboring communities and the region. Numerous road improvements are proposed or have recently been completed for Area 1. A "park and ride" lot providing parking for and access to bus routes is located at Exits 8 and 9 of I-87. Pedestrian and bicycle transportation facilities in this area are limited. However, it is expected that consideration will be given to expansion of pedestrian and bicycle facilities since a Trails Master Plan has been prepared by the Trails Advisory Committee which shall be used as a reference in the expansion of the Town's trail system.

(3) Dunn Geoscience, Hydrologic Report of Aquifer Recharge Areas, Report of the Water Planning Committee to the Clifton Park Town Board, 1983.

The existing land use patterns in Area 1 are the most diversified in the Town, with substantial amounts of residential land. Commercial and industrial centers and various public and institutional activities are interspersed.

The Route 146 and Exit 9 vicinity is the commercial center of Area 1 and the Town. A Generic Environmental Impact Statement was completed for this area in 1998 and the resulting findings statement will provide guidance and direction for future developments. There are also small commercial centers at Northway Exits 8 and 10, as well as in or near the various hamlets. Industry is primarily located in the area east

of Northway Exit 10, in the Light Industrial Zone.

Area 1 is provided with the most public services and facilities. All intensively developed portions are currently provided with municipal sewer and water service. The Shenendehowa Central District is centrally located with a number of satellite elementary schools. Recreational facilities include the Clifton Common, Collins Park, numerous neighborhood parks, the Kinns Road Park and the Vischer Ferry Nature and Historic Preserve.

Area 2 - covers an area in the western portion of Town generally bordered on the south by the Mohawk River, to the west, the hamlet of Rexford, on the north by the Town boundary and to the east by Route 146A and Vischer Ferry Road. It totals approximately 14,553 acres or 45 percent of the Town's land area.

Area 2 is similar topographically to the rest of Clifton Park, with gentle slopes associated with the wetlands and stream systems. It includes large expanses of freshwater wetlands, comprising over 1,000 acres or 8 percent of the total acreage.

Three groundwater recharge areas have been identified in Area 2: the Clifton Knolls, Sugar Hill Road and Riverview Road areas. Two of the three are used only to a limited extent while the Clifton Knolls recharge area is classified as being in heavy use. This recharge area recharges the aquifer which contains the Clifton Knolls well field. The 1983 Water Planning Committee recommended similar protection as for the recharge areas in Area 1 (4)

There is no village or commercial center and virtually no commercial or industrial development in Area 2. It contains approximately 20 percent of the dwelling units in Clifton Park. (This also includes the units in Area 3, which is in the same Census tracts)

The western half of town which has been historically, predominantly rural and agricultural, sprinkled with farms, and hamlets of Rexford, Vischer Ferry and Grooms Corners, has been experiencing growth pressures from the 1980s onward as the eastern half of town has been well built upon. As a result the Town conducted a study in 2004-2005 to evaluate growth patterns and future scenarios for this area of town through a planning process and the preparation of the Western Clifton Park Generic Environmental Impact Statement. As a result of analyzing the town's future build-out in Western Clifton Park at the current growth blueprint, the town decided to amend the town's plan and zoning to ensure that the primarily rural residential, agricultural and recreational nature of the western part of town would continue in the future. The result was the creation of a Land Conservation Plan and new zoning districts amendments and other tools for Western Clifton Park.

(4) Dunn Geoscience, Hydrologic Report of Aquifer Recharge Areas, Report of the Water Planning

committee to the Clifton Park Town Board, 1983.

The roadway system in Area 2 is limited primarily to two lane arterial and collector roads. Public services in Area 2 are gradually being extended from the eastern part of Town. The Veteran's Memorial Park has recently been completed to fulfill recreational needs. Area 2 is divided into four fire districts - Jonesville, Ballston Lake, Rexford, and Vischer Ferry.

Area 3 - This Planning Area is located in the western part of Clifton Park and includes the Hamlet of Rexford. This area consists of primarily single-family residences with some commercial development. It is zoned rural residential with two small neighborhood business zones. The area is different in character from the other two Areas with more of a small village atmosphere. With the exception of poor soils, the area is relatively free of environmental constraints.

Rexford, with the only bridge in town that crosses the Mohawk, is a major point of entrance and exit to and from Clifton Park. Because of its location, Area 3 often experiences traffic congestion on the main roadways, Riverview Road and Route 146.

Area 3 has limited recreational land. Other community facilities located within the Area include the Glencliffe Elementary School, part of the Niskayuna School District and one fire station which serves the Rexford Fire District.

#### IV. GENERAL GOALS

The following can be considered the General Goals for the Town of Clifton Park.

- A. Preserve and enhance the historic, residential, agricultural and rural nature of the Town of Clifton Park while encouraging managed economic growth.
- B. Maintain a continuing planning process for the Town, with emphasis on the quality of life for all Town residents and an appropriate balance of land uses.
- C. Address issues essential to support existing development and to encourage future managed growth, while encouraging community diversity and quality of life.
- D. Insure that all future development takes into account its environmental impacts on the Town especially in terms of water supply, water quality, open space, scenic viewsheds, and historic preservation.
- E. Pursue appropriate opportunities to cooperate with other municipalities in

the Capital region in order to reduce the cost of public programs and facilities especially in such areas as economic growth, assessment and taxation, land use, economic development, and transportation planning.

