

**Clifton Park Planning Board Meeting Minutes
February 23, 2005**

Planning Board
February 23, 2005

Those present at the February 23, 2005 Planning Board meeting were:

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

Those absent were: None

Those also present were: J. Kemper, Director of Planning; M. Bianchino, Clough, Harbour and Associates; P. Pelagalli; Counsel

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

Public Hearings:

[2004-058] Peacock Glen Water Company – Proposed (2) lot subdivision and land transfers, Raven Court – Preliminary public hearing and possible determination.

This application was withdrawn from this evening's meeting at the request of the applicant.

Old Business:

[2004-062] Hornfeck, John – Proposed (4) lot subdivision, Blue Barns Road
Determination from public hearing held on January 11, 2005.

Mr. Dave Flanders, consultant for the applicant, presented this application that was last considered by the Board on January 11, 2005. He explained that, pursuant to Board recommendations, ten test borings have been completed to determine the adequacy of the soils to accept the installation of septic systems. A wastewater disposal system design has been prepared by Lansing Engineering and has been submitted to the Town Engineer for comment. Sight distance information has been added to the plan. Distances at the proposed combined driveway location are acceptable. Mr. Flanders explained that the applicant will comply with the recommendations prepared by Mr. McDonald: a 2 inch lines will be installed from the main line to the individual homes to minimize water pressure losses that occur because of the longer service runs. Mr. Flanders also said that a note will be added to the plan that states that there is limited water pressure in the area and that an increase in the size of interior plumbing fixtures may reduce friction losses and improve pressure.

Mr. Kemper explained that this project last appeared before the Board on January 11, 2005 at which time the public hearing was closed and the major issue of concern was the adequacy of water pressure in the vicinity of the project. Mr. Jack McDonald, McDonald Engineering, submitted a letter dated February 18, 2005 that provided information regarding pressure for the water service at this location. Planning Board members received copies of this letter. A copy of the NYSDOT curb cut permit must be provided prior to the stamping of the plans. The correct lot numbers must be provided in the standard ingress/egress note. A sign-off will be required from the Rexford Water District. The postal verification must be completed and appropriate addresses added to the plan.

Mr. Kemper read the comments that had been submitted by the ECC. The following standard statement should be added to the plot plan:

- The borders of all land that is to remain undisturbed shall be clearly marked on the site before site preparation begins. These on-site boundary markers shall remain until construction is completed and soils are stabilized.

Mr. Bianchino reported that Clough, Harbour, and Associates reviewed the revised subdivision plan for this project, correspondence from John M. McDonald Engineering, P.C. regarding the proposed water supply, and the Stormwater Pollution Prevention Plan. He offered the following comments. The sight distance at the proposed common drive has been modified on the plan and appears to be acceptable though the plan does not identify the method of determining or the mitigation required to achieve the revised sight distances. Due to the potential for clogging, driveway culverts less than 18" diameter on County Roads are not recommended. End sections and rip-rap will be required for the proposed driveway culvert and the culvert should be extended past the water services. This should be covered under the review by the Saratoga County Department of Public Works. The following items from the correspondence prepared by John M. McDonald Engineering, PC should be addressed:

- The presence of low operating pressure in the vicinity of the project.
- The plan should be revised to depict an 8" watermain along Blue Barns Road.
- The plan should show the size of the proposed water services.
- Confirmation should be provided that the property is entirely in the Rexford Water District.

The silt fence should be extended on the Erosion and Sediment Control Plan through the limits of clearing and grading to intercept all upstream run-off.

