

## **Clifton Park Town Planning Board Meeting Minutes**

**January 8, 2002**

Those present at the January 8, 2002 Planning Board meeting were:

Planning Board: K. O'Brien, Chairman, S. Bulger, B. Czub, R. d'Amico, J. Marzola, J. Russell

Those absent were: J. Larkin

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

Mr. O'Brien, Chairman, called the meeting to order at 7:10p.m. He announced that James Larkin had been appointed by the Town Board to replace Kevin Bowman whose term expired on December 31, 2001. Unfortunately, Mr. Larkin was detained in Syracuse this evening.

Mr. O'Brien moved, seconded by Mr. d'Amico, to appoint Steve Bulger as Vice-Chairman, to establish the 2002 Planning Board schedule as published, with meetings generally held on the second and fourth Tuesdays of each month, and to appoint Paul Pelagalli as Counsel. The motion was unanimously carried.

### **Public Hearing – 7:10p.m.**

[2000-005] **Hahn, John** – Proposed (14) lot subdivision, Clifton Park Center Road – Preliminary subdivision review and possible determination.

Mr. O'Brien called the public hearing to order. The Secretary read the public notice as published in the Daily Gazette on December 29, 2001.

Mr. Gavin Vuillaume, Environmental Design Partnership, consultant for the applicant, presented this proposal for Mr. Hahn. The proposed plat remains unchanged from the one reviewed at the November 14th meeting. Twelve lots will be accessed by a cul-de-sac from Clifton Park Center Road and two lots will front directly on Clifton Park Center Road. Connection will be made to the sewer on Beechwood Drive and the Clifton Park Water Authority will serve the project.

Mr. Kemper listed several concerns. The driveway locations for lots 4 and 6 should be illustrated on the plot plan and a shared access drive should be utilized if possible. The project will require a sign-off from the Saratoga County Sewer District and C.K. Sanitary. He noted that correspondence from the SCSD stated that the sewer service for the project would have to be evaluated relative to the downstream capacities of receiving systems. Limits for the hours of construction must be established and noted on the plans.

The clearing limit line should be extended along the frontage on Clifton Park Center Road. Evergreen plantings should be provided along the property line with the Lands of Boivin. A multi-use pathway should be provided to the Clifton Common and construction details for the path will be required.

Mr. Grasso, Clough, Harbour, and Associates outlined several engineering items to be addressed. The development plans should minimize clearing of the existing pine plantation to the maximum extent feasible. Consideration should be given to the extension of the no-cut buffer along Clifton Park Center Road except where required for the new driveways. The driveway for lots 4 and 6 should contain turnarounds to discourage vehicles from backing out onto Clifton Park Center Road. The plan should note that access to lots #1 and #7 will be from the proposed road. The impacts associated with converting an existing single family lot not part of the project to a corner lot should be considered. Additional evergreen plantings along the property line in this area appear appropriate. Although the roadway layout does not appear to meet the requirements of the subdivision regulations, the layout appeared to be supported by the Highway Superintendent and the Planning Board. A letter from the Highway Superintendent stating the adequacy of the roadway layout should be submitted for our files. Stop sign control for both approaches to the 90-degree corner will be required. A hydrant should be provided at the intersection of Clifton Park Center Road/Hempstead Commons and Clifton Park Center Road/Beechwood Drive. The existing 24" CMP on Beechwood Drive should be extended by ten feet to reduce the necessary depth of bury for the watermain. A fifty-foot radius should be provided in the southeast corner of lot #14 to allow an access drive to adequately tie in to the new roadway. The note referencing the land being conveyed to the Town of Clifton Park should state "... for possible future park access." Each future lot owner should be required to receive a copy of the approved subdivision plan. The roadway centerline slope within the proposed cul-de-sac should be increased to provide a minimum 1% slope along the asphalt wing wedge at the perimeter of the cul-de-sac. Foundation drain laterals should be provided for each of the proposed lot. A complete grading plan should be submitted including a typical house footprint and finished floor elevation for each lot. In accordance with recommendations from the Highway Superintendent, all cul-de-sacs should be depressed in the middle and should contain a catch basin in the center. Per the most current Town roadway section, the typical roadway detail should be revised to show only asphalt wing wedge curb curbing. Asphalt curb NYSDOT Item 609.20 is no longer accepted. In addition, the pavement thickness should be revised to show 1 1/2" of top course and 3" of binder course. An Engineer's Water Supply Report including a DOH Form 348 should be provided. The plans and report should be submitted to NYSDEC for review and approval of the proposed public water supply report. An Engineer's Sanitary Sewer Report and stormwater management report should be provided. The plans, the Sanitary Sewer Report, the Stormwater Management Report, a Design of Sewers Checklist and Stormwater Management Self Assessment Checklist should be submitted to NYSDEC for review and approval of the proposed public sanitary sewer system and SPDES permit. The house numbers for each lot as determined by the Chief of Fire Prevention should be added to the plans. A street light should be provided over the new road at its intersection with Clifton Park Center Road.