- F. Maximize resident participation in the deliberation and decisions of Town Government and provide speedy and efficient government services to town residents through all appropriate means.

## V. OPEN SPACE RESOURCES

The town has approximately 11,000 acres of open lands remaining of farmlands, open lands not currently developed out of the total town acreage.

The Town of Clifton Park adopted an Open Space Plan in 2003 following a two-year public planning process. The Open Space Plan describes the town's setting in terms of open space resources, and sets forth a town-wide open space conservation vision, concepts, goals and basic implementation strategies. The Open Space Plan is a separate plan document available for review at Town of Clifton Park Town Hall.

### Plan Concepts and Goals

The highest priority issue for the public at the time the open space plan was conducted was protection of drinking water resources. The main open space concepts and goals as outlined in the adopted Open Space Plan are as follows:

#### 1. Protection of Wildlife Nature Preserves and Watersheds

Concepts:

- a. Create a "Dwaas Kill Natural Area" and connected stream corridor greenways.
- b. Obtain additional lands near the Vischer Ferry Nature and Historic Preserve. Aim to protect 50 to 100 acres in the next two to five years.
- c. Protect Stony Creek Reservoir and its watershed.
- d. Protect key well sites
- e. Protect secondary water supply sources.
- d. Obtain smaller nature preserves accessible to all neighborhoods.

Goal: Overall, aim to protect about 500 to 1,000 acres as nature preserves.

#### 2. Farmland Protection Program

Concepts:

- a. Focus on active farmlands currently in the term easement program, agricultural district or agricultural assessment programs.
- b. Support and enhance the town-sponsored term conservation easement programs.
- c. Partner with state and federal grant programs to obtain permanent conservation easements.
- d. Protect the most valuable working farms.

Goal: Protect 300 to 600 acres in the next two to five years.

3. Parkland and Ballfields

Concepts:

- a. Update the Town's Parks and Recreation Master Plan.
- b. Obtain one large new town recreation park (approximately 150± acres).
- c. Obtain one to two small-moderate size town parks in portions of town where needed, (approximately 10-20 acres).
- d. Create access to water-based recreation to the Mohawk River and Ballston Lake.

Goal: Obtain 150 to 200 acres of active recreation land.

4. Town-Wide Trails and Pathways

Concepts:

- a. Develop various types of town connections such as multi-purpose paths and nature trails.
- b. Provide access to community destination points and among neighborhoods.
- c. Create a trails and recreational map and signage system.
- d. Update the Trails Master Plan.

Goal: Construct 6 to 10 miles over the next two to five years.

5. Scenic Roads and Cultural Resources

Concepts:

- a. Recognize and celebrate scenic roads.
- b. Help preserve historic sites, hamlets, and landscapes.

- c. Create “Scenic Roads of Clifton Park” system of interpretive signs and roadside conservation design guidelines.

Goal: Identify four to six roads/historic sites in the near term.

## VI. TRANSPORTATION NETWORKS

### A. Goals

1. Maintain and enhance highway facilities and all roadways located in the Town of Clifton Park as prescribed by NYSDOT guidelines, Town standards, and as applicable, the Western Clifton Park Design Guidelines which refers to context-sensitive road design particularly in rural areas of town.
2. Consider regional needs and plans relative to maintaining and creating highway and roadway usage within the Town, and increase coordination and cooperation with adjacent municipalities to foster and improve traffic conditions and sound traffic/transit planning.
3. Provide a multi-modal transportation network that allows for Town residents and visitors to travel by motorized vehicle, bicycle, transit, or on foot.
4. Continue to create a town-wide pedestrian and bicyclist network, utilizing the Town Trails Master Plan as a guide for making connections to neighborhoods and other destinations. Utilize context sensitive design to determine an appropriate usage of pathways such as on-street bike lanes, parallel trails and sidewalks, or off-road amenities.
3. Develop an equitable method to allocate the costs of roadway improvements necessitated by new development.
4. Encourage development of alternative means of transportation and systems management to alleviate the traffic congestion on the roadways in the Town.
6. Encourage the development of stricter roadway construction standards in the subdivision regulations.
7. Understand the interconnected nature of land use and transportation network decisions.

8. Improve traffic and pedestrian safety by marking roadways with reasonable speed limits.
9. Construct Town roads to adequately accommodate emergency vehicles.
10. The Town should encourage and assist in the expansion of the public transportation system and other regional transportation services to Clifton Park as an alternative means of transportation for Town residents and visitors; especially senior citizens and those unable to drive.

#### B. Strategies

1. Through the planning process, the Town should implement procedures to assure that traffic and all foreseen cumulative results of development concerns are adequately addressed.
2. Prepare and adopt an Access Management Plan to identify, rationalize and manage significant road corridors and access to the same. Examples of such practices may be preserving future rights-of-way; instituting/revising increased setbacks along existing roads; encouraging shared driveways and on-site parking controls for all types of development. Wherever practicable, these practices should be initiated during the Planning Board review process.
3. The Town should assess public and private road specifications to introduce a variety of standards linked to specific transportation and community development needs.
4. The Town should continue to support and/or promote the following projects and programs:
  - a. Regular maintenance of Town-owned roads on an 8 to 10 year basis;
  - b. Continuation of the Highway Department's 2-8-14 program for reconstruction, repaving and resurfacing of Town-owned roads.
  - c. Link Town of Clifton Park bicycle and pedestrian paths with those in neighboring communities.

