

Clifton Park Planning Board Meeting Minutes

October 8, 2002

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

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

Mr. Bulger left the meeting at 8:00p.m. during the discussion of the Brock office park

Those absent were: B. Czub

Those also present: J. Kemper, Director of Planning, J. Grasso, Clough, Harbour, and Associates, and P. Pelagalli, Counsel

Mr. O'Brien, Chairman, called the meeting to order at 7:10p.m.

Public Hearings:

[2002-063] After Hours Farm – Proposed expansion of existing riding stable to include an additional 170' x 185' outdoor riding arena, 711 Waite Road – Preliminary public hearing for Special Use Permit and site plan review and possible determination.

Mr. O'Brien called the public hearing to order at 7:10p.m. The Secretary read the public notice as published in the Daily Gazette on September 30, 2002.

Ms. Barbara Jensen, owner of the riding stable, explained that she would like to expand the facilities at her riding stable by adding a 170' x 185' arena on Waite Road in an R-3 zone. The 13-acre parcel also contains NYSDEC designated wetlands as represented by L-C zoning. Per Sections 208-79 and 208-85 of the Town Code, a Special Use Permit is required to allow the enlargement of an existing riding facility. Ms. Jensen explained that she has applied to the NYSDEC for approval of a Freshwater Wetlands Permit and a Clean Water Act Water Quality Certification. A notice of Complete Application has been issued that states that the applicant will clear vegetation in an area 185' north to south and 170' east to west and cover the surface with up to 4" depth of fill. Ms. Jensen is in receipt of the NYSDEC permit and will supply a copy of the permit to the Planning Department. Approximately 3 feet of the perimeter of the new rink shall be up to 1" of fill to minimize erosion. The perimeter will be enclosed with one layer of landscape timbers pinned to the ground to help contain erosion. The notice states that the project is an unlisted action and will not have a significant impact on the environment and that a negative declaration is on file. A review of cultural resource lists and maps have been checked and no registered, eligible, or inventoried archaeological sites or historic structures were identified at the project location. No further review is required by SHPA.

Mr. Kemper explained that the applicant has gone over the minimum area that the

existing special use permit allows; therefore, a new special use permit will be required. The project will require fill in the 100' buffer area of N.Y.S.D.E.C. wetland # R-27. A letter dated September 20, 2002 from Fitch Communications Corp., owners of an adjoining property that contains a telecommunications power, states that they will perform a site visit to determine if there will be any objections to the project. The notice of complete application from N.Y.S.D.E.C. has been submitted and the wetland disturbance permit must be provided prior to the issuance of the Special Use Permit.

Mr. Kemper read the comments provided by the ECC. Since the proposed use is not an approved use within the Town of Clifton Park LC Zone, it is recommended that the applicant relocate the riding area outside of the LC Zone (100' Wetland Buffer). If the applicant does not wish to find an alternative layout eliminating the LC Zone disturbance, a variance will be required. Mr. Kemper will investigate the need for such a variance.

Mr. Grasso had no engineering comments on the application, though he noted that if lighting was to be installed around the riding area, the lighting plan would have to be reviewed by Clough, Harbour, and Associates.

There being no public comment, Mr. Bulger moved, seconded by Mr. Larkin, to close the public hearing at 7:20p.m.

Mr. d'Amico moved, seconded by Mr. Larkin, to establish the Planning Board as Lead Agency for this Special Use Permit application, an unlisted action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. Bulger offered Resolution #30, seconded by Mr. d'Amico, to grant approval to this application for a Special Use Permit to allow the expansion of an existing riding stable on Waite Road conditioned upon a sign-off from Don Clemens regarding the variance for work within an L-C zone. Ayes: Larkin, d'Amico, Bulger, Marzola, Russell, O'Brien. Noes: None.

Mr. O'Brien moved, seconded by Mr. d'Amico, to establish the Planning Board as Lead Agency for the site plan application, an unlisted action, 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 conditioned upon a sign-off from Don Clemens regarding the variance for work with an L-C zone. The motion was unanimously carried.

[2002-060] Standish, Robert C. – Proposed (2) lot subdivision, Waite Road – Preliminary public hearing and possible determination.

Mr. O'Brien called the public hearing to order at 7:25p.m. The Secretary read the public notice as published in the Daily Gazette on September 30, 2002.

Mr. Gil VanGuilder, consultant for the applicant, presented this application that calls for

the formal subdivision of 120.04 acres of land in R-3 and L-C zones. The division line will be along Waite Road since this road bisects the property. 82.01-acres lie on the west side of Waite Road and 38.03 acres lie on the east side of Waite Road. Mr. VanGuilder acknowledged that the larger parcel contains extensive wetlands, however, no changes or construction are proposed for the area. The existing home on the 38.03 acre parcel is served by an existing well and septic system. In response to Clough, Harbour, and Associates' comments, Mr. VanGuilder asked that test pit information be postponed until such time as building is proposed for the site. A note regarding sanitary design requirements will be added to the plat. Since the Trails Committee has no plans for a bike path along Waite Road at this time and since there will be only one owner for the parcels that have significant frontage on the road, no additional right-of-way will be required at this time.

Mr. Kemper asked that since no residence is currently planned for Parcel #1, the addition of the standard note for lots where sanitary design is waived must be added to the plans. A note should also be added to the plans stating that the wetlands on the project are only approximate locations, and at the time for an application for building permit, all wetlands will have to be officially delineated. The standard note for lots with wells and the farm note should be added to the plans. Mr. Kemper read the comments from the ECC that stated that the applicant should be aware that DEC wetlands and adjacent LC Zone have been identified on the parcel: the applicant should be aware of the restrictions and requirements that coincide with these areas and their potential impacts on future development.

