

Town of Clifton Park Planning Board
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PLANNING BOARD

ROCCO FERRARO
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Emad Andarawis
Denise Bagramian
Jeffery Jones
Andrew Neubauer
Eric Ophardt
Greg Szczesny

(alternate) Teresa LaSalle

Planning Board Meeting
July 11, 2017

Those present at the July 11, 2017 Planning Board meeting were:

Planning Board: R. Ferraro, Chairman, E. Andarawis, D. Bagramian, J. Jones, A. Neubauer,
E. Ophardt, G. Szczesny
T. LaSalle – Alternate Member

Those absent were: None

Those also present were: J. Scavo, Director of Planning
J. Bianchi, M J Engineering and Land Surveying, P.C.
A. Morelli, Counsel
J. Dean, Secretary

Mr. Ferraro, Chairman, called the meeting to order at 7:04p.m. All in attendance stood for recitation of the Pledge of Allegiance.

Minutes Approval:

Mr. Jones moved, seconded by Mr. Ophardt, approval of the minutes of the June 27, 2017 Planning Board meeting as written. Ayes: Neubauer, Andarawis, Bagramian, LaSalle, Jones, Ophardt, Ferraro. Noes: None. Abstained: Szczesny.

Public Hearings:

[2017-015] **Daggett Development** – Proposed (4) lot subdivision, 1585-1587 Route 146 – Preliminary public hearing and possible determination. SBL: 269.-3-2.2

Mr. Ferraro explained the review process to those present, stating that the Board was required to render a determination pursuant to SEQRA (State Environmental Quality Review Act) prior to conducting a public hearing on this application. He explained that although the Planning Board would pronounce the application complete, assume Lead Agency status, and issue a negative declaration, these actions would neither grant nor imply approval of this subdivision application. Should it be determined that additional environmental review is warranted based on input received at the public hearing, SEQRA discussions will be reopened and a decision rendered when deemed appropriate.

Mr. Ophardt moved, seconded by Ms. Bagramian, 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. Ferraro, Chairman, called the public hearing to order at 7:06p.m. The Secretary read the public notice as published in the Daily Gazette on June 28, 2017.

Mr. Christopher Longo, consultant for the applicant, presented this preliminary application for the Board's consideration. Plans call for the subdivision of a 10 acre parcel of land located at 1585-1587 Route 146 - the westerly side of Route 146-Balltown Road - approximately ½ mile south of its intersection with Glenridge Road. The parcel is situated within the HM (Hamlet Mixed-Use) zoning district. One parcel, 1 acre in size and fronting directly on Route 146, will contain an existing 3,800 SF commercial building; another lot, 1.57 acres in size, will contain an existing 5,800 SF commercial building; lots of 6.47 acres and .94 acres, respectively, will be made available for potential future development. All lots will be accessed via a single existing curb cut onto Route 146. Water service will be provided by the Clifton Park Water Authority. Individual on-site wastewater disposal systems are proposed. Mr. Longo emphasized the fact that all speculative site plan designs have been removed from the subdivision plans since no possible or potential tenants or property owners have been identified at this time. Addressing issues raised at the last meeting, he noted that connections to municipal sewer service was not feasible since the distances to connect to the main north of the site were too great and to southeast made difficult due to the number of private easements that would be necessary to allow for installation of the utility. A sign-off from the water authority has been received. The wetland delineation has been reviewed by the ACOE: development on Lot #2 will not be constrained by wetland disturbances. Commenting on remarks made regarding building orientation, Mr. Longo reported that the proposed subdivision meets all of the zoning requirements for lot width, depth, and area. He noted that the applicants were aware that any site development would require strict adherence to the Western Clifton Park Design Guidelines. Referencing previous comments from town staff members, Mr. Longo explained that since the project is situated within the HM zoning district, a 100' setback has been employed in the design. Mr. Ferraro remarked that the 100' setback appeared reasonable and that, should the site plan require adjustment, he would support approval of a setback variance that would allow the building to be moved closer to the right-of-way.

Mr. Scavo reported that all comments prepared by Mr. Myers, Director of Building and Development, Ms. Reed, Chief of the Bureau of Fire Prevention, the ECC, Mr. Reese, Stormwater Management Technician, Mr. Dahn Bull, Highway Superintendent, M J Engineering and Land Surveying, P.C., and the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee for items on this evening's agenda have been forwarded to Board members for their consideration.

Mr. Scavo reported that Mr. Myers, Director of Building and Development, provided the following comments regarding this application in a memo dated June 30, 2017. It does not appear that any of the comments provided for the meeting of April 11, 2017 have been addressed. The setbacks shown on the plans still do not appear to be correct: pursuant to Section 208-98 of the Town Code, the required setback is 130' from the roadway centerline; 50' is required for all keyhole lots. Mr. Myers noted that keyhole lots are only allowed in R1 and R3 zoning districts. The plans should indicate whether the properties will be served with municipal sewer connections or individual septic systems. Parking allotments must reflect building code as well as zoning requirements. No Stormwater Pollution Prevention Plan has been submitted. Mr. Scavo explained that Mr. Myers recognizes that setback requirements for the lots may be determined by the Planning Board since they do conform to HM zoning standards. Also, the Planning Board has the discretion to approve proposed keyhole lots in other zoning districts.

Mr. Scavo explained that Mr. Bull, Highway Superintendent, questioned whether or not it was the applicant's intention to maintain the roadway labeled "private road" as just that or to convey it to the town as a town roadway.

According to Mr. Scavo, the ECC reviewed this application at its July 5, 2017 meeting and offered no comment.

Mr. Scavo read the following comments issued by Mr. Reese, Stormwater Management Technician, in a memo dated July 10, 2017. It appears that this project will disturb more than one acre and that a Full Stormwater Pollution Prevention Plan will be required when this project submits for individual site plan approvals. Per the EAF it appears that this site is within an archeologically sensitive area. Prior to obtaining a NYSDEC General Permit for stormwater discharges from construction activity, the applicant will need to obtain a sign-off from the NYS Office of Parks, Recreation & Historic Preservation.

Mr. Longo explained that a letter issued by the NYS Office of Parks, Recreation & Historic Preservation indicates that the project will have "no effect" on the area. A copy of this correspondence will be forwarded to the Planning Department.

Mr. Scavo provided the following comments that were prepared by the Planning Department. The Saratoga County Planning Board issued a letter noting that there were no significant county or inter-municipal impacts because of the proposed subdivision. The applicant was asked to add the assigned 911 addresses and private road street name to the final subdivision plat prior to submission for stamping. Prior to stamping the final plan, the private road must be

clearly labelled as a “Private Roadway” below the assigned 911 street name, and a note must be added to the final plat which states:

The private road may never be offered for dedication to the Town of Clifton Park unless it conforms to minimum town highway specifications in effect on the date of the offer of dedication.

The mitigation fee for the Western Clifton Park GEIS preparation will be applicable: a payment of \$348.00 per each new parcel created will be required to be paid prior to the stamping of the final plan. A check made payable to the Town of Clifton Park in the amount of \$696.00 is required to be provided at the time of stamping the final plan.

