

Clifton Park Planning Board Meeting Minutes

February 24, 2004

Those present at the February 24, 2004 Planning Board meeting were:

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

R. d'Amico arrived at 7:30p.m.

Absent: None

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

Mr. Bulger, Chairman, called the meeting to order at 7:10p.m.

Public Hearings:

[2004-006] Bellosa, John and Sissum, Martin – Proposed land transfer, 2 and 6 Ashdown Road – Preliminary public hearing and possible determination.

The Chairman called the public hearing to order at 7:10p.m. The Secretary read the public notice as published in the Daily Gazette on February 18, 2004.

Mr. Gil VanGuilder, consultant for the applicant, explained that the two applicants, John Bellosa and Martin Sissum, are co-owners of a 30,500 SF parcel that lies between their respective properties. In order to resolve an existing encroachment issue that involves Mr. Sissum's installation of an asphalt and crushed stone driveway on the commonly held lands, the two applicants propose to subdivide the property. Mr. Bellosa will then consolidate 15,382 SF of land with his existing lot and Mr. Sissum will add 15,165 SF to his lot. The property, located in an R-3 zone, is bounded by Blue Barns and Ashdown Roads.

Mr. Kemper reported that this project was last considered by the Board on February 10, 2004. His only comment was that descriptions for the land transfer areas must be submitted for review.

Mr. Grasso found the application acceptable. Mr. O'Brien, Environmental Specialist, reported that the ECC found this project acceptable and offered no comment.

Mr. Bob Gauvreau, 13 Oakwood Boulevard, said that he found this a rather "simple" application that was formerly accomplished by way of a verbal agreement and handshake between the parties involved. Mr. VanGuilder explained that the formal approval of the

subdivision plat by the Planning Board ensures the documented “chain of title.” Mr. Pelagalli explained that Planning Board action for such a land transfer is required by state Town law and provides a secure basis for the future sale and transfer of real property.

There being no further public comment regarding this application, Mr. Bulger moved, seconded by Ms. Pace, to close the public hearing at 7:20p.m. The motion was unanimously carried.

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

Mr. Marzola offered Resolution #4, seconded by Ms. Pace, to waive the final hearing for this application and to grant preliminary and final approval for this land transfer conditioned upon satisfaction of Mr. Kemper’s comment. Ayes: Larkin, Pace, Karam, Marzola, Russell, Bulger. Noes: None.

[2004-001] Massaroni Development Corp. - Proposed two-family residence in an R-1 zone, 737 Grooms Road – Public hearing for Special Use Permit and preliminary site plan review and possible determination.

The Chairman called the public hearing to order at 7:22p.m. The Secretary read the public notice as published in the Daily Gazette on February 18, 2004.

Mr. VanGuilder, consultant for the applicant, presented this application for the Board’s review. He noted that the applicant has unsuccessfully attempted to market the property for construction of a single family residence. It appears reasonable to seek approval to allow construction of a two-family residence since a Niagara Mohawk power station is located directly across Grooms Road and because there are duplex units within the Coburg Village facility that lies in close proximity to this parcel. He also noted that there is also a day care facility just east of the proposed two-family residence. He explained that this project remains generally as presented at the January 13, 2004 meeting. At that time the Board found the plan acceptable, though members requested colored architectural renderings: he presented the required renderings for the Board’s review. The units will be served with water and sewer connections that were provided as the Wishing Well subdivision was developed. The lot has been graded to allow for construction and appropriate drainage flow.

Mr. Kemper explained that this project last appeared before the Board on January 13, 2004 at which time the issues of concern included architectural renderings and the submission of a grading plan. The applicant has submitted copies of the architectural renderings. The Saratoga County Planning Board approved the application on January 15, 2004, noting that the project had no significant county-wide or inter-community impacts. The applicant will need to obtain a Saratoga County DPW Work Permit. The Saratoga County Sewer District issued the following comments: “A lateral connection exists on this lot; therefore, no permit is required from this office. Upon issuance of a C.O.,

information on number of units constructed must be supplied to the district so that appropriate sewer charges may be applied.” Fees pursuant to the Vischer Ferry Road Capital Improvement Plan must be remitted. Money should be placed in escrow to cover engineering review of the grading plan. The driveway should incorporate turnarounds so that the occupants do not have to back onto Grooms Road.