Mr. Grasso explained that Clough, Harbour, and Associates' review of the plan resulted in the following comments. The proposed project appears to be an unlisted action pursuant to SEQRA, and as such, coordinated review is optional. The only involved agency is expected to be the Town of Clifton Park Planning Board for subdivision approval. Soil investigations including deep test pits and percolation tests should be conducted to determine if the proposed lots can support on-site wastewater disposal systems. A note should be added to the final subdivision plan stating that Parcel #2 and Parcel #3 shall remain on the same deed. The Town of Clifton Park's Trail Master Plan indicates that Waite Road is slated for an on-road trail route. As such, expansion of the existing road should be likely, which may result in the need for clearing, grading and drainage improvements outside the existing 50-foot right-of-way. It is recommended that a 10-foot wide strip of land be added to the existing right-of-way to accommodate these future improvements. Given the extent of wetlands within the site and the potential for incremental impacts due to additional development, consideration should be given to the establishment of deed restrictions or conservation easements over the environmentally sensitive features of the site.

Mr. O'Brien noted that although there is concern for the development of a septic system on the larger parcel because of the extensive wetlands, he was satisfied that the Building Department would require the submission of an appropriate septic design prior to the issuance of a Building Permit.

There being no public comment on this application, Mr. Larkin moved, seconded by Mr. Russell, to close the public hearing at 7:37p.m.

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

Mr. Bulger offered Resolution #31, seconded by Mr. d'Amico, to grant preliminary and final approval, waiving the final hearing, to this subdivision application. Ayes: Larkin, d'Amico, Bulger, Marzola, Russell, O'Brien. Noes: None.

Old Business:

[2002-055] Yum Brands – Proposed 230 SF addition to the existing Taco Bell restaurant, 811 NYS Route 146 – Preliminary site plan review.

This application was withdrawn from this agenda at the request of the applicant.

[2002-029] Brock, John – Proposed 170,400 SF office park, Glenridge Road and Route 146 – Revised conceptual site plan review.

Mr. John Montaigne, Chazen Engineering, presented this application to the Board. He summarized the presentation of June 11, 2002 that proposed the construction of 170,100 SF of office space in a B-2 zone at the intersection of Glenridge Road and Route 146. Mr. Montaigne then addressed the concerns raised by Board members at the previous meeting. He stated that the roadway had been redesigned to limit the direct thoroughfare from Glenridge Road to Route 146: the road will be designed to Town specifications in anticipation of conveyance to the Town. He also noted that the project has been designed to accommodate future right-of-way takings for road improvements in the area. On-site wastewater treatment will be a "phased" design: each site will have an on-site system that will be directed to a main system that will be designed to eventually flow to a municipal sewer system.

Mr. Montaigne addressed other development issues, stating that a Phase IB archeological study has been conducted and that there are no apparent impacts to the federally jurisdictional wetlands delineated on the site. Submission of project plans was made to the Army Corps of Engineers in June and the applicant is awaiting a reply.

Joe Lanaro, Chief Engineer, discussed the water supply and wastewater system designs. He noted that NYSDEC will review the system design since a SPEDES permit will be required. Stormwater will be managed on site. Water will be provided by the Rexford Water District. Fire flow will be minimized by the construction of fire areas within each of the office buildings.

It is expected that the most significant traffic impact will be at Bradt Road, though traffic patterns will be evaluated in conjunction with improvements planned by NYSDOT.

Preliminary reports recommend the synchronization of all traffic signals in the area.

Mr. Kemper identified the two main concerns as through traffic from Balltown to Glenville Roads and the precedent that would be set by allowing this amount of commercial development to be operating on a septic system. The first course of action should be to subdivide the parcel and then proceed with a phased approach for the commercial buildings. The proposed project will be a Type 1 action under SEQRA and as such coordinated review is required. A Full EAF for the project was submitted on September 20, 2002.

Mr. Grasso highlighted some significant engineering issues identified by Clough, Harbour, and Associates. The proposed project appears to be a Type I action pursuant to SEQR, and as such, coordinated review is required. A Full Environmental Assessment Form should be submitted for review prior to the issuance of SEQR notices for Lead Agency.

It appears that the applicant is seeking both subdivision and site plan approval for all five building lots. The proposed site plans, however, appear to depict general office building footprints, indicating that specific building design elements or tenants may not be known. If this is the case, it is recommended that the project be initially reviewed for subdivision approval and SEQRA and detailed individual site plan and lot subdivision review be performed in the future when specific tenants are known. Pursuant to Section 208-34. B. of the Town Zoning Code, the architectural design and choice of exterior facades and building materials for buildings located in the B-2 District shall take into consideration the character of the area and act as a transition zone between commercial retail uses and residential properties. It is recommended that building elevations be provided for review by the Planning Board.

The applicant is commended for making significant improvements to the plans. In order to ensure a quality overall commercial park, the applicant may consider implementing the following additional features: establish architectural standards to be reviewed and approved by an architectural review board, which would include representation by the applicant, an architect and the Town; establish park covenants to ensure a compatible park character for items such as landscaping, lighting, sidewalks, architectural standards, etc.; establish a development association for ownership and maintenance of the park wastewater pump station and disposal system, the stormwater management area and other community areas; provide deed restrictions or conservation easements over the environmentally sensitive portions of the project site; incorporate park amenities such as community sidewalks, paths, passive parkland, benches or other recreational opportunities; provide development identification signs, ornamental street lighting and/or a street tree planting theme; construct landscaped berms along the rear of the lots abutting Glenridge Road and Route 146.

The consultant should contact NYSDOT to obtain plans, if available, of the future proposed NYS Route 146 improvements along the project's road frontage. The site design, grading and landscaping of the rear of the parcels along Route 146 should be

designed to complement the NYSDOT improvements. In light of the proposed widening planned by NYSDOT for NYS Route 146, and to accommodate potential improvements to Glenridge Road, the Town may want to require the dedication of additional land for future highway right-of-way use.

The special setbacks identified in Section 208-98 of the Town Zoning Code applies to State Road 146, but not Glenridge Road. Therefore, the standard 70 foot front yard setback in the B-2 District applies to the portion of the site which fronts Glenridge Road. Nonetheless, it would be our interpretation that the 70 foot front yard setback be a minimum requirement and the special setbacks to the road centerline would not result in an actual setback of less than 70 feet for the wider road sections. The buildings and parking areas should be relocated for lots B, C and D. If site plan approval is being sought for each commercial building site, the Site Statistics Table should be expanded to provide additional information for each of the proposed lots including lot widths, required parking calculations and lot coverage in percentage.

