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PLANNING BOARD

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Attorney

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Emad Andarawis

Michael Hale

Joel Koval

Eric Ophardt

Kim Paulsen

Tom Werner

(alternate) Eric Prescott

**Planning Board Meeting**  
**May 29, 2013**

Those present at the May 29, 2013 Planning Board meeting were:

Planning Board: R. Ferraro, Chairman, E. Andarawis, J. Koval, E. Ophardt,  
K. Paulsen, T. Werner  
E. Prescott – Alternate Member

Those absent were: M. Hale

Those also present were: J. Scavo, Director of Planning  
J. Bianchi, M J Engineering and Land Surveying, P. C.  
L. Renzi, Town Attorney  
J. Dean, Secretary

Mr. Pelagalli, Counsel, arrived following the presentation of the Jonesville Fire District application.

Mr. Ferraro, Chairman, called the meeting to order at 7:00p.m. All in attendance stood for recitation of the Pledge of Allegiance.

Mr. Ferraro explained that Mr. Prescott will be sitting as a full voting member at this evening's meeting in Mr. Hale's absence.

**Minutes Approval:**

Mr. Ophardt moved, seconded by Mr. Andarawis, approval of the minutes of the meeting of May 14, 2013 as written. Ayes: Andarawis, Prescott, Koval, Ophardt, Warner, Ferraro. Noes: None. Abstained: Paulsen.

**Public Hearings:**

[2013-007] **Jonesville Fire District** – Proposed (2) lot subdivision, 629 Route 146A – Preliminary public hearing and possible determination. SBL: 271.-1-1

Mr. Ferraro, Chairman, called the public hearing to order at 7:04p.m. The Secretary read the public notice as published in the Daily Gazette on May 20, 2013

Mr. Koval moved, seconded by Ms. Paulsen, 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. Neil Weiner, legal representative for the applicant, presented this application that remains generally as presented at the April 23, 2013 Planning Board meeting. He explained that the applicant would like to subdivide a 9.48 acre parcel lying within the R1 zoning district on the easterly side of Route 146A approximately 600 feet from its intersection with Route 146 into lots of 7.46 acres and 2.03 acres, respectively. The smaller lot will include the newly renovated fire district facility and associated improvements. The larger lot – a keyhole lot with 60.54 feet of dedicated frontage along Route 146A is to be sold to Mr. Scott Earl pursuant to a contract of sale and purchase of real property. Mr. Weiner stated that at this time the fire district has no intention to develop the newly-created parcel and that the prospective Earl's attorney has stated that it will likely take two to five years to develop comprehensive development plans for this parcel and the adjoining parcels he owns.

Mr. Scavo stated that comments received from Mr. Myers, Director of Building and Development as well as the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee had been forwarded to Planning Board members.

Mr. Scavo read the comments provided by Mr. Steve Myers, Director of Building and Development. Mr. Myers notes that the entire parcel owned by the Jonesville Fire District is zoned R1 though the adjoining parcel to the south lies within the B3 zoning district. He states that there are no proposed zoning changes at this time.

Mr. Scavo read the comment prepared by the ECC. The ECC recommends having the property line for the subdivision at the rear of the fire station be drawn further away from that station to provide visual and auditory buffering for the subdivided lot and inclusion of as much wetlands as practicable.

Mr. Scavo provided the following comments that were prepared by the Planning Department. Per a Town Board Resolution adopted on April 1, 2013 by that Board, all applicable fees for the project have been waived: no parkland fee for the lot shall be required. Mr. Scavo read the definition of *keyhole lot* as provided in the Town Zoning Code which reads as follows:

A lot located to the rear of another lot that meets all the requirements of this chapter and has access to a public right-of-way by a strip of land in fee simple ownership, at least 40 feet wide.