There being no public comment on this application, Mr. Bulger moved, seconded by Mr. Larkin, to close the public hearing at 7:25p.m. The motion was unanimously carried.

Mr. Bulger recommended that the applicant provide a single access from Grooms Road: Mr. VanGuilder agreed and stated that paving will be provided to allow residents to turn vehicles around before exiting to Grooms Road.

Mr. Bulger moved, seconded by Mr. Marzola, 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. Larkin offered Resolution #5, seconded by Mr. Russell, to approve this Special Use Permit application to allow the construction of a two family residence in an R-1 zone pursuant to Section 208-10,B(9) and 208-79 of the Town Code conditioned upon satisfaction of the comment offered by Mr. Kemper. Ayes: Larkin, Pace, Karam, Marzola, Russell, Bulger. Noes: None.

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

Old Business:

[2002-045] DCG Development Company – Mixed Use PUD 200 units of senior housing, Maxwell Drive and Wall Street – Preliminary site plan review and possible determination.

Mr. Gavin Vuillaume, consultant for the applicant, presented this application for the Board’s consideration. He distributed a detailed site plan for the Lands of DCG Development to the Board as recommended by Mr. Grasso and provided a brief history of the PUD that was approved by the Town Board last year. In December, 2003 the applicant received approval from this Board to begin clearing and site preparation for the senior housing project. Building plans continue to be revised and now include a porte-cochere and reception area. Access to the building has been provided at two locations along Wall Street in an attempt to achieve a “boulevard” look. The 150 parking spaces beneath the building will be accessed from three locations. An additional 200 spaces have been shown around the building. The site will be served by municipal water and sewer

and enclosed stormwater sewers will direct flow to the stormwater management area with discharge eventually to the existing drainage area. The service areas will be located to the northeastern corner of the building.

Mr. Kemper offered a number of comments on this application. A north arrow should be added on the plans. The note that refers to the 30' strip of land along the west side of the building should not mention the improvements on Wall Street. The specific variance numbers should be depicted on the plans. A note should be added to the plans illustrating the relationship of this application to the overall PUD that was approved by the Town Board. He reported receipt of a memo from the trails committee which stated that it would be important to provide access for pedestrians and wheeled vehicles (bike and wheelchairs). This will greatly improve accessibility to future development in this area and provide a link to Route 146 sidewalks and the Maxwell Road Trail. He believes that a paved 10-foot wide trail along the "Retention Basin to Connect to Storm Outlet" would fit the need. Prior to the next submission, façade renderings must be provided to the Board. Signoffs will be required from the Saratoga County Sewer District and the Clifton Park Water Authority. Plantings must be provided along the east side of the project site. Pedestrian sidewalks must be provided within the projects limits. Since the number of parking spaces proposed appears to be excessive, the applicant should consider the possibility of providing an area for future parking lot expansion that could be paved if warranted. Sheryl Reed submitted the following comment: "There are concerns with accessibility around the building as well as access for emergency services." She is currently waiting for a comment letter from emergency services. When it is received, she will forward it to the Planning Department.

Mr. MacElroy, the applicant's representative, explained that architectural plans are being prepared and colored façade renderings should soon be available. He also addressed the issue of excessive parking, noting that studies of similar facilities were on-going in an attempt to determine the number of spaces necessary to serve 200 apartment units. Since the facility was being designed to serve "active adults," it may be necessary to provide more spaces than required by many senior housing complexes. Consultants are studying various office buildings and comparable senior apartment areas to determine the best ratio of parking to living units. In response to questions from the Board, Mr. MacElroy stated that the below-level parking spaces will be rented and assigned to each lessee. The applicant agreed to work with the Chief of the Bureau of Fire Prevention to provide adequate access to all areas of the building.