5. The Town should continue to pursue the implementation of an effective multi-modal transportation system; including to encourage and assist in the expansion on the public transportation system and other regional transportation services to Clifton Park.
  - a. Encourage expansion of transit lines in Clifton Park to serve regional employment centers. This should be coordinated with park and ride lot locations.
  - b. All existing and potential Northway interchanges as well as the western part of Town--particularly the Rexford area--should be considered for development of park and ride facilities.
  - c. The Town should continue development of pedestrian and bike paths to service the Town as proposed in the Trails Master Plan.
  - d. The Town should review and implement appropriate procedures to facilitate safe pedestrian crossings of roads.
  - e. The Town should complete the transportation monitoring and planning system in concert with traffic impact studies to continuously assess the state of Town transportation facilities.
6. Evaluate the overall impact of proposed state, county and local roadway improvements upon circulation in Clifton Park.
7. Incorporate pedestrian and multi-use trails into site plan review and subdivision review processes.

## VII. PUBLIC UTILITIES

### A. Goals

#### 1. Water System

- a. Ensure an ample supply of potable water for all residents by working with the Clifton Park Water Authority, Rexford Water District, and all water districts serving the Town.

#### 2. Sewer System

- a. Pursue the acquisition through purchase, transfer, and/or the maintenance and operation of privately-owned sewer companies serving the Town of Clifton Park by the Saratoga County Sewer District, as long as the sewer systems are constructed to the county sewer district's construction standards.
- b. The Town should stipulate that all new sewer systems which are constructed in Town should conform with the Saratoga County Sewer District's construction standards.

### 3. Solid Waste

- a. Support continued use of solid waste transfer stations.
- b. Cooperate fully in the search for alternative methods of solid waste disposal.
- c. Support continued use and expansion of the recycling program.

## B. Strategies

1. The Town should encourage the Clifton Park Water Authority (CPWA) to continue its efforts to expand the Town-wide water distribution system.
2. The Town should assist the Clifton Park Water Authority in identifying those sensitive environmental resources that must be maintained and protected.
3. The Town recognizes the importance of its valuable groundwater resources and encourages development of additional groundwater resources and protection strategies.
4. All future water line extensions must demonstrate adequate fire flow, and meet all CPWA and Town specifications. The Town supports the future development of a Town-wide sewer system, in concert with the Saratoga County Sewer District.
5. As operator of several municipal separate storm sewers, the Town of Clifton Park will work to incorporate the required ordinances into the Clifton Park Town Code to remain in compliance with the NYSDEC and USEPA.

6. The Town shall integrate its needs for solid waste disposal with a future county system.
7. The Town should continue to expand its recycling facilities with the goal to increase participation and scope.

## VIII. ENVIRONMENT

### A. Goals

1. To require that all future development be carried out in an ecologically sound manner and that environmentally sensitive areas continue to be protected.
2. To protect drinking water quantity and quality.
3. To protect natural areas for wildlife habitat and environmentally sensitive areas.
4. To preserve open space for ecological, aesthetic, agricultural and recreational purposes as set forth in detail in the Town of Clifton Park Open Space Plan.
5. Conserve land and water resources on a watershed basis of analysis for drinking water protection.
6. To protect wetlands and stream corridors for their benefits to wildlife habitat, flood and stormwater control, groundwater protection, erosion control and recreation.
  - a. To prevent stormwater handling capacity and water quality from being diminished by future development.
  - b. To nurture a strong environmental stewardship ethic among all members of the Clifton Park community.
7. To mandate tree preservation in developing and developed areas of town to the greatest extent practicable.

### B. Strategies

1. To require that all future development be carried out in an ecologically sound manner and that environmentally sensitive areas continue to be protected by:

- a. Ensuring that the State Environmental Quality Review Act where appropriate, remains an integral part of all Town planning and decision-making processes.
  - b. Limiting alteration of existing topography to prevent sedimentation in streams, ponds and wetlands
  - c. Using effective soil erosion control plans with detailed mitigation methods for development and construction near waterways. Costs for these measures should be equitably distributed among all parties benefiting from such plan, and any remedial actions required to correct erosion problems should be charged back to the responsible parties.
  - d. Employing conservation – based development design where appropriate such as is reflected in the conservation residential zoning for Western Clifton Park and cluster zoning which is reflected in Eastern Clifton Park, to conserve valued open space resources.
  - e. By identifying and providing further means of protection to highly sensitive watershed areas; adopting aquifer recharge protection regulations as an overlay in order to more closely manage land use activities.
  - f. Integrating more comprehensive oversight in the planning, construction and post-construction to ensure sound construction practices are used to control erosion and sedimentation of waterways and minimize drainage and flooding issues with future development.
  - g. Enforcing greenspace mandates and promoting a hierarchy of greenspace preferences during the plan review process which places greater value on large intact greenspace over segmentation.
2. To preserve open space for ecological, aesthetic and recreational purposes by:
- a. Continuing to use the expertise of the Town Environmental Conservation Commission; the Town Environmental Specialist; the Town Open Space, Trails and Riverfront Committee; and the Town Open Space Coordinator for their