Though Board members found the plan generally acceptable, they discussed the water situation at length. Mr. Karam was concerned that recommendations regarding the type and size of water service pipes that would help provide adequate water pressure within the proposed residences would not be sufficient to ensure that the homes were actually constructed in accordance with them. He believed that more stringent requirements would be necessary to ensure that homeowners would be protected from insufficient water pressure. Mr. Russell suggested the use of booster pumps and expansion tanks, though Mr. Kemper noted that such equipment is no longer approved by NYSDOH. In response to Mr. Hughes' question regarding the language that would be used on the plan to ensure

compliance with the engineers' recommendations and the Board's approval, Mr. Flanders stated that a note on the plan that included the recommendations regarding the size of the water service piping would most likely be sufficient. This caused the Board to consider whether or not the "preliminary calculations" provided by Mr. McDonald were accurate. Mr. Bulger recommended that the calculations be reviewed by Clough, Harbour, and Associates to determine if the water pressure will be sufficient to provide adequately for a family's needs. Though Mr. Flanders reported that Mr. Grasso found the 30 pound design criteria acceptable, Mr. Bianchino recommended that additional design criteria such as the type and number of fixtures included in the homes be considered in assessing the water pressure needs. Additional considerations included the ability of the Board to limit the size of the residences, the authority of the water district personnel to require that the recommended piping be installed, and the timing of the linking of adjoining systems. Though Mr. Triller, applicant, pointed out that Mr. McDonald's letter indicates that minimal standards can be met, Board members did not support his request for subdivision approval. Members opted to support Mr. Bulger's call for further investigation of the pressure issues by Clough, Harbour, and Associates and the possible upgrade of the Rexford Water District system through connection to the Clifton Park Water Authority system.

[2005-002] Brooks Heritage, LLC – Proposed (11) lot subdivision, Woodin Road – Revised conceptual review.

Mr. Scott Lansing, consultant for the applicant, presented this application that was first reviewed by the Board on January 11, 2005. He explained that the project has been reduced by one lot and that substantial buffering will be provided to screen the properties from the Northway. Although sight distances are currently limited by piles of dirt, those piles will be regraded to achieve adequate sight distances. A stormwater prevention plan will be prepared.

Mr. Kemper reported that the project last appeared before the Board on January 11, 2005. The Board requested that the applicant revise the layout, evaluate sight distances, conduct a noise study, and check on the availability of public water from the Town of Halfmoon. A sign-off will be required from the Saratoga County Sewer District and the Town of Halfmoon Highway Department. The project was referred to the Town of Halfmoon on January 20, 2005. A letter needs to be provided from NYSDEC stating that there are no jurisdictional wetlands located on the parcel. The mature vegetation should be delineated on the plot plan. The grading and clearing limit lines should be illustrated on the next plan submission. With the large amount of cuts and fills required on some lots, it is likely that the Army Corps of Engineers' wetland disturbance will increase. The plan should identify the agency or corporation that will provide sewer service to the property and whether or not grinder pumps will be necessary. A note should be added to the plans stating that the property lies in close proximity to the Northway: impacts associated with the location should be identified.

Mr. Kemper read the recommendations prepared by the ECC. The applicant should relocate proposed house on Lot #6 to keep wetland impacts to a minimum. In addition,

the relocation could also potentially reduce the possibility of a wet basement. The following statement should be added to the plot plan:

- This parcel is located in close proximity to the Adirondack Northway and its potential impacts. Such impacts may include, but are not limited to periodic noise, vibration, extended hours of operation and associated activities.

Mr. Bianchino reported that Clough, Harbour, and Associates reviewed this revised concept subdivision plan and determined that the following comments from the January 10, 2005 review letter remain to be addressed. Although a fifty foot wide no-cut buffer has been provided along the Northway, no qualitative data regarding the type of vegetation in the buffer area has been presented. Review of an air photo shows much of the site sparsely vegetated. The no-cut buffer will not mitigate noise-related impacts caused by the Northway. Additional analysis of these issues appears required. The sight distance at the proposed driveway locations should be verified. Site specific controls to regulate the potential for future incremental wetland impacts should be incorporated on the plans. Because the subdivision will result in greater than five acres of disturbance, full compliance with the NYSDEC Phase 2 storm water quality and quantity regulations will be required. Adequately sized driveway culverts should be provided at each proposed driveway location.

Mr. Bianchino provided the following additional comments. The proposed sanitary sewer will require a public sanitary sewer extension. Future plan submittals should contain design information for the proposed sewer. A test well should be performed in accordance with New York State Department of Health regulations.

