

Clifton Park Planning Board Meeting Minutes - August 9, 2005

Those present at the August 9, 2005 Planning Board meeting were:

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

Those absent were: A. Kramer

Those also present were: J. Kemper, Director of Planning; J. Grasso, Clough, Harbour, and Associates; M. O'Brien, Environmental Specialist; P. Pelagalli, Counsel

Mr. Bulger, Chairman, called the meeting to order at 7:10p.m. All in attendance stood for recitation of the Pledge of Allegiance. Mr. Bulger announced that agenda item B under New Business involving an application submitted by Beth McNulty had been withdrawn at the request of the applicant.

Public Hearings:

[2005-034] Everitt, David – Proposed (2) lot subdivision, Crescent Road – Preliminary public hearing and possible determination.

The Chairman called the public hearing to order. The Secretary read the public hearing notice as published in the Daily Gazette on August 2, 2005.

Mr. Gil VanGuilder, consultant for the applicant, presented this application that remains generally as presented at the July 12, 2005 Planning Board meeting. He explained that although zoning regulations require the "body" of a keyhole lot to contain 100,000 SF, the applicant seeks approval to include a portion of the "stem" area in the calculation. An analysis of the soils in the area indicates that a low pressure pump system could be accommodated within the area reserved for the septic system.

Mr. Kemper reported that this project was last considered by the Board on July 12, 2005, though the Board could not act on the application at that meeting because the required 500-foot notifications had not been sent. A sign-off must be provided by the Latham Water District. A Saratoga County Department of Public Works permit must be provided prior to the stamping of the plans. Sight distance information must be added to the plans. The application refers to Note #2 in regards to the area variance: Note #2, however deals with connecting to public water. The specifics of the variance must be added to the plans.

Mr. Grasso explained that Clough, Harbour, and Associates reviewed the revised concept subdivision plan and the applicant's June 22, 2005 response letter. Many of the

comments contained in the June 14, 2005 comment letter and those raised by the Planning Board have not have been adequately addressed or resolved. Many previous comments from the June 14th letter were repeated and were followed by comments based upon the revised plan. The resultant parcel size if the flag portion of the lot was not included needs to be shown, as the minimum lot size shall be met without this being included. Clough, Harbour, and Associates is concerned with the adequacy of the front yard being proposed given the configuration of the lot and restrictions caused by being adjacent to the Stony Creek Reservoir. The applicant's consultant's response letter states that because of the setback restriction imposed on the property by its proximity to the Stony Creek Reservoir, the area adjacent to the required forty foot wide access strip leading from Crescent Road should be considered in computing the buildable portion of the lot. With this area included in the computation, the buildable area is still approximately 5,500 square feet short of the required area of 100,000 square feet. In the June 14, 2005 comment letter it was noted that a limited yard area would surround the proposed residence. Given the 200 foot setback required from the Stony Creek Reservoir, it becomes more important that the fifty foot front yard setback be preserved. Mr. Grasso continued to recommend that the applicant attempt to acquire a strip of land from the neighboring Lands of Mincher along its northerly boundary. Acquisition of this property would allow for the required front yard setback, a lot size that meets the requirements of the Town Code and a buildable area large enough to accommodate the type of house that is envisioned for this property.

Mr. Grasso stated that the following comments should be addressed after resolution of the above comment. 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. Additional clearing and grading detail will be required to adequately review the proposal. Review and comment by Latham Water District should be provided. The adequacy of the proposed turnaround for use by fire apparatus should be verified by Sheryl Reed, Chief of the Bureau of Fire Prevention. The adequacy of sight distance at the proposed driveway location should be shown.

Mr. O'Brien, Environmental Specialist, reported that following review of the revised project plan, the ECC reiterated previously issues comments. The applicant must comply with all the requirements of the Latham Water District. Mr. VanGuilder explained that he had met with an engineer from the Latham Water District at the beginning of the process: all water district requirements and recommendations have been respected.

There being no public comment, Mr. Bulger moved, seconded by Ms. Pace, to close the public hearing at 7:18p.m. The motion was unanimously carried.

Mr. Karam asked Mr. VanGuilder to explain the procedures for requesting and obtaining a setback variance from the Latham Water District. Mr. VanGuilder explained that the recipient of a setback variance from Water District lands must be the owner of the residence: in this case, Mr. Everitt will not occupy the proposed residence. A future owner of the property may apply for relief from the setback requirement. Ms. Pace asked

if approval of a setback variance and subsequent relocation of the residence would impact the septic system. Mr. VanGuilder stated that moving the home closer to the reservoir would not impact the septic design. In response to Mr. Bulger's question concerning the location of the septic system, Mr. VanGuilder explained that it must be located at least 300 feet from the reservoir. To accomplish this, the septic system has been designed within the "stem" that provides lot access onto Crescent Road.

Mr. Larkin expressed his displeasure with the proposed plan, noting Clough, Harbour, and Associates' concern with the "buildable" lot area. Mr. Larkin does not agree with the described "special circumstances" described by the applicant's consultant and he does not support approval of this application.

Mr. Bulger stated that since the Zoning Board of Appeals approved the variance for the front yard setback and because the applicant has responded positively to Board recommendations, he supports the revised subdivision plan. Mr. Karam and Mr. Hughes spoke in support of the revised application. Mr. Kemper recommended that a landscaped buffer be provided between the proposed residence and the Lands of Mincher.

Mr. Bulger moved, seconded by Mr. Karam, to establish the Planning Board as Lead Agency for this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA. Ayes: Pace, Karam, Russell, Hughes, Bulger. Noes: Larkin.

Mr. Hughes offered Resolution #16, seconded by Mr. Karam, to waive the final hearing for this application and to grant preliminary and final subdivision approval conditioned upon satisfaction of the comments provided by Mr. Kemper and Mr. Grasso and the submission of a landscaping plan that will provide trees along the property line along the front of the proposed residence. Ayes: Pace, Karam, Russell, Hughes, Bulger. Noes: Larkin.

[2005-029] Rekucki, M. J. – Proposed (2) lot subdivision and lot line adjustment and proposed 40,000 SF self-storage facility and 9,000 SF medical office building, Route 9 and Ushers Road – Reconvening of preliminary public hearing held on July 12, 2005 and possible determination.

The Chairman reconvened the public hearing at 7:32p.m. The Secretary read the public hearing notice as published in the Daily Gazette on August 2, 2005.

Mr. Rekucki, applicant, presented a sketch of the proposed site as viewed from Route 9 looking to the northwest. Mr. Tom Andress, consultant for the applicant, briefly reviewed the components of this project that remains generally as presented at the July 12, 2005 meeting. He highlighted the significant aspects of the plan, noting that the existing self-storage site will contain 35% greenspace, the proposed storage building will be similar to an existing facility the applicant constructed on Route 9, the Clifton Park Water Authority extension will be installed concurrently with the proposed sidewalk improvements, and that both buildings will be constructed of matching exterior building materials.

Mr. Kemper explained that this project last appeared before the Board on July 12, 2005 at which time the public hearing was adjourned because 3 adjoining property owners did not receive proper notification. These notices have now been sent to the property owners and receipts have been submitted to the Planning Department. Mr. Kemper first addressed the subdivision application, stating that a deed description and consolidation deed must be submitted for review. A sign-off must be provided from Clough, Harbour, and Associates regarding the coordination between the extension of the water line that will serve this project and the Town's Ushers Road Improvement Project.

Mr. Kemper then addressed the site plan. Sign-offs must be provided from the Clifton Park Water Authority and the Saratoga County Sewer District. Comments from the Jonesville Fire Dist must be addressed. Additional foundation plantings must be placed around the buildings. Colored façade renderings must be provided with the final set of plans. Mr. Kemper reported receipt of a phone call from Mr. Vince Ferretti Sr. who wanted to express his support for the application. He was unable to attend this evening and has a business directly across the street from Mr. Reckucki's project. A copy of an e-mail from Roger Marshall was provided to each Board member. Mr. Marshall, owner of Marshall Distributing, Inc., offered support for this project, stating that he "can't imagine either of these proposals doing anything by good for the community."

Mr. Grasso reported that, per the Planning Board's request, Clough, Harbour, and Associates reviewed the Wood Road Corridor GEIS with respect to appropriate mitigation of the project's visual impacts. Although a 250 foot buffer is "recommended" along Route 9, it is not a required setback with respect to buildings, vegetative clearing, or other improvements. If a 250 foot buffer were preserved, no additional review with respect to visual impacts might be required. However, because the proposed project will be located within 250 feet of Route 9, additional visual impact review has been undertaken by the Planning Board and the Planning Board has taken the requisite "hard look" at the project's impacts, specifically as it relates to visual impacts. In addition, the Planning Board has requested, and the applicant has provided, mitigation of visual impacts through the design of the site, the buildings, landscaping and lighting. This is consistent with the reviews of other projects that have come before the Board for site plan review within the Wood Road Corridor. Although the project's apparent conformance with the Statement of Findings may alleviate the need for additional SEQR review as part of this site plan process, the Planning Board may wish to issue a negative declaration of environmental significance for this specific project prior to any site plan approval.