- expertise in this area. Work with other Local, County, State, Federal agencies and other partners such as land trusts and conservation organizations as is applicable on open space protection.
- b. Establishing and protecting drinking water resources, wildlife habitat, farmland, parks, trails and other recreational areas, scenic areas.
  - c. Employing cluster zoning and conservation design, where appropriate, and identifying highly sensitive watershed areas; adopting aquifer recharge protection regulations in order to more closely manage land use activities.
  - d. Conveying land in lieu of parkland fees, where appropriate and cost efficient, should be encouraged during subdivision and Planned Unit Development (PUD) review.
  - e. Requiring special setbacks along the Northway and where commercial and residential developments abut.
3. To protect wetlands and stream corridors for their benefits to wildlife habitat, flood and stormwater control, groundwater protection, erosion control and recreation by:
- a. Expanding wetland mitigation options as fostered by the Environmental Conservation Commission and Army Corps of Engineers.
  - b. Preservation/acquisition of watershed (aquifer recharge) lands.
  - c. Supporting proper development practices within flood prone areas as indicated in the Town's floodplain management regulations.
4. To prevent stormwater handling capacity and water quality from being diminished by future development by:
- a. Implementing sound construction practices to control erosion and sedimentation of waterways and maintain existing drainage features.
  - b. Developing a town-wide stormwater management plan and

establish responsibility for the operation and maintenance of existing stormwater management areas.

- c. Integrating appropriate best management practices (BMP's) within the planning process and town policies.
  - d. Working to achieve the goals as outlined in the Notice of Intent filed by the Environmental Specialist for the Phase II Stormwater Requirements.
  - e. Maintaining and supporting all stormwater management goals, regulations and laws as promulgated by the New York State Department of Environmental Conservation and the Town of Clifton Park.
5. To nurture a strong environmental stewardship ethic among all members of the Clifton Park community by:
- a. Establishing an Environmental Stewardship Award program to acknowledge members of the community who have shown leadership in an activity that furthers the understanding and appreciation of the Town natural environment among members of the Clifton Park community.
  - b. Encouraging landscape beautification by working with non-profit community groups to participate in the beautification of the Town.
  - c. Sponsoring a Community Household Hazardous Waste Day which provides participatory opportunities to the community.
7. To encourage tree preservation and reforestation to the greatest extent practicable by:
- a. Support planting of trees and other beautification efforts of Open Space, Riverfront and Trails Committee or other interested organizations or groups.
  - b. Encouraging tree preservation during the site plan review and subdivision review process. Explore concept for requiring applicants to use a landscape architect or a professional tree expert to identify key trees to conserve as part of the review process, and ensure town has expertise/resources to enforce tree preservation during

construction phase.

- c. Maximizing tree preservation during construction of all recreational areas, trails and multi-use pathways

## IX. Quality of Life

### A. Goals

Ensure that a high quality level of public facilities and services are provided to Town residents.

#### 1. Emergency Services

- a. Continue to monitor the population growth and development in the Town with regard to future improvements to existing fire district facilities and additional support needs;
- b. Encourage the Clifton Park Water Authority and other public water districts to ensure that any expansion of the existing water supply system in the Town has adequate firefighting capabilities, without which new development should not be permitted.
- c. Continue to support the ambulance districts, in terms of funding, equipment and personnel.
- d. Continue to improve Town-wide police protection through cooperation with the New York State Police and Saratoga County Sheriff's Department.

#### 2. Government Services

- a. Assure that all municipal departments are properly staffed and be aware of the needs of department heads in order to maintain an adequate level of service.
- b. Provide adequate space for the administrative function of Town government.
- c. Ensure that the Town of Clifton Park government is wholly accessible to all Town residents.
- d. Maximize citizen participation in all community decision-

making processes.

- e. Provide viable electronic services to the greatest extent practicable.

### 3. Education

- a. To the extent practicable, participate in providing all relevant forums towards the enhancement of educational opportunities for residents of all ages.
- b. Continue to work closely with the school districts in the Town of Clifton Park.

### 4. Recreation

- a. Provide a wide range of conveniently located recreational facilities designed to meet the general needs of residents of all ages; to encourage acquisition of lands for future recreational needs, active and passive; to provide essential programs; and to network with other organizations/agencies in the community. In addition to recognizing the intrinsic value of recreational activity, programming will be designed to encourage a healthy mind, body and spirit.
- b. Establish land acquisition and development funds to finance needed improvements as well as the planned expansion of the Town park system.
- c. Encourage the use of all existing Town recreational facilities.
- d. Expand existing and develop new opportunities for public waterfront access, recreational enjoyment, and scenic appreciation along the Mohawk River.
- e. Promote opportunities for residents' to incorporate physical activity into their daily lives.

### 5. Senior and Youth Services

- a. Explore policies that include affordable and appropriate housing, supportive community features and services, and

adequate mobility options, which together facilitate personal independence and the engagement of residents in civic and social life over a lifetime. This includes support for the growth of senior services and activities within the Town and encourage the development of housing, health care and related services. The senior population is expected to grow dramatically in the near future and the level of senior services should grow commensurately.