Mr. Larkin called for the relocation of the residence proposed for Lot #6, noting that the home was situated close to the designated wetlands. In response to his question regarding the flow of water on the site, Mr. Lansing explained that all existing drainage patterns will be maintained. Mr. Karam supported the request for the completion of a noise study, although Mr. Lansing asked that the Board not require such a study because of the significant cost to the applicant. Mr. Kramer asked that the number of curb cuts be limited. Mr. Bulger emphasized that importance of buffering along the Northway, explaining that the “visual impact must be minimized” to the greatest extent practicable. He advised the applicant that substantial plantings would be required to enhance the successional growth. Mr. Hughes believes that potential homeowners will not find the setting of this subdivision desirable: he supports the increased landscaping along the Northway. Both Mr. Bulger and Mr. Bianchino stressed the importance of securing approvals to connect to existing sewer system. It is reported that previous projects did not receive Saratoga County Sewer District approval because flows first went to a private transportation corporation.

[2005-056] Hockford, LeHuong – Proposed (4) lot subdivision, NYS Route 146A - Revised conceptual review.

Mr. Don Dara, consultant for the applicant, presented this application that remains

generally as presented at the January 11, 2005 meeting. As recommended by Clough, Harbour, and Associates, individual, privately-owned sewer connections will serve the proposed lots. A common force main will be extended across NYS Route 146. Mr. Dara also agreed to revise the ingress/egress easement note.

Mr. Kemper reported that this project last appeared before the Board on January 11, 2005 at which time the major concerns included the delineation of all wetlands on the largest parcel making certain that a mechanism is in place for future dedication of the roadway that would connect the Sterling Heights subdivision with property to the north of the Hockford parcel. Descriptions for all easements must be provided for review. A NYSDOT curb cut permit will be required prior to the stamping of the plans. The clearing limit lines must be illustrated on the plans. The comment letter from Don Austin, Director of the Clifton Park Water Authority, dated February 9, 2005 must be addressed. The notes on the plans referring to the upland area on the east of the road must be corrected. The standard note for the ingress/egress easement must be corrected. If the public road is constructed and frontage is provided, the maximum number of lots to be created in the future would be limited to one. An ingress/egress easement will have to be provided over the common driveway.

Mr. Kemper read the ECC comments. The following standard statements should be added to the plot plan:

- Due to the potential for federal wetlands on this parcel, the applicant will determine the location and extent of disturbance of Federal wetlands before a building permit is issued.
- No salts, fertilizers, pesticides, or other materials may be used on this property where they will contaminate any wetland areas or surface water through runoff, leaching, or in any other manner which violates the New York State Environmental Conservation Law (ECL).

The applicant should be aware that if a project disturbs an acre or greater of land, a Stormwater Pollution Prevention Plan (SWPPP) will be required.

Mr. Bianchino reported that the following comments from Clough, Harbour, and Associates' January 7, 2005 review letter remain to be addressed. The revised plan proposes a low pressure force main for sanitary sewer service and water service connections from the existing main along NYS Route 146. As depicted on the plan, both of these utility improvements would require public utility extensions well into the lots with little potential to serve future development. It is recommended that individual services be provided that are privately owned. A common force main can be extended across NYS Route 146 to avoid multiple services within the right-of-way. Design and construction details associated with any public improvements must be provided. The note regarding the ingress/egress easement should include Lot #3.

Mr. Bulger expressed his appreciation to the applicant for working to address the concerns of the Board. Board members found the plan generally acceptable.

[2004-055] New York Development Company – Proposed (22) lot subdivision (Oronacha Farms), Vischer Ferry Road – Revised conceptual review.

Mr. Scott Lansing, consultant for the applicant, presented the revised project plan, specifically addressing the issues raised by the Town Engineer. Though the Town Engineer suggested that the homes on Lots #18, 19, 20, and 21 be reoriented, Mr. Lansing explained that the proposed lay-out attempted to maintain lot lines perpendicular with the proposed right-of-way. He noted that the reorientation of the lot lines would not create additional appreciable frontage for the open space parcel and would create skewed parcels that would make it difficult to site new homes. Mr. Grasso's comment letter recommends that the Board issue a positive declaration pursuant to SEQRA if it believes that the project may result in significant environmental impacts. Mr. Lansing does not believe that an environmental impact statement is warranted for this project. He noted that the project will be served by public water and sewer facilities and that appropriate approvals and permits from the CPWA, NYSDOH, and NYSDEC will be obtained. Traffic impacts will be minimal and the curb cut on Vischer Ferry Road has been located to maximize sight distances. A large portion of the project parcel will be dedicated to the Town as open space. There are no direct wetland impacts: a permit for an adjacent area impact to the 100' buffer will be the only wetland permit require for the project. The proposed project adheres to the Town of Clifton Park Zoning Ordinance.