According to the Town Zoning Code, a minimum of 1 parking space for each 200 square feet of bank floor area is required for a total of 27 parking spaces for a 5,400 square foot bank though only 18 parking spaces are proposed. The number of provided parking spaces should be increased to meet the Town Code or a variance from the Zoning Board of Appeals is required.

The proposed Lot G (the Stormwater Management Area parcel) should either have frontage on the town road or be combined with the adjacent Lot F.

Due to the likely build out of the individual sites over period of years, we recommend that the proposed Town Road be constructed with asphalt wingwedge over the entire length. At the time of construction of the individual sites, the driveways should be constructed to the top of the wingwedge. This arrangement will ensure positive drainage along the gutterline and avoid potential future modification to curb cut locations, which may only be speculative at this time and subject to future change. Likewise, we recommend that the proposed storm sewer within the Town Road be sized for build out of the park and be constructed during road construction. Street names and lot numbers should be assigned following review and approval by County Emergency Services and the Post Office.

The existing utility pole identified on the Existing Conditions and Demolition Plan to be protected during construction along Glenridge Road across from Bradt Road appears to require relocation for construction of the proposed Town Road.

The date performed and firm responsible for the topographic and survey base mapping should be identified on the plan. The final subdivision plan should include the bearings and distances for each of the proposed lots and any existing and proposed easements and contain the seal and signature of a NYS Licensed Professional Land Surveyor.

The proposed roadway radii at the intersections do not appear to meet the Town roadway

standards. It appears that an easement or land needs to be obtained from the adjacent property owner in order to construct the southern radius on the proposed Town Road intersection with Route 146. The consultant should verify the adequacy of the sight distance at the proposed Town Road intersections with Glenridge Road and Route 146. Highway work permits from the Saratoga County DPW and the NYSDOT are required.

Trash and recyclable enclosures and loading docks/delivery areas should be shown on each of the proposed site plans. The consultant should verify that emergency vehicles and trash removal vehicles can maneuver through each of the proposed sites.

The lane striping and signage for the proposed bank should be provided and an escape lane around the drive through should be provided.

Pursuant to the Highway Superintendent, the center island in the cul-de-sac should be depressed and contain a catch basin to collect runoff. Additional spot elevations, notes and/or details are required on the Grading Plan to ensure handicap access in accordance with the Americans with Disabilities Act and for top and bottom of proposed retaining walls. In addition, the consultant should verify that handicap access is provided to the building exits/entrance as required by ADA and Building Code. Consultation with the Building Department is recommended.

Catalog cuts and manufacturer's specifications should be provided for the proposed site lighting. Pole mounted site lighting should consist of downward style "shoe box" light fixtures. Building mounted lighting should not include wall packs. All lighting should be designed so as to restrict glare from offsite areas. Shields may be required for the pole lights along the southern lot line. Ownership and maintenance responsibilities of the lighting in the proposed Town right-of-way should be specified.

The existing tree limits to remain should be delineated by construction fencing or other method prior to clearing or grading. The proposed grade from Route 146 is 4.0%; the grade from Glenridge Road is not labeled. We recommend that the entrance grades be no greater than 3% to aid in easier entrance or exit from the proposed roadways. The centerline road grade of 1.0% should be increased in the cul-de-sac to ensure a minimum of 1.00% slope along the outer wingwedge to ensure positive surface drainage.

The Parking Stall Striping Detail indicates that the parking spaces are to be 8'6" wide: the Town's minimum standard is 9' x 18' parking stalls.

The consultant should check with the Rexford Water District for water supply details and specifications.

It is unclear if the Trench Detail for Multiple Conduit Run on the Sanitary Sewer Detail Sheet is intended for the proposed forcemain system. If so, it is recommended that tracer wire be provided for future location and the pipe material be PVC SDR 21 for pressure systems. The Catch Basin detail does not conform to the Town's standard details. The detail should be modified or clarification should be provided for the differences between

the private catch basins on the individual sites and the public catch basins in the right-of-way.

A Preliminary Site Plan Wetland Delineation Report, dated June 7, 2002 was submitted to our office. Documentation of an ACOE wetland jurisdictional determination should be provided.

Although the general arrangement of the proposed roadways appears acceptable, our firm has not completed review of the Traffic Report. Technical review comments on the Traffic Report will be forthcoming. The plans and report should be submitted to NYSDOT and Saratoga County DPW for review and approval.

Clough, Harbour, and Associates has reviewed the Water Supply Report, prepared by The Chazen Companies, dated September 20, 2002 and offered the following comments. Calculations or a model should be provided documenting that the proposed project will not result in reduction in static pressures in the system below the minimum recommended levels in the "Ten States Standards." Calculations should be provided to verify that adequate pressure exists at the top floor of the highest building (related to elevation) to operate the sprinkler system. Section 2.2 of the report states that an 8-inch water line exists on the south side of Route 146 and a 12-inch water line exists on the east side of Glenridge Road. It appears that the referenced existing water lines are on the west and south sides of the Route 146 and Glenridge Road, respectively. Section 5.0 of the report provides a detailed set of calculations to document that the needed fire flow is less than the theoretical available fire flow. The calculations appear to make some important assumptions with regard to the proposed building construction and the largest undivided floor area. These specifications should be added in note form to the site plan to ensure that the actual building design meets these criteria. Copies of a letter from the Rexford Water District should be provided stating that they have capacity and are willing to supply water to the project. The plans and report should be submitted to NYS Department of Health for review and approval of the public water supply extension. The report should identify if a water district extension is required. The report should identify all construction inspection, testing and disinfection requirements. The report should identify who will own and maintain the system upon completion of installation and testing.