Mr. O'Brien, Environmental Specialist, offered the ECC recommendations. The following Standard Statements should be added to the plot plan: the applicant will control fugitive dust and debris during the construction/demolition phase of the project. The ECC also recommended that an attempt be made by the Applicant, to the maximum extent possible, to maintain the rural character of the project by preserving as many of the mature trees on the property as is practical.

Mr. Donald Berthiaume, 610 Clifton Park Center Road, stated that his residence was located directly across the street from the proposed Hempstead Commons. He stated that this subdivision would add to the already difficult traffic situation on Clifton Park Center Road and objected to the proposed entrance because it would focus car headlights directly on his home. He asked that the developer place some type of vegetative buffer on his property to minimize the glare from car headlights. Mr. O'Brien noted that aerial mapping indicates that Mr. Berthiaume's house is approximately 100 feet to the west of the proposed new street; therefore, the intersection's impact would be minimal. Mr. Kemper will again review this mapping to ensure that this is the case.

Mr. Hahn stated for the record that the project was designed with the roadway to the east at the request of the Planning Board in order to provide access to Clifton Common. Mr. Hahn also asked that the minutes be reviewed to determine if the parcel to be conveyed to the Town for access to the Common would be calculated as parkland, thereby reducing or eliminating the parkland fees due for the project. Mr. O'Brien asked Mr. Kemper to research the agreements reached during previous meetings.

Mr. Russell moved, seconded by Mr. d'Amico, to close the public hearing. The motion was unanimously carried.

Mr. O'Brien 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. Bulger offered Resolution #1, seconded by Mr. Marzola, to grant preliminary and final subdivision approval to this application, waiving the final hearing, conditioned upon the resolution of the parkland issue and the satisfaction of all comments by Clough, Harbour, and Associates and Mr. Kemper. Ayes: Bulger, Marzola, Russell, d'Amico, O'Brien. Noes: None. Abstained: Czub.

### **Public Hearing – 7:20p.m.**

[2002-004] **Countryman Estates North** – proposed (4) lot subdivision, Moe Road – Preliminary subdivision review and possible determination.

Mr. O'Brien called the public hearing to order. The Secretary read the public hearing notice as published in the Daily Gazette on December 29, 2001.

Mr. Gavin Vuillaume, Environmental Design Partnership, consultant for Amedore Homes, presented the proposed project on behalf of the applicant. He explained that, at the request of Lou Gerard, Highway Superintendent, the developer has agreed to make off-site drainage improvements. Since this will be costly, the developer has presented an amendment to the approved 115-lot subdivision plan approved by the Planning Board on December 11, 2001 to allow the creation of (4) additional residential lots. Three of the lots will be accessed from the proposed Equestrian Way and a fourth will have direct access to Lapp Road. Mr. Vuillaume emphasized that there will be no revisions to the infrastructure previously proposed.

Mr. Kemper explained in greater detail the extent of drainage improvements to be made by the applicant for the Town's benefit, estimating the cost of work to be done at \$50-60,000.00. He asked that the (7) White Pine trees shown on the plan between proposed Lot 202 and the existing Buckley residence be changed to Austrian Pines. Ms. Reed has asked for a revised postal verification form.

Mr. Grasso, Clough, Harbour, and Associates, offered two comments. The foundation drain laterals connecting to the storm sewer system with the road should be provided for each lot and shown on the plans. The final amended subdivision plan should be stamped and signed by a NYS licensed surveyor.