Mr. O'Brien, Environmental Specialist, reported that the ECC offered the following comments regarding this application. The following standard statements should be shown on the plot plan:

- The borders of all land that is to remain undisturbed shall be clearly marked on the site before site preparation begins. These on-site boundary markers shall remain until construction is completed and soils are stabilized.
- All erosion and water quality controls shall be put into place at the initial phase of site preparation and shall be maintained until all construction ends and soils are stabilized.

In addition, the ECC recommends that highway setbacks and water retention areas cannot be assigned as greenspace.

Ms. Nancy Bellamy, Ballston Lake resident, cited a newspaper article that reported that Ushers Road residents did not appear to be as interested in the Rekucki project as they had been for the proposed Exxon-Mobil project. She wanted the Board to know that residents were certainly interested in preserving open space along the entire Ushers Road corridor. She encouraged the Board to require that all development along Route 9 from Ushers Road to Round Lake have a 250-foot setback from the highway.

Mr. Ray Prill, Manager of Marshall Distributing, stated that he lives on Ushers Road. He supported Mr. Rekucki's project plan.

Mr. Bruce Newman, Pastor of Grace Chapel, stated that although he respected those who spoke in opposition to the proposed site plan, he noted that the plan set a "positive tone" for the area. He recalled that that Town Board deliberations regarding zoning for adult businesses focused on areas near this parcel. Pastor Newman explained that Mr. Rekucki had constructed Grace Chapel and he respected that applicant's ability to work with all involved to construct a functional and sound building.

Mr. William Engleman, 6 Partridge Plateau, thanked the Board for "elevating" this site plan review to the public hearing level. He reiterated many of the comments offered at the July 12, 2005 meeting. He specifically noted that the revised Long Environmental Assessment Form (LEAF) submitted by the applicant on July 12, 2005 did not include completed Parts II and III. He also found that there was little information in the project file regarding the potential traffic impacts from this development. Mr. Grasso explained that it has been the established policy of the Planning Board to complete the LEAF at the end of the review process. He explained that traffic information and impacts had been studied as part of the Wood Road Corridor study and that no additional studies were warranted by this project. Mr. Engleman asked that the Board require the completion of the SEQRA document and that the applicant be required to comply with the GEIS Statement of Findings. He agreed that the Board did have the discretion to approve plans that "deviated" from the Findings, though he believed the Board was not following the "letter or the spirit" of the in-depth SEQRA study. He stated his opposition to the proposed subdivision and site plan.

Mr. Dean Taylor, 9 Vineyard Circle, spoke in favor of the development plan, labeling Mr. Rekucki a "responsible developer". Noting that zoning would have permitted the construction of a fast-food restaurant on the site, the speaker encouraged the Board to act promptly to approve the project as presented.

Mr. Rick Zahnleuter, 52 Redfield Park, spoke on behalf of the Clifton Park Trails Committee. He presented each Board member with a Town map that illustrated the Zim-Smith Trail, Wood Road, the VanPatten Drive trail connection, and the Dwaas Kill Nature area. He pointed out the importance of installing trail links in the area, noting that this site is seen as an "apex" because it is located between Wood Road and the existing

VanPatten Trail. He “respectfully reminded” Board members of the importance of creating a trail link in the project area and he encouraged the Board to provide a safe and reasonable location for such a connection. Mr. Bulger agreed with Mr. Zahnleuter’s recommendations, stating that he and other Board members recognize the significance of trail links. He reported that on-going negotiations with DCG Development Company will likely result in the securing of property for trail development.

Ms. Susan Burton, 338 Riverview Road, read a letter prepared by the Friends of Clifton Park Open Space that “expressed concerns about the issues and procedures in these cases.” A copy of this correspondence is attached to these minutes.

Mr. Doug Hofer, 10 Sturbridge Court, favored the development of this parcel as planned since he is familiar with Mr. Rekucki’s work and believes that the applicant’s projects enhance the Town. He stated that the renderings presented are appealing. In his opinion, such facilities are necessary to attract the medical services that will be required by the town’s aging population.

There being no additional public comment, Mr. Bulger moved, seconded by Ms. Pace, to close the public hearing at 8:10p.m. The motion was unanimously carried.

Mr. Karam addressed Ms. Burton, Clifton Park Open Space representative. He asked if the committee could specifically identify impacts that this development would have on the Colonie Channel Aquifer as mentioned in the letter. Though Ms. Burton stated that the concerns were the same as those raised during review of the Exxon-Mobil application, she noted that completion of the SEQRA documents would address all environmental issues associated with a particular project. Mr. Bulger explained that Mr. Kemper as well as Clough, Harbour, and Associates have considered such issues and have determined that there will be no significant impacts associated with the project. Ms. Burton stated that reports indicate that a gas station may have been located on the project site. Mr. Bulger responded that should any evidence of oil tanks or other problems arise during site excavation or construction, the applicant must complete appropriate remediation as required by town, county, and state agencies.

Ms. Margaret M. Catellier, 26 Royal Oak Drive and member of the Friends of Clifton Park Open Space Steering Committee, encouraged the Board to require completion of the SEQRA documents to ensure that all possible environmental impacts and problems are identified during the review process. Mr. Bulger explained that the Board relies on the expertise of its consultants that have offered comments and recommendations throughout the review process.

Mr. Frank Berlin, resident of Jonesville and member of the Friends of Clifton Park Open Space Steering Committee expressed his concern that underground tanks or hazardous materials may be present on the site since it is his understanding that a gas station was located on the site in the early nineteen sixties. Mr. Grasso noted that a Phase I Environmental Assessment had been prepared and that no indication of site contamination was identified.

Mr. Karam addressed the issue concerning the impact of the development that “frustrates the rural feel of the area” that was raised by the Friends of Clifton Park Open Space’s letter to the Board. He noted that the area currently contains a large church building, retail facility, bank, and mulching operation. He believes that the project under consideration will enhance the area rather than detract from it. He also believes that the visual impact will be minimal: a 250-foot setback would be too great. Ms. Pace views the application as a “good project” and supports the application as designed. Mr. Bulger commented that the applicant has continued to respond positively to Board recommendations. He believes that the Board reviewed the application appropriately throughout the review process. Mr. Hughes spoke of the increasing senior citizen population that could benefit from an additional medical office building. Mr. Larkin asked for clarification of the SEQRA requirements. Mr. Grasso explained that if the project conformed to all items in the Statement of Findings adopted as a result of the Wood Road Corridor GEIS, no further SEQRA comment would be necessary. Additional SEQRA review allows for approval of projects that do not conform to the recommendations included in the Findings Statement. Mr. Pelagalli explained that if it is determined that no significant environmental impacts will result from the project development, the Board can issue a negative declaration pursuant to SEQRA. Mr. Larkin asked if there was a written agreement that would ensure that a trail connection would be made from Ushers to Wood Road. Though it was reported that such an agreement has not been signed, Mr. Bulger was confident that such a connection would be provided across the Lands of Greene. Mr. Grasso pointed out that this applicant has provided for a multi-use pathway to the intersection of Ushers and Wood Roads. Though it was suggested that Mr. Rekucki may provide a connection through his site, Mr. Rekucki was concerned about the liability that he would incur by authorizing such a connection. He did note that though he could not endorse such use, access to the property would not be gated or restricted. Mr. Bulger did state that the trail connection in this area was considered critical. Board members agreed that the applicant had addressed most issues of concern.

The Board acted upon the subdivision application.

Mr. Bulger moved, seconded by Mr. Karam, to establish the Planning Board as Lead Agency for this application and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. Bulger offered Resolution #17, seconded by Mr. Karam, to waive the final hearing for this application and to grant preliminary and final subdivision conditioned upon the satisfaction of comments issued by Mr. Kemper and Mr. Grasso. Ayes: Larkin, Pace, Karam, Russell, Hughes, Bulger. Noes: None.

The Board then considered the site plan application.

Mr. Karam moved, seconded by Mr. Bulger, to establish the Planning Board as Lead Agency for this application and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. Hughes moved, seconded by Ms. Pace, to grant preliminary and final site plan approval conditioned upon satisfaction of the comments offered by Mr. Kemper and Mr. Grasso. The motion was unanimously carried.

[2004-055] New York Development Company – Proposed (21) lot subdivision (Oronacha Farms), Vischer Ferry Road – Reconvening of preliminary public hearing held on June 28, 2005 and possible determination.

The Chairman called the public hearing to order at 8:32p.m. The Secretary read the public hearing notice as published in the Daily Gazette on August 2, 2005.

Mr. Gil VanGuilder, consultant for the applicant, addressed the issues concerning the location and extent of multi-use pathways and other site improvements that remained unresolved following the Board's previous review of this project plan. Mr. VanGuilder provided each Board member with a copy of an itemized list of the expenses of site development that would be borne by the developer. The expense list included such items as dam replacement, construction of the multi-use pathway, berm construction behind Lots #14, 15, and 16, pond clean-up. Mr. VanGuilder explained that dam reconstruction will require approval of the design plans by NYSDEC: the pathway, emergency access route, and emergency spillway will be incorporated in those plans. Open space lands will not be conveyed to the Town until the dam is rebuilt. Mr. VanGuilder reported that the developers have agreed to provide picnic benches on the southern side of the ponds as well as substantial landscaping on the center lots. The consultant estimated the cost of construction of a pathway link from this development to Belmonte Lane to be \$38,000.00. He explained that construction of the link would involve the disturbance of a wetland area. All concerns outlined by Clough, Harbour, and Associates will be addressed.