Mr. Lansing addressed several other matters of concern. He indicated that the project surveyor and the project traffic engineer have provided quantitative justification for the proposed curb cut location. Though the Town is concerned that the backyards of some of the homes will be visible from Vischer Ferry Road, Mr. Lansing noted that the homes have been "angled" to maintain privacy. He also noted that additional vegetative buffering is proposed for along Vischer Ferry Road to provide screening. A berm and extensive landscaping is also provided behind Lots #15, 16, and 17 and the applicant will work with the Board to create acceptable screening for these properties. In response to Mr. Grasso's comments regarding the shallowness of some of the lots, Mr. Lansing stated that although they vary in size and configuration, each lot provides an adequate building envelope for a proposed residence and accessory structures such as sheds, decks, and pools. The Town Engineer reports that the project plan continues to propose more than 21 homes on a single public road access. Mr. Lansing noted that the plan includes a 60-foot wide easement around the route through the land to be dedicated to the Town. Ms. Reed, Chief of the Bureau of Fire Prevention, has reportedly found the plan acceptable. The applicant realizes that the recommendations of the Emergency Services Board must be adhered to. The Town Engineer recommended that the plan include provisions for a trail along the south side of the wetland area. The applicant intends to construct a multi-use trail that connects the proposed project to the Redfield Park roadway. The applicant's consultant seeks approval for the re-location of the proposed multi-use trail from an area behind the proposed homes to the proposed roadway: this would reduce the privacy impacts to Lots #10, 11, 12, 13, and 14, reduce the maintenance for the parks and recreation department, and support the goal of providing potential future trails access to the east via a link near the stormwater management area. Mr. Grasso requested that the impacts of the proposed cul-de-sac located within close proximity to the existing homes along El Dorado be investigated. Mr. Lansing reported that the right-of-way line for the proposed cul-de-sac is located approximately 51 feet from the back property line of Lot #6

on El Dorado: this distance exceeds the rear yard setback of 25 feet for a structure in a typical lot that could abut the existing subdivision.

Mr. Kemper reported that this project last appeared before the Board on January 25, 2004 at which time the major issues raised by the board included the plantings and berms, the orientation of the houses, density, and location of the multi-use path. The details on the construction and maintenance of the emergency access road must still be verified. The project is adjacent to the area included in the Vischer Ferry Road GEIS and will have to pay the appropriate mitigation fees. A detail should be provided for the split rail fence once preliminary plans are prepared. The Saratoga County Planning Board approved the project on January 20, 2005 with the following conditions: "The applicant's engineer has contacted the County DPW and the County Planning Board's approval is conditioned on DPW's approval of the required profile of the proposed subdivision street with County Road #90". A letter from the Clifton Knolls/Mill Creek Park District Advisory Committee dated February 22, 2005, expresses concerns regarding protection for the quality of the stream which flows from this property into the Knolls ponds. The letter was copied for all Board members. Mr. Kemper stated that he had received a call from a resident in Wyncrest informing him of the large amount of debris including appliances, and tires that have been dumped over the bank along the stream. If the project is approved, this debris will need to be removed prior to the dedication of open space. Mr. Kemper noted that 5 acres are required for a lot to contain farm animals in the R-1 zone. The original farmstead lot does not contain the necessary 5 acres, though it does have barns and other buildings that would likely house livestock. He observed that of Lots #5, 6, 7, and 8 contains virtually no usable rear yards. A lot should be eliminated from this area and lots redrawn to provide adequate rear yards. In addition, the front yard setbacks should be altered as provided in the sketch from CHA so that the majority of the houses will not be visible. Sheryl Reed requires that the applicant obtain a variance from Fire Code Appeals Board in a memo dated January 25, 2005. Details regarding the proposed emergency access road, including who will be responsible for its maintenance, must be supplied.