Mr. O'Brien, Environmental Specialist, made the following recommendations. Lots numbered 1,3,17, and 36 each contain wetlands that should be depicted on each individual plot plan. The deed restrictions regarding wetland protection should also be carried over to these individual plot plans. A copy of these deed restrictions should be on file with the Town of Clifton Park Building Department.

Mr. John Buckley, 204 Lapp Road, stated that he has resided on Lapp Road for nearly twelve years and is dismayed that a residential building lot is proposed for the adjoining property. He believes that the proposed residence will be out of character along Lapp Road and that drainage will be a problem. He asked the Board to carefully consider approval of this lot.

Mr. O'Brien expressed his concern with "revisiting" approved subdivisions with amendments that could change the percentage of green space conveyances. He stated that while he appreciated the applicant's willingness to make drainage improvements as requested, such an agreement was not dependent upon the approval of additional lots. Mr. d'Amico focused upon the drainage, which may cause a problem between Lot #202 and Mr. Buckley's property.

It was the consensus of the Board that approval of Lot #202 was unacceptable. Mr. Vuillaume stated that the plans would be reviewed in an effort to find a more viable lot.

Mr. d'Amico moved, seconded by Ms. Czub, to adjourn the public hearing. The motion was unanimously carried.

## Old Business

[2001-047] **Stewart's Ice Cream Shops, Inc.** – Proposed 3,600 SF building, 639 Grooms Road – Revised conceptual site plan review.

Mr. Tom Lewis, Real Estate Representative for Stewart's Ice Cream Shops, Inc., presented the revised plan for the parcel adjoining the existing Stewart's Shop at the intersection of Vischer Ferry and Grooms Roads. He noted that, in response to Board comments, the gas pumps have been relocated, additional parking has been added, NO PARKING signs have been shown on the plan, and additional landscaping has been proposed. He explained that four variances from the Zoning Board of Appeals would be required to build the facility as proposed. Three area variances and a use variance permitting retail sales in a B-3 zone will be requested. He added that the building would not be constructed until tenants are secured.

Mr. Kemper offered several comments. A letter dated October 2, 2001 was received from the S.C.S.D. stating that the proposed use and projected flows for the project will need to be submitted prior to issuance of a permit. A consolidation deed should be prepared for the two parcels. Don Clemens has issued the following statement: the existing gas station is a pre-existing non-conforming use, and the expansion of gas pumps would be prohibited under 208-97(2)(A) and would require a use variance. Town Code Section 208-93 requires gas pumps to be setback 50' from the property line; the plan as shown is approx. 30'. As such, a variance will be required. The layout with the new canopy and gas pumps would not allow cars to pass through the site when cars are at the pumps. The required front setback from the center of Grooms Rd. is 130'. Since the plans show a 100-foot setback, a variance will be required. Section 208-40 requires 10' planted buffers on the side property lines. The N.Y.S. Building Code will not allow parking within 10' of the building. If the project is not already hooked up to sewer and water then any approvals should make the hookup a condition for the approval. If the façade of the existing building will be altered, details must be provided. The application was approved by the S.C.P.B. with the following comments: the applicant should obtain a driveway permit from the County DPW for the proposed drive on Grooms Rd. The County also requests that a 5-foot strip along Grooms Rd. and Vischer Ferry Rd. be reserved for a possible future county right of way. Additionally, the applicant should provide a vegetative buffer where the town deems necessary to prevent any visual impacts of the expansion on surrounding properties.

At the October 23, 2001 meeting the Board members expressed concerns about the proposed size of the canopy and the expansion of the gas pumps. The most recently submitted plans have reduced the canopy size and the number of gas islands. The applicant should provide descriptions of the proposed dumpster enclosures. The project drawings should reflect the proper size of the canopy. A note on the plan indicates that a 10' easement will be granted to the Saratoga County Sewer District. The S.C.P.B. requested that a 10' strip of land be deed over to Saratoga County for future road improvements. This discrepancy should be clarified. Future submissions should include color façade renderings and elevations.

Mr. Kemper reported that the Saratoga County Planning Board had approved the project with the following conditions: a driveway permit from the Country DPW must be obtained, the applicant must convey a 5' strip along Grooms Road and Vischer Ferry Road for a possible future right-of-way, and a vegetative buffer should be provided to prevent any visual impacts of the expansion on surrounding properties.