- b. Continue to support youth services and activities that provide valuable programs for our young people.

#### 6. Historic Preservation

- a. To protect Clifton Park's rich heritage by preserving and protecting the historic resources within the Town.
- b. Seek to develop continuing and diversified programs of artistic, cultural, and educational events for the general public.

#### 7. Arts and Culture

- a. Recognize the arts and other cultural and entertainment events as being vital to the quality of life of town residents. Encourage public-private cooperation, the town will seek to develop year long indoor facilities devoted to artistic, cultural, and educational events for the general public, especially the youth of our community.
- b. Seek to develop continuing and diversified programs of artistic, cultural, and educational events for the general public.

### B. Strategies

#### 1. Emergency Services

- a. The Town will continue to work closely with the Emergency Services Advisory Board and member services to determine and respond to the additional equipment, facility and personnel needs taking into consideration the desirability of regionalized services.
- b. The Town recognizes the significant future need for adequate police services and will continue to evaluate cost effective methods of providing adequate police services.

## 2. General Government

- a. The Town should monitor and continue to assess personnel needs and physical space of general government.
- b. Promote participation in E-Government by encouraging and expanding town electronic services to Town residents and encouraging public participation in Town business.

## 3. Education

- a. The Town shall maintain an on-going working relationship with all educational organizations and inform them of all developments within the Town that may affect their operations.

## 4. Recreation

- a. The Town shall continue to review and amend its system of approving parkland acceptance through the dedication process to ensure that the land is compatible with the recreation and environmental needs of the particular neighborhood and the Town. Guidelines for recreational needs should be established based on available land and the number of residences in a given area.
- b. The Town recognizes the current and future need for additional playlots, playgrounds, fields and parks commensurate with residential development, as well as a maintenance policy for existing facilities.
- c. The Town should periodically review the need for additional recreation personnel to operate its programs and facilities. Volunteer efforts should be utilized where possible.
- d. The Town will proceed in the establishment of interconnected parks through the dedication of subdivision land, acquisition of adjacent land, and the use of public and other private land.
- e. The Town recognizes the need to develop additional pedestrian and bicycle facilities as alternative forms of transportation, linking neighborhoods with schools, shopping areas, employment centers and other civic centers as established in the Trails Master Plan and as adopted by

reference herein.

- f. The Town supports the preparation, adoption and implementation of a comprehensive open space plan utilizing public and private acquisition and preservation techniques which may be available;
- g. The Town should establish Town-wide recreational facilities to work in conjunction with the park districts' neighborhood parks and further development of the Clifton Common. To help organize and accomplish this, the Town should support the preparation of a Town-Wide Recreation Master Plan for coordinating a town-wide vision specific for active parkland.
- h. The Town recognizes the need to acquire, develop and/or preserve waterbodies and waterfront lands for ecological, scenic and recreational opportunities.
- i. Specifically, the Town will seek specific opportunities to increase, enhance and support public access and recreational enjoyment of the Mohawk Riverfront as is feasible, as a unique resource in the Town and Region;
- j. The Town recognizes the need and will seek to provide a full range of programming including artistic, cultural, social and sports activities with emphasis placed on program access for special populations;
- k. Park Districts
  - 1. The Town should continue to evaluate the structure and function of its park district system and enact appropriate legislation to expand park districts when new subdivisions are approved.
  - 2. Create local park districts in conjunction with residential subdivision and PUD approvals.

## 5. Senior and Youth Services

- a. Continue to support the Senior Center and the services it provides, including access to such items as senior day care services and senior transportation services;
- b. Encourage the development of appropriate senior residential and health care facilities;

- c. Continue to support the youth services center and programming known as CAPTAIN and encourage the growth and development of youth services; and
- d. Continue to support and expand summer youth and seasonal athletic programs.

## X. ECONOMY

### A. Goals

- 1. Encourage economic health and stability through retention of existing business activities and diversification of the economic base.
- 2. Achieve an orderly pattern of economic growth in concert with infrastructure availability, the environment and the diverse character of the Town.
- 3. Support economic expansion and development programs as needed to increase employment opportunities and the tax base.
- 4. Recognize and support local agricultural and farming businesses as important contributors to local economic diversity and health and fiscal stability.
- 5. Continue to support joint ventures with other governments and the business community.

### B. Strategies

- 1. The Town supports continued diversification of its economic base through trade, service, light and high technology facilities, together with office parks and agricultural businesses consistent with the diverse character of the community;
- 2. The Town should work toward increasing the number and variety of employment opportunities for its residents;
- 3. The Town shall work with all public utility services in support of future economic development;
- 4. The Town recognizes that development projects can create a

significant impact on the fiscal stability of the Town and supports a fair and equitable method of assessing the added costs of development;

5. The Town recognizes that its centralized business corridor is located in the Exit 8 and Exit 9 area, together with Route 146 east of Vischer Ferry Road and Route 9. The Town shall enhance its working relationship with the various regional economic development agencies and encourage their involvement in securing business, commerce and corporate opportunities.
6. To achieve the Comprehensive Plan economic development goals, the Town should maintain an efficient and effective planning process.
7. The Town should utilize the services of SEDC and the State Economic Development Corporation to attract commercial and light industrial development to the Town.
8. The Town will continue to encourage growth, especially in the technology area within the Rt. 146 Corporate Commerce Zone.
9. The Town will continue to support and utilize the Empire Zone Program to encourage desirable and managed growth in Town.
10. The Town should support and allow for agri-tourism and farm market activities that support the farm character of the community as a diversification strategy for local farmers and agricultural producers.