Mr. Kemper reported that this project was reviewed by the Board on June 27, 2005. The most significant issue that remained unresolved at that Board meeting was the extent of the trail system within the subdivision and the extent of the trails that the developer would be responsible for constructing. At that time, the Board adjourned the public hearing. Mr. Kemper explained that he and Mr. Bulger, Mr. Grasso, Mr. Hamilton, and Mr. Zahnleuter, walked the site on August 5, 2005 to discuss the trail issues. This project will be subject to the Vischer Ferry Road CIP Fees. The project will be added to the Wyncrest Park District: a note stating this must be added to the plans. A note must be added to the plans stating that the vegetation on the south side of the entrance extending to Lot #1 must remain. The dam on the project site had been dislodged by recent storms and must be replaced. He recommended that the replacement be completed prior to the stamping of the plans. All NYSDEC Wetland Permits must be obtained prior to the stamping of the plans. A planting plan that depicts the specific number of plantings to be installed throughout the site must be added to the plans. There is a considerable amount of fencing, old buildings, and debris located around the pond and the stream channel. All of this debris must be removed prior to the issuance of the first Certificate of Occupancy: a note stating this must be added to the plans. The land on the north side of the pond will

become maintained lawn and a section of the black fence will be removed. These improvements should be illustrated on the plans. There is an existing well to the north of the pond. The applicant's plan for the abandonment or use of the well on the property must be clarified. Mr. Kemper recommended that a parking area be shown in the proposed subdivision as well as in the existing Wyncrest subdivision to allow for access to the pond and trail system. Some of the existing evergreen plants on the north side of the pond will need to be transplanted to other areas. Signage for the trail and parking areas should be illustrated on the plans. Any entrance signs should be illustrated on the plans. Bollards must be placed on the multi-use path connection. The multi-use path connection detail must be revised to meet the conditions imposed by the Emergency Services Advisory Board. The clearing limit lines on along Road B should be extended to allow for adequate grading of the lots. Information regarding the status of the archeological study must be provided. Board members each received a copy of a letter from Laura Constable that expressed her concern with a parking area being placed on the Wyncrest end of the trail.

Mr. VanGuilder addressed Mr. Kemper's comment regarding the archeological investigation, explaining that some evidence of historical significance had been uncovered on the parcel. The Office of Parks, Recreation and Historic Preservation will determine if a Phase III study is warranted. If necessary, a recovery operation will be undertaken to remove valued artifacts from the property.

Mr. Grasso reported that Clough, Harbour, and Associates reviewed the plans for this project, Water Supply and Sewer Reports, and the revised Stormwater Pollution Prevention Plan. Though the majority of the previous engineering-related comments have been addressed, the following issues remain. If the Planning Board determines that a multi-use pathway is not required at this time behind Lots #13 through #9, a possible future pathway location should be identified. Mr. Grasso referenced the field inspection that was conducted and explained that locations for the proposed and potential multi-use pathways and open space area improvements were discussed.

Mr. Grasso noted that the radii at Vischer Ferry Road should be able to accommodate truck turns. He observed that though it appears the radii have been graphically modified, the design information should be shown on the plan. The possible future road right-of-way to Wyncrest should line up with the existing stub street within that subdivision. Details should be provided for the modifications to the outlet of the pond. The multi-use pathway connection to Wyncrest must be able to support 50,000 lb. fire apparatus and have a gravel base sixteen feet wide. The speaker explained that Clough, Harbour, and Associates is concerned with the existing condition of the pond and the flooding that occurred during a recent storm event. The firm understands that a consent order was issued by NYSDEC following a storm event that caused the pond to overflow. It is recommended that prior to final plan stamping and the Town taking ownership of the pond, the applicant makes the necessary modifications to the pond and obtains all necessary approvals from NYSDEC. Comments have been raised regarding possible rubbish disposal on the property. A copy of a recent Phase 1 Environmental Site Assessment should be submitted for review.

Mr. VanGuilder spoke to the issue of replacement and/or rebuilding of the dam, reporting that the current owner has failed to adhere to the consent order from NYSDEC: responsibility for the repair will become the responsibility of New York Company. Company representatives believe it imprudent to begin the necessary improvements prior to the transfer of the property title.

Mr. O'Brien, Environmental Specialist, reported that the ECC had found the revised project plans for this project acceptable.

Mr. Ken Constable, 27 Redfield Park, opposed the proposed parking area to be located at the northern end of the emergency access road/multi-use pathway within Wyncrest Park that is now included on the project plan. He explained that he agreed with his wife's comments that were forwarded to the Board via e-mail. The couple is concerned with additional traffic through Wyncrest, believing that it will create a hazard for children in the area. A deterioration of the aesthetic characteristics of the neighborhood was also a concern. A reduction in the amount of privacy enjoyed by the residents of Wyncrest who border the proposed parking area was a significant issue. The Constables believe that such a parking area would result in a reduction of their quality of life and asked the Board to consider locating such a parking area on property owned by the Clifton Park Water Authority near the entrance to the Wyncrest subdivision.

Ms. June Allison, 23 Redfield Park, explained that her family would be impacted by the proposed parking that would be located adjacent to her side yard. She anticipated problems with teenagers and fishermen who would create a neighborhood nuisance and made access for emergency vehicles difficult. She also mentioned that maintenance of the existing farm has lapsed and that the dam between the two pond sections needs repair.

Mr. Kemper explained that the stub provided from Redfield Park to lands to the south was required to ensure a right-of-way to future development. Mr. Bulger explained that "past experience" has resulted in the recommendation that a proposed parking area be provided: cars parking along town roadways have created hazardous conditions. He also stated that parking that blocked emergency vehicle access would not be permitted.

Ms. Michele Buselli, 25 Redfield Park, thanked the Board for reconvening the public hearing. She was discouraged that the revised plan included a proposed parking area next to her property. She feared that cars would be parking on her lawn area and that there would be dramatic impact to the neighborhood. She was opposed to such parking because the limited access to the ponds did not connect to a meaningful trail system.

Mr. Robert Allison, 23 Redfield Park, told the Board that there is an existing electrical box in his back yard: he was concerned that infrastructure for utilities would cross the dam. Mr. VanGuilder explained that only the sewer connection would be made across the dam. All other utilities will connect to existing services on Vischer Ferry Road. The speaker stated his opposition to the proposed parking area that would adjoin his property.

Mr. Rick Zahnleuter, 52 Redfield Park, focused upon the issue of trail development, pointing out that there was no trail connection to the Wyncrest subdivision from the west or from Wyncrest to the east. He encouraged a trail connection from the Oronacha subdivision to Belmonte Lane in the Clifton Knolls development. He reports that NYSDEC has indicated that a bridge constructed on footings would be permitted. He was encouraged by the \$38,000 estimate from Lansing Engineering for such bridge construction since other estimates were considerably higher. Mr. VanGuilder noted that the estimate provided by Mr. Lansing was not based upon detailed construction plans. The true cost would likely be significantly more. Describing the trail connection from the Oronacha subdivision to Clifton Knolls as a “tremendous benefit for residents,” Mr. Zahnleuter encouraged the Board to require its construction.

Mr. Constable reiterated his opposition to the proposed parking spaces on Redfield Park. Ms. Rebecca Galick, Miller Road resident, supported the installation of parking spaces because she had previously resided in a neighborhood where parking along roadways became a serious issue. Ms. Pam Marshall, 5 Fairlawn Court, requested information regarding design details for the emergency access connection. Mr. Bulger reported that the paved portion would be 10 feet wide with four feet of grading and gravel along each side.

There being no additional public comment, Mr. Bulger moved, seconded by Ms. Pace, to close the public hearing at 9:22p.m. The motion was unanimously carried.

Mr. Karam offered several comments regarding this project. Considering the issue of parking near the multi-use pathway on Redfield Park, the speaker noted that the Board could have requested the construction of a Town roadway. He did suggest that a landscaped buffer to screen the proposed parking area from the bordering residences. He favored a trail along the pond to the east and a connection to Belmonte Lane. Viewing the situation with the dam as a hazard, he would encourage the developers to complete repairs as soon as possible. In response to his comments, Mr. VanGuilder reported that the applicants were adamant that no trail would be installed behind homes nearest the ponds. He asked the Board to consider all the revisions that have been made to the project in response to Board comments and concerns.

Mr. Larkin would prefer a path to the east and a connection to Belmonte Lane. He sees the multi-use pathway as “not just a function of this subdivision,” but rather as a substantial west-to-east link for several neighborhoods. He also noted that the applicants were gaining additional lots on a cul-de-sac by providing the multi-use path/emergency vehicle access route.

Mr. Knox, representative of New York Development Company, described the continuing approval process as “out of control” and offered to revise the project to an 18 lot subdivision with a single access onto Vischer Ferry Road that provided no access to the pond areas.