He noted that the subdivision plan meets the definition of a keyhole lot which is permitted at the discretion of the Planning Board and reported that all necessary setbacks have been met. In addition to listing all of the standard notes applicable to keyhole lots on the plan, the required minimum 50' setbacks from all property boundaries must be indicated. Prior to final stamping, all approved 911 addresses must be shown on the plan. Mr. Scavo noted that the survey shows that there is an encroachment of a wood frame shed from 4 Buckingham Court onto the lands of the Jonesville Fire District by 7.5'. Per Town Code all accessory structures are required to be on one's own property and require a minimum 10' setback from the rear and side property lines. A similar situation occurs at 10 Sheffield Drive where a shed encroaches onto the Fire District property by 3'. He recommends that the Planning Board notify the Building Department in writing of the apparent violations. A note should be added to the plan that states that "any future proposed driveway shall conform to Sections 503 and 511 of the Fire Code of New York State."

Mr. Bianchi, M J Engineering and Land Surveying, P. C., the Town's designated Engineer, did not review this application.

Mr. Carl Reed, 4 Marlboro Court, expressed his concern regarding the possibility of an access drive directly behind his home and he believes that the "stem portion" of the keyhole lot would have had less impact to existing homes if it had been placed along the southern property boundary. Mr. Ferraro explained that there is no proposal for development of the parcel at this time: no access drive or roadway is planned. Mr. Koval offered additional comment, stating that anticipated development of the site would likely place access to the property at a location to the south of the Jonesville Fire District parcel.

Ms Esther Roberts, 6 Buckingham Court, was concerned that approval of the subdivision would provide the basis for a request to rezone the parcel. She reported that her internet search indicated that the potential owner is involved in commercial development rather than residential development and she believes that he will likely propose commercial development of this site as well. Mr. Koval commented that Mr. Earl had recently received approval for a residential subdivision and that he had previously been involved in other subdivisions and residential construction. Mr. Koval explained that unless the owner of the parcel chose to construct a single family home on the parcel, any additional subdivision or site plan proposals would require Planning Board review and, therefore, notification to adjoining property owners within 500' of the development site.

Mr. Rick Surprenant, 8 Buckingham Court, stated that he, too, was concerned with the possible location of an access roadway and possible rezoning of the parcel to permit commercial development in close proximity of existing single-family residences. He spoke in opposition to the possible establishment of an "emergency access" from the parcel to Route 146, noting that such an access would result in a "big impact" to the neighborhood and would likely result in the eventual development of a full-access roadway. Mr. Ferraro reiterated the fact that the Planning Board has no knowledge of future development plans for the parcel and must review the

subdivision application as presented. Mr. Koval remarked that it was “very premature to discuss possible future access to the site.”

Mr. Bill Hoffman stated that the “neighborhood was playing a blind game of chess,” since it was unclear when and how the stem of the keyhole lot would be developed and he requested clarification regarding the necessity of providing frontage along Route 146A. He asked that Board members take the neighbor’s concerns seriously. Mr. Koval explained that the zoning code requires all parcels to have at least 40’ of frontage on a Town roadway. In response to Mr. Hoffman’s comment that Mr. Earl appears to be “moving one step at a time,” Mr. Koval commented that the Board was only reviewing the subdivision application.

Mr. Richard Malek, 10 Sheffield Drive, requested further clarification of the possibilities for installation of a public roadway on the 60’ strip provided from Route 146A to the 7 acre parcel. Mr. Koval stated that the 60’ strip would provide enough width to allow for the construction of a standard roadway. Mr. Scavo explained that a paved carriageway would be substantially less than the 60’ wide right-of-way and that the location of a proposed roadway would be discussed when and if a development proposal is presented for consideration. He further stated that the current application calls for the creation of a one lot within an R1 zone and that the only permitted use would be the construction of one single family residence. Mr. Ferraro again commented that the Board is considering the application as presented, noting that it meets all current zoning requirements. Should future development plans be presented, Board members will review with equal deliberation. Mr. Malek concluded his comments by stating that the subdivision application was a “foreshadowing” of future development and that Mr. Earl would likely “plead his case for commercial development to the detriment of existing homeowners.”