Mr. Bianchi explained that, after review of the preliminary plans submitted for review, M J Engineering and Land Surveying, P. C. provided the following comments. Review of the proposed lot configuration indicates that it would appear that proposed Lots #2 and 3 may be considered keyhole lots, though M J Engineering and Land Surveying, P.C. would defer to the town's Chief Zoning Officer on the matter of whether or not these two lots are considered keyhole lots or conform to the bulk lot density of Section 208-43.3 of the Town Zoning Code. It seems that this matter remains unresolved. Plans should be revised to correct the front setback to be 130 feet from the centerline of Route 146 pursuant to Section 208-98 of the Zoning Code. The final subdivision plat shall be sealed by a surveyor licensed to practice in the State of New York pursuant to New York State Education Law.

There being no public comment on this application, Mr. Ferraro moved, seconded by Mr. Neubauer, to close the public hearing at 7:20p.m. The motion was unanimously carried.

Mr. Neubauer expressed appreciation to the applicant for removing the speculative site plan elements of the plan, making the subdivision proposal much clearer. He commented, however, noting that the existing Daggett office building was used as an example of “a commercial parcel that may provide an opportunity for redevelopment to a mixed use hamlet,” that he was very much concerned that the subdivision as presented would severely limit the Board’s ability to encourage and/or mandate that the Daggett property reflect the goals and strategies for creation of a “miniature version of the town center” vision that is outlined in the Western Clifton Park Design Guidelines manual. He fears that the “rectangular, box-shaped lots” will not allow for the creation of streetscapes with buildings placed close to the street linked with sidewalks to adjacent walkways and bordered with plantings designed to create a neighborhood feel. Mr. Longo pointed out that the current plan meets the necessary lot width requirements and zoning demands for approval and explained that it was possible that future designs compatible with the Western Clifton Park Guidelines could be achieved since HM setbacks are 0’. It is possible that lot line adjustments could also be used as tools to create the desired village ambiance. Mr. Ferraro encouraged preservation of the existing tree line and “sensitivity to” the Western Clifton Park Design Guidelines, particularly with respect to the standards regarding pedestrian amenities. He urged the applicant to incorporate pedestrian connections into the design which would serve to “link the parcels to one another.” Should it be necessary for future applicants to seek variances or lot line adjustments to achieve a more cohesive, hamlet mixed-use look for the properties, Mr. Ferraro would support such approvals. Mr. Andarawis supported measures that would increase the area’s “walkability, hamlet feel.” In response to Mr. Ophardt’s question regarding the request for a 15’ easement along the property’s Route 146 frontage for possible future utility, trail, or roadway

improvements, Mr. Scavo explained that since Route 146 is a state highway, NYSDOT would be the recipient of such an easement, and, to date, there are no agreements between the town and the state for such a taking along this highway. He noted that the Board would have the opportunity to revisit the issue during site plan review of any project proposed for Lot #4. Mr. Andarawis asked if shared parking agreements had been included with the roadway maintenance agreement: Mr. Longo stated that he would ensure that such agreements were included. In response to Mr. Szczensy's question about potential development on the proposed lots, Mr. Longo reported that, to date, no potential purchasers or developers have been identified. While Mr. Neubauer respected Mr. Ferraro's **support** of lot line adjustments should they be warranted in the future, he now **encourages** revision of lot configurations **now** that conform to the proposed right-of-way and stated his support for any condition of approval that would allow for greater adherence to the design guidelines. Mr. Morelli advised Board members that the Board may not approve a plan that is contrary to zoning. Mr. Ferraro recommended, and Mr. Andarawis agreed, that access for Lot #4 be limited to Daggett Drive and that no access be permitted onto Route 146. Though Mr. Jones and Ms. Bagramian trust that issues such as build-to frontage lines and sidewalk locations must be addressed at the time a specific site plan is presented, Mr. Neubauer commented that members must have "an awful lot of faith" that the design guidelines will have "enough teeth to achieve the hamlet mixed-use look," calling on the Board to take this "real opportunity to achieve the vision." Mr. Jones commented that he supported the application as presented since it complied with current code requirements.

Mr. Jones offered Resolution #8 of 2017, seconded by Mr. Ophardt, to waive the final hearing for this application and to grant preliminary and final subdivision approval conditioned upon the establishment of a 15' easement along the property's Route 146 frontage, if approved by NYSDOT to provide for future trail development, utility installation, or roadway improvements, strong encouragement that the applicant consider lot line adjustments or an integrated site design during future site plan reviews to ensure as much compliance as possible with development standards set forth in the Western Clifton Park GEIS Design Guidelines manual, and satisfaction of all items listed in the final comment letter issued by the Planning Department. Ayes: Andarawis, Bagramian, Szczensy, Jones, Ophardt, Ferraro. Noes: None. Abstained: Neubauer.

Old Business:

[2017-013] **Hatlee Road (4) Lot Subdivision** – Proposed (4) lot subdivision, 993 Hatlee Road – Preliminary review and possible determination. SBL: 258.-1-23.1

Mr. Duane Rabideau, consultant for the applicant, presented this application which was last reviewed by the Board on May 9, 2017 at which time a public hearing was conducted and closed. Plans call for a (4) lot subdivision of 10 acres of land located on the westerly side of Hatlee Road approximately 300 feet north of its intersection with Willowbrook Lane and specifically situated within the R1 zoning district. Lots #1 and 2, will be of 1.24 acres and 1.03 acres, respectively. All lots will be accessed by individual curb cuts onto Hatlee Road. Water will be provided by the Clifton Park Water Authority and connection will be made to an existing sanitary sewer line at Willowbrook Lane which is located approximately 300 feet to the south. Due to a request from the Clifton Park Water Authority to extend an 8" main from Willowbrook Lane to the project site to serve individual laterals, site disturbance exceeds the one acre threshold and a

full Stormwater Pollution Prevention Plan will be required: Mr. Rabideau reported that the necessary stormwater design plan is currently being prepared. Sight distance issues identified at the last meeting have been mitigated by the clearing of brush. Rain gardens are proposed for each lot.

Mr. Scavo reported that the ECC issued the following comments after review of the project plan at its July 5, 2017 meeting. The ECC, after careful consideration, deems Lot #3 of the proposed 4 lot subdivision not buildable due to the wetlands and LC zone constraints. Approximately 1.3 acres of the 1.77 acre Lot #3 parcel is unusable by the future home owners due to wetlands and LC zone restrictions. Furthermore, this restriction should be placed in the future deed. The applicant shall address the concerns brought up in Mr. Michael O'Brien, CSM letter dated June 22, 2017, addressed to Heritage Custom Builders, LLC. The ECC is concerned that the sizeable portions of each lot are designated as wetlands and there is a concern for encroachments into these wetlands by future property owners.