Mr. Grasso stated that although most of the engineering concerns had been addressed, the following issues remained outstanding: required variances were granted by the Zoning Board of Appeals should be appropriately referenced on the plans. It is common for customer vehicles, primarily trucks, to regularly park along the west side of Vischer Ferry Road and on the south side of Grooms Road. We are uncertain whether additional signage restrictions will prevent this. Alternatively, measures to control and assure the safety of parking in these areas should be investigated including evaluating sight distance restrictions, the need for shoulder or drainage improvements, signage, etc. Due to the potential to block visibility of the site's entrances, parking along the site's frontage should definitely be prohibited. As such, we recommend additional "No Parking" signs be installed along the site's frontage. Provisions to temporarily park large trucks on site should also be provided. We recommend that the proposed berm height be increased to three feet and that a berm be provided along Vischer Ferry Road. The reference to the easement across the site's frontage should be revised to "Saratoga County" rather than "Saratoga County Sewer District". Future plan submissions should include the following additional information: existing topography; site location map; method of stormwater management, sanitary sewer service and water supply; layout dimensions; locations of the existing sanitary sewer forcemain, watermain and associated easements.

Mr. O'Brien offered the following ECC recommendations. The applicant should submit a Stormwater Management Plan for review by the Town Engineer and the ECC.

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 with boundary markers that shall remain until construction is completed and soils are stabilized; all erosion and water quality controls shall be put in place and maintained at the initial phase of site preparation; the Applicant will control fugitive dust and debris during the construction/ demolition phase of the project; any new proposed exterior lighting shall be directional and limited.

Board members appeared comfortable with the plan and Mr. Lewis's commitment to address all of the Board's concerns. Mr. Bulger was satisfied that the lighting would be "downlit and low". Mr. O'Brien advised Mr. Lewis to provide architectural drawings that were in keeping with the area. It was agreed that the applicant would apply for the necessary variances and return following action by the ZBA.

[2001-054] Tutor Time, Phase II – Proposed 3,144 SF addition, 21 Crossing Boulevard – Preliminary site plan review and possible determination.

Mr. Todd Westerveld, ABD Engineers and Surveyors, consultant for the applicant,

presented the proposal for the expansion of the existing Tutor Time facility. He explained that the loading dock as originally proposed has been eliminated from the plan since deliveries to the dialysis center are to be made by small panel trucks. This permits a single-lane access to the rear of the building. The stormwater report indicates that the existing area will be able to accommodate the increased flow. The architecture will complement the Tutor Time facility.

Mr. Kemper reported that the Saratoga County Planning Board approved the project on December 20, 2001. He asked that a note be added to the plans stating that the applicant will be required to replace the transferred plantings if they do not survive. Mr. Grasso stated that all engineering concerns had been satisfactorily addressed. ECC comments focused on the storage and handling of hazardous materials and requested that the following note be added to the plan: if hazardous materials will be stored on site, the applicant must submit a plan addressing handling storage and spill response to the Town of Clifton Park Environmental Specialist before such materials are stored. Health Department approval will also be necessary for the facility, ensuring proper handling and storage of such materials.

Mr. O'Brien moved, seconded by Mr. d'Amico, 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 moved, seconded by Mr. d'Amico, to grant preliminary and final site plan approval to this application conditioned upon satisfaction of the comments offered by Mr. Kemper and the EDD. The motion was unanimously carried.

[2002-002] **Rolling Meadows** – Proposed (40) lot subdivision, 675 MacElroy Road – Conceptual review.

Mr. Andrew Shauffert presented the project plans on behalf of Garry R. Heflin, applicant. The plans call for the subdivision of approximately 100 acres of land in an R-3 zone adjacent to the existing Dutch Meadows subdivision. The applicant currently owns 60 acres to the west of Winkel Way and plans to purchase an additional 45 acres from the Charles Owen Trust, thus securing a required second means of access to the development. Mr. Shauffert asked the Board to consider an open space subdivision plan since the parcels contains substantial New York State DEC wetlands. Conventional subdivision plans as well as a cluster layout were presented for the Board's consideration.