Clough, Harbour, and Associates reviewed the revised subdivision plan for this project, though Mr. Bianchino reported that the plan has not been revised in response to many comments and suggestions made at the last Planning Board meeting, previous staff comments, or comments included in the last review letter. It may be the intention of the applicant to proceed with the plans as currently proposed. As such, the following options are recommended. If the Planning Board feels comfortable with the plan as currently proposed and does not see the need to have staff comments or our previous comments addressed, the applicant should proceed with preparation of the preliminary plans and a public hearing should be scheduled upon their submission to the Planning Department. If the plan does not meet Planning Board approval, the applicant should revise the concept plan in accordance with the attached mark-up and submit it for review and discussion with the Planning Board prior to preparation of preliminary plans, a public hearing, or the issuance of any SEQR action.

Mr. Bianchino explained that the proposed action is a Type 1 Action pursuant to SEQR

and by definition is one which will likely require the preparation of an Environmental Impact Statement. If the Planning Board has concerns with the current plan, believes that staff comments or engineering comments should be addressed, or believes the project may result in significant environmental impacts, the Board can initiate coordinated review, request lead agency status, and issue a positive declaration. The Planning Board or applicant could then proceed with scoping and preparation of the draft environmental impact statement.

Mr. Bianchino also explained that the comments contained in the last review letter and those that have been raised by Planning staff and the Planning Board have not been addressed. The applicant should provide additional quantitative justification for the proposed curb cut location as discussed during the Planning Board meeting. The plan continues to orient some of the homes with backyards facing Vischer Ferry Road. The layout creates through-lots (Lot #15, 16 and 17) which may have little or no privacy, will likely contain significant fencing, and may cause adverse visual impacts. The landscaping and berming should be extended around the sides of the lots and additional detail provided. The plan should include provisions for a trail along the south side of the wetland area extending from the east side of Vischer Ferry Road to the easterly edge of the subject property north of the proposed storm water management area. This trail should be terminated such that it can be extended to the east in the future. Some of the lots are very shallow which will restrict their flexibility for home placement, sheds, etc.

Mr. Bianchino stressed the importance of the Board's decision to either find the project plan acceptable enough to move toward preliminary review or to find that potential impacts may be significant enough to warrant a positive declaration and the preparation of an environmental impact statement.

Mr. Kramer was concerned about ownership and maintenance of the open space: Mr. Kemper believes that this issue can be resolved during preliminary review. Mr. Karam asked about the proximity of the proposed trail to the residences. It appears that the trail would be located about 40 feet from the rear property lines. He asked that the fencing to be installed along property lines be of white vinyl. He also encouraged the applicant to provide a substantial vegetative buffer along Vischer Ferry Road. In his opinion, Lot # 7 should be eliminated. Mr. Larkin stated that he had traveled Vischer Ferry Road and, in his opinion, a vertical realignment and reconstruction of that roadway would permit the relocation of the curb cut and proposed road. He noted that since multi-use trails are provided for public use, they should be located behind the homes. He finds the project "too dense" for the area.

Mr. Kemper addressed the issue of sight distance, pointing out that the old location by the roadside stand provided inadequate sight distance: the proposed location meets traffic standards. Mr. Bianchino stated that reconstruction of Vischer Ferry Road would involve lands beyond the boundaries of the parcel under consideration for this application, thus making such a proposal unworkable.

Board members generally agreed that maintenance of the fence would be the

responsibility of individual homeowners. Mr. Pelagalli explained that the Town would be unable to enforce deed restrictions regarding such maintenance. It would be up to adjoining property owners to ensure that the fencing was maintained in an acceptable condition.