The firm has reviewed the Wastewater Management Report, prepared by The Chazen Companies, dated September 20, 2002 and offer the following comments: Test Pit and Percolation Test locations and identification numbers should be shown on the plans; Test Pit #3 indicates that shale was encountered at a 3'-7" depth - the consultant should verify that vertical separation from the apparent bedrock or other impervious layer is provided. Calculations should be provided to check the potential for buoyancy of the pump station wet well. Catalog cut sheets, pump curves and system curves should be provided for the proposed pump station. Catalog cut sheets and specifications should be provided for the proposed standby generator. Copies of equipment recommendations by the manufacturer or supplier should be provided. Since each site will be required to have a septic tank, it appears that grinder pumps would not be required and effluent pumps may be more appropriate. It is recommended that in addition to the standby generator, bypass piping be

provided for emergency operation by a portable pump. Analysis and commentary should be provided for control of odor for periods of low flow, particularly prior to full build out of the proposed park. A detailed site plan blow up should be provided for the proposed pump station parcel showing the locations of the wetwell, control panel, yard hydrant, access and parking, standby generator, valve locations, etc.

It is recommended that the pump station be located on a separate parcel and the forcemain either be located within a utility easement or the roadway right-of-way. The report should identify who will be notified during periods of power and/or pump failure and alarm activation. The plans and report should be submitted to NYS Department of Environmental Conservation for review and approval of the wastewater disposal system and SPDES permit. The report should identify the construction inspection and testing requirements. The report should identify who will own and maintain the system upon completion of installation and testing. It is recommended that the entire system, including the gravity sewer, pump station and components and the disposal system be owned and maintained by either the developer or Development Association. Provisions should be made for qualified operators be on staff or have a maintenance agreement to ensure proper maintenance and operation of the system. The Town may request that funds be placed in escrow to cover expenses the Town would incur for maintenance, operation or upgrade of the system if necessary. The report should state that the proposed system will be connected to municipal sewer once it becomes available. To facilitate future connection, we recommend that a "dry" forcemain with appropriate valves be provided along the proposed road to Glenridge Road. To facilitate potential future connection to the proposed gravity system by others should municipal sewer become available, we recommend that an 8-inch gravity sewer be extended to the property to the south. The proposed gravity sewers should be designed in complete conformance with the Saratoga County Sewer District Quality Assurance Program. The details and specifications should be revised accordingly. Consideration should be given to also designing the pump station and forcemain components to the SCSD standards in order to facilitate future dedication should municipal sewer become available.

Clough, Harbour, and Associates reviewed the Stormwater Management Report, prepared by The Chazen Companies, dated September 19, 2002 and offer the following comments. The stormwater management plan should be designed in accordance the Unified Stormwater Sizing Criteria as outlined in the New York State Stormwater Design Manual, dated October 1, 2001. The consultant should reference the SMP Selection Matrices in order to determine the appropriateness of the proposed method of stormwater treatment. Consideration should be given to utilizing the Pond or Wetland SMP Groups with a forebay, low marsh zone, a micropool and a landscaping plan for additional biological uptake of pollutants and wildlife habitat. In order to verify existing soil conditions such as soil type, impermeable layers, high groundwater and percolation rates, test pits and percolation tests should be performed within the limits of the proposed stormwater management area to a depth of two feet below the bottom of the basin. Dividing the post-developed drainage areas into several smaller areas is not recommended as this tends to result in artificially lower peak discharge rates. It is recommended that the entire overall drainage area 2 be modeled as one subcatchment in the computer program with weighted curve number and representative time of

concentration travel path. Calculations should be provided documenting the adequacy of the size of the proposed closed drainage system and roadway culvert. The closed drainage system should be sized based on a 10 year storm using the Rational Method and Manning's Equation and the road culvert should be sized based on a 25 year storm using inlet and outlet control analysis. Details for the outlet control structure(s) should be provided. A Stormwater Pollution Prevention Plan with erosion and sediment control methods and details should be provided. It is recommended that a gravel access drive be provided from the Town Road up to and around the perimeter of the stormwater management area to provide access for maintenance vehicles and equipment.

Since the project will involve the disturbance of greater than 5 acres of land, the applicant is required to submit a Notice of Intent (NOI) pursuant to the State Pollution Discharge Elimination System (SPDES). The report should identify who will own and maintain the storm sewers within the individual lots, within the proposed right-of-way and the stormwater management area. We recommend that the stormwater management area be owned and maintained by either the developer or Development Association, since stormwater runoff from private commercial sites will be treated in the system.

Board members commented on several aspects of the plan. Mr. O'Brien expressed concerns regarding the proposed wastewater system and asked Mr. Pelagalli to research the need for the establishment of a transportation corporation. Mr. O'Brien would like assurances that the septic system is viable. He also recommended that the applicant subdivide the parcel in order to permit specific site plan review for development on each separate parcel. Mr. Grasso recommended that the entire site be considered during the SEQRA process. Mr. d'Amico asked that traffic patterns and flows at the proposed access points be evaluated since some traffic movements appear hazardous. In response to Mr. Marzola's question concerning the amount of greenspace on the site, Mr. Montaigne stated that there is approximately 50% greenspace excluding the wastewater and stormwater management areas. Board members found the proposal generally acceptable and asked that coordinated review be initiated.

New Business:

[2002-061] Southwick Meadows (Lands of the Estate of Howard D. Hoffman) – Proposed (118) lot subdivision, Crescent Road and VanVranken Road – Conceptual review.

Mr. Marzola, citing personal association with those involved with this application, recused himself from any discussion or Board action regarding this application

Mr. Lynn Sipperly, consultant for the applicant, presented this project plan on behalf of the applicant, Elias Weis. He explained that this project involves the subdivision of three adjacent parcels of land, totaling 99.6 acres, at the intersection of Crescent and VanVranken Roads. The property, located in an R-1 zone, generally contains cultivated fields and rolling meadows. The area contains no NYSDEC wetlands, though areas of federally jurisdictional wetlands have been delineated. Connection will be made to the

Clifton Park Water Authority and to the Saratoga County Sewer District via a gravity sewer to the pump station at Grissom Drive. The project has been designed to provide a buffer to existing roads and homes.