Mr. Grasso commended that applicant for working cooperatively with the Board and the Town Engineer to create a desirable site. He reported that Clough, Harbour, and Associates reviewed the site plan for this project and offered several comments. The plan indicates a thirty foot easement along the site's west side to accommodate a future town road that will extend from Maxwell Drive Extension to Wall Street. Since a thirty foot easement does not appear to be adequate, it is recommended that a sixty foot right-of-way be provided and conveyed to the Town. In addition, the entrance to the garage will be very close to the future town road. The safety of this arrangement should be investigated at this time. The plan indicates 361 proposed parking spaces, including garage parking.

The typical parking ratio for senior housing is 1.3 spaces per unit. Based upon 200 units, 260 parking spaces would appear adequate. The applicant should provide documentation for the 100 parking spaces being provided in excess of what's typically required. It is recommended that the parking lot on the east side of the site be reduced in width or eliminated and the building shifted to the east to better accommodate the future Town road. The project is located within the DCG Mixed Use PUD and appears to have received all of the necessary variances for the proposed setbacks. The plan indicates that greater than 35% greenspace is provided. It should be confirmed that this is due to the recent consolidation of multiple parcels. This site is located in an area that will likely develop into a Town Center. As such, accommodations for pedestrian travel will be extremely important. It is recommended that a sidewalk be constructed across the site's frontage on Wall Street to the existing pedestrian path along Clifton Country Road and along the west side of the building where the future town road will be located. Due to the complexity of planning issues relative to this site and its relation to surrounding properties, it is recommended that a larger scale plan also be provided that includes properties to the north to Route 146.

Mr. Grasso also provided comments on the stormwater management report:

- The report assumes all site drainage will be conveyed to the stormwater basin along Wall Street. The grading, drainage and utility plan, however, directs a portion of the site drainage to the basin to the north. It appears this will need to be evaluated in the final stormwater report.
- The proposed stormwater management basin has an outlet of 306.1, which is lower than the peak elevation of the 10 and 100 year storm events. Based on this, it does not appear the basin will have the adequate volume to contain the runoff from a 10 or 100 year storm event.
- The size and material of the proposed water service should be specified on the plan. In addition, the proposed method of connection should be shown.
- The size and material of the proposed sanitary sewer service should be specified on the plan, as well as the existing size and invert information of the existing sewer along Wall Street. From the limited information shown, it is not possible to determine the direction of flow of the existing sewer.
- We recommend that the four inlets to the stormwater management area, which will be a highly visible feature across the front of the site, be consolidated into one inlet with an appropriate sediment sump for water quality improvement. NYSDEC stormwater regulations require the inlet to be opposite from the outlet.
- The existing roadway drainage system along Wall Street should be depicted in greater detail in order to verify the adequacy of the proposed grading design. Extension of full reveal curbing into the right-of-way is generally not allowed unless it is tying into an existing full reveal curb.
- The limits of the grading easement required from the adjacent owner should be shown on the plan.

Mr. Grasso also asked that a manufacturer's cut sheet of the proposed light fixtures be provided. The plan should also state that there will be no wall-packs on the building. Details of the proposed retaining wall should be provided.

In response to Mr. Grasso's comment regarding greenspace, Mr. MacElroy described the proposed office building to the north and stated that 40% of the entire development site would be dedicated greenspace. Mr. MacElroy also described the proposed terraced retaining wall that would be constructed along the Wall Street frontage. It is the applicant's intent to incorporate the building address within the 10-12 foot wall: details will be forthcoming.

Mr. O'Brien, Environmental Specialist, stated that the ECC had a number of comments regarding this application. The applicant must meet the 45% greenspace requirement in accordance with the Maxwell Road GEIS. The greenspace for the project must be calculated for the entire parcel. Any future projects on the parcel must calculate total greenspace including existing projects on the parcel. The applicant must provide a comprehensive stormwater management plan, in accord with NYSDEC regulations for the build-out of the entire parcel, including all of the land extending to and including the mixed restaurant project at the north end of the property. The catch basin in the garage should direct effluent to the stormwater management system and should include an oil/water sediment trap. The ECC has concerns regarding the emergency overflow basin and questions whether it has the capacity to accept any future projects on the parcel.