Mr. Jim Miller, Chairman of the Board of Fire Commissioners, 44 Spruce Street, addressed the audience, speaking specifically to the issue of “transparency” that had been mentioned by some those who offered public comment. He explained that residents of the fire district had voted to approve the sale of the property through a referendum: those living in the district were informed that sale of the property would provide funds for the recent station renovation, allowing for taxes to remain stable. After receiving that approval, fire district representatives approached Mr. Earl who was “happy to help the fire district and the community.” He reported that Mr. Earl had remarked that the property would likely provide a “nice buffer” for future development.

Mr. Lou Renzi, in attendance at the meeting as Counsel, addressed Board members and those in attendance at the meeting, stating that Board members certainly understood the concerns expressed during the public comment period but that they were charged to “act in accordance with existing regulations.” He explained that Board members may not “operate on speculation:” they must consider applications as presented. He further commented that if a new owner proposes future subdivision or site development, applications must be presented and reviewed by appropriate Boards.

Mr. Robert Baran, 6 Marlboro Drive, questioned the ability of the property owner to disturb the wetland area that is shown on the plan. Mr. Koval stated that it may be “difficult to

develop” the parcel since disturbance of the wetland would be necessary to provide access, though he cautioned that such a limitation would not preclude subdivision approval. The law requires that access be provided to a public roadway. Mr. Scavo commented that approval of land-locked parcels is not permitted. Mr. Scavo commented that disturbance of 1/10 of an acre of wetland is allowed under the ACOE’s general permitting process. Additional disturbance would require additional permits.

Mr. Renzi stated that this subdivision application could have been submitted and reviewed without knowledge of a potential purchaser and he reiterated the fact that Board members may not speculate about “what may happen” in the future.

There being no further public comment, Mr. Ferraro moved, seconded by Mr. Ophardt, to close the public hearing at 7:55p.m. The motion was unanimously carried.

Ms. Paulsen related an anecdote about her family’s experience with development of a major roadway behind property they had purchased, explaining that although a major arterial had been approved behind property that her family had purchased, the roadway had not been constructed for several years. Several years after purchasing their home, however, development of the roadway began. She stated that, while she appreciated the concerns expressed by the residents of Sherwood Forest, she believes that property owners may develop their properties in accordance with zoning requirements. She remarked that Board members take their responsibility for sensible application of the code very seriously – always with the “best interest of the community” in mind. She suggested that residents attend Planning Board and other public meetings more regularly to view first-hand how governmental bodies function. In response to her question regarding the amount of green space on the smaller parcel, Mr. Rabideau, consultant for the applicant, who was in attendance at the meeting, reported that it totaled 55%. Ms. Paulsen asked if it were possible for the applicant to relocate the property boundary slightly as recommended by the ECC. After a brief discussion of such a revision, it was agreed that such a minimal change would not provide a “visual and auditory” buffer. Mr. Ferraro found the application acceptable, though he commented that the temporary gravel driveway installed when construction of the new building was undertaken must be restored to its original condition and that the landscaping required during site plan approval must be installed. An audience member asked that the unsightly cement blocks apparently used to protect existing meters be removed or leveled. Mr. Weiner assured Board members that he would pass these concerns to district representatives.

Mr. Koval offered Resolution #6 of 2013, seconded by Mr. Werner, to waive the final hearing for this application and to grant preliminary and final subdivision approval to this application conditioned upon satisfaction of comments issued by the Planning Board and all items included in the final comment letter prepared by the Planning Department. Ayes: Ophardt, Paulsen, Andarawis, Prescott, Werner, Koval, Ferraro. Noes: None.

[2013-008] **Mackey, William F. and Susan M.** - Proposed (2) lot subdivision, 1644 Crescent Road - Preliminary public hearing and possible determination. SBL: 288.-2-43

Mr. Ferraro, Chairman, called the public hearing to order at 8:14p.m. The Secretary read the public notice as published in the Daily Gazette on May 20, 2013

Mr. Werner moved, seconded by Mr. Ophardt, 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. Duane Rabideau, consultant for the applicant, presented this application that was last reviewed by the Board at its April 23, 2013 meeting. The applicant requests approval to subdivide 29.8 acres of land within the CR (Conservation Residential) zoning district into lots of 3.05 acres and 26.75 acres, respectively. The parcel is located on the southerly side of Vischer Ferry – Crescent Road approximately 1,300 feet east of the intersection of Vischer Ferry – Crescent Road and Brighton Drive. The smaller lot will be used to construct a single family home that will connect to existing water and sewer lines on Kendra Drive. Access will be provided via an extension of the right-of-way of Kendra Drive. The larger lot will contain an existing residence served by an existing well and individual septic system and is served by an existing driveway over a 60' wide right-of-way from Vischer Ferry – Crescent Road.