Mr. Bulger views the pond areas as a “tremendous amenity” and access to the area as a

benefit for all Town residents. He labeled the dam reconstruction the biggest issue to be resolved and cautioned the Board to be wary of demands that would cause the Town to lose control of the ponds and surrounding property. He did not support extension of the multi-use pathway to the east since its construction would place an unfair burden on the applicant. Addressing the concerns of Ms. Buselli and Ms. Allison, he suggested that the parking spaces be land banked for possible future use. If the Town received complaints about excessive parking along Redfield Park, the spaces could be provided for use by those visiting the ponds and surrounding lands. He recommended that parking be provided on lands held by the Clifton Park Water Authority near the entrance to the Wyncrest subdivision.

Mr. Bulger discussed the issues surrounding the repair of the dam noting that the current owner shares the responsibility for its reconstruction. Mr. Larkin suggested that the necessary improvements be completed prior to the issuance of the first building permit. Mr. Booth, representative of New York Development Company, explained that it could take a significant amount of time for sign-offs from involved agencies to take place. He assured the Board that the current owner would take no responsibility for the dam's repair. Mr. VanGuilder stated that it was the applicant's intention to repair the dam before the open space areas are conveyed to the Town. Though Mr. Bulger observed that there were still issues surrounding the archeological investigations being conducted at the site, Mr. VanGuilder explained that those issues were not part of the Board review process – they were conducted as part of the requirements for NYSDEC approvals.

Mr. Hughes identified multiple stakeholders as homeowners, developers, and the trails committee. Individuals and group representatives must attempt to work together to find an acceptable trail location and parking area.

Ms. Pace commented on the parking areas. She supported Mr. Bulger's plan to secure parking on land owned by the Clifton Park Water Authority. She believed that the existing worn path along the eastern-most pond will be an acceptable alternative to a paved multi-use pathway. Mr. Larkin was satisfied with this proposal and withdrew his support for the trail connection to the east. Mr. Hughes also saw this as an acceptable alternative.

Though Mr. Zahnleuter requested details and specifications associated with the \$38,000.00 estimated cost of the trail connection from the Oronacha Farm subdivision to Clifton Knolls, Mr. Grasso cautioned that the cost would likely be much greater. Mr. VanGuilder agreed, stating that the estimate was not based on exact construction specifications.

Mr. Bulger thanked the applicant, Mr. Van Guilder, and members of the public for their contributions to the project's development. He believes that the approval process is nearing completion.

[2004-011] Amedore Homes (Formerly Beck), - Proposed (24) lot subdivision, 1262 Route 146 – Reconvening of preliminary public hearing held on March 8, 2005 and

possible determination.

The Chairman reconvened the public hearing at 10:05p.m. The Secretary read the public hearing notice as published in the Daily Gazette on August 2, 2005.

Mr. Gavin Vuillaume, consultant for the applicant, presented this application. Although a number of issues have been resolved, Mr. Vuillaume addressed those that remained outstanding during the last Planning Board review. The applicant has been unable to establish easements from adjoining property owners that would provide for a sewer connection to an existing line to the south of the site, though the developer has agreed to install dry lines that may be used for future connections. Soil test information indicates the existence of a high water table in some areas of the site: underdrains will be utilized to channel the water away from the proposed residences. Mr. Vuillaume informed that Board that NYSDEC has concluded that there are no wetlands within their jurisdiction on the development site. A hammerhead turnaround is shown between Lots #9 and 2 on Chillmark Turn: the turnaround will be designed in accordance with Highway Department standards. The applicant has agreed to provide a multi-use pathway to the southern property line.

Mr. Kemper explained that this project last appeared before the Board on May 10, 2005. The Board adjourned the public hearing because of the trail issue and the issue surrounding the most feasible means of connecting to the county sewer system. The details for the multi-use path connection must be illustrated on the plans. The maintenance responsibilities for the common areas within the subdivision must be outlined on the plans. This project will be added to the Stoney Creek 2 Park District: a note stating this must be added to the plans. The layout of the turn around must be finalized. The signage to be used on the emergency access drive must be included on the plans. Submission of the NYSDOT curb cut permit will be required prior to the stamping of the plans. A note must be added to the plans that includes all of the conditions of the variance that was granted by the Fire Code of Appeals Board. The applicant be required to sign an outside user agreement for the water service. The existing large trees around the house should be preserved should be shown on the plans. A catch basin should be shown in the center of the cul-de-sac. Any entrance signs must be shown on the plans. The wetlands on Lot #2 Chillmark Turn and #11 Tisdale Lane should be shown as being eliminated. It is highly unlikely that these wetlands will remain after the grading of these lots. Any required NYSDEC Permits must be provided prior to the stamping of the plans. Sign-offs will be required from the Clifton Park Water Authority and the Saratoga County Sewer District.

Mr. Grasso reported that Clough, Harbour, and Associates reviewed the revised plans submitted by the applicant's consultants and offered the following comments. As recommended previously, test pits were performed along the proposed roadway to determine ground water levels and the presence of poor soils. The test pits indicate silty clay soil with potentially high groundwater particularly in the area of Test Pit #2. As such, underdrains and any other corrective measures should be provided as a requirement within the subdivision and should be reflected as such on the typical road section. The

SWPPP should contain a construction phasing plan limiting disturbance to less than 5 acres. A detail of the multiuse pathway crossing of the Dwaas Kill should be provided. In addition, detailed grading of the multiuse pathway should be provided. The flow velocity should be added to the storm sewer sizing table.

Mr. Grasso offered the following additional comments. As requested, a dry sewer system is proposed to allow for future connection to the Dwaas Kill trunk sewer system. It is recommended that the portion of sewer between Lots #11 and 13 Tisdale Lane be relocated between Lots #3 and 4 Chillmark Turn and terminate north of the tree line. The sanitary sewer should be approximately 6' below existing grade at the termination point and be run at 0.5% slope through Chillmark Turn and Tisdale Lane to the termination point to the west. The increased depth will allow for the potential future gravity connection to the properties to the west. Gravity sewer laterals should be provided to each lot to allow for future connection to the gravity sewer system and removal of individual grinder pumps.

Mr. O'Brien, Environmental Specialist, reported that the ECC asked that the following standard statement should be added to the plot plan:

- 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.

In response to Mr. Engleman's question regarding the amount of land to be conveyed to the Town, Mr. Vuillaume stated that the applicant will convey approximately 8 acres of land to the municipality.

There being no additional public comment, Mr. Bulger moved, seconded by Mr. Larkin, to close the public hearing at 10:20p.m. The motion was unanimously carried.

Mr. Russell moved, seconded by Mr. Larkin, to establish the Planning Board as Lead Agency for this application and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. Hughes offered Resolution #18, seconded by Mr. Karam, to waive the final hearing for this application and grant preliminary and final subdivision approval to this application conditioned upon satisfaction of the comments offered by Mr. Kemper and Mr. Grasso and the installation of a trail link to the southern property boundary. Ayes: Larkin, Pace, Karam, Russell, Hughes, Bulger. Noes: None.

[2005-036] Galick, Steve and Becky – Proposed (2) lot subdivision, 355 Miller Road – Preliminary public hearing and possible determination.

The Chairman called the public hearing to order at 10:30p.m. The Secretary read the public hearing notice as published in the Daily Gazette on August 2, 1005

Mr. Flanders presented this application on behalf of the applicant. The proposal remains as presented at the June 28, 2005 Planning Board meeting. The existing farmhouse will remain on the smaller lot. This residence is currently served by the Clifton Park Water Authority and an individual septic system. Mr. Flanders reported that the applicants have agreed to convey a 10-foot strip along Miller Road to the Town to provide for future road improvements. The NYSDEC wetlands have been delineated.

Mr. Kemper reported that this project last appeared before the Board on June 28, 2005 at which time discussion focused on the feasibility of further development of the larger parcel of land. The Board emphasized that because of the substantial amount of NYSDEC wetlands, a road connection to Miller Road was not guaranteed: a note stating this must be added to the plans. The septic system location must be identified on the plans. The standard note for aviation activity must be added to the plans. A sign-off will be required from the Clifton Park Water Authority.

Mr. Grasso reported that although most previous comments had been adequately addressed, Clough, Harbour, and Associates reiterated concerns regarding the development potential for the 53 +/- acre parcel that will remain if this subdivision is completed. The applicant was advised in the initial comment that that access to the remaining parcel may not be possible from Miller Road. During the Planning Board meeting the applicant's consultant indicated that access to the remaining lands could potentially be provided through use of an existing stub street to the rear of the property through the existing Oaks subdivision. As long as all future access considerations are subject to review by the Planning Board, the plan as presented is acceptable. Mr. Grasso also note that the applicant will receive a one-time family exemption from payment of the mitigation fees established in the Vischer Ferry Road Corridor GEIS and Capital Improvement Plan. Commenting on the conveyance of a 10-foot strip along Miller Road for future roadway and pedestrian improvements, Mr. Grasso agreed that since the applicant has indicated the intent to convey a ten foot wide strip of land along the frontage of the 1.815 +/- acre parcel to accommodate such improvements, the need for a similar ten foot wide strip be conveyed along the frontage of the remaining parcel can be handled when that parcel is proposed for development.