Mr. Sipperly presented a conventional lay-out plan as well as a cluster design pursuant to open space subdivision legislation. The conventional lay-out shows lots of 20,000 SF with the required 100-foot minimum lot frontage on existing or new streets. The plan results in a density of 1.18 lots per acre. Proposed lots on this plan would front on VanVranken Road and eight new streets to be developed within the property with a total length of approximately 9,333 feet. Open space in this plan consists principally of Class "B" open land and amounts to 8.91 acres.

The open space subdivision plan proposes 118 building lots varying in size and scale to allow development of large and moderated size homes. Lot sizes vary in size from 10,125 SF to 37,000 SF, resulting in a density of 1.18 lots per acre. Proposed lots under the open space plan will have driveway access off the new streets only. A network of open space/green area parcels integrate around and between lots, preserving natural resources on the property and continuing the open, spacious atmosphere of the Town and for residents of the subdivision. This plan proposes five new streets with an aggregate length of 6,770 feet, which is substantially less than the conventional layout plan. The plan proposes one access onto Crescent Road and one access onto VanVranken. Greenspace would total approximately 50% of the site.

Mr. Sipperly explained that the parcel labeled on the plan as tax map parcel 288.-2-24.4 and shown as an inset on the map contains approximately 10 acres of land. Since no wetland delineation or investigation has been conducted on this parcel, a conventional lay-out has been illustrated for this section of the development.

The consultant described the three types of homes to be built as carriage homes, traditional residences, and a few larger "estate" homes.

The proposed action is a Type 1 action under SEQRA and as such coordinated review is required. Involved agencies are expected to include: N.Y.S.D.E.C., N.Y.S.D.O.H., Saratoga County Planning Board, C.P.W.A., and the Saratoga County Sewer District.

The proposed action is a Type 1 action under SEQRA and as such coordinated review is required. Involved agencies are expected to include: N.Y.S.D.E.C., N.Y.S.D.O.H., S.C.P.B., C.P.W.A., and S.C.S.D. The project will require a signoff from the Trails Committee and the Parks and Recreation Department. The applicant should clarify whether the project open space will be owned by homeowners association or by the Town of Clifton Park. The applicant should consider providing berming and vegetative screening along VanVranken Rd. and Crescent Roads. The wetlands, steep slopes, and other development constraints on the separate lot along VanVranken Road should be depicted on the plans so that the proper density for the cluster subdivision can be calculated. Due to the large number of lots with only two proposed access points to existing Town roads, the ESAB should be consulted on this matter.

Mr. Grasso stated that because the proposed action involves a realty subdivision approval by NYSDOH, the proposed project is a Type 1 action pursuant to SEQR, and as such, coordinated review is required. Involved agencies are expected to include the following: Town of Clifton Park Planning Board – Subdivision Approval; C.P.W.A. – Water Connection Permit; S.C.S.D. #1 – Sewer Connection Permit; A.C.O.E. – Wetland Permit; Saratoga County Planning Board – Section 239 Referral; N.Y.S.D.O.H. – Realty Subdivision Approval, Water Supply System Approval; N.Y.S.D.E.C. – SPDES Permit, Wastewater Disposal System Approval.

Clough, Harbour, and Associates commended the applicant for proposing a cluster subdivision and one that minimizes environmental impacts when compared to that of a conventional subdivision. Pursuant to Section 179-37 of the Town’s subdivision regulations, 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-1 zone is to be submitted. The submitted conventional layout plan appears to satisfy this requirement; however, the insert of the ten acre parcel to the south showing lots #108 through 118 should show the existing topography and wetlands so that we may accurately determine the development potential of this area. The plan should also quantify the amount of acreage of federal and NYSDEC wetlands (broken down by NYSDEC wetland class) and should provide a maximum density calculation in accordance with Section 179-37 of the subdivision regulations. The Planning Department shall then review the conventional layout and 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 plan does not address what is proposed for the ten-acre piece to the south for the cluster layout option. Consideration should be given to providing recreational paths to make use of the proposed open space areas for passive recreation.

The lot areas for the proposed cluster subdivision should be shown on the plan. In addition, lot statistics should be provided including minimum lot area, maximum lot area, average lot area, minimum lot width, and minimum setbacks so that the Planning Board can make a formal determination regarding their acceptability.

The plan indicates Class “A” Open Space along Crescent Road and VanVranken Road and over existing wetlands and drainage ways to be preserved. Although the designation of one of the Class “A” Open Space parcels for possible agricultural use as shown is acceptable, we recommend that the remaining open space areas along the roads and over the environmentally sensitive portions of the site be designated as Class “B” Open Space for passive uses only.

The adequacy of sight distance at the curb cut locations on Crescent Road and VanVranken Road should be verified and shown on the plan. The locations of existing homes and driveways across from the proposed intersections should be shown on the plan

to evaluate the impact of headlights of vehicles entering and exiting the proposed development. The conceptual layout for storm drainage, water supply and sewer service should be shown on future plan submittals for review and comment.

It appears that twenty lots would be served on one means of access for those lots along Sussex Drive and Loudon Court. Pursuant to Section 179-25H of the subdivision regulations, two means of access are required if access is being provided to more than eighteen dwelling units.

Mr. O'Brien thanked the applicant for proposing an open space cluster plan and noted that the large expanse of open space provided a desirable buffer for existing properties. He suggested that Sheryl Reed review the plan to determine if the access provided is sufficient. Additionally, he was concerned about the traffic impact of such a development on traffic flowing to the Northway along Crescent Road since this sizable project follows the approval of more than a hundred lots in Countrymen Estates. Mr. d'Amico recommended that the 10-acre parcel be reconfigured to reflect a cluster design that would allow for open space surrounding the lots and protection of the stream corridor.