Mr. Scavo reported that Mr. Myers, Director of Building and Development, offered the following comments regarding this application. Since the proposed lot has been reconfigured, it does not appear now to be a keyhole lot. Since the driveway appears to be approximately 150' long, it must be 20' wide and be capable of supporting a 75,000 pound emergency vehicle. The proposed snow storage area should be approved by the Highway Department. Mr. Myers also points out that the sewer and water lines must not be within the paved area of the driveway within the Town's right-of-way.

Mr. Scavo explained that the ECC found the application acceptable.

Mr. Scavo offered comments prepared by the Planning Department. The proposed subdivision complies with the Town Code requirements for a subdivision within the Conservation Residential zoning district. A parkland fee will be required prior to the stamping of the final plan. The mitigation fee for the Western Clifton Park GEIS preparation will be applicable: a payment of \$348 per each new dwelling unit will be required to be paid prior to the stamping of the final plan. The following note must be added to the plan:

The property will be required to notify the Town Highway Superintendent prior to the commencement of any construction activities.

The following additional note must also be added to the plan:

Any damage to the existing public way surfaces as a result of construction activity or construction vehicles within the Southwick Meadows neighborhood will have to be repaired by and at the expense of the property owner to the satisfaction of the Town Highway Superintendent.

Approved 911 addresses must be added to the final plans submitted for stamping. Mr. Scavo explained that since Mr. Kukuk, Highway Superintendent, has not commented on the snow storage area provided, it is assumed that it is acceptable. The applicant and consultant will be provided with a copy of the Conditions for a Driveway Permit publication that is available from the Highway Department.

Mr. Bianchi, M J Engineering and Land Surveying, P.C., reported that the subdivision plan as revised is acceptable: all previous comments have been adequately addressed.

There being no public comment on this application, Mr. Ophardt moved, seconded by Mr. Koval, to close the public hearing at 8:18p.m. The motion was unanimously carried.

Mr. Ferraro expressed his appreciation to the applicant and his consultant for their willingness to adequately address the concerns raised by professional staff members as well as the Board. In response to Mr. Koval's question regarding the required setbacks for the proposed residence, Mr. Rabideau stated that all setback requirements have been met. Mr. Ferraro referred the staff to a Section of the Zoning Code dealing with a one-time subdivision of a lot in the CR zoning requiring 50 foot setbacks from all property lines. He directed staff to verify whether or not the setback requirements have been met per the code requirements.

Mr. Andarawis offered Resolution # 7 of 2013, seconded by Mr. Werner, to waive the final hearing for this application and to grant preliminary and final subdivision approval conditioned upon satisfaction of all items contained within the final comment letter issued by the Planning Department. Ayes: Ophardt, Paulsen, Andarawis, Prescott, Werner, Koval, Ferraro. Noes: None.

[2013-009] **Windsor Development** (Lands of Joseph M. and Helen M. Dworakowski) proposed (2) lot subdivision, 457 Clifton Park Center Road – Preliminary public hearing and possible determination. SBL: 271.-3-48.

Mr. Ferraro, Chairman, called the public hearing to order at 8:20p.m. The Secretary read the public notice as published in the Daily Gazette on May 20, 2013

Mr. Ophardt moved, seconded by Mr. Koval, 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. Duane Rabideau, consultant for the applicant, explained that this application remains generally as presented at the May 14, 2013 Planning Board meeting. He presented a brief summary of the project plan, stating that the applicant requests approval to subdivide a 1 acre parcel from an existing 5 acre parcel located at the intersection of Clifton County Road and Clifton Park Center Road. The speaker reported that there are no NYSDEC wetlands on the property and, therefore, no LC zone: the wetlands delineated to the rear of the property are regulated by the ACOE. He explained that a note has been added to the subdivision plan that

states that a 15' easement for a multi-use pathway that will be subject to relocation upon future development of the parcel will be provided.