## XI. POPULATION AND HOUSING

### A. Goals

1. Preserve and enhance the existing diverse residential, rural, and historic character of Clifton Park.
2. Provide for diversity of housing taking into consideration social and economic realities.

### B. Strategies

1. The Town should continue to encourage the existing housing mix with single family detached units as the predominant type.

2. The Town supports the development of regulations and incentives to increase the availability of housing to all segments of its population with special attention to the needs of senior citizens.
3. The Town supports development of a variety of housing densities to the extent they are compatible with surrounding development and have an adequate infrastructure.

## XII. LAND USE

### A. Goals

1. Encourage pro-actively managed growth patterns that provide economic and social opportunity within physical limitations and ecological constraints.
2. Continue to encourage pro-actively managed growth to occur in a manner that will enable the Town to develop the necessary support services in conjunction with land development.
3. Preserve the property and environmental values of Clifton Park while allowing orderly use of previously undeveloped areas in a manner consistent with existing conditions and uses.
4. Continue to provide and improve the coordination and decision-making process of planning and development matters.
5. Maintain the diverse character of the community through proper location of business, industry and residences in the eastern corridor of the Town with specific recognition of the rural and agricultural nature of the western section of Town.
6. Support the continued presence of farming and agricultural land uses including an agricultural district in the Town and all related activities therein.
7. Recognize, encourage, and support the preservation of historic buildings, places and landscapes.
8. Enhance public access and opportunities to enjoy the distinctive scenic, historic, environmental, and recreational features of the Mohawk Riverfront, including the features of the Mohawk Towpath Scenic Byway.

## B. Strategies

1. Preserve the integrity of Clifton Park's residential neighborhoods by preventing encroachment of other incompatible uses in and around these areas and promote the retention of large open space areas;
2. Maintain commercial oriented land uses as they presently exist by:
  - a. Focusing business interests on the community commercial land use to the Exit 9, Route 9 and Route 146 corridor. Higher intensity commercial development and redevelopment should take place within this established commercial core of the community. This corridor is the principal commercial growth corridor in the Town due to land availability and infrastructure in place.
  - b. Continuing business non-retail use with a residential footprint as a zoning tool for the Route 146 corridor east of Vischer Ferry Road. Significant redevelopment pressures highlight the necessity of special control measures such as density, service road(s) and/or curb-cut control.
3. The area bounded by Route 146, Clifton Park Center Road, Clifton Country Road and Vischer Ferry Road is emerging as a central education, civic and recreation complex. Existing residential neighborhoods should be buffered as further development occurs;
4. Support the preservation of open space throughout Clifton Park and pursue mechanisms to implement it, which will be cost-effective and provide long term protection of these resources;
5. Continue to encourage light-industrial development in appropriate zones;
6. Preserve to the greatest extent feasible the open space and recreational assets of privately held lands such as the golf courses;
7. Conserve the Town's historic resources and foster their adaptive reuse;
8. Encourage cluster development, especially in the more rural sections of Town that remain undeveloped, in order to maximize

open space.

9. The Town shall encourage the continued use of land in agricultural production and support the local sources of future food supplies.
10. Support the establishment of Historic Districts as a way to preserve our historic heritage.

### XIII. PLAN FOR FUTURE LAND USE

#### A. General

This section details the Town's features and future development issues. Land areas are divided into a series of uses categories described below. These represent recommended future land use for the Town during the planning period (through 2010). The divisions are intended to be a general guide to future development and not a precise delineation of boundaries. Land use categories are as follows:

#### B. Land Use Categories

1. Residential - These areas are divided into a series of densities to reflect the carrying capacity of the land and retain diversity, as well as existing development patterns, and are as follows:

<u>Residential Category</u>	<u>Units per Acre</u>
R-1	1.11 – 2.17
R-2	0.43 – 1.11
R-3	0.43 – 0.55
CR	1 unit per 3 developable acres
HR	0.33

2. Land Conservation - This district is established for the conservation of natural resources in an area containing sensitive environmental features. The purpose of the LC zone is to preserve and protect wetlands and classified streams by minimizing any disturbances to these environmentally sensitive areas. The Planning Board, Zoning Board, and Environmental Conservation Commission will work collaboratively to ensure the intent of the Land Conservation Zone is met.

3. Commercial - There are four commercial classifications designed to accommodate most retail, service and office businesses for both local and community wide markets.

B-1 - To provide suitable locations for various types of general and professional offices as opposed to retail businesses, and a buffer

between the larger retail areas and the residential districts. B-1 envisions mostly rehabilitation of existing residential type structures.

B-2 - Differs from B-1 in that new buildings will dominate but still be designed to continue the concept of a buffer between residential and commercial areas.

B-3 - Localized areas intended for small businesses and convenience establishments which serve nearby residents and non-regional market areas.