Mr. O'Brien, Environmental Specialist reported that, after reviewing the project, the ECC asked that the following standard statement be added to the plot plan:

· The Land Conservation (LC) Zone has been delineated in accordance with Section 208-69 of the Clifton Park Town Code. Uses in this area are restricted. The Town of Clifton Park Building Department shall be notified before undertaking any land disturbance activities in the LC Zone.

There being no public comment regarding this application, Mr. Bulger moved, seconded by Ms. Pace, to close the public hearing at 10:38p.m. The motion was unanimously carried.

Mr. Karam moved seconded by Mr. Larkin, to establish the Planning Board as Lead

Agency for this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. Hughes offered Resolution #19, seconded by Ms. Pace, to waive the final hearing for this application and to grant preliminary and final site plan approval conditioned upon satisfaction of the comments provided by Mr. Kemper and Mr. Grasso. Ayes: Larkin, Pace, Karam, Russell, Hughes, Bulger. Noes: None.

[2004-065] Clifton Park Water Authority – Proposed land transfer, Blossom Hill Court – Preliminary public hearing and possible determination.

The Chairman called the public hearing to order at 10:40p.m. The Secretary read the public hearing notice as published in the Daily Gazette on August 2, 2005.

Mr. Kemper presented this application that remains as presented at the July 12, 2005. The lot line adjustment that involves the transfer of 110 SF of land from the Lands of Faro to the Lands of the Town of Clifton Park is necessary due to an inadvertent encroachment of the multi-use pathway and Clifton Park Water Authority access to the existing water tank.

Neither Mr. O'Brien, Environmental Specialist nor Mr. Grasso offered comment on the application.

There being no public comment regarding the application, Mr. Bulger moved, seconded by Ms. Pace, to close the public hearing at 10:42p.m. The motion was unanimously carried.

Mr. Bulger moved, seconded by Mr. Karam, to establish the Planning Board as Lead Agency for this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Ms. Pace offered Resolution #20, seconded by Mr. Hughes, to waive the final hearing for this application and to grant preliminary and final subdivision approval. Ayes: Larkin, Pace, Karam, Russell, Hughes, Bulger. Noes: None.

[2005-041] Albarelli/Lemery – Proposed two-family residence in an R-1 zone, 18 Settlers Lane – Public hearing for Special Use Permit and preliminary site plan review.

The Chairman called the public hearing to order at 10:45p.m. The Secretary read the public hearing notice as published in the Daily Gazette on August 2, 2005.

Mr. Gil VanGuilder, consultant for the applicant, explained that this application remains as presented at the July 12, 2005 meeting. The plans call for construction of a 780 SF addition to the southwestern corner of an existing residence. The addition will allow the applicants to adequately care for aging parents. Mr. VanGuilder presented the Board with a copy of a letter from Mr. Michael Maloney, resident of 16 Settlers Lane, who wrote in

support of the pending application. The speaker presented sketches of the completed project, explaining that exterior siding would match the existing home.

Mr. Kemper reported that when the project last appeared before the Board on July 12, 2005, the Board found the proposal generally acceptable.

Neither the ECC nor Clough, Harbour, and Associates offered comment on the project plan.

There being no public comment regarding the application, Mr. Bulger moved, seconded by Ms. Pace, to close the public hearing at 10:55p.m. The motion was unanimously carried.

Mr. Karam moved, seconded by Mr. Hughes, to establish the Planning Board as Lead Agency for this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Ms. Bulger offered Resolution #21, seconded by Mr. Karam approval of the Special Use Permit as requested to allow construction of a two-family dwelling in an R-1 zone. Ayes: Larkin, Pace, Karam, Russell, Hughes, Bulger. Noes: None.

The Board then acted upon the site plan application.

Ms. Pace moved, seconded by Mr. Bulger, to establish the Planning Board as Lead Agency for this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. Karam moved, seconded by Mr. Hughes to grant preliminary and final site plan approval to this application. The motion was unanimously carried.

[2005-039] Feigenwinter, Travis – Proposed (2) lot subdivision, 629 Kinns Road – Preliminary public hearing and possible determination.

The Chairman called the public hearing to order at 10:57p.m. The Secretary read the public hearing notice as published in the Daily Gazette on August 2, 2005.

Mr. Gil VanGuilder, consultant for the applicant, presented this application that remains as presented at the July 12, 2005 Planning Board meeting. The speaker explained that the location of the L-C zone has been plotted and that a Land Preservation Area has been established to protect environmentally sensitive portions of the parcel. Mr. VanGuilder explained that the sight distance at the common access point is inadequate: options for improving the sight distance are being considered.

Mr. Kemper reported that the project last appeared before the Board on July 12, 2005 at which time the only concern raised was that a deed restriction be placed on the stream corridor. Sign-offs must be received from the Clifton Park Water Authority and from the

Saratoga County Sewer District. Descriptions for all easements must be provided. Sight distances should be shown on the plans. Mr. Kemper explained that adjoining property owner, James Flaherty, has a recorded easement over the lands of Feigenwinter that assures access to an existing well. This easement must be depicted on the subdivision plan.

Mr. Grasso reported that Clough, Harbour, and Associates reviewed the revised concept plan for this project and found that the following comments included in the July 8, 2005 review letter have not been addressed. The portion of Lot #1 along Kinns Road does not meet the 100 foot minimum lot width and as such the lot may be subject to fifty foot setbacks around its perimeter. If these do not apply, the setbacks should not extend into this portion of the lot. The proposed utility locations should be conceptually shown on the plan. In addition, the existing septic system should be shown on the plan and the applicant should investigate connecting the existing home to the municipal utilities. If this is not done, an adequate area to accept replacement of the existing tile field in an unconstrained area should be shown. An easement should be shown over the existing electric utilities crossing Lot #1. The adequacy of the sight distance at the existing driveway location should be verified.

Mr. O'Brien, Environmental Specialist, reported that, after reviewing the project, the ECC requested that the following standard statements should be added to the plan:

- 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 borders of all land that is to remain undisturbed shall be clearly marked on the site before site preparation begins. These on-site boundary markers shall remain until construction is completed and soils are stabilized.
- All erosion and water quality controls shall be put into place at the initial phase of site preparation and shall be maintained until all construction ends and soils are stabilized.
- The applicant will control fugitive dust and debris during the construction/demolition phase of the project.

Mr. Engleman, 6 Partridge Plateau, asked about the boundaries and protections associated with the proposed Land Preservation Area. Mr. VanGuilder explained that the boundary equates to the L-C zoning boundary. In response to Mr. Engleman's question regarding enforcement of the non-disturbance area, Mr. VanGuilder explained that it would generally be a neighbor or "someone who has taken from a common grantor" who would have the ability to ensure compliance. In response to Mr. Engleman's suggestion that a conservation easement be established, Mr. Bulger stated that it was not Town policy to require such easements.

There being no further public comment on this application, Mr. Bulger moved, seconded by Ms. Pace, to close the public hearing at 11:00p.m. The motion was unanimously carried.

The Board deferred action on this application until the sight-distance issue is resolved and the easement provided to adjoining property owners is illustrated on the plan.

[2005-040] DCG Development Company – Proposed (2) lot subdivision, Southside Drive and Wall Street – Preliminary public hearing and possible determination.

The Chairman called the public hearing to order at 11:01p.m. The Secretary read the public hearing notice as published in the Daily Gazette on August 2, 2005.

Mr. Gavin Vuillaume, consultant for the applicant, presented this subdivision plan that remains as presented at the July 12, 2005 Planning Board meeting. The subdivision is proposed in order to create a parcel for development of the apartment complex for seniors.

Mr. Kemper reported that this application was considered by the Board on July 12, 2005. Sign-offs must be received from Saratoga County Sewer District and the Clifton Park Water Authority. The map should illustrate the boundaries of the PUD Zone. The statistics table should also be corrected. Descriptions for all easements must be submitted for review.

Mr. Grasso reported that Clough, Harbour, and Associates reviewed the subdivision plan for this application and offered the following comments. The proposed project appears to be an “Unlisted” action pursuant to SEQRA, and as such, coordinated review is optional. The only involved agency is expected to be the Clifton Park Planning Board with subdivision approval being required. The Short Environmental Assessment Form should reference Route 146, not Route 9. To avoid confusion as to the zoning of the project site, the site statistics table should reference the PUD zoning covering Lot #1 if it has been filed. The boundaries and labels of the adjacent zoning districts should be shown. Any existing improvements on the parcels should be shown accurately and setbacks identified. The approval of the subdivision should be conditioned on the dedication of the proposed Southside Drive right-of-way across the site’s frontage.

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

There being no public comment on this application, Mr. Bulger moved, seconded by Ms. Pace, to close the public hearing at 11:04p.m. The motion was unanimously carried.

Mr. Karam moved, seconded by Mr. Hughes, to establish the Planning Board as Lead Agency for this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. Karam offered Resolution #22, seconded by Ms. Pace, to waive the final hearing for this application and to grant preliminary and final subdivision conditioned upon the satisfaction of comments issued by Mr. Kemper and Mr. Grasso. Ayes: Larkin, Pace, Karam, Russell, Hughes, Bulger. Noes: None.

[2005-049] Town of Clifton Park – Proposed (3) lot subdivision, Kinns Road – Preliminary public hearing and possible determination.