Mr. Scavo reported that Mr. Myers, Director of Building and Development, has found the application acceptable and that the Mr. Montague, Environmental Specialist, reported that the ECC offered no comment on this application.

Mr. Scavo offered comments prepared by the Planning Department. He explained that the Planning Department was in receipt of a jurisdictional letter issued by the NYS DEC on September 26, 2011 which verifies the freshwater wetlands delineation completed by representatives of Gilbert VanGuilder Land Surveyor, PLLC. Planning Board members have each received a copy of this correspondence. Prior to the stamping of the final plan, appropriate 911 addresses must be added to the plan.

Mr. Bianchi, M J Engineering and Land Surveying, P.C., reported that the subdivision plan as revised is acceptable: all previously-issued comments have been adequately addressed.

There being no public comment on this application, Mr. Ferraro moved, seconded by Mr. Andarawis, to close the public hearing at 8:31p.m. The motion was unanimously carried.

Mr. Ophardt offered Resolution # 8 of 2013, and Ms. Paulsen seconded, to waive the final hearing for this application, an unlisted action, and to grant preliminary and final subdivision approval conditioned upon satisfaction of all the items listed in the final comment letter issued by the Planning Department. Ayes: Ophardt, Paulsen, Andarawis, Prescott, Werner, Koval, Ferraro. Noes: None.

### **Old Business:**

[2007-057] **Lussier Drive** – Proposed amendment to preliminary subdivision approval, 59 Boyack Road – Preliminary review. SBL: 284.-2-18.11

Mr. Lou Buckman, consultant for the applicant, explained that the applicant requests approval of several amendments to the previously-approved Lussier Drive Subdivision proposal. At this time, the applicant asks that the developer be permitted to remove the age-restriction component of the plan, be allowed to regrade the parcel to eliminate the proposed retaining walls, and modify the designated conservation area. Mr. Buckman commented that due to the number of issues of concern identified by M J Engineering and Land Surveying, P.C., the applicant requests time to address the items listed in the comment letter. He did question the Town Engineer's comment that the application was a Type I action pursuant to SEQRA and the recommendation that a Long Environmental Assessment Form (EAF) be prepared.

Mr. Bianchi pointed out that proposed changes to the grading plan may substantially impact stormwater drainage and site aesthetics. He recommended additional SEQRA review, though he noted that it would be conducted at the Board's discretion. He noted that the Board

may wish to limit additional study to specific items of concern rather than revisit such topics as traffic impacts which had already been identified, evaluated, and mitigated.

Mr. Scavo reported that Mr. Myers, Director of Building and Development, provided a number of comments regarding this application. The steep slopes and retaining walls are “of great concern” to him. The structural calculations for the proposed geogrid retaining walls should be reviewed by the Town’s designated engineer. Clarification regarding the proposed STOP signs along Boyack Road is required. Lot #2 is a keyhole lot; as such, it requires a 50’ setback on all sides. Mr. Myers questions the reason for the 50’ buffer that is provided on Lots #9, 10, and 11. He notes that pocket ponds are not permitted. The safety bench must be 15’ – not 10’ as indicated on the plan. Infiltration basins are not standard practice with the new green infrastructure requirements. Runoff must be contained on site: pages 15 and 16 of the Stormwater Pollution Prevention Plan states that stormwater cannot be contained on site. This is not acceptable. A phasing plan for development build-out must be provided. If the applicant proposes to disturb more than 5 acres at one time, a waiver from the Town will be required. Winter shut down requires approval by the Town. If retention areas are to be owned by the subdivision, a maintenance agreement will be required.