Ms. Pace sought assurance that the parking would be adequate since she has visited other facilities for older citizens where parking was too limited. Mr. MacElroy stated that the applicant was reviewing parking designs at similar facilities. In response to her question regarding the targeted market, Mr. MacElroy stated that the project would be designed to appeal to those "middle income" individuals who find Coburg Village too expensive but who are not eligible for subsidized housing.

Mr. d'Amico requested more information on a number of different site improvements. He recommended that some parking spaces be removed from the eastern and southern sides of the building in order to provide additional greenspace. Mr. MacElroy responded to his questions regarding the locations of such items as trash compactors and service elevators, noting that they would be located in the northeastern corner of the facility. He also stated that although the plan is still evolving, such things as a community room with a kitchen facility, exercise room, whirlpools, and multi-purpose rooms will likely be included in the project design. Mr. d'Amico expressed concerns about the visual appearance of the building from the Route 146 area noting that the north side of the building might be the most prominent. Mr. MacElroy agreed that since the north side would receive the most exposure, the incorporation of decks and patios would help to make the façade visually appealing.

Mr. Russell asked if the project plan included the location of the HVAC unit. Mr. MacElroy indicated that the service unit would be located near the building's service area but at a distance from the building itself. Mr. Russell also asked about the plans for handling run-off in the garage area. Although still being designed, Mr. MacElroy reported that current plans call for the run-off to be directed to a single location and pumped to a system separate from the stormwater management containment area.

Mr. Bulger asked that the project include pedestrian ways to “link” businesses and community organizations to the facility. Mr. MacElroy reported that, although the applicant was willing to work with the Board, he was uncertain what this area’s sidewalks would connect to and when additional services would be built. The Board then discussed a number of alternatives for the location of a sidewalk as well as traffic flow in the area. Though the intersection of Wall Street and Clifton Country Road was identified as problematic, Board members agreed that since there are several options for future roadway connections, this applicant would not be responsible for developing a “master plan” for the entire area. Mr. Bulger described the task of developing workable traffic connections as “challenging” and stated that traffic flow would be evaluated as specific projects were presented to the Board. Since there are a great number of issues to be addressed, Board members agreed that it would be inappropriate to take any action at this time.

[2003-071] Kasey’s Meadow Subdivision – Proposed (141) lot cluster subdivision, 626 Waite Road – Revised conceptual review.

Mr. Rob Osterhout, the applicant’s consultant, presented this application for the Board’s review. The project calls for the subdivision of 125.47 acres of vacant agricultural land located on the northeasterly side of Waite Road in an R-1 residential district. Though Mr. Osterhout described the proposed lot sizes and configurations, stormwater management plan, proposed roadway and overall lay-out at the November 25, 2003 Planning Board meeting, the main item of concern was the establishment of the number of conventional lots that would be permitted by current zoning regulations. Board members recommended that the consultant prepare a conventional lay-out plan that would remove all wetlands from the calculations of available land area. Tonight’s submission is a response to this request. The project proposal now calls for acceptance of the conventional layout of 156 lots. Mr. Osterhout explained that the density has been decreased by 20%: the plan represents a density of 1.28 units per acre. The plan, designed in compliance with zoning requirements, now illustrates 156 single-family lots with conventional configurations and setbacks. The consultant also noted that wetland impacts have been reduced by approximately two acres.

Mr. Kemper stated that this project last appeared before the Board on November 25, 2003 at which time the major concerns raised by the board included traffic, wetlands, and the allowable density on the project site. As was stated during that Planning Board meeting, this project is located within the Western Clifton Park GEIS study area and as such no SEQRA determination or Planning Board approval will be granted until the moratorium is lifted. In addition, the density requirements or zoning classification may change as a result of the GEIS. He reported receipt of a memo from Jim DiPasquale at the Saratoga County Sewer District stating that this project will connect to systems being constructed by the Town of Clifton Park. Information to be considered will be ownership of the lines and capacity within the system. To correctly determine the development constraints on the property, the applicant must delineate all DEC and ACOE jurisdictional wetlands. The stream that runs through the property is a DEC classified stream. Mr. Kemper

recommended that the open space within the subdivision should be situated so that contiguous open space corridors are created. The applicant was directed to evaluate the sight distance along Waite Road. Due to the size of the project, recreational amenities such as a multi-use pathway and Class A open space should be provided within the subdivision. In general, the applicant has met the code in regards to the density allowed with a conventional subdivision layout, though there are still approximately 10 lots that may not be practically developed. The viability of these lots may be determined by the Board during the preliminary review process.