Mr. Scavo reported that Mr. Reese, Stormwater Management Technician, provided the following comments regarding this application. The Environmental Assessment Form states that this project will disturb 0.96± acres. The developer should clarify whether or not the intention is to directional bore the sanitary to Willowbrook Lane to limit disturbance and avoid disturbance of the wetlands. If so, the applicant is asked to show the boring and receiving pits on future submittals. The proposed limits of disturbance are very restrictive. Orange construction fencing should be installed to ensure that these disturbance limits are respected. Plans should clarify whether or not the developer will install driveway culverts under the 4 proposed driveways.

Mr. Scavo read comments prepared by the Planning Department. While the zoning code supports a (5) lot subdivision, based on the use, bulk, and setback requirements outlined in §208-11 of the Clifton Park Town Code, the project has been modified to eliminate one lot due to the extent and location of wetland constraints within the project site. Assigned 911 addresses for each lot must be added to the final plan. A note to the plan **and within each property deed** must be added that states the following:

The identified Freshwater Wetland is protected and regulated under federal law (Section 404 of the Clean Waters Act) by the U.S. Army Corps of Engineers. Prior to undertaking any project that may be within or adjacent to the wetland, contact **both** the DEC Region 5 Office at (518) 623-1200, and the US Army Corps of Engineers at (518) 266-6350, to obtain required permits.

An additional note should be added which states:

These parcels shall be included within the Longkill #1 Park District.

Mr. Bianchi offered several comments on this application. ASHTOO recommends a minimum stopping sight distance of 360 feet for a roadway with a speed limit of 45mph. In reviewing the sight distances provided, it would appear Lots #3 and 4 have inadequate stopping sight distances. The applicant is asked to provide a recommendation for how this condition may be mitigated. Each lot appears to propose a rain garden. The appropriate design information and construction details for this proposed stormwater practice should be submitted for review. The current plan indicates 0.86 acres of disturbance, a decrease of 0.1 acres from the prior submission. Unlike the prior submission, the current proposal shows the extension of public water mains along

the project frontage. As previously requested, the applicant is asked to confirm that this disturbance is inclusive of utility line/main installations. Based upon correspondence from the Town sewer district, it would appear that the extension of public sewers is necessary. Subsequent plans shall show the appropriate design information to support the extension of the public sewers. This shall include, but is not limited to, (1) plan/profile of the sewer system (2) appropriate construction details for proposed installed infrastructure. The current plans appear to suggest that the project will require the extension of a public water line along the project frontage: subsequent plans shall show the appropriate design information to support the extension of the public water mains in accordance with the Clifton Park Water Authority's requirements. This shall include, but is not limited to, (1) plan/profile of the water system (2) appropriate construction details for proposed installed infrastructure.

Mr. Ferraro read from correspondence provided by Mr. Richard Miller via e-mail to Planning Board members on July 11, 2017. The letter is appended to these minutes since it was considered by Board members during their deliberations.

Mr. Bill Paquette, 1002 Hatlee Road, questioned whether or not the ACOE had reviewed the application and issued an approval letter. Mr. Rabideau explained that the application has been forwarded to the ACOE for review; however, since there was no proposed disturbance of wetland areas, no approval letter or permits will be required from that agency. Responding to Mr. Paquette's question regarding the location of the sewer main extension, Mr. Rabideau explained that the service will be extended from the Willowbrook Lane – Hatlee Road intersection to the project site. Mr. Paquette identified wetland impacts, loss of rural character along the Hatlee Road corridor, and negative effects on the Dwaas Kill as issues of concern.

Mr. Gary Dinola, 1022 Hatlee Road, questioned why NYSDEC Region 5 was not involved in review of the project since the subject site lies with its jurisdictional boundaries. Mr. Rabideau explained that because the project site contains no NYSDEC designated wetland areas, that agency has no jurisdictional powers. He noted that the site did contain ACOE designated wetlands, making that agency the oversight agency.

Ms. Kathy Zinssar, 1003 Hatlee Road, explained that her property is located directly east of the development site. In response to her question regarding the distance of the proposed residence from her home, Mr. Rabideau stated that the new home would be situated approximately 30'-35' from the property line. Explaining that she had purchased her property in 2001 because of the privacy it provided, she asked that the developer be required to plant a row of trees to create a "visual barrier" between her home and that proposed. Mr. Rabideau noted that the survey illustrated that there was an apparent encroachment of lawn area from the Zinssar property onto proposed Lot #4.

Mr. Dinola called attention to the ECC recommendation regarding the inability of the applicant to construct a residence on Lot #3 due to wetland constraints. Mr. Scavo and Mr. Bianchi both agreed that there was sufficient land area on that lot to provide for the proposed construction. Board members pointed out that applicants may use the properties within the LC zone for bulk calculations but cannot build structures on such designated lands. Mr. Ferraro pointed out that the applicant has been responsive to Board comments, noting that the original subdivision plan has

been reduced by one lot and that adjustments have been made to the disturbance areas. When Mr. Dinola questioned whether or not the “benefit of the subdivision” was worth its impact on the area’s “existing ecological systems,” Mr. Ferraro explained that the Planning Board considers impacts of development on environmental resources and features while recognizing the property owner’s right to develop his land in accordance with zoning regulations.

Though Mr. Jones observed that the calculations recognized by the ECC may not be accurate with regard to development on Lot #3, Mr. Dan Mathias, 7 Birch Hill Court, a member of the ECC, explained that the members of the commission did not believe that the building envelope provided enough of a buffer between the home and the LC-zoned land. Mr. Ferraro called for the installation of staggered fencing and signage along the wetland boundaries to provide visual awareness of disturbance limits for potential homeowners. Mr. Andarawis thanked the applicant for his responsiveness to concerns raised at the previous meeting and stated his support for the installation of wetland boundary-identifying fencing and signage, encouraging the applicant to ensure that land use restrictions are included in each property deed. Though Mr. Ophardt noted that no Stormwater Pollution Prevention Plan or rain garden details were provided with the preliminary plan, it was pointed out that the Stormwater Pollution Prevention Plan now required due to increased disturbance “adds an extra layer of review” for stormwater management design and that approval by the Mr. Reese, Stormwater Management Technician, Mr. Myers, the town’s Stormwater Management Officer, and M J Engineering and Land Surveying, P.C. will be necessary before final plans are stamped. Mr. Ferraro approved of the rain garden additions to the properties and Mr. Neubauer viewed their installation as a “good thing” reflective of newer green infrastructure practices, though he questioned whether or not homeowners would be aware of the maintenance involved in their upkeep. Mr. Scavo explained that rain gardens have been installed and have worked well in “high end” residences throughout the town. In response to Mr. Jones’ question regarding the Board’s willingness to require the planting of additional trees between Lot #4 and the Zinssar property, Mr. Ophardt enthusiastically supported Ms. Zinssar’s request. Mr. Geoff Brooks, applicant, pointed out that since the adjoining property owners “occupy” a grassed area to the east of the proposed home that encroaches on Lot #4, he should not be responsible for planting additional trees. Mr. Ferraro asked that the disturbance limit which is shown on the property line between Lot #4 and the Zinssar property be adjusted approximately 10’ to the west and that plantings be installed where vegetation has been removed from the edge of pavement to a point 50’ back along the property boundary. When questioned about the possibility of utilizing a shared driveway for Lots #1 and 2, Mr. Brooks stated that he would consider installation of a combined drive, but that he was “not committed to it.”