Since it was apparent that a number of people in the audience were in attendance because of this project, Mr. O'Brien explained that although the applicant was not presenting a preliminary plan that calls for a public hearing, he would entertain brief comments from the floor. He also outlined the Board's approval process, assuring members of the audience that everyone would have an opportunity to address the Board during the preliminary public hearing.

Ms. Alexandra Wagner, 27 VanVranken Road, asked if the Board had considered where the students would attend school since Okte, the nearby elementary school is currently very crowded. Mr. O'Brien explained that all agendas and copies of Planning Board minutes are available to school administrators and that past experience has taught that these administrators always assure the Board that capacity would be increased to accommodate new residents.

Mr. Paul Kane, 68 VanVranken Road, asked about the number of lots permitted under R-1 zoning and asked about the amount of green area required to be allotted for open space or parkland. He stated that the rural and historic character of the area should be respected. Mr. O'Brien responded that R-1 zoning permits the development of property as presented in this application. The impacts on traffic, water, wetlands, and other services will be mitigated to the greatest extent practicable.

Ms. Annie Cognon, 1665 Crescent Road, asked if the Board was aware that the Lands of Howard Hoffman lie in the flight path of airliners taking off and landing at Albany International Airport. Mr. O'Brien explained that the Town is aware of the airport noise and Mr. Kemper read the standard note that is now required to be included on all plats for subdivisions located south of NYS Route 146. The standard statement is designed to ensure that all potential homeowners are aware of possible disturbance from airport traffic.

Mr. Grant Keeler, 20 VanVranken Road, said that he finds the number of residences to be excessive. He asked that there be no access on VanVranken Road, a quiet, rural road. He also pointed out that this project will generate traffic volumes that will seriously impact the village of Vischer Ferry and Riverview Road. He urged the Board to consider traffic impacts to the area very carefully.

Mr. Bob Kruger, 64 VanVranken Road, would like the Board to consider the destruction of the natural visual buffer that has existed for many years.

Mr. Rick Mincher, 1707 Crescent Road, expressed concern that the values of existing properties would be decreased by this development. Mr. O'Brien explained that it would require Town Board action to change zoning regulations to require larger lot sizes for the rural areas of Town.

Ms. Carol Vilnius, 4 Appletree Drive, asked the Board to consider the consequences should an airplane crash among the new homes. She believes that future residents will be in "dire danger".

Mr. Gary Eichenbaum, 66 VanVranken Road, expressed concern about the displacement of wildlife in the area. He was especially interested in the migratory geese that appear each spring. He also said that VanVranken was a favorite recreational thoroughfare often used by bikers. He asked if sidewalks would be installed. Mr. O'Brien said that the Board would consult with the Trails Committee as well as the Parks and Recreation Department for recommendations regarding the location of bike and pedestrian trails. Mr. Eichenbaum requested information regarding the developer and projects he has constructed. Mr. Weis responded to Mr. Eichenbaum's question saying that he had developed property in the capital district area for more than 30 years, constructing homes in Riviera Estates, Dutch Meadows (Town of Colonie), and Vandenberg Estates.

Ms. Kathy Frederick, 29 VanVranken Road, expressed her sadness at seeing a "big, beautiful cornfield" being replaced by so many residential units.

Mr. Art Luke, 56 VanVranken Road, told the Board that he had been farming the 10-acre parcel near the power line since 1957. He wanted the members to know that the parcel is always under water in the spring.

Mr. Fred Woodward, 60 VanVranken Road, asked about the values of the proposed properties. Mr. Weis stated that the homes would be marketed for \$200,000 to \$300,000.00. Mr. Woodward also questioned the feasibility of the proposed gravity sewer system since the northern portion of the major lot is significantly lower than the center section of the site. Mr. O'Brien explained that the town engineer reviews all project plans to ensure that all systems operate properly. Mr. Woodward's other concerns focused upon the preservation on any archeologically significant items that may be found on the property and upon protection of any wetland areas on the property. He also asked whether the roads would be conveyed to the Town upon build-out of the subdivision. Mr.

O'Brien said that the roads would be constructed in accordance with Town design and construction specifications in anticipation of their conveyance to the Town.

Mr. Kane asked the Board to consider any impacts to the reservoir that is located across the road from the project. Mr. O'Brien informed him that all project proposals in close proximity to the reservoir are forwarded to the Latham Water District for review and comment. In response to Mr. Kane's inquiry regarding Clough, Harbour, and Associates' prior representation of the applicant, Mr. Grasso responded that his firm had never represented the applicant.

In response to questions concerning the proposed open space, Mr. O'Brien explained that Class "A" open space could be used for the development of recreational facilities such as tennis and basketball courts and playground equipment. Class "B" open space is often left as open land.

Ms. Elliott, 25 VanVranken Road, asked about impacts of run-off from the development. Mr. O'Brien responded that on-site retention is required for all projects.

Ms. Clare Thomenus, 74 VanVranken Road, asked the Board to consider the slope on VanVranken Road and asked if the Board had considered improvements to the narrow country road.

Mr. Steven Prescott, 78 VanVranken Road, asked if an upgrade to the existing pump station would be necessary to handle the additional flows.

Ms. Val Woodward asked who would be responsible for the impacts to existing wells should the sewer lines servicing the project break.

Mr. Kane asked if the application would be considered at a future date. Mr. O'Brien explained that the applicant will address the comments and concerns expressed during this meeting and submit more detailed plans for preliminary review. Following the preliminary public hearing, the Board must render a determination within sixty-two (62) days.

[2002-026] Quarry Development, LLC – Proposed (6) lot subdivision, Crescent Road – Conceptual review.

Mr. Steven Elsbree, Professional Land Surveyor, presented this application on behalf of the applicant. Mr. Elsbree explained that the applicant received Planning Board approval on May 16, 1996 for an 8-lot subdivision on this 100.5 acre parcel; however, the subdivision was never built. Plans have now been prepared for a 6-lot subdivision with lots ranging in size from 4.1 acres to 52.5 acres. The lots will be served by individual wells and septic systems. The private drive was constructed with previous permits from Saratoga County, the Town of Clifton Park, NYSDEC, and the Army Corps of Engineers. Though the project was to be considered at the July 9, 2002 Planning Board meeting, review was delayed until this evening.