The Chairman called the public hearing to order at 11:06p.m. The Secretary read the public hearing notice as published in the Daily Gazette on August 2, 2005.

Mr. Kemper presented this application that will subdivide lands currently under the control of Country Club Acres, Inc. in order to provide for the conveyance of approximately 250 acres to the Town of Clifton Park. The area will be preserved as the Dwaas Kill Nature Area. Mr. Kemper explained that the project remains as presented at the July 12, 2005 meeting: the Board found the application acceptable. Accurate deed descriptions have been prepared for the land to be acquired.

Ms. Pam Marshall, resident, asked about the zoning for the remaining properties held by Country Club Acres, Inc. Mr. Kemper stated that the land north of the railroad track was zoned B-2. Development of the remaining parcels may occur in accordance with applicable zoning regulations.

In response to Mr. Engleman's question regarding the purchase price of the land, Mr. Kemper reported that the cost was \$300,000.00.

There being no additional public comment, Mr. Bulger moved, seconded by Ms. Pace, to close the public hearing at 11:12p.m. The motion was unanimously carried.

Mr. Bulger moved, seconded by Mr. Russell, to establish the Planning Board as Lead Agency for this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. Bulger offered Resolution #23, seconded by Mr. Hughes, to waive the final hearing for this application and to grant preliminary and final subdivision approval conditioned upon satisfaction of the comments offered by Mr. Kemper. Ayes: Larkin, Pace, Karam, Russell, Hughes, Bulger. Noes: None.

Old Business

[2005-031] Down, Clifford – Proposed 12,144 SF equestrian center, Hubbs Road – Preliminary site plan review.

Mr. Bob Hayes, legal representative for the applicant, described this application that remains generally as presented on June 14, 2005. The project calls for the construction of a 60' x 152' indoor riding arena, 36' x 84' barn that would stable up to 22 horses, and a 100' x 200' outdoor riding ring on a 26 acre parcel on the northern side of Hubbs Road. A use variance was granted by the Zoning Board of Appeals on May 3, 2005. Mr. Hayes stated that the applicant will satisfy all of the comments issued by Clough, Harbour, and Associates. He also said that the NYS Department of Conservation approved a minor

wetland crossing on November 17, 2004. No other wetland disturbance is proposed. Mr. Hayes also reported that a number of adjoining property owners have indicated that they support the project.

Mr. Kemper reported that the project last appeared before the Board on June 14, 2005 at which time the Board was concerned with the storage and removal of manure associated with this type of facility. A note must be added to the plans addressing how often the manure will be removed from the site. A written narrative must be provided of exactly what activities will occur at the facility. The date that the use variance was granted should be placed on the plans. The Saratoga County Planning Board determined on June 16, 2005 that the project had no significant or inter-community impacts. A rendering must be provided of the building when the plans are submitted for stamping. The proposed clearing limit lines must be placed on the plans.

Mr. Grasso reported that Clough, Harbour, and Associates reviewed this application and provided the following comments. In general, the plan lacks sufficient detail to allow a thorough review and for assurance for code compliance during construction. Historically, the Town has had significant problems associated with the construction of horse related facilities, largely due to lack of detailed plans and construction controls. Although additional detail has been provided for some items, considerably more detailed design information is required on the proposed grading, septic system, and stormwater management system. The proposed improvements will involve the disturbance of greater than one acre, and, as such, will require conformance with and coverage under NYSDEC's Phase 2 storm water regulations. A stormwater management report and SWPPP is required. It does not appear that the proposed septic area meets the required setbacks from the proposed buildings. The proposed driveway does not appear to provide an appropriate turn around for emergency vehicles. A typical cross section of the handicap parking spaces should be shown on the plan. Manufacturer cut sheets of the proposed lighting should be provided. All lighting should be designed to reduce the potential for glare from off-site areas. Sight distance is poor at many locations in the vicinity of the access on Hubbs Road. The adequacy of sight distance should be verified and shown on the site plan. Given the proposed use, the sight distance should be verified for horse trailers as well as typical passenger vehicles. Propose grading, including finished floor elevations of the proposed structures, should be shown on the plan. The combination of the proposed roadway and the driveway to Lot #5 should be investigated. Any proposed driveway culverts should be shown on the plan. The location of the newly planted white pine trees should be shown on the plan and their protection from the proposed development should be provided.

Mr. O'Brien, Environmental Specialist, read the comments that had been prepared by the ECC. The following standard statements should be added to the plot plan:

§ The Land Conservation (LC) Zone has been delineated in accordance with Section 208-69 of the Clifton Park Town Code. Uses in this area are restricted. The Town of Clifton Park Building Department shall be notified before undertaking any land disturbance activities in the LC Zone.

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

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

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

In response to Mr. Larkin's question regarding lighting at the site, Mr. Down reported that lighting would be provided at the 14-15 foot height level. All lighting will be directed downward. The facilities will be minimally visible from Hubbs Road.

Mr. Russell moved, seconded by Mr. Karam, to establish the Planning Board as Lead Agency for this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. Bulger moved, seconded by Mr. Hughes, to grant preliminary and final approval to this project conditioned upon satisfaction of the comments offered by Mr. Kemper and Mr. Grasso and the acceptance of the written description of activities to be conducted at the site by the Building Inspector. The motion was unanimously carried.

[2005-015] Hoffman, Charles – Proposed 11,000 SF addition to existing professional office building, Route 9 and Chelsea Place – Preliminary site plan review.

Mr. Gavin Vuillaume, consultant for the applicant, explained that the proposal remains generally as presented at the March 22, 2005 meeting. He reported that the building will be occupied by Community Care Physicians, a business that requires additional space for an expanding medical practice. An additional curb cut onto Chelsea Place will improve accessibility and traffic flow through the site. Pursuant to the comments prepared by the Town Engineer, additional handicapped parking spaces will be provided. Connection will be made to the municipal system – existing wells will be abandoned. Connection will be made through the lands of Belmonte to the Saratoga County Sewer District lines. Stormwater management basins will be brought into compliance with current regulations.

Mr. Kemper reported that this project last appeared before the Board on March 22, 2005. The issue that concerned the Board was the status of Chelsea Place. The Board determined that this applicant would not be solely responsible for the improvement of Chelsea Place, though the applicant must provide verification that he has rights to use the road. Information regarding the status of the roadway was recently submitted. The information provided will be verified prior to the stamping of the plans. Sign-offs must be provided by the Clifton Park Water Authority and the Saratoga County Sewer District. Colored façade renderings must be included in the final set of plans. The size of the

plantings on the landscaping plan must be increased to a minimum of 3" caliper for deciduous trees and 6 foot minimum height for coniferous trees. The number of plantings on the landscaping plan must be increased.

Mr. Grasso reported that Clough, Harbour, and Associates reviewed the site plan for this application and offered the following comments. The applicant's consultant has done a commendable job taking a comprehensive review of existing and required improvements to water, sewer and storm water management infrastructure for both this site and other properties in the vicinity. The plans should clarify the portion of the existing force main to be abandoned. Proof of rights of access over the portion of Chelsea Avenue providing access to the site should be submitted for review by the Planning Board's counsel. Similar rights of use for the storm water management area should be provided. The Zoning Administrator should make a determination as to the required front yard setback on Chelsea Avenue and the southern side yard setback in order to determine if any variances will be required. 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. The applicant's consultant should describe how this requirement is met. Almost the entire existing vegetation along the eastern and southern property boundaries is being removed as part of the project. The Board may require the planting of a landscaped buffer. Approval of the proposed public water supply and public sewer system will require NYSDOH and NYSDEC approval, respectively. Pursuant to ADA regulations 10% of the parking spaces provided for a medical facility are to be handicap accessible. It appears additional handicap spaces are required. The proposed water main should be Class 52 ductile iron pipe. A profile of the off-site watermain should be provided. Clough, Harbour, and Associates offered the following comments after reviewing the stormwater management report. The ownership and maintenance of the stormwater management system should be discussed in the report. The report should clarify that the storm sewer system located within Chelsea Place is not Town-owned. Mr. O'Brien, Environmental Specialist, reported that the ECC asked that the following standard statements 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.
- All erosion and water quality controls shall be put into place at the initial phase of site preparation and shall be maintained until all construction ends and soils are stabilized.
- The applicant will control fugitive dust and debris during the construction/demolition phase of the project.
- Any proposed exterior lighting shall be directional and limited.

Mr. Pelagalli explained that he received correspondence from William Keniry, legal representative for the applicant, that states that the Mr. Hoffman has "an absolute and unequivocal right" to use Chelsea Place. After reviewing the documentation provided, Mr. Pelagalli found that the information was sufficient to approve this project.

In response to Mr. Karam's question regarding the building's exterior design, Mr. Vuillaume explained that the exterior materials used for the addition would match the

existing building.

Ms. Pace moved, seconded by Mr. Karam, to establish the Planning Board as Lead Agency for this application, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. Karam moved, seconded by Mr. Hughes, to grant preliminary and final approval to this application conditioned upon satisfaction of the comments offered by Mr. Kemper and Mr. Grasso and the installation of additional landscaping along the southwestern property boundary. The motion was unanimously carried.