Mr. Jones offered Resolution #9 of 2017, seconded by Mr. Szczesny, to waive the final hearing for this application and to grant preliminary and final subdivision approval to this application conditioned upon the installation of identifying fencing and signage along the wetland boundaries, the installation of additional landscaping from the edge of pavement of Hatlee Road to a distance of 50’ along the Zinssar property boundary should the applicant be unable to move the disturbance line a distance of 10’ from the property boundary, and satisfaction of all items listed in the final comment letter prepared by the Planning Department. Ayes: Neubauer, Andarawis, Bagramian, Szczesny, Jones, Ophardt, Ferraro. Noes: None.

[2016-051] **Peak Environmental Industrial Park** – Master plan of development including the installation of green infrastructure, 44 Wood Road – Preliminary review and possible determination. SBL: 259.-2-73.12

Mr. Terry Hubbard, applicant, presented a brief overview of his vision for development of a “master plan” for development of the 16.63 acre site he owns on the westerly side of Wood Road in the Light Industrial zoning district. The speaker explained that the parking area has been removed from the LC zone and that green infrastructure techniques will be used for stormwater management. A rain garden and other examples of green infrastructure will be developed on site to manage water quantity and quality and used as samples of materials for sale and for educational purposes. Anticipated future site development includes the construction of multiple storage buildings; however, no approval for such units is requested at this time.

Mr. Scavo explained that Mr. Myers, Director of Building and Development, offered the following comments regarding this application in a memo dated June 30, 2017. No runoff retention from the proposed material storage bins is shown on the plans: it appears that runoff will surface drain to a pretreatment area in the main shop location. A permit for wetland buffer encroachments must be issued by NYSDEC. Permeable pavers appear to be proposed for use in the storage bin area located to the west of the shop. Runoff from material bins will clog the pavers in a short period of time. There is no discussion of maintenance of stormwater practices. It is assumed that they will remain the property of the owners so a maintenance agreement with the town will be required.

Mr. Scavo read the comments and recommendations issued by the ECC after review of this application at its July 5, 2017 meeting. The ECC recommends rejection of this plan because of the following:

- a. Pursuant to 208-69.2 of the Town Code – Permitted uses within the LC Zone, “Roadway or driveway crossings (are permitted), provided that the applicant demonstrates that there is no other reasonable means of access available and the applicant obtains appropriate permits from the NYSDEC.” The applicant should relocate outside of the LC zone or eliminate the proposed 8 auxiliary parking spaces. As indicated in John Scavo’s letter dated February 9, 2017 to Terrance Hubbard.
- b. The applicant should relocate the access drive to the storage area so it does not intrude into the LC zone (NYSDEC buffer).

The Peak Environmental sign immediately adjacent to the Northway property should be examined for compliance with applicable laws and regulations by the Town Code Enforcement Officer.

Mr. Scavo read comments prepared by Mr. Reese, Stormwater Management Technician, regarding this application. The existing conditions for the subcatchment 2S: Pre 2, includes the development of Peak Environmental’s business impervious area and existing road that totals 60,867 SF, or 1.4 acres, of impervious area. This proposed expansion is part of a larger common plan and all previous development should be included when considering treatment for water quality and quantity runoff. The pre-development conditions should be modeled as woodlands and not include the 1.2± acres of impervious (can keep 0.2± acres of the existing road). The amount of impervious surface also exceeds the one acre threshold indicated as the original limit of disturbance. Buildings, the auxiliary parking area, and additional access drives are not permitted in the LC zone. The applicant should

relocate these items beyond the LC zone boundaries. The stormwater report post-development subcatchment 1S: Post 1 is modeled to all flow into the infiltration basin (1P). The grading plan shows that a portion of the drainage area bypasses the infiltration basin: the modeled drainage areas should correspond with plans. The pre-treatment for infiltration basin labeled 1P must be shown. If the soils percolate greater than 5 inches per hour, 100% of the water quality volume is required to be treated prior to entering the infiltration basin. The proposed stormwater locations are proposed within 22 feet of cut. Test holes will need to be done to confirm elevation of groundwater. Percolation tests will be required to determine the infiltration rate of the proposed infiltration basin. The applicant has submitted a Stormwater Management Engineering Report, dated January 31, 2017, revised June 6, 2017. In the report under the heading of Existing Site Conditions – Soils – states “Based on onsite soil analysis, the soils were designated to provide an infiltration rate of approximately 30 inches/hour.” Percolation tests should be done per NYS Stormwater Management Design Manual Appendix D methodologies. Since permeability rates may vary from soil testing results and may decrease over time, a safety factor should be applied. The maximum design permeability rate that the New Jersey Stormwater Best Management Practices Manual allows is 10 inches/hour.

Mr. Scavo offered comments issued by the Planning Department. As previously noted at the February 28, 2017 Planning Board Meeting and in accordance with the Wood Road GEIS Findings Statement, a letter from North Country Ecological has been provided which states that no threatened or endangered species were observed or are likely to be present within the property. A pre-construction meeting will be required prior to the commencement of any tree clearing and grading activities. Prior concerns of proposed disturbances for parking areas within the LC zone have been eliminated by modifications made under this site plan submittal. The current plan set is reflective of the discussion, revisions, and information reviewed at the May 11, 2017 meeting conducted with Planning Staff and the applicant’s design team.

Mr. Bianchi explained that, after review of the preliminary site plans, M J Engineering and Land Surveying, P.C. offered the following comments in a letter dated July 7, 2017. In Comment 8 of the February 24, 2017 review letter, it was noted that the accessible parking should be provided with a smooth surface that extends to the accessible entrance of the building(s). This may not be achievable on a gravel surface. The prior plans provided accessible parking signage and parking space layout, however, the current plans have eliminated the details: provide and update pursuant to Comment 12 of the February 24, 2017 comment letter. Pursuant to Section 3.5 of the NYSSMDM, the proposed stormwater practice needs to have a conspicuous and legible sign posted. The plans shall provide a detail for and location of the required signage. As noted in Comment 15 of the February 24, 2017 review letter, the applicant is asked to provide the required soil testing to establish design infiltration rates and to confirm that the boundary conditions are being satisfied pursuant to Section 6.3.1 of the NYSSMDM. The modeled condition for the infiltration facilities shall incorporate a factor of safety (suggested at 2) to account for long-term degradation of the soils ability to infiltrate. Pursuant to Section 6.3.1 of the NYSSMDM, infiltration facilities shall be a minimum of 100 feet horizontally from well water supplies. The infiltration facility shown north of the existing building appears to be within 100 feet horizontally from the existing water supply well. Pursuant to Section 6.3.5 of the NYSSMDM, the applicant is asked to provide notation on the plans indicating that upstream construction shall be complete and stabilized before connection to a downstream infiltration facility – a dense vigorous vegetative cover shall be established over the contributing pervious drainage areas before runoff can be accepted into the facility. The applicant is asked to provide details as to how construction phase

runoff will be controlled and collected in temporary sediment basins. This shall include location and sizing criteria. Pursuant to Section 6.3.6 of the NYSSMDM, the applicant is asked to provide notation that the infiltration facility shall not be utilized as a sediment control device during the site construction phase. The infiltration area and associated grading on the western end of the development needs to be moved outside of the 15' easement conveyed to the Town for future pedestrian/multi-use facilities. Under the Phase 1 grading plan, it appears the area north of the infiltration basin will drain directly into the infiltration facility without any pre-treatment. Sheet C-120 shows proposed landscaping: species type and caliper size must be included on the plans. As a condition of any approvals that may be offered, the applicant shall provide the Town with copies of the required NYSDEC adjacent area disturbance permit.