Mr. Kemper explained that the project is a Type I action requiring coordinated review and he asked that a Full EAF be prepared. The Town L-C zone in the southwest corner of the property must be depicted on the plan and all proposed wetland disturbances should be identified. A pedestrian access to the adjoining Veterans' Memorial Park should be provided. Sight distance along MacElroy Road must be evaluated. Mr. Kemper will calculate of the number of lots that could be developed pursuant to open space legislation should Board members prefer a cluster plan.

Mr. Grasso offered a number of comments on the proposal. The proposed project appears to be an “unlisted” action pursuant to SEQR, and as such, coordinated review is optional. Involved agencies are expected to include the following: Planning Board – Subdivision Plan Approval; C.P.W.A. – Water Connection Permit; S.C.S.D. #1 – Sewer Connection Permit; N.Y.S.D.O.H. – Water Supply System Approval; NYSDEC – Article 24 Wetland Permit, SPDES Permit, Wastewater Disposal System Approval. A Full Environmental Assessment Form should be submitted for review. Given the environmental constraints of the site, development of the site in accordance with the cluster subdivision standards is strongly recommended. Pursuant to Section 179-37 of the Town’s Subdivision of Land Code, an application for cluster should be submitted which includes all plans and materials for a conventional subdivision under Articles I through IX of the Subdivision Regulations. In addition, a sketch plan of a conventional subdivision layout of the property conforming to the minimum lot size, density requirements and all other normally applicable requirements of the R-3 District should be submitted. The Planning Department shall review the conventional subdivision plan and shall determine the number of building lots that could be practically created pursuant to the plan. The department shall then report its recommendations to the Planning Board, which shall establish the maximum number of units permitted in the subdivision. The conventional layout plan indicates lots with a minimum size of 40,000 square feet, whereas the minimum lot size in the R-3 zone with public water and sewer is 80,000 square feet. The plan should identify the location of the L-C Land Conservation zoning District. It appears a variance may be required for proposed work in the L-C zone. Based on the current location of the proposed road to MacElroy Road, the lands of Young will become a corner lot. The impacts associated with converting an existing single family lot that is not part of the project into a corner lot should be considered. It should also be verified that this lot would conform to the zoning regulations for a corner lot. The proposed method of water supply, sanitary sewer service, and storm drainage should be shown on the plans. The adequacy of sight distance at the intersection with MacElroy road should be verified and shown on the plan.

Mr. O’Brien offered the ECC comments. Standard statements should be added to the plot plan: the Land Conservation (LC) Zone shall be delineated in accordance with Section 208-69 of the Clifton Park Town Code. Since uses in this area are restricted, the Building Department shall be notified before undertaking any land disturbance activities in the LC Zone. The Applicant should submit a Stormwater Management Plan for review by the Town Engineer and the ECC. The proposed roadway crossing from the development to MacElroy Road crosses a DEC Wetland and LC Zone and should be designed to maintain the natural drainage characteristics of the wetland.

Mr. O’Brien supported the cluster development concept for this development due to the environmental constraints. Board members agreed that the open space plan would be the most desirable for this location. Mr. d’Amico pointed out that the lot sizes provided by the cluster layout would be comparable to existing lot sizes in Dutch Meadows.

Mr. Bulger expressed concern about the increased flows to the existing sanitary system and noted that approval from CK Sanitary would be required. Board discussion centered

on the ability of the sanitary system to handle additional flows adequately, wetlands protection, and maintaining the integrity of the existing parcel along MacElroy Road which would become a corner lot. The Board directed Mr. Kemper and Clough, Harbour, and Associates to proceed with an analysis of both the convention and cluster designs to determine the number of developable lots and appropriate setback requirements.

[2002-003] **Eagle Crest Plantation** – Proposed (2) lot subdivision, Waite Road and NYS Route 146A.

Mr. Gavin Vuillaume, Environmental Design Partnership, outlined the plans for this two-lot subdivision of a 5.5 acre parcel that is part of the Eagle Crest PUD. The lots will be 2.85 acres and 2.74 acres, respectively. The new residences will be served by individual wells and raised septic systems. Access to the lots will be provided from Waite Road.