Mr. Grasso, Clough, Harbour, and Associates reviewed the initial submission materials and issued the following comments on June 6, 2002. He 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 include the following: Town of Clifton Park Planning Board – Subdivision Approval and NYSDEC – Article 24 Wetland Permit.

The subdivision is proposed to contain a private road, and all but one of the lots will have frontage on the private road. This is only allowable if the proposed subdivision is proposed as a “Conservation Density” subdivision within the provisions of Article X “Open Space Subdivisions” as contained within the subdivision regulations. If this is what is proposed, it should be clearly stated as such. The plan has notes regarding a land preservation area but the location is not apparent on the plan. In order to be deemed consistent with the open space subdivision provisions, extensive open space preservation is required. A conservation easement or land preservation area should be established over the environmentally sensitive features of the site and the areas to be preserved as open space. In addition, consideration should be given to the relocation of Lot #6 to the rear of the site, thus allowing the project site to be viewed as undeveloped open space when viewed from the public right-of-ways.

In order to verify the adequacy of the soils to accept on-site wastewater disposal systems, soil investigations including deep test pits and percolation tests should be conducted in the areas of proposed systems. The location of the proposed wells and septic systems should be shown on the plan. The adequacy of the site distance should be evaluated along Crescent Road. Zoning district boundaries should be shown on the plan. The purpose of the access and utility easement between Lots #1 and #2 should be discussed.

On September 18th the applicant submitted revised plans for consideration that addressed many of the comments from Clough, Harbour, and Associates. Among the revisions included on the plan are the appropriate “Private Road” designation, the labeling of the plan as a “Conservation Density Subdivision,” the indication of the “Preservation Area,” test pit information, a note that residential construction on Lot #6 will blend with the neighborhood character, the location of proposed wells, sewage disposal areas, existing houses, and zoning district boundaries. Sight distance information for the access drive has been provided and the purpose of the access and utility easement between Lot #1 and Lot #2 has been clarified. Mr. Grasso was satisfied that engineering comments had been satisfactorily addressed.

Mr. d’Amico asked about the substantial wetlands on the property, noting that the delineated lands are located both on Lot #1 and Lot #5. Mr. O’Brien explained that though past policy was to maintain wetlands on one parcel, the protection of sensitive environmental areas is better assured if more than a single owner is responsible for maintaining the integrity of such areas. In response to Mr. Russell’s query about the cost of homes constructed in the subdivision, Mr. Elsbree stated that the residences would be high-end “estate” homes. Board members agreed that the plan provided protection for the wetlands and was generally acceptable.

[2002-059] Cumberland Farms – Proposed demolition of existing convenience store and construction of a 4,134 SF store with (6) gasoline dispensers and canopy – Conceptual site plan review.

Mr. Rob Spiak, Bohler Engineering, presented this application that calls for the razing of the existing Cumberland Farms convenience store and the construction of a new 4,134 store on the southeastern quadrant of the intersection of Vischer Ferry Road and NYS Route 146 in a B-3 zone. The intention is to modernize, upgrade and improve the site, replacing the existing canopies and two gasoline dispensers on the north side of the lot with a new canopy and six gasoline dispensers. The project requires several approvals from the Zoning Board of Appeals including front and side setbacks, parking requirements and impervious coverage variances. Mr. Spiak explained that the two existing curb cuts on NYS Route 146 will be reduced to one 30' wide curb cut to the east of the site.

Mr. Kemper stated that the project will require a signoff from NYSDOT, the Clifton Park Water Authority, the Saratoga County Sewer District., and the Saratoga County Planning Board. Future plan submissions should include a proposed landscaping plan. A curb cut permit will be required from NYSDOT. The applicant has applied to the Zoning Board of Appeals for 13 variances on the site.

Mr. Grasso listed a number of engineering 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 the following: Town of Clifton Park Planning Board for site plan approval; Town of Clifton Park Zoning Board of Appeals for area variances; Saratoga County Planning Board for Section 239 referral; NYSDOT for curb-cut permit.

There are a number of concerns about the layout and operation of the proposed site plan. The proposed plan appears to represent significant expansion for the use of the site and a significant number and extent of variances are required. If reducing the number of pumps or reducing the size of the building cannot be achieved, engineers strongly encourage re-design the site plan to improve aesthetics of the site and reduce impacts to the Vischer Ferry Road Corridor and the Route 146 Corridor. A sketch of a possible re-configuration of the site is included.

It is recommended the curb cuts on both Route 146 and Vischer Ferry Road be relocated as far away from the intersection as possible. The possibility of an access to the Price Chopper parking lot should be investigated. It appears as though when a car is parked at the vacuum, air and phone area that the access drive around the canopy will not be functional. The consultant should verify that a gas tanker can maneuver adequately through the site. Conceptual review comments for NYSDOT should be provided. Since the proposed method of stormwater management is solely infiltration, test pits and percolation tests should be performed at the locations of the drywells. Future plan submittals should include the following: proposed method of water and sanitary sewer

service; a map showing the existing site features; existing and proposed contours at a minimum of two-foot intervals; a note stating the hours of operation; proposed landscaping.

While Board members welcomed improvements to this site, members had a number of comments on the proposal. Mr. Russell asked if rights-in and rights-out along Vischer Ferry Road might help alleviate the traffic problems that sometimes occur at that location. Mr. Larkin expressed concerns about the “tightness of the site” and suggested that the applicant consider reducing the intensity of use. Mr. d’Amico noted that Town Code requires that 18 parking spaces be installed: the plan shows only 11 spaces. He asked that the applicant clarify this difference. Mr. Russell commented that he liked the lay-out provided by Mr. Grasso.

[2002-062] Parkwood Village Rental Office – 780 SF conversion of former Trinkets Gift Shop to rental office, 1816 Route 9 – Conceptual site plan review.