Additional comments related to the Stormwater Pollution Prevention Plan. As noted in Comment 24 of the February 24, 2017 review letter, the CRIS database indicates the parcel is within an archeologically sensitive area. The project must follow the provisions of Part 1.F.8 of GP-0-15-002 in order to be eligible for permit coverage. NOI question 2 notes the project as being a redevelopment with an increase in impervious surfaces. The prior development of the site occurred recently: this subsequent work would be considered part of a larger common plan of development. It would appear designating the project as redevelopment is inaccurate. NOI Questions 3, 9b, 10-15, 17-23, 27a, 31-35, and 42 need to be completed. The Stormwater Management Engineering Report suggests in-situ soil testing has been conducted, which was the basis of selecting a 30 inches/hour infiltration rate. The test results and locations of testing must be shown on the plans. Calculations indicating that the infiltration facility can dewater within 48 hours after the storm event pursuant to Section 6.3.2 of the NYSSMDM should be provided.

Mr. Anthony LaFleche, 21 Wheeler Drive, asked if the easement for installation of a future bike trail along the property's Wood Road frontage had been granted by the applicant. Mr. Scavo explained that the easement is existing: it was granted by the applicant as a condition of the 2015 site plan approval.

Mr. Ferraro called for clarification of several issues of concern. Noting that the project plan included a possible Phase II of development, Mr. Hubbard explained that the proposal before the Board at this evening's meeting involved only approval for Phase I. Referencing the ECC's comment regarding the driveway location within the LC zone, it was explained that although parking is not permitted within the LC zone, a driveway is allowed. Although Mr. Mathias, ECC member, commented that the ECC believed that there were other locations for the driveway rather than the one that crosses a portion of the LC zone, Mr. Hubbard explained that the goal was to "beautify the entrance to the site" and "keep the front intact." Mr. Neubauer stated that he found the ECC's concerns viable. Mr. Hubbard stated that he would utilize "some type of permeable paving" and that the "benefits would outweigh any detriments." Mr. Ferraro cited Mr. Myers' concerns regarding the runoff from material storage bins as a possible concern. Mr. Hubbard, however, explained that the runoff creates "about a 15' apron" near the bins: it will be treated if necessary. Mr. Ferraro expressed support for the green infrastructure experimental "lab" that Mr. Hubbard has established with a maintenance agreement with the town.

Mr. Ophardt moved, seconded by Mr. Neubauer, 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. Ophardt moved, seconded by Ms. Bagramian, to grant preliminary and final site plan approval to Phase 1 of this application conditioned upon relocation of the retention basin boundary from the 15' easement provided for future utility, trail, or roadway improvements and the satisfaction of all items listed in the final comment letter issued by the Planning Department. The motion was unanimously carried.

New Business:

[2017-036] **Massaroni, David – Tanner Road Subdivision** – Proposed (3) lot subdivision, Tanner Road – Conceptual review. SBL: 264.-3-53.1

Mr. David Massaroni, applicant, explained to Board members that he is seeking approval for a (3) lot subdivision of a 29.30 acre parcel of land which he owns along Tanner Road. The property lies within the CR (Conservation Residential) zoning district on the easterly side of Tanner Road approximately 1½ miles north of its intersection with Route 146. Although Mr. Massaroni received approval in 2007 for a (9) lot subdivision pursuant to Section 208-43.13 of the Town Code, a plan which he presented at this meeting, he has found it economically impractical to build-out the subdivision because of Clifton Park Water Authority mandates. The approved plan consists of (7) single-family residences on a cul-de-sac situated near the middle of the site's frontage along Tanner Road and (2) single-family lots in the southwesterly corner of the site. He now requests Planning Board approval of a revised subdivision plan that would create two large lots suitable for the construction of duplex units from the two approved lots located on the southwesterly portion of the property.

Mr. Ferraro commented that Board members were unable to adequately consider the project since no alternative plan – which would have to conform to CR zoning regulations - has been submitted for consideration. Mr. Neubauer observed that any subdivision plan presented would necessarily supersede any previous approvals and include all the required elements for conceptual review such as an application for approval of the requested Special Use Permits to allow for construction of duplex units with the CR zone, a revised subdivision plan illustrating the appropriate reconfiguration and number of building lots and remaining lands, calculations regarding the amount of constrained and buildable land to accurately determine the number of lots that could be created on the entire parcel, the amount of open space allotment provided, and details regarding water and sewer connections. Mr. Ferraro noted that the parcel contained significant wetlands and constrained lands and pointed out that the previous Planning Board approval precluded the construction of multi-family units. He questioned why that Board had denied the requested duplexes and asked Mr. Massaroni to explain what had changed to make them more acceptable at this time.

Although Mr. Scavo suggested that the proposed duplexes may be more acceptable if they were set back a distance from the roadway, Mr. Ferraro, Mr. Neubauer, and Mr. Andarawis all found it difficult to support multiple duplexes in a rural setting, with Mr. Neubauer commenting that there were “other topics” associated with the consideration of duplex units including ownership, in-law restrictions, and building design. Mr. Ferraro called upon the applicant to

provide a much clearer plan for review that incorporated all the calculations for development outlined in the CR (Conservation Residential) zoning legislation.

[2017-033] **MDG Mill Creek – Grooms Road Subdivision** – Proposed (3) lot subdivision, 465 Grooms Road – Conceptual review. SBL: 278.-1-46.1; 278.-1-45; 278.1-46.2

[2017-034] **MDG Mill Creek – Grooms Road Duplex SUP** - Proposed SUP to construct (3) duplex units at 465 Grooms Road – Conceptual review. SBL: 278.-1-46.1; 278.-1-45; 278.1-46.2

Mr. Ferraro explained that since these two applications were significantly linked by ownership and intent, they would be reviewed concurrently.

Mr. Daniel Hershberg, consultant for the applicant, introduced Mr. Mark Goldstein, applicant, who was in attendance at the meeting. He then presented this application which calls for the “resubdivision” of three existing lots into three new building lots of .99 acres, 1.27 acres, and .68 acres, respectively. The property to be developed is located within the R1 zoning district on the northerly side of Grooms Road at its intersection with Lapp Road. The applicant proposes the construction of a duplex unit on each of the newly-created parcels. Lot #1 will be accessed by a single curb cut from Grooms Road. Lots #2 and 3 will share a combined driveway from that roadway. Mr. Hershberg explained that a wetland delineation has been conducted on the property and that development will require approximately .09 acres of site disturbance. The “smaller-scale” properties will be served by individual grinder pumps directed to an existing force main and eventually to an existing gravity sewer system. Water service will be provided by laterals from an existing water line along Grooms Road. The speaker explained that the applicant believes that duplexes are appropriate for the location which is located just west of the Northway Exit 8-A off-ramp.