Mr. Scavo offered the following comments on behalf of the ECC. Due to significant soil disturbance the applicant should provide a plantings plan that would enhance erosion control and protect down slope water receptors from sedimentation pre- and post-construction.

Mr. Scavo provided a number of comments prepared by the Planning Department. Wetlands and the map legend should be labeled to identify Jurisdictional Authority as ACOE wetlands to be consistent with the information within the Wetland Status Notes on Sheet SY10. A note must be added to the final plan which states the following:

Underground utility connections to a dwelling unit are not allowed to be constructed underneath a private driveway. Such utilities include, but are not limited to, water laterals, sewer laterals, gas, electric and storm/foundation drains shall not be installed underneath driveways. A Certificate of Occupancy will not be issued without all utilities complying with this requirement.

The STOP Sign Detail should include a solar flashing beacon warning with directional shielding, per Mr. Werner’s comments at the December 9, 2008 Planning Board Meeting. The following note must be added to the plan:

All traffic control street signs to be dedicated to the Town of Clifton Park or installed within the Town’s future ROW shall be on Diamond Grade Sheeting Reflectivity.”

The Stop Sign Detail reference to R1-4 supplemental “All Way” plaque should be changed to R1-3P. The stop sign detail note “From M.U.T.C.D. Standards” should be modified to read “Compliant with the 2009 MUTCD standard and current NYS Supplemental.” The reference to “MUTCD NYR9-11” on Sheet D20 should be changed to “Current NYS Supplemental on MUTCD NYR9-11”. An estimate of the dollar value for the public improvements by the applicant’s engineer must be provided so a value for the performance bond and site inspection escrow can be established. This estimate will be verified by the Town’s designated Engineer.

Mr. Bianchi reported that, after review of the minutes of previous Planning Board meetings, previously-approved preliminary plans, the most recently revised subdivision plan, and the updated Stormwater Pollution Prevention Plan, M J Engineering and Land Surveying, P.C. issued an eight page comment letter. That letter is attached to these minutes.

Mr. Ophardt supported Mr. Bianchi's recommendation regarding SERQA and he asked that the applicant supply a Long Form EAF in order for Board members to evaluate that impacts the proposed changes would have on the project plan. Mr. Pelagalli advised the Board that preparation of a Long Form EAF would provide for a "better record" and that a comprehensive review of the proposed changes would "create a more sound record" and firmer basis for its decision. In response to Mr. Koval's question regarding the process for re-opening SEQRA review, Mr. Scavo explained that the Board must reestablish itself as Lead Agency for the application and require submission of a Long Form EAF, reaffirm impacts and mitigation measures previously identified, and evaluate possible resulting from plan modifications and revisions.

Mr. Werner moved, seconded by Mr. Ophardt, to reestablish itself as Lead Agency for this application and to declare it a Type I action pursuant to SEQRA: coordinated review will be required. The SEQRA review will include examination of the prior SEQRA finding to verify that it remains valid and that the proposed amendments to the subdivision, particularly revisions to the grading plans, drainage, stormwater management, and site aesthetics will not result in any adverse impacts. The motion was unanimously carried.

Mr. Scavo explained that it is likely that all involved agencies will agree to the Board's role as Lead Agency for this application. Mr. Werner reminded Board members that the preliminary approval was conditioned upon the installation of a three-way STOP at the intersection of Boyack Road and the proposed new roadway. He noted that the recommendation for an additional tree-way STOP at the Boyack Road - Carriage Way intersection would be reevaluated after the first traffic controls are in place.

**New Business:**

There were no items of new business scheduled for this evening's meeting.

Ms. Paulsen moved, seconded by Mr. Koval, adjournment of the meeting at 9:00p.m. The motion was unanimously carried. The next meeting of the Planning Board will be held as scheduled on June 11, 2013.