Mr. Bulger agreed with Mr. Karam that Lot #7 should be eliminated, thus allowing several of the lots on the southern boundary to be increased in size. He preferred that the trail to be located near the pond since the pond was viewed as a beautiful natural area. He also recommended the installation of substantial evergreen trees along Vischer Ferry Road. Mr. Larkin recommended that the applicant eliminate both Lots #7 and 21. Mr. Hughes would like to see the removal of Lot #21. Mr. Kemper commented that removal of two lots from the plan would result in the elimination of the connection with the Wyncrest subdivision, something that the Town Engineer and Board members had found desirable. In an informal tally of members, three supported the elimination of Lot #21 while four found the lot placement acceptable.

Board members agreed that the connection to Wyncrest as presented was a necessary element in the project's design. Mr. Hughes asked that the applicant give "due consideration" to the recommendations offered by Board members. Mr. Bulger encouraged the applicant to prepare preliminary plans, but cautioned that those plans may require revision because of Board recommendations and the anticipated ESAB decision.

New Business:

[2005-010] Lisuzzo, Michael – Proposed (2) lot subdivision, NYS Route 146 – Conceptual review.

Mr. Don Dara, consultant for the applicant, presented this application that calls for the subdivision of 5.23 acres of land in an R-1 zone on the north side of Route 146 west of the Waite Road, Route 146 intersection. The parcel would be subdivided into lots of 2.99 and 2.24 acres, respectively. An existing residence is located on the smaller lot: a single-family residence is proposed for the larger lot. The new property would require an on-site well and the installation of a septic system. Mr. Dara reported that a substantial amount of both NYSDEC and federally jurisdictional wetlands have been delineated on the property. A 40.60 foot wide strip will provide frontage for the new lot on Route 146, though the proposed home will be accessed via a 25 foot ingress/egress easement that bisects the smaller parcel. Such a design limits disturbance of the wetland areas. The new lot will meet all R-1 zoning requirements.

Mr. Kemper offered comments on this subdivision application. Sight distances must be included on the plans. The date for the wetland delineation must be added to the plans. Mr. Kemper recommended that the house be shifted north to avoid impacts to the 100' buffer area of the NYSDEC wetland. Perc test information and a NYSDOT curb cut permit must be provided. The date and firm that performed the wetland delineation must be added to the plans. Descriptions for the ingress/egress easement will have to be provided for review. A NYSDEC wetland permit will need to be granted for the work to

be done in the DEC wetland buffer and Town of Clifton Park L-C zone.

Mr. Kemper read the comments provided by the ECC. As indicated by the applicant, the project will require permits for the crossing of a DEC wetland and adjacent area. The following standard statements should be added to the plot plan:

- o The Land Conservation (LC) Zone has been delineated in accordance with Section 208-69 of the Clifton Park Town Code. Federal jurisdictional wetlands have also been identified on this parcel. Uses in these areas are restricted. The Town of Clifton Park Building Department shall be notified before undertaking any land disturbance activities in the LC Zone and /or Federal Wetlands.

- o No salts, fertilizers, pesticides, or other materials may be used on this property where they will contaminate any wetland areas or surface water through runoff, leaching, or in any other manner which violates the New York State Environmental Conservation Law (ECL).

- o The borders of all land that is to remain undisturbed shall be clearly marked on the site before site preparation begins. These on-site boundary markers shall remain until construction is completed and soils are stabilized.

- o All erosion and water quality controls shall be put into place at the initial phase of site preparation and shall be maintained until all construction ends and soils are stabilized.

- o The applicant will control fugitive dust and debris during the construction/demolition phase of the project.

Mr. Bianchino explained that the concept subdivision plan for this project was reviewed by Clough, Harbour, and Associates. He offered the following comments. The proposed project is appears to be an “Unlisted” action pursuant to SEQR, and, as such, coordinated review is optional. Involved agencies are expected to include the following: Clifton Park Planning Board – Subdivision Plan Approval; NYSDEC – Wetland Disturbance Permit; Saratoga County Planning Board – Section 239 referral. NYSDOH regulations require that the wastewater disposal system be located 100 feet from wetlands and the regulations do not qualify whether this setback applies to NYSDEC wetlands only or includes federally jurisdictional wetlands. Clough, Harbour, and Associates’ recommendation to the Town has been that 100 foot separation be required wherever practical unless the wetlands were confined to a drainage ditch or swale. It would appear this would be possible with a slight relocation of the house and tile field. Soil investigations including deep test pits and percolation tests should be conducted in the area of the proposed wastewater disposal system to verify the adequacy of the soils to accept an on-site wastewater disposal system. The proposed wetland disturbance should be quantified on the plan.