Mr. Scavo explained that Mr. Myers, Director of Building and Development, offered the following comments and recommendations regarding this application in a memo dated June 30, 2017. It appears that a wetland disturbance permit will be required. Clarification regarding the forcemain requirements must be provided. Water and sewer utility lines may not be locate under driveways. The parcels are situated within the R1 zoning district. No Stormwater Pollution Prevention Plan has been submitted. The Special Use Permit requests should be submitted as separate applications. Since the duplexes are proposed at a town entranceway, some type of rendering should be reviewed to ensure that the proposal is acceptable.

Mr. Scavo noted that Ms. Reed, Chief of the Bureau of Fire Prevention, asked that the Postal Verification Form be completed and that assigned postal addresses be included on the final subdivision plan.

Mr. Scavo reported that the ECC issued the following comments and recommendations regarding these applications after review of the application at its July 5, 2017 meeting. Due to the fact that there is proposed construction on Lot #3, the proposed plan is not realistic. The ECC notes that there is very little usable yard due to the presence of wetlands. For Lots #1 and 2 the ECC recommends delineation of the wetlands using split rail fencing along the wetland borders and deed restrictions to protect the remaining wetlands. The applicant should consult with the ACOE to

determine the mitigation measures required for this proposal. The ECC notes that the project may result in intrusion into Federal Jurisdictional Wetlands. The applicant must avoid intrusion into ACOE wetlands or apply for a Federal Wetlands Permit for any disturbances resulting from the project. The Town of Clifton Park should be provided with copies of all related correspondence.

Mr. Scavo read the comments regarding these two applications provided by Mr. Scott Reese, Stormwater Management Technician, in a memo dated July 11, 2017. The limit of disturbance is limited from five to ten feet from the building face and from the proposed driveway edges. The limits of disturbance do not provide lawns, and with the buildings being proposed within and adjacent to wetlands the lots may require fill to keep the foundation a minimum of 2 feet above the high water table.

Mr. Scavo read comments prepared by the Planning Department. The action appears to be an unlisted action pursuant to SEQR. Coordinated review is optional. R1 zoning allows the development of duplex units through the granting of Special Use Permits. The concept plan and application have been forwarded to the Saratoga County Planning Board for a recommendation in accordance with §239(m)(n) of General Municipal Law. The applicant should provide documentation that the proposed driveway curb cuts are acceptable to the Saratoga County Highway Department along Grooms Road (County Route 91). Documentation from the Saratoga County Sewer District should be provided demonstrating willing to allow the proposed sewer lateral tie-in and acceptance of additional flows. Part I of the SEAF shows there will be .091 acres of wetland disturbances. The applicant is asked to clarify this information and provide documentation demonstrating which agency has jurisdictional authority for the identified wetlands (ie. NYS DEC, ACOE, or isolated). As consideration for the subdivision and Special Use Permits advances, the applicant should provide a grading plan and architectural renderings for the proposed structures. Additional comments will be provided based on future submissions.

Mr. Bianchi reported that M J Engineering and Land Surveying, P.C. offered the following comments after review of the application materials submitted. Initial comments related to State Environmental Quality Review. Based upon review of Part 617 of NYS Environmental Conservation Law, the project appears to be an “Unlisted” action. If the Planning Board is to request Lead Agency status under SEQRA, the need to undergo a coordinated review is optional. Under a coordinated review, involved/interested agencies to be engaged may include, but are not necessarily limited to the following: Clifton Park Water Authority - water service connection; Saratoga County Sewer District No. 1 – request for reserve sewer capacity and sewer connection and potential plan approval for the extension of public sewers; Saratoga County Planning Board – 239m referral due to the parcel’s proximity to County Route 91 (Grooms Road); NYS Department of Environmental Conservation – potential permit coverage under stormwater SPDES, identification of threatened and endangered species, potential plan approval for the extension of public sewers; United States Army Corps of Engineers – potential joint permit application for disturbances within the ACOE wetlands. Under Part I. 2 of the Short Environmental Assessment Form, the applicant must list all other regulatory agency approvals required for the application.

Additional comments related to the subdivision plan and site plan. The project is located within the Town’s Residential I District (R1). The proposal for two family homes is a permitted by way of a special use within the district as noted in Section 208-10(B)(9) of the Town Zoning Code. The Planning Board shall review the proposal for two-family dwelling units following the

criteria outlined in Section 208-79(E) of the Town Code as it relates to the special use request. The applicant is asked to provide the following notations on the plan:

- a. No utilities shall be installed beneath the proposed driveways.
- b. Any work required within the Esopus Drive right-of-way shall be subject to any permitting from the Clifton Park Highway Department.
- c. Any work required within the Grooms Road (County Route 91) shall be subject to any permitting from the Saratoga County Department of Public Works.

The applicant is asked to provide notation on the plans indicating the date when the wetland delineation was completed and by whom. The subdivision plat shall include the existing and required bulk lot information. The submitted information indicates that the project is proposing to connect to an existing water main(s) within proximity to the parcel. These mains are owned and operated by the Clifton Park Water Authority (CPWA). It is recommended that the town be furnished with documentation that the CPWA is willing and capable of providing potable water to the project. The project proposes to service each new lot with public sewer from the Saratoga County Sewer District via extending a new public sewer main throughout the project. The applicant shall provide the town documentation of the SCSD's ability and willingness to service the project with public sewer. Any action on the subdivision application should be conditioned upon receipt of plan approval from the SCSD. It is unclear from the plans if the sewer improvements are to include public sewers or a private sewer system that discharges to the SCSD infrastructure: the applicant is asked to delineate the extent of public improvements. Where the sewer is planned for conveyance to SCSD, the forcemain shall be located within easements if crossing private property. Proposed Lots #2 and 3 are showing a shared driveway: a shared driveway maintenance agreement shall be prepared. It is recommended that the maintenance agreement language be provided to the Planning Board's legal counsel for review prior to filing. There may be a need to provide a drainage culvert at the new driveway to support existing drainage along Grooms Road. The applicant will need to coordinate with the Saratoga County Department of Public Works for any such improvements. If required, the plans must show the location, size, and materials of construction. The delineated area of disturbance shown on the plans shall be justified with lot-specific grading plans. As shown there is question whether the delineation is actually representative of the required site disturbance to construct the improvements shown. Information must be provided on the plans to indicate how potential sump pump laterals may be positioned which shall be in conformance with Section 86-7(A)(6) of the Town Code. The proposed point of access to the project appears to provide adequate sight distances for entering and exiting. Notwithstanding, there should be an indication on the plan of what the required and provided turning sight distances are based upon the posted speed limit of Grooms Road. Prior to approval or filing of the subdivision plat with the Saratoga County Clerk, the appropriate 911 emergency response numbers must be obtained for and assigned to each lot created and placed on the filed plat. Considering this plan is conceptual in nature, subsequent comments will be provided with a preliminary plan submission.