Mr. Grasso reported that Clough, Harbour, and Associates reviewed the “Conventional Layout Plan” for this project as prepared by Boswell Engineering and he explained that the primary purpose for review of the conventional layout plan is to determine the maximum allowable density for a possible cluster subdivision based on the current cluster subdivision regulations. The project site is located within the study area of the Western Clifton Park Generic Environmental Impact Statement (GEIS). Although it is permissible for the applicant to continue with plans for a subdivision in accordance with the existing zoning and subdivision regulations, a SEQR determination and preliminary plan determination can not be made until the existing moratorium is lifted. In addition, the applicant should be alerted to potential changes to the existing land use requirements as a result of the GEIS. Relative to the proposed conventional layout with 156 lots, the layout appears to be in conformance with the existing zoning and subdivision regulations. Clough, Harbour, and Associates recommends that the Planning Board establish 156 lots as the maximum allowable density for the project site.

Mr. Grasso explained that it is the assumption that the applicant will continue with plans for a cluster subdivision. It is recommended that the applicant pursue providing only one access road across the NYSDEC stream and wetland corridor that bisects the site and providing a second connection to 21st Century Drive. It is also recommended that all lots be located on the east side of the stream and wetland complex. This will drastically reduce the visibility of the development from the existing roads and reduce the project’s impact on the rural character of the area. Consideration should be given to locating all proposed lots in the open field on the east side of the stream, thereby also preserving the existing mature forested lands at the far east side of the property. The firm understands that the sewer main being installed along Route 146 to serve the Corporate Commerce Zone is a 3” diameter low pressure force main. The ability of such a small main to serve full build-out of 21st Century Park and over 100 homes is unlikely. A narrative description of the plans for extension of water and sewer to serve the project must be prepared. Multi-use pathways should be integrated into any development proposal. The need for stub street connections to the adjacent undeveloped properties should be evaluated and discussed with the Planning Board. The Sammler parcel to the north has just been added to the Town’s conservation easement program. Although the Sammler property may not ultimately be developed into residential housing, provisions for a stub street for rights of public access may still be important. The comments included in the November 18, 2003 initial comment letter should be addressed in future plan submittals.

Mr. O’Brien, Environmental Specialist, reported that the Commission notes that the

conventional layout illustrates several lots with wetland boundaries in the proposed building envelopes. The plan should be adjusted to eliminate this situation and provide building lots devoid of sensitive environmental areas. The Commission recognizes the fact that this is a conventional layout allowed per the Town Code; however, the proposed density seems extreme in lieu of the surrounding characteristics of the area and the sensitive environmental features of the parcel.

In response to ECC comments, Mr. Osterhout acknowledged that some of the lots on the plan do indicate that wetlands are located within building envelopes. He explained that the applicant would adjust lot boundaries to ensure that a 50-foot buffer area is provided for each lot. The applicant is also willing to provide a future road connection to property to the east and to cluster the development to the rear of the site, thus preserving the natural area and rural character along Waite Road. Although it has been suggested that the developer might wish to seek access to the development through the Lands of Parisi or the Corporate Commerce zone, the applicant has not yet pursued these options. Mr. DeVito, applicant, did indicate that he was willing to contact adjoining property owners to discuss such connections.

Mr. Grasso discussed the impact of the moratorium on this project plan. Mr. Bulger amplified his comments, advising the applicant to “proceed with caution” with development plans. He emphasized that the Town Board may change zoning in the area: such a change could require significant revision to the proposed project. The applicant stated that he understands the process and that he will continue with the development plan at his own risk.