New Business

[2005-048] Nash, George – Proposed land transfer between 10 and 12 Burning Bush Boulevard – Conceptual review.

Mr. George Nash, applicant, presented this project proposal that calls for the transfer of .03 acres of land from the Lands of Elicia Lacey to the adjoining Lands of Nash. The transfer is necessary because the Nash's driveway encroaches on the Lacey property directly to the north.

Mr. Kemper asked that deed descriptions be provided for the land to be deeded to Nash and that a consolidation deed be submitted for review.

Neither Mr. Grasso nor Mr. O'Brien commented on this application.

Board members found this proposal reasonable, and instructed the applicant to prepare preliminary plans and send the required 500' notifications to adjoining neighbors.

[2005-047] McNulty, Beth – Proposed 10,968 Tessitura Spa, Vischer Ferry Road – Conceptual site plan review.

This application was withdrawn at the request of the applicant.

[2005-044] Peller, Joel and Debra A. Spellman – Proposed (2) lot subdivision, Clifton Park Center Road – Conceptual review.

Mr. Dave Flanders, consultant for the applicant, presented this application that calls for the subdivision of a 40,247 SF parcel from an existing 7.23 acre lot. The smaller parcel contains an existing ranch-style home. The property, located in an R-1 zone on the north side of Clifton Park Center Road west of its intersection with Moe Road, is currently served by an individual well and septic system. The existing driveway will continue to serve the home.

Mr. Kemper asked that the sight distance be shown on the plans. In response to his question regarding future subdivision of the property, Mr. Flanders explained that the

applicant does plan to create additional lots on the 6.3 acre parcel. Mr. Kemper said that a note must be added to the plans stating that prior to further subdivision of the lot, any endangered species or habitat must be identified.

Mr. Grasso read the comments that were prepared following Clough, Harbour, and Associates' review of the subdivision plan. The limits of the septic system should be shown on the plan. The plan indicates the existing well is in the basement, and as such, does not provide the 100 foot separation to the septic system. Adequate area for replacement of both the well and septic system in accordance with the separation requirements should be verified and conceptually shown. The subdivision is an "Unlisted" action pursuant to SEQR, and as such coordinated review is optional. The only involved agency is expected to be the Planning Board with subdivision approval. Blue Lupine habitat has been known to exist in the immediate vicinity of the project site. Prior to development of the larger parcel, the site should be investigated by a qualified biologist or a letter provided by NYSDEC that indicates that no further investigation is warranted.

Mr. O'Brien, Environmental Specialist, reported that the ECC offered no comment on this application.

Board members found this proposal acceptable.

[2005-045] Vedder, Jeffrey and Country Club Acres – Proposed lot line adjustment, 742 Carlton Road – Conceptual review.

Mr. Dave Flanders, consultant for the applicant, presented this application that calls for the transfer of .244 acres of land from the lands of Country Club Acres, Inc. to the adjoining lands of Vedder. The property is located on the west side of Carlton Road just north of the Carlton Road-VanPatten Drive intersection.

Mr. Kemper asked that a consolidation deed and description be provided for review. A note stating that there may be a park next to this parcel in the future must be added to the plans.

Neither Mr. Grasso nor Mr. O'Brien offered comments regarding this application.

Board members found the proposed land transfer acceptable.

[2005-025] DiCocco, Rolando – Proposed (2) lot subdivision, 53 Garnsey Road – Conceptual review.

Mr. Zareth Altounian, consultant for the applicant, presented this application for the Board's consideration. He explained that the proposal calls for the subdivision of 6.45 acres of land in a CR (Conservation Residential) zone into lots of 1 acre and 5.45 acres, respectively. All setback requirements will be met. Both lots will be served by the Rexford Water District and on-site septic systems. The driveway for the keyhole lot will

be approximately 320 feet long.

Mr. Kemper offered several comments regarding this application. Since the project lies outside of the Rexford Water District, the applicant must apply to the Town Board for approval to be served as an outside user of this district. This project is located in the Western Clifton Park GEIS study area. A constrained lands map must be submitted to determine the density for the project because it appears from a field visit and aerial photos that there may be ACOE jurisdictional wetlands located on the center on the project. A shared access drive should be utilized.

Mr. Grasso reported that Clough, Harbour, and Associates reviewed the subdivision plan for the above referenced project and offered the following comments. The proposed project is located within the Western Clifton Park GEIS study area and the new CR-Conservation Residential zoning district. The project site is not identified on the Land Conservation Plan as an Agricultural or Open Space Resource parcel worthy of special protection. As such, development of the project site may be considered appropriate by the Planning Board. Development within the CR-Conservation Residential district is subject to a maximum density of one lot per three developable (unconstrained) acres. Although the plan lacks adequate information to affirmatively determine the maximum density of the property, it is assumed that if the property contains greater than 0.45 acres of constrained land, it will not be able to be subdivided into two lots. In order to make such a determination, the map should be revised to reflect the “constrained lands” in accordance with the new zoning regulations. If subdivision of the property is pursued, an accurate existing condition survey will be required. The sight distance at the proposed driveway location should be verified. The potential of a combined driveway serving Lots #1 and 2 with an ingress/egress easement should be investigated and the need for a driveway culvert should be investigated. The location of the proposed septic system should be shown on the plan. 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 location of the proposed water service should be shown on the plan.

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

The Board will consider this application when both NYSDSEC and federally jurisdictional wetlands have been delineated. This information will be important during future deliberations since the density permitted is directly linked to the amount of “unconstrained” land on a parcel.

[2005-046] Hiltbrunner, Arthur P. and Sharon G. – Proposed (2) lot subdivision, 84 Longkill Road – Conceptual review.

Mr. Robert MacFarlane, consultant for the applicant, explained that the applicants, Arthur and Sharon Hiltbrunner, are seeking approval for the subdivision of 1.7 acres in an R-1 zone into lots of 40,000 SF and 33,792 SF, respectively. The applicants have received

permission to connect to the both the Clifton Park Water Authority system and the municipal sewer service. Access to the new lot is provided by a 40' access strip that was provided to the Hiltbrunners by the Town via Town Board Resolution #79 of 1999. The existing residence fronting on Longkill Road required the approval of variances for the setback from the road as well as a lot-width variance. These variances were approved by the Zoning Board of Appeals on June 7, 2005.

Mr. Kemper reported that there was an apparent encroachment onto the lands of Hiltbrunners in the mid 1990's. This encroachment was discovered when the Hiltbrunners applied for a planning/zoning application. At the time of the discovery of the encroachment the Town of Clifton Park was the owner of the parcel. The Town of Clifton Park Town Board passed a resolution in 1999 authorizing the sale of approximately 2,400 SF to the Hiltbrunners to provide them access to Parkside Trail. This resolution was contingent on the applicant receiving approval of the necessary area variances from the Zoning Board of Appeals. These variances were received on June 7, 2005. Sign-offs must be provided by the Saratoga County Sewer District and the Clifton Park Water Authority.

Mr. Grasso explained that Clough, Harbour, and Associates reviewed the subdivision plan for this project and offered the following comments. The subdivision is an "Unlisted" action pursuant to SEQR, and as such coordinated review is optional. The only involved agency is expected to be the Planning Board with subdivision approval. It appears variances have been approved for the proposed Lot 8A with respect to lot width and setback from Longkill Road. The existing improvements located on the Lands of the Town of Clifton Park south of the proposed subdivision should be shown on the plan. Clough, Harbour, and Associates is concerned with the potential conflict of the proposed driveway for Lot 8B and the existing town parking area. Any improvements, grading or other work planned for this area should be shown. If possible, Clough, Harbour, and Associates recommends that the sanitary sewer service for Lot 8B be connected to the municipal system along Parkside Trail. Plans for such a connection should be submitted and reviewed as part of the subdivision review process. The existing and proposed water services should be shown on the plan. A separate connection to the watermain along Parkside drive should be provided for Lot 8B. Sharing the existing water service for Lot 8A is not permissible. The location of the existing septic system on Lot 8A should be shown on the plan. The plan should clarify the shaded portions of Lot 8B. A site statistics table should be added to the map indicating zoning districts, lot standards, and how the application meets those standards.

Mr. Pelagalli offered comment on the Town Board resolution of 1999 that authorized the sale of a 2,400 SF parcel to the Hiltbrunners. He noted that although the agreement was approved by a previous administration, it is still binding.

Mr. Bulger explained that the Planning Board had received correspondence from Todd and Sheila Graves, residents of Parkside Trail, who have "issues" with the proposed subdivision. They state that although the proposed house "will appear to be part of the Parkside Trail community... there are no plans to make any new development conform to the standards of our community." Mr. Bulger reported that the Hiltbrunners received a

copy of the “Parkside Trail Declaration of Restrictions and Covenants” that must be adhered to by all residents of Parkside Trail earlier in the evening. Mr. Pelagalli explained that the Hiltbrunners do not have to require that these restrictions and covenants are adhered to by the future owner of the proposed new lot because the property was not obtained from the common grantor (Robert Marini Builder, Inc.) who developed the Parkside Trail subdivision. Mr. Bulger noted that the neighbors’ concerns may be expressed during a public hearing that will be held at a later date.

Board members found the application generally acceptable.