Citing ECC recommendations, Mr. Ophardt questioned whether or not construction of a duplex on Lot #3 is reasonable. Mr. Hershberg distributed photographs of possible duplex design, pointing out that the units were of small-scale design with front-loading garages to minimize site disturbance and reduce ACOE wetland impacts. He also noted that the parcels were "really lot line adjustments" and that, due to its proximity to the Northway, it could be viewed as a "residential, transitional" zone. He commented that most people who reside in duplexes "do not

need large yards.” Mr. Ferraro expressed “serious reservations” about the portion of the duplex on Lot #3 that was to be constructed within a designated wetland area and noted that the development was proposed along a very busy section of Grooms Road. He called for the applicant to provide a detailed wetland map - one that clearly defined designated wetland boundaries and buildable areas. Mr. Neubauer found the proposed duplexes acceptable in this location and was not in favor of moving them closer to the roadway. He called for “something more creative between Lots #2 and 3” and stated that he was not supportive of construction within the wetland boundary. Mr. Neubauer recommended that the easterly curb cut be relocated to the west and that the applicant consider the installation of “motorcourt driveways.” Mr. Jones commented that egress from Lot #3 to Grooms Road may be problematic, though Mr. Goldstein pointed out that the traffic signals at the Northway ramp and at Lapp Road provide sufficient timing for vehicles to enter and leave the site. Ms. Bagramian commented that although she found construction of duplexes appropriate for the area, she was concerned with the development on Lot #3. Mr. Ferraro stated his displeasure for the design plan presented and called for a reduction of the number of lots from 3 to 2. Mr. Andarawis observed that the “site has the added complexity of being a visible entrance to the town,” and urged that the applicant consider the visual appeal of the buildings to be constructed there.

[2017-035] **Riggi, Vincent - Miller Road Subdivision** – Proposed (79) lot subdivision, Miller Road – Conceptual review. SBL: 270.-2-51.2

Mr. Scott Lansing, consultant for the applicant, presented this application for the Board’s consideration. Unveiling the project plan for the first time, Mr. Lansing explained that the 106.44 acre project site, located along Miller Road and NYS Route 146 consists of three separate parcels which contain R1 residentially zoned land and LC (land conservation) zoned land. All of the project site lies within the Vischer Ferry Road CIP/GEIS Study Area. The total land area contains 1.18 acres of ACOE regulated wetlands, 32.66 acres of NYSDEC wetlands, and a stream of approximately 775 linear feet. The applicant is awaiting jurisdictional responses from the respective involved agencies. Since the total amount of unconstrained land totals 72.60 acres and the maximum density within the Vischer Ferry Road Corridor is 1 unit per 40,000 SF, the single-family residential density would be 79 building lots. The northern portion of the subdivision will consist of 50 single-family units accessed by Miller Road and Tisdale Lane with 40 carriage lots and 10 executive lots. The southern portion of the site will consist of 29 single-family units situated on larger area lots. Vehicular access to the subdivision will be provided by 4 new town roads - approximately 6,280 linear feet of paved roadway – constructed in accordance with Town of Clifton Park standards and dedicated to the town upon completion of construction. The northern portion of the subdivision will be accessed by Miller Road with a curb cut approximately 1,175 feet south of its intersection with NYS Route 146 and Tisdale Lane. The southern portion of the subdivision will be accessed by a curb cut on Miller Road approximately 1,500 feet north of its intersection with Clifton Park Center Road and Gloucester Street. The proposed new residences will be serviced by public water via extension of the Clifton Park Water Authority system and the Saratoga County Sewer District. Stormwater will be managed on site using designated stormwater management areas and multiple green infrastructure runoff reduction practices. A project specific Stormwater Pollution Prevention Plan will be prepared. He commented that the submitted plan incorrectly stated that a Homeowners Association would be responsible for stormwater infrastructure management and maintenance, stating that, in fact, the stormwater management area

will be conveyed to the town. Approximately 26.78 acres of land will be preserved as designed open space. Addressing the comments issued by town staff and the town's designated engineer, Mr. Lansing stated that a conventional lay-out design would be provided for review and that, pursuant to the Vischer Ferry Road Statement of Findings, multi-use pathways would be installed.

Mr. Scavo read comments offered by Mr. Myers, Director of Building and Development in a memo dated June 30, 2017. The parcels under consideration are located within the R1 zoning district and have significant wetland areas that are zoned Land Conservation (LC). The proposal appears to be a combination of a cluster subdivision and normal subdivision: this may require review of the project as two separate subdivisions. A Stormwater Pollution Prevention Plan has not been submitted. The required R1 lot width is not met on the "carriage" and "executive" lots: other setbacks may also be compromised. Further comments will follow when more detailed plans are provided.

Mr. Scavo noted that Ms. Reed, Chief of the Bureau of Fire Prevention, asked that the Postal Verification Form be completed and that assigned postal addresses be included on the final subdivision plan.

Mr. Scavo reported that the ECC provided the following comments regarding this application after review at its July 5, 2017 meeting. The applicant is proposing a cluster development: a standard subdivision with R1 zoning should be shown to demonstrate how many standard lots could be built on this parcel with all the existing lot constraints. The ECC notes that an aquifer recharge area is present within the project limits. The applicant must design a stormwater management system that protects the aquifer resource.

Mr. Scavo explained that Mr. Reese, Stormwater Management Technician, provided the following comments regarding this application in a memo dated July 11, 2017. It appears that this project will disturb more than five acres and a Full Stormwater Pollution Prevention Plan will be required when this project submits for subdivision approvals. When the applicant is submitting for preliminary subdivision approvals the applicant shall verify seasonal high water elevations in the proposed stormwater management areas, keep the required separation from seasonal high water because the project is over a sole source aquifer, and keep stormwater runoff rates to the existing roads to pre-development conditions.

Mr. Scavo explained that Mr. Bull, Highway Superintendent, provided comment on this application in a memo dated July 6, 2017. The plan shows the construction of two cul-de-sacs. There is a location for snow to be plowed off of private property in the cul-de-sac within the 29 estate lots, but there is no location for snow to be removed from the road and placed other than private property in the 10 executive lots. Cul-de-sacs add additional time to town-wide snow removal. Additionally, residents are often concerned with snow removal, believing they receive more snow on their property compared to residents outside of cul-de-sacs. Cul-de-sacs are not conducive to the operations of snow removal. If a cul-de-sac is completely necessary, I would like to review the diameter of the structure and width of the roadway. The application states that the Homeowners Association will be responsible for Stormwater Management maintenance. The plan should clarify whether or not this also applies to the islands in the proposed cul-de-sacs. If so, the

final stamped plans should have notes indicating which areas are to be maintained by the Homeowners Association.

Mr. Neubauer commented on the cul-de-sac design, stating that he found them desirable. He believes that clustered subdivisions are desirable as well since they tend to create “neighborhood neighborhoods.” He recommended that the applicant consider incorporating a “village green” concept or pocket park in the design plan.