B-4 - To provide areas for business uses which are mainly oriented to the automobile and serve regional market areas.

B-4A – The Highway Business/Restricted Retail District B-4A is established for the purpose of providing areas for business uses which are mainly oriented to the automobile.

HM – Hamlet Mixed Use. To provide areas for focused business development to serve adjacent residential hamlets and neighborhood areas, and to allow for a creative mix of commercial and complementary residential uses as an option. The district is intended to remain primarily commercial in uses, such as a mix of office and retail uses. The allowance for residential uses is intended to foster the creation of places within the Town where one could walk from home to work or to neighborhood businesses.

4. Public/Institutional/Recreational District - This district includes schools, government buildings, land owned by local, state, and federal governments and agencies, land held by non-profit institutional organizations such as churches and cemeteries, and also includes cultural and recreational uses.

5. Light Industrial - This district includes manufacturing, assembling or other industrial activities. Non-manufacturing business, heavy commercial uses, storage, and similar activities may also be located in these districts. Two types of industrial districts are included.

6. Corporate/Commerce - Incorporating very light industrial uses along with offices and headquarters, this category is intended to be compatible with less intense uses such as some residential districts and neighborhood and community commercial zones and to provide areas for research and information and communication services, high technology facilities, office parks, etc., rather than the production or processing of materials. This area is the B-5 zoning district.

## XIV. LAND USE IMPLEMENTATION STRATEGIES

### A. General

The Comprehensive Plan and its implementation requires that the Town be cognizant of the need to protect and preserve open space located within the Town and, in addition, that the town explore new and creative ways by which to acquire and expand open space for the enjoyment of all Town residents. Included in this strategy is establishing and protecting drinking water resources, wildlife habitat, farmland, parks, trails and other recreational areas, scenic areas.

General land use implementation strategies are set forth below. More detailed comprehensive strategies will develop based upon proposed growth in the Town, together with a continuing awareness for certain strategies and needs of Town residents in the future. Of particular importance is the ability and need of the Town to update and install infrastructure throughout the town, and preserving the rural character of the western part of the Town, and providing for appropriate controls as traffic volume increases Town-wide.

To promote sound land use policies, an outline of strategies is provided in the following paragraphs. These techniques were selected for their practicability in dealing with the character of Clifton Park's land use.

B. Cluster Zoning - This is a provision in the Zoning Code (and/or Subdivision Regulations) which allows a developer to cluster housing units on lots smaller than under normal zone requirements while still controlling the overall density of development on a tract of land. Consequently, natural conditions are maintained and less land is disturbed.

Rather than encouraging uniform distribution of housing units over an entire site, clustering accounts for topography and drainage over an entire site, to ensure that areas of marginal development suitability are protected. Environmentally sensitive land can be designated for yard areas in lots, open space, common conservation, and agricultural or passive recreation land, and provide for continued protection across parcel lines of significant environmental areas.

There are a number of purposes for cluster development, including:

- To provide alternatives to conventional developments;
- To encourage the preservation of open space, recreation areas, exceptional natural and aesthetic areas;
- To minimize utilities (road, sewers and water lines, electrical and telephone lines, and drainage improvements), thereby reducing housing costs; and

- To encourage the most appropriate use of the land.

Cluster zoning should be encouraged where appropriate. Subdivisions of more than 30 lots should be required to submit a cluster and conventional layout plan at conceptual review before the Planning Board.

C. Conservation-Based Development Design. This is a new provision in 2005 that is applicable for developments in the Conservation Residential Zoning District in Western Clifton Park. Conservation design is an enhancement of the Town's existing Cluster Zoning design guidance that is applicable in "eastern" Clifton Park. A more detailed level of resource analysis is required, as well as more open space protection is required under conservation based development design. Under CR Zoning, 50% minimum open space is required, including 25% of the unconstrained land in the parcel. In addition, conservation-based design allows for some flexibility with lot size and layout requirements, in effect allowing for "clustered" layout for similar purposes and benefits as listed above under cluster zoning.

D. Land Conservation - As noted above under discussion of zoning districts, the Town has a Land Conservation (LC) Zoning District to delineate, and protect streams and wetlands and their buffer areas.

E. Planned Unit Development - This is a provision of the local zoning code that would be allowed in any district by a legislative action of the Town Board. It allows for an assortment of housing types as well as other activities (commercial, institution or government).

The Town of Clifton Park currently has a similar provision, the "Planned Unit Development (PUD)" (208-72) in the Zoning Code. In this provision, greater importance should be placed on the retention of larger amounts of open space and a density cap. The PUD could be also strengthened to encourage greater preservation of environmentally sensitive areas or features. Density and uses should be consistent, to the extent possible, with the surrounding area, which will ensure that the character of the area is not altered.

F. Mapped Street Ordinance - Combined with the Zoning Code and Subdivision Regulations, the Official Map enables the Town to effectively control the pattern of growth and development in the community. The Mapped Street Ordinance can be implemented in ordinance form and would contain two parts, written text and the Official Map, which shows the street pattern as adopted. Once the Mapped Street Ordinance and the Official Map are adopted, no building could be erected in the bed of a street shown thereon. The most important feature of combining the Mapped Street Ordinance with the Official Map is that the official responsible for issuing building permits could not issue a permit for a lot that does not abut a street shown on the Official Map. This control is important to maintain the integrity of the Official Map.