Board members found this application acceptable. In response to Mr. Bulger’s question regarding the driveway crossing, Mr. Kemper explained that the existing wooden bridge would be replaced with a culvert and gravel as required.

[2005-008] Diamond Development, LLC – Proposed (2) lot subdivision, NYS Route 9 – Conceptual review.

[2005-009] Diamond Development Co. – Proposed 23,000 SF retail tractor sales building with 20,000 SF display area, NYS Route 9 – Conceptual site plan review.

The subdivision proposal and the site plan application were considered concurrently.

Mr. Joseph Dannible, consultant for the applicant, presented a brief history of this site. The original plan submitted to the Board in 2000 called for construction of three office buildings with 255 parking spaces. In 2004, the Planning Board approved the construction of the Capital Communications Credit Union building on a 1.43 acre parcel. The applicant has since acquired additional lands to the north of the site. Mr. Dannible then described the current proposal that calls for the subdivision of 6.14 acres of land on the west side of Route 9 north of its intersection with NYS Route 146 in a B-4A zone into lots of 4.84 acres and 1.3 acres, respectively. The larger parcel would be used for a tractor supply retail sales building and the smaller parcel would be reserved for a future commercial use. 105 parking spaces will be provided. Loading docks will be constructed to the rear of the building. Both parcels will be connected to the Clifton Park Water Authority and to the Saratoga County Sewer District. Stormwater management will be provided on site. Access will be provided by a driveway from Route 9 that currently serves the recently-constructed credit union and easements will be required for all three parcels. The speaker stated that as much vegetation as possible will be retained. The outdoor storage will provide space for larger farm implements, fencing, and equipment such as snowblowers.

Addressing the comments provided by Clough, Harbour, and Associates, Mr. Dannible reported that the stormwater management area has been designed to adequately handle all site drainage, that visibility will be limited along the Northway corridor, that necessary easements will be provided, that a 25 foot no-cut buffer will be provided along the northern boundary, and that a letter from NYSDOT regarding traffic improvements will be provided to the Planning Department.

The site plan calls for the construction of a 23,000 SF tractor supply retail sales building with approximately 105 parking spaces and a 20,000 SF outdoor display area. Stormwater will be managed on site. Connection will be made to the Clifton Park Water Authority and the Saratoga County Sewer District. Mr. Dannible explained that the property owner has plans to construct an additional commercial building with parking for 91 cars on the remaining acreage.

Mr. Kemper reported the receipt of comments from Jim DiPasquale, Director of the Saratoga County Sewer District dated February 8, 2005 that states that “the proposed 2 lot subdivision for the Diamond Development, LLC on NYS Rt. 9 will be subject to capacity limitations in the NYS Route 9 force main and receiving gravity system crossing NYS Rt. 146. A detailed hydraulic analysis and study of actual peak flow rates will be required. All submittals, permits, and commitments to serve the project will be required to be in compliance with the District’s Rules and Regulations.” In addition, a NYSDOT curb cut permit will be required. If there an existing ingress/egress easement over the

driveway, it should be shown on the plan. A significant buffer will need to be provided on the side of the project that abuts Route 9 and additional buffering may be required along the Northway corridor.

Mr. Kemper provided comments specific to the site plan. He asked that the plan illustrate the type of fencing that will surround the side display yard. Façade renderings will have to be provided with future submissions. The handicap and no parking signs must be depicted on the plan. The proposed use for the building on Lot #2 should be shown on the plan. A NYSDOT curb cut permit will be required. A pedestrian path must be provided from the 91 parking spaces to the area that contains the store.

Mr. Kemper read the comments that had been prepared by the ECC. The proposed greenspace must be 35% or greater for the entire parcel including the parcel with the Credit Union. The ECC requests that all greenspace be clearly delineated using shading. The existing stormwater basin must be evaluated to make sure it can handle this proposed use. In keeping with the Town Comprehensive Plan, the applicant is encouraged to retain existing vegetation and/or buffering between the project and the Northway.