Mr. Scavo read comments prepared by the Planning Department. The parcel is located within the limits of the Vischer Ferry Road Corridor GEIS (VF GEIS) Study Area. The VF GEIS contains an overlay zoning district that limits density to one lot per 40,000 square feet of area, excluding any NYSDEC and federal wetlands area. The maximum allowed density, therefore, can only be determined after the delineated wetlands have been confirmed by that agency and the Army Corps of Engineers. The proposed layout appears to show a cluster design. To determine the density yield for the cluster subdivision layout, the applicant should submit a conventional subdivision layout showing each lot meeting the minimum building setbacks and widths as prescribed by the R1 zoning district, while not exceeding the density requirements of the VF GEIS. VF GEIS Capital Improvement Plan (CIP) Fees will be assessed based on the number of approved residential lots. The breakdown of applicable CIP Fees are as follows:

- a. Transportation xx Trips at Peak Hour x \$268/Trip
- b. Sanitary Sewer # of Equivalent Dwelling Units (EDU’s) x \$3,314/EDU
- c. Water Distribution #EDU’s x \$1,728/EDU
- d. GEIS Preparation # EDU’s x \$310/EDU
- e. CIP Preparation # EDU’s x \$ 49/EDU =

Due to the proximity of NYS Route 146 it is recommended that the applicant obtain comments from NYSDOT as an interested agency pursuant to SEQR. Any comments received should be forwarded to the Planning Board and MJ Engineering for their review. The applicant is asked to update the “Minimum Building Setbacks” within the site statistics table to include, “§208-98 of the Town Code, no building shall extend nearer to the centerline of Route 146 than 100’ in a residential district.” It appears the current layout meets this standard. In accordance with the Statement of Findings, any aquifer recharge areas within the site should be identified and afforded proper protection. The Statement of Findings also states that projects within the corridor shall provide multi-use pathways to encourage non-motorized transportation throughout the corridor. In accordance with the Statement of Findings, a Stage 1B Archeological Investigation should be conducted within areas proposed for development. The applicant should provide documentation that the 1B investigation has been completed and submitted to SHPO and the Planning Board for Review. The Statement of Findings indicates that view sheds should be retained by the preservation and/or establishment of vegetative buffers and clustering. The applicant should provide written documentation for the project file demonstrating how this finding is met and minimizes visual impacts from NYS Route 146. A traffic analysis should be provided which includes an evaluation of the level of service at the NYS Route 146 - Miller Road intersection.

Mr. Anthony LaFleche, 21 Wheeler Drive, recommended that the Board consider mandating that the applicant provide a future connection point to the Lands of Fredrick which adjoins the southerly property boundary. He believes that cul-de-sacs encourage friendships and that plowing them is not a significant issue. Mr. LaFleche asked that the applicant and Board

consider a “more direct route for streets and trails” and he recommended that an easement be provided for the future installation of a trail along NYS Route 146. Mr. Ferraro encouraged the applicant to consider the installation of an internal trail system which would link the proposed properties with the open space area. Mr. LaFleche recommended construction of a trail loop through the open space area. In response to Mr. Ophardt’s question regarding the sight distance at the subdivision’s northerly entrance, Mr. Lansing stated that the distance would be evaluated. In response to Mr. Neubauer’s question regarding the ownership of the open space areas, Mr. Lansing explained that a determination regarding such ownership had not yet been considered: the property could be conveyed to the town, overseen by a homeowner’s association, or remain privately owned. Mr. Neubauer stated that he would support a design that included a future connection to parcels to the south, that he was a “fan of the cluster design,” and that the Miller Road Subdivision had “lots of potential.” Mr. Ferraro commented that he “liked the variety of housing stock,” that he “likes sidewalks,” and that, although he finds the overall lay-out plan acceptable, he is concerned with the two proposed lots near the cul-de-sac located south of Tisdale Lane since they are located on isolated wetlands. Ms. LaSalle commented that she is not in favor of cut-de-sac designs since they impede traffic circulation and, therefore, negatively affect connectivity and cause traffic congestion due to the lack of alternative routes.

Mr. Ophardt moved, seconded by Mr. Neubauer, adjournment of the meeting at 11:20p.m. The motion was unanimously carried. The next meeting of the Planning Board will be held as scheduled on August 8, 2017.

Respectfully submitted,

Janis Dean, Secretary

NOTICE OF DECISION

Resolution #8 of 2017

Final Subdivision 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 June 13, 2017, there were:

Present: R. Ferraro - Chairman, E. Andarawis, D. Bagramian, J. Jones
A. Neubauer, E. Ophardt, Greg Szczesny
T. LaSalle – alternate member

Absent: None

Mr. Jones offered Resolution #8 of 2017, and Mr. Ophardt seconded, and

Whereas, an application has been made to the Planning Board by Daggett Development Company, LLC, for approval of a subdivision entitled Daggett Development Subdivision – 1585-1587 Route 146, Clifton Park, NY consisting of (4) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on July 11, 2017;

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 July 11, 2017;

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 the subdivision plat entitled Daggett Development Subdivision – 1585-1587 Route 146, Clifton Park, NY consisting of (4) lots is granted final approval conditioned upon the establishment of an easement along the property's Route 146 frontage, if approved by NYSDOT to provide for future trail development, utility installation, or roadway improvements, strong encouragement that the applicant consider lot line adjustments or an integrated site design during future site plan reviews to ensure as much compliance as possible with development standards set forth in the Western Clifton Park GEIS Design Guidelines manual, and satisfaction of all items listed in the final comment letter issued by the Planning Department.

Resolution #8 of 2017 passed 7/11/2017

Ayes: Andarawis, Bagramian, Szczesny, Jones, Ophardt, Ferraro.

Noes: None

Abstained: Neubauer

Rocco Ferraro, Chairman

NOTICE OF DECISION

Resolution #9 of 2017

Final Subdivision 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 June 13, 2017, there were:

Present: R. Ferraro - Chairman, E. Andarawis, D. Bagramian, J. Jones
 A. Neubauer, E. Ophardt, Greg Szczesny
 T. LaSalle – alternate member

Absent: None

Mr. Jones offered Resolution #9 of 2017, and Mr. Szczesny seconded, and

Whereas, an application has been made to the Planning Board GJA&S, LLC for approval of a subdivision entitled Subdivision of 933 Hatlee Road consisting of (4) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on May 9, 2017;

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 May 9, 2017;

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 the subdivision plat entitled Subdivision of 933 Hatlee Road consisting of (4) lots is granted final approval conditioned upon the installation of identifying fencing and signage along the wetland boundaries, the installation of additional landscaping from the edge of pavement of Hatlee Road to a distance of 50' along the Zinssar property boundary should the applicant be unable to move the disturbance line a distance of 10' from the property boundary, and satisfaction of all items listed in the final comment letter issued by the Planning Department.

Resolution #9 of 2017 passed 7/11/2017

Ayes: Neubauer, Andarawis, Bagramian, Szczesny, Jones, Ophardt, Ferraro.

Noes: None

Rocco Ferraro, Chairman