Mr. Brett Watts, Albany Management, explained that the applicant proposes the renovation of the former Trinkets Gift Shop into a rental office for Parkwood Village. The access from Meyer Road, the additional driveway, and the garage will be removed. A new parking area for six cars will be accessed from the driveway for Parkwood Village. Pursuant to ANSI codes, a new concrete ramp and platform will be built to provide access from the proposed parking area to the office. Landscaping is proposed for all sides of the building and the overall greenspace of the site will be increased.

Mr. Kemper reported that the project last appeared before the board on September 11, 2002 as a discussion item. The application was forwarded to the Saratoga County Planning Board on September 19, 2002. Handicap and No Parking signs should be provided on the plans.

Mr. Grasso stated that the proposed project appears to be an unlisted action pursuant to SEQRA, and as such, coordinated review is optional. Involved agencies are expected to include the Town of Clifton Park Planning Board for site plan approval and NYSDOT for a utility work permit.

It appears as though the site drainage will tie into the existing NYSDOT stormwater management system along Route 9. A copy of the stormwater management report should be submitted to NYSDOT and Clough, Harbour, and Associates for review. It also appears that the access will be provided across the adjacent lot. An ingress/egress easement over the common drive should be provided.

The use of flood lights for site lighting is not recommended for the site. Either residentially scaled lantern style or downlight style lighting is recommended. The plan should clarify existing and proposed methods of water supply and sanitary sewer service. Handicap parking should be provided pursuant to ADA regulations. Additional parking and layout dimensions should be provided on the preliminary plans. The minimum parking space size is nine feet by eighteen feet with a twenty-four foot wide drive aisle,

and the handicap striped access aisles should be eight feet wide minimum.

Future plan submittals should include the following: location of water and sanitary sewer service; existing and proposed lot statistics; erosion and sediment controls and clearing limits; site lighting including mounting height, style, lamp type and wattage; "Handicap" and "No Parking" signs; clarification of removals; construction details.

Mr. O'Brien moved, seconded by Mr. Marzola, 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. O'Brien, moved seconded by Mr. Larkin, to grant preliminary and final site plan approval to this application conditioned upon the sign-off from Clough, Harbour, and Associates on the water supply connection and sanitary sewer connection. The motion was unanimously carried.

Minutes Approval:

Since at the close of the meeting there was not a quorum of the members present at the last meeting, no approval of the minutes of the September 24, 2002 Planning Board was granted. Approval of the minutes will be considered at the next meeting.

Discussion Items:

Petco

Mr. Kemper explained that the Town of Halfmoon had forwarded two (2) applications for the Board's review since they are located in close proximity to the Town line. Petco proposes the construction of a 15,400 SF building at 6 Halfmoon Crossings for retail sales domestic pets and pet products.

Board members asked that the developer consider revising the lay-out to help moderate the imposing solid block wall and dumpster that front on Crossing Boulevard. Members recommended that the building be shifted to allow parking on the northern part of the site with walls and dumpster relocated to the southern portion of the site making the less attractive elements face the existing southern access to the Home Depot and the more appealing elements face both the Town of Clifton Park along Crossing Boulevard and the Town of Halfmoon along Halfmoon Crossing.

Subdivision of the Lands of Abele

Mr. Kemper explained that Mike Abele proposes a (14)-lot subdivision on Boyack Road within 500' of the Town lines. Board member expressed appreciation for the opportunity to review the application; however, they offered no comment on the proposal.

Mr. Marzola moved, seconded by Mr. d'Amico, adjournment of the meeting at 10p.m.

The motion was unanimously carried. The next meeting of the Planning Board is scheduled for October 22, 2002.

Janis L. Dean,

Secretary

cc: Planning Board Members, Planning Department, Clough, Harbour, and Associates, Supervisor, Town Administrator, Assessor, Zoning Board, Department of Building and Development, Town Clerk, Town Board Members, Highway Superintendent, Joel Peller, Town Attorney, 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.

Resolution #30

PRELIMINARY AND FINAL APPROVAL
Special Use Permit

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on October 8, 2002, at 7:10 P.M. there were:

Present: S. Bulger, R. d'Amico, J. Larkin, J. Marzola, J. Russell, K. O'Brien

Absent: B. Czub

Mr. Bulger offered Resolution #30 and Mr. d'Amico seconded, and

Whereas, an application has been made to this Board by Barbara Lee Jensen for approval of a special use permit pursuant to Section 208-79 and 208-85 to permit the expansion of a riding stable in an R-3 zone;

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on October 8, 2002 in the Town Office Building,

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

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

Now therefore, be it resolved that the Special Use Permit pursuant to Section 208-79 and 208-85 to allow the expansion of a riding stable in an R-3 zone is hereby approved conditioned upon a sign-off from Don Clemens regarding the variance for work within an

L-C zone.

RESOLUTION #30 passed 10/8/02

Ayes: Bulger, d'Amico Marzola, Russell, Larkin, O'Brien.

Noes: None

Abstained: None

Kevin O'Brien

Chairman

Resolution #31

Preliminary and Final Approval

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on October 8, 2002

Present: K. O'Brien, S. Bulger, R. d'Amico, J. Larkin, J. Marzola, J. Russell

Absent: B. Czub

Mr. Bulger offered Resolution #31, and Mr. d'Amico seconded, and

Whereas, an application has been made to this Board by Robert M. Standish for approval of a subdivision plat entitled Subdivision of the Lands of Robert C. Standish consisting of (2) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on October 8, 2002 and

Whereas, the Planning Board was established as Lead Agency for this application, an unlisted action, and a negative declaration was issued pursuant to SEQRA on August 13, 2002, and

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

Now, therefore, be it resolved that the final hearing for this application is waived and the final plat entitled the Subdivision of the Lands of Robert C. Standish is hereby granted preliminary and final approval.

Resolution #31 passed 10/8/02

Ayes: Bulger, Marzola, Russell, Larkin, d'Amico, O'Brien

Noes: None

Kevin O'Brien,
Chairman