Mr. Kemper explained that the proposed project is located within the Eagle Crest Plantation P.U.D. which was established in 1993. Although 11 lots were allowed as part of the planned district, only 9 lots have been created to date. Deed restrictions should be established to protect the wetland areas of the project. The S.C.P.B. had the following comments in regards to the project: the applicant should examine the possibility of aligning a combined driveway to serve both lots across from the existing drive on Waite Rd. On-site water and septic should be reviewed by the Department of Health. The ECC offered no comment on this project.

Mr. Grasso listed several issues for the Board's consideration. The proposed project appears to be an "Unlisted" action pursuant to SEQR, and as such, coordinated review is optional. Involved agencies would include to following: Planning Board – Subdivision Approval; Saratoga County Planning Board – Subdivision approval recommendation; N.Y.S.D.O.H – Realty Subdivision Approval. The Clifton Park zoning map indicates that the project site is located within an existing Planned Unit Development (PUD). A copy of the PUD legislation and development plan should be submitted to verify that the proposed subdivision is in conformance with the allowable uses and development of the property. The reference to the R-3 zoning should be removed from the plan, as this zoning has been superseded. The Environmental Assessment Form indicates that NYSDEC approval of the wastewater disposal system is required. NYSDEC approval is only required if the expected flows exceed 1,000 gallons per day. Previous subdivisions of the property should be reviewed to determine if Realty Subdivision Approval by the NYSDOH is required. Given the environmental constraints of the site and incremental development that has progressed within the PUD, consideration should be given to the establishment of deed restrictions or easements over the environmentally sensitive features of the lots. The limits of the LC-Land Conservation zoning district should be noted on the plan. This is an overlay zone and does not change the underlying PUD zoning. The Town of Clifton Park's Trail Master Plan indicates that NYS Route 146A and Waite Road are slated for on-road trail routes. As such, expansion of the existing road shoulders is likely, which may result in the need for clearing, grading and drainage improvements outside the existing 50-foot right-of-way. We recommend that a 10-foot wide strip of land be added to the existing right-of-ways to accommodate these future

improvements. Soil investigations including deep test pits and percolation tests should be performed to verify that the proposed lots could support on-site wastewater disposal systems. Future plan submissions should include topography at two-foot contour intervals within the areas of proposed development. A note should be added to the plan stating that access will not be allowed from N.Y.S. Route 146A.

Board members agreed that this subdivision would have little impact on neighboring properties and suggested that the applicant prepare preliminary plans.

[2002-001] **Merrill Lynch Credit Corporation** – (3) lot subdivision, Vischer Ferry Road – Conceptual review.

Gil VanGuilder, VanGuilder and Associates, presented this proposal which calls for the subdivision of 13.22 acres into lots of 2.31 acres, 5 acres, and 5.9 acres, respectively. The largest lot contains an existing residence and all lots meet the bulk requirements for the R-3 zone. Individual wells and septic systems will serve the lots. All lots will use the existing driveway. The pond on the property will remain. Mr. VanGuilder stated that the Zoning Board of Appeals granted an area variance for the rear setback of the existing house on June 9, 1987. Owners will convey a 10-foot strip of land along Vischer Ferry Road to accommodate future roadway and bike trail improvements.

Mr. Kemper asked that the standard notes for keyhole lots, address identification for keyhole lots, driveways over 500 ft. in length, lots with wells, farm note, and common rights of ingress/ egress be added to the plans. Descriptions for the ingress/egress easements should be submitted for review. The LC Zone associated with the Stoney Creek Reservoir should be depicted on the plot plan and all setbacks established by the Latham Water District for the Stoney Creek Reservoir should be depicted on the plot plan. John Frazer, Superintendent of the Latham Water District, has no concerns with the proposed development as presented. The S.C.P.B. submitted the following comments: the applicant should provide a drive that is accessible for emergency service vehicles to reach the proposed homes; a note should be placed on the site plan with respect to emergency vehicle access; proposed septic locations should be located according Department of Health specifications.