Mr. Bianchino reported that Clough, Harbour, and Associates reviewed the subdivision and site plan for this and offered the following comments. The applicant should clarify if it is their intention to make the equipment visible from the Northway, as screening along the Northway has been a significant issue for recent projects along the corridor. Ingress/egress easements should be provided for Lot #2 and the existing credit union parcel over the entrance drive. In addition, an ingress/egress easement should be provided to Lot #1 over the proposed rights in access from Route 9. Cross access across Lot #2 to the north should be incorporated into the plan. A separate subdivision plan should be prepared and submitted for review. The traffic study for build-out of this project site identified required off-site transportation improvements. It is our understanding that these improvements may have been completed by NYSDOT since the completion of the traffic study. A letter to this effect from NYSDOT should be obtained. The majority of the required parking for the future retail building will be located on proposed Lot #1. A determination of compliance with the zoning regulations should be made by the code enforcement officer. Pursuant to the zoning regulations, plantings should be installed along the property margins at the sides from the front of the building for a width of not less than fifteen feet. It shall be determined if the existing vegetation to remain satisfies this requirement. Calculations should be provided to verify that the existing stormwater management basin has adequate capacity to serve the proposed development. A detailed parking analysis should be provided that includes the proposed future Lot #2 building. The material or merchandise to be located in the outdoor display area should be identified. The final plans should accurately reflect the improvements of the recently constructed credit union. The proposed project appears to be an unlisted action pursuant to SEQRA, and as such, coordinated review is optional. The involved agencies are expected to include: Clifton Park Planning Board –Site Plan Approval, Subdivision Approval; Clifton Park Water Authority – Water Connection Permit; Saratoga County Sewer District #1 – Sewer Connection Permit; NYSDOT – Curb Cut Permit; Saratoga County Planning Board – Section 239 Referral.

Mr. Kramer asked that the existing buffer be maintained along the Northway and that a 30-foot buffer be established along the property line. Mr. Bulger emphasized the importance of preserving all existing vegetation along the Northway and perhaps adding to its density to limit visibility from the roadway. Mr. Russell commented that the outside storage area at the Queensbury facility is not attractive and he asked that the owner consider using fencing that would be more attractive than the proposed chain link. He suggested that a wrought iron fence would enhance the site. Mr. Hughes was concerned with the look of the business from Route 9 and he asked that the applicant consider additional landscaping and plantings within the understory of the plantings along the northern property boundary. Mr. Karam asked that the applicant provide justification for the proposed number of parking spaces. Re-orientation of the building was also discussed.

Minutes Approval:

Mr. Bulger moved, seconded by Mr. Kramer, approval of the minutes of January 25, 2005 as amended. The motion was unanimously carried.

Discussion Items:

Proposed Amendments to Chapter 208

Mr. Bulger explained to Board members that the Town Board will act on the proposed amendments to Chapter 208 at its February 28, 2005 meeting. Mr. Pelagalli listed the proposed revisions, noting that the proposed legislation will clarify definitions and eliminate automobile repair shops, garages, and auto body shops as permitted uses within the L-I zone. Board members unanimously agreed that the proposed revisions were acceptable.

Mr. Bulger moved, seconded by Mr. Hughes, adjournment of the meeting at 9:50p.m. The motion was unanimously carried. The next meeting of the Planning Board is scheduled for March 8, 2005.

Respectfully submitted,

Janis L. Dean, Secretary cc: Planning Board Members, Planning Department, Clough, Harbour, and Associates, Supervisor, Town Administrator, Assessor, Zoning Board, Department of Building and Development, Town Clerk, Town Board Members, Highway Superintendent, Joel Peller, Town Attorney, Lou Renzi, Town Attorney, Jim Trainor, Town Attorney, Paul Pelagalli, Town Attorney, Department of Parks and Recreation, ECC, Saratoga County Planning Board, Shenendehowa Central School, Clifton Park Water Authority, Fire Districts.