Respectfully submitted,

Janis L. Dean,  
Secretary

cc: Planning Board Members, Planning Department, Supervisor, Assessor, Zoning Board, Department of Building and Development, Town Clerk, Town Board Members, Highway Superintendent, Lou Renzi, Town Attorney, Tom McCarthy, Town Attorney, Paul Pelagalli, Town Attorney, ECC, Clifton Park Water Authority

**NOTICE OF DECISION**

**Resolution #6 of 2013**

**Preliminary and Final Subdivision Approval**

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on May 29, 2013, there were:

Present: R. Ferraro, Chairman, E. Andarawis, J. Koval, E. Ophardt, K. Paulsen,  
T. Werner  
E. Prescott – Alternate Member

Absent: M. Hale

Mr. Koval offered Resolution #6 of 2013, and Mr. Werner seconded, and

Whereas, an application has been made to this Board by the Jonesville Fire District for approval of a subdivision entitled Subdivision of the Lands of the Jonesville Fire District consisting of (2) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on May 29, 2013;

Whereas, the Planning Board was established as Lead Agency for this application, an unlisted action, and a negative declaration was issued pursuant to SEQRA on May 29, 2013;

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

Now, therefore, be it resolved that the final hearing for this application is waived and that the subdivision plat entitled Subdivision of the Lands of the Jonesville Fire District consisting of (2) lots is granted preliminary and final approval conditioned upon satisfaction of comments issued by the Planning Board and all items outlined in the final comment letter prepared by the Planning Department.

Resolution #6 of 2013 passed 5/29/2013

Ayes: Ophardt, Paulsen, Andarawis, Prescott, Werner, Koval, Ferraro

Noes: None

Rocco Ferraro,

Chairman

**NOTICE OF DECISION**

**Resolution #7 of 2013**

**Preliminary and Final Subdivision Approval**

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on May 29, 2013, there were:

Present: R. Ferraro, Chairman, E. Andarawis, J. Koval, E. Ophardt, K. Paulsen,  
T. Werner  
E. Prescott – Alternate Member

Absent: M. Hale

Mr. Andarawis offered Resolution #7 of 2013, and Mr. Werner seconded, and

Whereas, an application has been made to this Board by the Willam Mackey for approval of a subdivision entitled Subdivision of the Lands of the William F. and Susan M. Mackey consisting of (2) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on May 29, 2013;

Whereas, the Planning Board was established as Lead Agency for this application, an unlisted action, and a negative declaration was issued pursuant to SEQRA on May 29, 2013;

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

Now, therefore, be it resolved that the final hearing for this application is waived and that the subdivision plat entitled Subdivision of the Lands of the William F. and Susan M. Mackey consisting of (2) lots is granted preliminary and final approval conditioned upon satisfaction of all items contained within the final comment letter issued by the Planning Department.

Resolution #7 of 2013 passed 5/29/2013

Ayes: Ophardt, Paulsen, Andarawis, Prescott, Werner, Koval, Ferraro

Noes: None

Rocco Ferraro,

Chairman

**NOTICE OF DECISION**

**Resolution #8 of 2013**

**Preliminary and Final Subdivision Approval**

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on May 29, 2013, there were:

Present: R. Ferraro, Chairman, E. Andarawis, J. Koval, E. Ophardt, K. Paulsen,  
T. Werner  
E. Prescott – Alternate Member

Absent: M. Hale

Mr. Ophardt offered Resolution #8 of 2013, and Ms. Paulsen seconded, and

Whereas, an application has been made to this Board by the Windsor Development Group for approval of a subdivision entitled Subdivision of the Lands of Joseph M., Helen M., and Edward J. Dworakowski consisting of (2) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on May 29, 2013;

Whereas, the Planning Board was established as Lead Agency for this application, an unlisted action, and a negative declaration was issued pursuant to SEQRA on May 29, 2013;

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

Now, therefore, be it resolved that the final hearing for this application is waived and that the subdivision plat entitled Subdivision of the Lands of the Lands of Joseph M., Helen M., and Edward J. Dworakowski consisting of (2) lots is granted preliminary and final approval conditioned upon satisfaction of all the items listed in the final comment letter issued by the Planning Department.

Resolution #8 of 2013 passed 5/29/2013

Ayes: Ophardt, Paulsen, Andarawis, Prescott, Werner, Koval, Ferraro

Noes: None

Rocco Ferraro,

Chairman