Mr. Grasso offered several comments. The proposed project appears to be an “Unlisted” action pursuant to SEQR, and as such, coordinated review is optional. Involved agencies are expected to include to following: Planning Board – Subdivision Approval; Saratoga County Planning Board – Subdivision approval recommendation. The proposed subdivision will involve the creation of a keyhole lot for the existing residence. Keyhole lots require a 50-foot setback from all property lines, which will not be met. As such, a rear yard setback variance may be required. Pursuant to Section 208-86.D of the zoning regulations, driveways to keyhole lots or over 500 feet in length shall be constructed and maintained at a minimum width of sixteen feet and meet the standards contained in Section 73-19. This requirement also appears applicable to the driveway for lot #2. Soil investigations including deep test pits and percolation tests should be performed to verify that the proposed lots could accommodate on-site wastewater disposal systems. The

Town of Clifton Park's Trail Master Plan indicates that Vischer Ferry Road is slated for an on road trail route. As such, expansion of the existing road shoulders is likely, which may result in the need for clearing, grading and drainage improvements outside the existing 50-foot right-of-way. We recommend that a 10-foot wide strip of land be added to the existing right-of-way to accommodate these future improvements. The Town's standard notes regarding keyhole lots and common drives should be shown on the plan. A note should be added to the final subdivision plan that no new accesses shall be provided from Vischer Ferry Road.

Mr. O'Brien provided comments from the ECC. 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 and these on-site boundary markers shall remain until construction is completed and soils are stabilized. All erosion and water quality controls shall be put in place and maintained at the initial phase of site preparation. The applicant will control fugitive dust and debris during the construction/demolition phase of the project.

Board members found the proposed project acceptable.

[2002-005] **US Foodservice** – Proposed 147,965 SF expansion of existing facility, Pierce Road – Conceptual site plan review.

Mr. Vopelak, C.T. Male Associates, introduced several representatives of US Foodservice and consultants working on its behalf. Mr. Kevin Theriault, US Foodservice representative explained that the company currently employs 350 people and expects to add 100 more when the expansion is complete. He stated that the recent consolidation of Alliant Foods and US Foodservice operations necessitated increased freezer and dry storage areas at the Clifton Park location. Mr. Tim Gibbons, Architect, described the project that calls for a two-phased renovation of existing cooler space to dry storage, the addition of a cooler and freezer space, improvements for the existing second-floor office space, and parking lot re-design and expansion.

Mr. Frank Fazio, C.T. Male Associates, described existing site conditions and proposed changes. A second access from Pierce Road will be added, vehicle access will be provided around the building, and traffic flow will be re-designed to separate truck traffic from employee parking areas. Stormwater management is being assessed and alternatives for the existing retention basin are being explored.

Mr. Kemper advised that the proposed project would require a signoff from the C.P.W.A. for the water service and the SCSD and C.K. Sanitary for the proposed sewer hookup. The S.C.S.D. requires information on the volume and character of the sanitary discharges as a result of the expansion. Traffic counts and volumes will need to be submitted to determine if any off-site traffic improvements will be required as part of the project. Variances will be required for building height and greenspace. Sheryl Reed submitted the following comments: plans must specify if island at proposed second entrance will be raised curbing so as to determine if entrance could be utilized by responding emergency

services and specifications for all gates must be supplied.

Mr. Grasso stated that the proposed project appears to be an “Unlisted” action pursuant to SEQR, and as such, coordinated review is optional. Involved agencies are expected to be the Town of Clifton Park Planning Board for site plan approval. A Full Environmental Assessment Form should be submitted for review. The consultant should verify the adequacy of the sight distance at the new proposed driveway location. The width of the new driveway appears narrow. If trucks will be allowed to stage along the existing access drive, the applicant should demonstrate how emergency access to the facility would be maintained. A parking evaluation should be provided demonstrating that adequate parking will be provided to support the proposed expansion. Handicapped accessible parking should also be evaluated. The future expansion plans should include a paved access road connection around the northeast side of the building to improve fire accessibility. The proposed edge of pavement along the adjacent lands of Horton to the south is shown four feet from the property line. A minimum of ten feet is recommended to provide adequate area for grading, landscaping and maintenance. The stormwater management impacts associated with the proposed expansion should be evaluated. It would appear that the existing detention/retention facilities would require expansion. The plans show future conversion of an existing stormwater basin to subsurface storage. Given the size of the basin, difficulty in maintenance and verification of the function of the system and lack of open space provided by surface basins, we do not recommend use of subsurface stormwater management for this site. Future plan submittals should include the following: project data including zoning, site coverage statistics and building setbacks; proposed landscaping; utility locations including sanitary sewer, watermain and storm sewer; dumpster pad and enclosure locations.