Board members offered a number of comments on the project proposal. Mr. Karam pointed out that the plan contains a cul-de-sac of considerable length that serves only four residences: he recommended that the applicant consider access these homes with combined driveways. Mr. Bulger was concerned that the wetlands were crossed in two locations by the proposed road: he would like to see the wetland impacts reduced. After considering alternatives, the Board encouraged the applicant to pursue a connection to Tanner Road through 21st Century Park and to provide future connections to adjoining properties. Mr. d’Amico would prefer a plan with only one access on Waite Road. He would also reject a plan with lots that back to roadways. He finds 156 lots excessive. Mr. Larkin commented on the design plan, noting that the road planned along the northern property boundary was unacceptable since it was a very long “straight-away”. He, too, found the project density unacceptable. Mr. Pelagalli confirmed Mr. Kemper’s assertion that, although the Board members found the conventional plan presented unacceptable, the goal of this evening’s review is to establish the number of lots that could be developed on the parcel in compliance with existing zoning. The applicant has complied with the set guidelines for such consideration; therefore, it is reasonable for the Board to establish the number of potentially developable lots to be 156. While the Board may comment on the cluster plan that is eventually submitted, the conventional plan is acceptable as presented for establishment of the number of lots that may possibly be developed.

Mr. Bulger moved, seconded by Mr. Karam, to establish 156 as the number of single-family units that could be developed on the parcel under consideration pursuant to existing zoning regulations. The motion was unanimously carried.

Discussion Items:

Mr. Kemper presented several project proposals to the Board. Members agreed that formal site plan applications would be required for the revisions to the Quinn Medical site, the KFC site, and the Trade Winds Farm site. Although the Board found the colored renderings submitted for the Bardakjian application improved, members agreed that the color was not acceptable. Renderings that accurately show color and materials must be submitted. The Board agreed that the Eells subdivision could be approved conditioned upon completion of additional archeological excavation prior to the issuance of the Building Permit.

Minutes Approval:

Mr. Bulger moved, seconded by Mr. Larkin, approval of the minutes of the meeting on February 10, 2004 as written. The motion was unanimously carried.

Mr. Bulger moved, seconded by Ms. Pace, adjournment of the meeting at 9:40p.m. The motion was unanimously carried. The next meeting of the Planning Board is scheduled for March 9, 2004.

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

Resolution #4

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 February 24, 2004, there were:

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

Absent: R. d'Amico,

Mr. Bulger offered Resolution #4, and Ms. Pace seconded, and

Whereas, an application has been made to this Board by John Bellosa for approval of a

subdivision entitled Land Transfer between the Lands of Fenlon Bellosa and the Lands of Martin S. Sissum consisting of the transfer of 15,383 SF to the adjoining Lands of Bellosa and 15,165 SF to the adjoining Lands of Sissum;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on February 24, 2004 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 February 24, 2004, 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 subdivision plat entitled Land Transfer between the Lands of Fenlon Bellosa and the Lands of Martin S. Sissum consisting of the transfer of 15,383 SF to the adjoining Lands of Bellosa and 15,165 SF to the adjoining Lands of Sissum is hereby granted preliminary and final approval conditioned upon satisfaction the comments offered by Mr. Kemper.

Resolution #4 passed 2/24/04

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

Noes: None

Steven Bulger,
Chairman

Resolution #5

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 February 24, 2004 at 7:10 P.M. there were:

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

Absent: R. d'Amico

Mr. Larkin offered Resolution #5 and Mr. Russell seconded, and

Whereas, an application has been made to this Board by Massaroni Development Corporation for approval of Special Use Permit #80475 to allow the construction of a two family residence in an R-1 zone pursuant to Section 208-10,B(9) and 208-79 of the Town Code;

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on February 24, 2004 in the Town Office Building,

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

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

Now therefore, be it resolved that the application of Massaroni Development Corporation for approval of Special Use Permit #80475 to allow the construction of a two family residence in an R-1 zone pursuant to Section 208-10,B(9) and 208-79 of the Town Code in an R-1 zone is hereby approved.

Resolution #5 passed 2/24/04

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

Noes: None

Steven Bulger,
Chairman