G. Open Space Protection and Historic Preservation Strategies – Multiple options, tools, techniques, and strategies are available to the Town of Clifton Park and landowners for protecting open space resources. It has been, and will continue to be the intent of the Town Board that all open space protection strategies will be implemented only if the landowner voluntarily agrees to these strategies. Some of these options include:

1. Land Acquisition (outright purchase) – The Town could purchase land outright, or a land trust, or other governmental entity could purchase parcels in order for the land to be permanently protected.
2. Conservation Easements - A conservation easement is a legal agreement between the landowner and the Town, another municipality or a private entity to keep a parcel of land in its natural state[ for a specified period of time, or in perpetuity]. Easements can be made for a period of time, known as “term” conservation easements, and also in perpetuity, known as “permanent” conservation easements, depending upon the agreement. In essence, a landowner gives up development rights, but retains all other rights and privileges of ownership. The landowner may sell or transfer the title and land or pass it on by will.

The Town has adopted a Conservation Easement Law (LL 12-1996) which provides for “the acquisition of interests or rights in real property for the preservation of historic buildings and landmarks and open space and areas which shall constitute a public purpose for which public funds may be expended”. The law provides for a minimum term of fifteen years for conservation easement, conservation easement (farming purposes), or conservation easement (historic preservation).

The Town of Clifton Park is a leader state-wide in offering a “term” conservation easement program, in effect through a local property tax relief program. Only two other municipalities have a local program: the Town of Perinton, Monroe County and the Town of Red Hook, Dutchess County. Today, about 2,488 acres of land are enrolled in the “term” conservation easement program in Clifton Park with approximately 65 parcels enrolled.

3. Purchase of Development Rights (PDR) or Transfer of Development Rights (TDR) – As mentioned above under permanent conservation easements, the Town could purchase the development rights from the landowner for the parcel or transfer the development rights from one

parcel to another. The development potential for the property would be permanently removed, however, certain activities such as farming are still allowed on the parcel. Under this option the owner retains full ownership and control of the parcel.

4. Open Space Incentive Zoning (also referred to as Amenity Zoning). The Town of Clifton Park adopted a new zoning tool, Open Space Incentive Zoning, in 2005. This tool offers a new option for landowners proceeding with development proposals – to help the Town achieve its open space conservation goals – by tapping the development community to assist in making investments in open space for the public. This new tool offers an opportunity for applicants to request some additional density (up to a cap) for their development parcel in Western Clifton Park ONLY in exchange for their providing a specific public benefit, which in the case of Clifton Park’s law, is the public benefit of open space protection. The applicant’s have the option to propose the benefit in the form of acquiring lands or interests (development rights) for permanent protection by the town OR to pay the Town a fee per each additional unit requested, with the intent that the Town would then utilize the funds collected to go out and purchase lands or interests for permanent protection. Funds collected from the Open Space Incentive Zoning option from development proposals in Western Clifton Park area must be in turn be spent within the same Western Clifton Park area. The process involves applicants submitting their proposal to the Town Board for their ultimate decision-making on a case by case basis.

This new tool is an option available to parcels within the entire Western Clifton Park study area (from the 2005 Western Clifton Park Land Conservation Plan and Generic Environmental Impact Study.) Lands within the new zoning districts of the Conservation Residential, Hamlet Residential and Hamlet Mixed Use are eligible to apply for this zoning tool.

H. Comprehensive Plan Update Committee - The Town should form a Comprehensive Plan Update Committee, consisting of the Deputy Supervisor, and the vice-chairpersons of the Planning Board, Zoning Board of Appeals, Environmental Conservation Commission, and Emergency Services Advisory Board. This Committee should meet biennially to monitor the implementation of the Comprehensive Plan and advise the Town Board as to whether new or revised portions of the Plan are required. In addition, this Committee, in making such requests to the Town Board, should utilize the expertise of the chairpersons of all Town Citizen Advisory Committees.

### Key Clifton Park Plans and Studies

Western Clifton Park Land Conservation Plan and Generic Environmental Impact Statement 2005 – adopted by the Town Board in 2005

Corporate Commerce Zone Generic Environmental Impact Statement- 2001.

Vischer Ferry Road Corridor CIP/Generic Environmental Impact Statement- 1991.  
Exit 9 Generic Environmental Impact Statement- 1998.

Mohawk Riverfront Concept Plan 2005 – advisory committee report and recommendations.

Town of Clifton Park Open Space Plan 2003 – adopted by the Town Board in 2003

Join Us: Mohawk Towpath Scenic Byway Concept Plan, 2004

Town of Clifton Park Trails Master Plan, 1999 – prepared by the Town of Clifton Park Trails Advisory Committee

Vischer Ferry Nature and Historic Preserve Master Plan, August 1996

### Outside Reference Materials

Guide to Local Planning for Agriculture in New York, American Farmland Trust, 2006

Local Open Space Planning Guide, New York State Department of Environmental Conservation and Department of State in collaboration with the Hudson River Valley Greenway, New York State Department of Agriculture and Markets and the 2004