Mr. O’Brien outlined the comments issued by the ECC. The applicant should indicate whether any changes to the existing refrigerant system requires a permit under New York State or Federal Air Quality Laws. A Stormwater Management Plan that details the design of the proposed subsurface stormwater storage system and how it would be used to provide protection to the underlying aquifer must be submitted. The following standard statements should be added to the plot plan: due to the location of this project relative to the Kinns Road aquifer/recharge area, no underground storage tanks shall be constructed on this property; during construction, any temporary above ground storage tanks shall have secondary containment of no less than 110% of the tank volume to prevent releases to the aquifer/recharge area; during construction, contractors shall have a spill contingency plan that addresses prevention and cleanup of releases of petroleum and/or hazardous materials. The applicant shall maintain a minimum of 40% greenspace in accordance with the Clifton Park Town Code. The current and proposed greenspace should be shown on the site plan. In keeping with the recommendations and goals of the Town Comprehensive Plan, the applicant is encouraged to retain existing vegetation and/or the use of landscaping and grading to provide visual and auditory buffering between the project and Pierce Road.

Mr. O’Brien expressed concern regarding the stormwater management area, noting that protection of the aquifer recharge area is of significant importance. The applicant, in

response to his question concerning open space areas, explained that plans called for 34% greenspace at total build-out. Mr. O'Brien said that he and the members of the Board were looking forward to the increased work opportunities that the project expansion will provide and they are anxious to work with the applicant. He identified the major issues to be addressed as recharge, greenspace, and traffic.

## **Discussion Items**

### **Minutes Approval**

Mr. Kemper explained that a review of the Planning Board indicated that the minutes of July 10 inadvertently omitted the SEQRA determination for the Massaroni subdivision. Prior to Resolution #16, the minutes should include the following:

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

In addition, Resolution #16 shall read as follows: Mr. Marzola offered Resolution #16, seconded by Ms. Czub, to grant preliminary and final approval, waiving the final hearing, for this application conditioned upon mitigating dust, and conditioned upon the hours of operation being from 7:00a.m. to 6:00p.m. Monday through Saturday, and on addressing the comments of Mr. Kemper and Clough, Harbour, and Associates. Ayes: d'Amico, Czub, Bulger, Marzola, Russell, O'Brien. Noes: None.

Mr. O'Brien moved, seconded by Mr. Russell, to amend the minutes of July 10, 2001 as written above. The motion was unanimously carried.

### **Kulak Landscaping**

Board members agreed that the deteriorating building at the Kulak Landscaping site might be removed without action by the Planning Board. Mr. Kulak may add a farm stand on the property in its place. The Board believed that such a plan would improve the site.

### **Taco Bell**

Representatives for Taco Bell have submitted an application to the Zoning Board of Appeals for approval of a second wall sign of 21 SF above the doorway. Board members found this proposed sign acceptable.

### **Delmar Publishing**

The publishing company has requested approval from the Zoning Board of Appeals of an area variance for 27.5 SF for a sign that faces Route 146. The proposed sign is 87.5 SF. Board members agreed that the size of the building and the distance from Route 146

justified the size of the sign and recommended approval of the variance.

### **Alpin Haus**

The recreational dealership on Sitterly Road has requested approval of a second 60 SF freestanding sign on Sitterly Road. Though they did not specify a size, Board members recommended that the applicants reduce the size of the sign because of the proposed location.

### **Minutes Approval – December 11, 2001**

Mr. d'Amico noted that the paragraph on page 6 of the minutes is repetitious. He requested that they be amended to eliminate the repeated wording. Mr. d'Amico moved approval of the minutes of December 11, 2001 as amended, seconded by Ms. Czub. The motion was unanimously carried.

Ms. Czub moved, seconded by Mr. Russell, to adjourn the meeting at 9:00p.m. The motion was unanimously carried.

Respectfully submitted,

Janis L. Dean,  
Acting 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, Oscar Schreiber, Town Attorney, Jim Trainor, Town Attorney, Paul Pelagalli, Town Attorney, Department of Parks and Recreation, ECC, Saratoga County Planning Board, Shenendehowa Central School, Clifton Park Water Authority, Fire Districts.