Minutes Approval

Mr. Bulger moved, seconded by Mr. Karam, approval of the minutes of July 12, 2005 as written. Ayes: Pace, Karam, Russell, Bulger. Abstained: Hughes, Larkin.

Discussion Items

Fairchild Square

Mr. Kemper explained that the owner of Fairchild Square, an office development located near the intersection of VanPatten Drive and Ushers Road finds it necessary to clear an area around an existing building to provide access for emergency vehicles. This is required since the uses in the building have changed. Board members found the plan acceptable.

Mr. Bulger moved, seconded by Mr. Hughes adjournment of the meeting at 12:30a.m.. The motion was unanimously carried. The next meeting of the Board will be held on Tuesday, September 15, 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

Resolution #16

Preliminary and Final Approval

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on August 9, 2005, there were:

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

Absent: A. Kramer

Mr. Hughes offered Resolution #16, and Mr. Karam seconded, and

Whereas, an application has been made to this Board by David Everitt for approval of a subdivision entitled Subdivision of the Lands of David A. and Joan F. Everitt consisting of (2) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on August 9, 2005 and;

Whereas, the Planning Board was established as Lead Agency for this application, an unlisted action, and a negative declaration was issued pursuant to SEQRA on August 9, 2005, and

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

Now, therefore, be it resolved that the final hearing for this application is waived and that the final subdivision plat entitled Subdivision of the Lands of David A. and Joan F. Everitt consisting of (2) lots is hereby granted preliminary and final approval conditioned upon satisfaction of the comments offered by Mr. Kemper and Mr. Grasso and the submission of a landscaping plan that includes materials designed to screen the proposed residence from Crescent Road.

Resolution #16 passed 8/9/05

Ayes: Pace, Karam, Hughes, Russell, Bulger

Noes: Larkin

Steven J. Bulger, Chairman

Resolution #17

Preliminary and Final Approval

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on August 9, 2005, there were:

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

Absent: A. Kramer

Mr. Bulger offered Resolution #17, and Mr. Karam seconded, and

Whereas, an application has been made to this Board by M. J. Rekucki for approval of a subdivision entitled Proposed Subdivision Plan NYS Route 9 consisting of (2) lots and the transfer of .173 acres of land from the Lands of Clifton Storage Associates to the Lands of Rekucki;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on August 9, 2005 and;

Whereas, the Planning Board was established as Lead Agency for this application, an unlisted action, and a negative declaration was issued pursuant to SEQRA on August 9, 2005, and

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

Now, therefore, be it resolved that the final hearing for this application is waived and that the final subdivision plat entitled Proposed Subdivision Plan NYS Route 9 consisting of (2) lots and the transfer of .173 acres of land from the Lands of Clifton Storage Associates to the Lands of Rekucki is hereby granted preliminary and final approval conditioned upon satisfaction of the comments offered by Mr. Kemper and Mr. Grasso.

Resolution #17 passed 8/9/05

Ayes: Larkin, Pace, Karam, Hughes, Russell, Bulger

Noes: None

Steven J. Bulger, Chairman

Resolution #18

Preliminary and Final Approval

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on August 9, 2005, there were:

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

Absent: A. Kramer

Mr. Hughes offered Resolution #18, and Mr. Karam seconded, and

Whereas, an application has been made to this Board by Amedore Homes for approval of a subdivision entitled Brookhaven consisting of (24) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on March 8, 2005 and;

Whereas, the Planning Board was established as Lead Agency for this application, an unlisted action, and a negative declaration was issued pursuant to SEQRA on August 9, 2005, and

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

Now, therefore, be it resolved that the final hearing for this application is waived and that the final subdivision plat entitled Brookhaven consisting of (24) lots is hereby granted preliminary and final approval conditioned upon satisfaction of the comments offered by Mr. Kemper and Mr. Grasso and the installation of a trail link to the southern property boundary.

Resolution #18 passed 8/9/05

Ayes: Larkin, Pace, Karam, Hughes, Russell, Bulger

Noes: None

Steven J. Bulger, Chairman

Resolution #19

Preliminary and Final Approval

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on August 9, 2005, there were:

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

Absent: A. Kramer

Mr. Hughes offered Resolution #19, and Ms. Pace seconded, and

Whereas, an application has been made to this Board by Steve and Becky Galick for approval of a subdivision entitled Subdivision Plan – Portion of Lands of Lewis F. Gakick, William Galick & Patricia I. Stusinski consisting of (2) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on August 9, 2005 and;

Whereas, the Planning Board was established as Lead Agency for this application, an unlisted action, and a negative declaration was issued pursuant to SEQRA on August 9, 2005, and

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

Now, therefore, be it resolved that the final hearing for this application is waived and that the final subdivision plat entitled Subdivision Plan – Portion of Lands of Lewis F. Gakick, William Galick & Patricia I. Stusinski consisting of (2) lots is hereby granted preliminary and final approval conditioned upon satisfaction of the comments offered by Mr. Kemper and Mr. Grasso.

Resolution #19 passed 8/9/05

Ayes: Larkin, Pace, Karam, Hughes, Russell, Bulger

Noes: None

Steven J. Bulger, Chairman

Resolution #20

Preliminary and Final Approval

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on August 9, 2005, there were:

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

Absent: A. Kramer

Ms. Pace offered Resolution #20, and Mr. Hughes seconded, and

Whereas, an application has been made to this Board by the Town of Clifton Park Water Authority for approval of a subdivision entitled Portion of Lands of Salvatore and Mary Anne Faro to be Conveyed to the Town of Clifton Park consisting of the transfer of 113 SF from the Lands of Faro to the Lands of the Town of Clifton Park;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on August 9, 2005 and;

Whereas, the Planning Board was established as Lead Agency for this application, an

unlisted action, and a negative declaration was issued pursuant to SEQRA on August 9, 2005, and

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

Now, therefore, be it resolved that the final hearing for this application is waived and that the final subdivision plat entitled Portion of Lands of Salvatore and Mary Anne Faro to be Conveyed to the Town of Clifton Park consisting of the transfer of 113 SF from the Lands of Faro to the Lands of the Town of Clifton Park is hereby granted preliminary and final approval.

Resolution #20 passed 8/9/05

Ayes: Larkin, Pace, Karam, Hughes, Russell, Bulger

Noes: None

Steven J. Bulger,
Chairman

Resolution #21

APPROVAL

Special Use Permit

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on August 9, 2005 there were:

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

Absent: A. Kramer

Mr. Bulger offered Resolution #21 and Mr. Karam seconded, and

Whereas, an application has been made to this Board by Bridget Albarelli for approval of Special Use Permit #80543 to allow the construction of a two family residence in an R-1 zone pursuant to Section 208-10,B(9) and 208-79 of the Town Code;

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on August 9, 2005 in the Town Office Building,

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

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

Now therefore, be it resolved that the application of Bridget Albarelli for approval of Special Use Permit #80543 to allow the construction of a two family residence in an R-1 zone pursuant to Section 208-10,B(9) and 208-79 of the Town Code in an R-1 zone is hereby approved.

Resolution #21 passed 8/9/05

Ayes: Larkin, Kramer, Karam, Russell, Hughes, Bulger

Noes: None

Steven Bulger,
Chairman

Resolution #22

Preliminary and Final Approval

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on August 9, 2005, there were:

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

Absent: A. Kramer

Mr. Karam offered Resolution #22, and Ms. Pace seconded, and

Whereas, an application has been made to this Board by DCG Development Company for approval of a subdivision entitled Subdivision of Lot 4, Lands of Donald C. Greene consisting of (2) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on August 9, 2005 and;

Whereas, the Planning Board was established as Lead Agency for this application, an unlisted action, and a negative declaration was issued pursuant to SEQRA on August 9, 2005, and

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

Now, therefore, be it resolved that the final hearing for this application is waived and that the final subdivision plat entitled Subdivision of Lot 4, Lands of Donald C. Greene

consisting of (2) lots is hereby granted preliminary and final approval conditioned upon satisfaction of the comments issued by Mr. Kemper and Mr. Grasso.

Resolution #22 passed 8/9/05

Ayes: Larkin, Pace, Karam, Hughes, Russell, Bulger

Noes: None

Steven J. Bulger,
Chairman

Resolution #23

Preliminary and Final Approval

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on August 9, 2005, there were:

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

Absent: A. Kramer

Mr. Bulger offered Resolution #23, and Mr. Hughes seconded, and

Whereas, an application has been made to this Board by the Town of Clifton Park for approval of a subdivision entitled Dwaas Kill Nature Area Acquisition consisting of (5) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on August 9, 2005 and;

Whereas, the Planning Board was established as Lead Agency for this application, an unlisted action, and a negative declaration was issued pursuant to SEQRA on August 9, 2005, and

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

Now, therefore, be it resolved that the final hearing for this application is waived and that the final subdivision plat entitled Dwaas Kill Nature Area Acquisition consisting of (5) lots is hereby granted preliminary and final approval conditioned upon satisfaction of the comments issued by Mr. Kemper.

Resolution #23 passed 8/9/05

Ayes: Larkin, Pace, Karam, Hughes, Russell, Bulger

Noes: None

Steven J. Bulger,
Chairman