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PLANNING BOARD

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MEMBERS

Emad Andarawis

Michael Hale

Joel Koval

Eric Ophardt

Kim Paulsen

Tom Werner

(alternate) Eric Prescott

Planning Board Meeting
June 11, 2013

Those present at the June 11, 2013 Planning Board meeting were:

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

Those absent were: M. Hale, K. Paulsen

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

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 announced that Mr. Prescott would be sitting as a full voting member of the Board in the absence of Mr. Hale and Ms. Paulsen.

Minutes Approval:

Mr. Andarawis moved, seconded by Mr. Ophardt, approval of the minutes of the meeting of May 29, 2013 as written. Ayes: Ophardt, Andarawis, Prescott, Werner, Koval, Ferraro. Noes: None.

Public Hearings:

[2012-008] **Bordeau Builders** – Proposed (36) lot subdivision, 1234 NYS Route 146 – SEQRA determination – Preliminary public hearing and possible determination. SBL: 270.-2-28

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 June 6, 2013.

Mr. Ferraro explained the review and approval process to those present, stating that the Board was required to render a determination pursuant to SEQRA (State Environmental Quality Review Act) prior to conducting a public hearing on this application. He described the Planning assumption of Lead Agency status by the Planning Board and issuance of a negative declaration as a “formality” which neither granted nor implied approval of the subdivision application.

Mr. Scavo reported that Board members had each received a copy of The Notice of Determination of Non-Significance prepared pursuant to SEQRA requirements. A copy of the negative declaration is included in its entirety in these minutes since it identifies all of the possible negative impacts of the proposed development and mitigation measures where necessary, providing the rationale for the issuance of a negative SEQRA declaration.

State Environmental Quality Review Act
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Date: June 11, 2013

This notice is issued pursuant to part 617 of the implementing regulations pertaining to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act or “SEQRA”).

The Town of Clifton Park Planning Board (the “Planning Board”), as lead agency, has determined that the proposed action described below will not have a significant adverse environmental impact and a Draft Environmental Impact Statement (“DEIS”) will not be prepared. Reasons supporting this determination are explained below.

Name of Action: Subdivision – Honey Hollow Farms: 1234 NYS Route 146, Tax Map ID#270.-2-28, located on the south side of NYS Route 146, east of the existing Brookhaven Subdivision and west of Vent Fitness.

SEQRA Status: Type I

Conditioned Negative Declaration: No

Location of Action: The Project is proposed on land abutting New York State Route 146, Town of Clifton Park, Saratoga County, New York.

Description of Action: The applicant, Bordeau Builders ("the applicant"), proposes to subdivide its property into thirty-five (35) parcels.

The subdivision is proposed on an 18± acre parcel of land. The project is located within the R-1 Residential Zoning District. Development of the site, after subdivision, will consist of the construction of single family residential homes and preservation of one historic residence. The thirty-three (33) parcels will be developed on an individual basis with building permit review and approval prior to construction. To evaluate all potential adverse impacts as a result of the project, a full build-out plan with supporting technical studies have been included within the project file and addressed in the SEQRA documentation.

Reasons Supporting This Determination: (See 617.7(a)-(c) for requirements of this determination) After considering the criteria for determining significance as set forth in 6 NYCRR § 617.7(c), and after several meetings, public input allowed at all meetings, written public concerns, two public hearings, as well as review by the Town Planning Department and Town Designated Engineer, reports and technical analysis submitted by applicant's experts, and the deliberation and response of involved agencies, the Town of Clifton Park Planning Board, as lead agency, has determined, for the reasons discussed below, that the proposed Project will not have a significant adverse impact on the environment and the issuance of a negative declaration under SEQRA is warranted.

Technical reports and analysis supporting this conclusion with correspondence contained within the project file included but are not limited to the follow:

1. Full Environmental Assessment Form Parts I & II;
2. Engineer's Report, dated January 23, 2013, prepared by Ingalls & Associates, LLP;
3. Stormwater Pollution Prevention Plan, received May 21, 2013, prepared by Ingalls & Associates, LLP;
4. Traffic Assessment, dated June 27, 2012, prepared by Creighton Manning;
5. Letter from NYS DOT to Ingalls & Associates, dated March 29, 2013, prepared by Mark Kennedy, Regional Traffic Engineer;
6. Correspondences dated February 1, 2013 and March 6, 2012 from the Town of Clifton Park Historic Preservation Commission;
7. Saratoga County Planning Board Referral Review Letter, dated June 26, 2013.

Traffic, Access and Parking

The applicant has submitted a Traffic Assessment prepared by Creighton Manning Engineering, LLP ("CME") with the SEQRA Environmental Assessment Form ("EAF") and a letter dated March 29, 2013 from the New York State Department of Transportation. Based on the traffic assessment, the Project will generate approximately 35 vehicle trips during A.M. peak hours and 40 vehicle trips during the P.M. peak hours. The maximum peak hour volume increases on NYS Route 146 traveling either east or west of the site is 18 to 20 vehicles, equating to approximately one vehicle every three minutes. This magnitude of traffic does not meet the 100 trip threshold established by Institute of Transportation Engineers and the NYS Department of Transportation (NYS DOT) for requiring a detailed traffic analysis.

The traffic assessment sight distance evaluation indicates that the available sight lines at the proposed main site access on NYS Route 146 meet the American Association of State Highway and Transportation Officials (AASHTO) recommendations for a 50-mph operation speed. Maintaining the vegetation along the site frontage will result in adequate sight lines at the proposed alternate right-in/right-out access on NY Route 146.

Based on the foregoing and information contained within the traffic assessment, the Project will not have any significant adverse impact on traffic or the surrounding transportation network and intersections.

Endangered, Threatened and Rare Species Report

The applicant has submitted a letter from the New York State Department of Environmental Conservation (NYS DEC), dated June 13, 2011, to Ingalls Associates. The letter notes that a review of the New York Natural Heritage Program Database was conducted. The result of the review was no records of rare or state listed animals or plants significant natural communities or other significant habitats, on or in the immediate vicinity of the project site were found.

Due to the previous agricultural disturbance, existing structures, and the general condition of the natural communities present on the site, it is highly unlikely that the property would support or harbor rare or sensitive species of flora and fauna, and/or significant ecological community types.

Based on the foregoing and information contained within the project file, the Project will not have any significant impact on endangered, threatened and/or rare species.

Wetlands/Water Recharge Area/Groundwater

The site contains approximately 1.28 acres of federal jurisdictional wetlands adjacent to the Dwaas Kill along the lower elevations of the site. The Project has utilized a cluster subdivision design option under the Town Code to minimize impacts, disturbances, and provide a protected buffer to designated wetland areas. The proposed development will involve permanent disturbance of .192 acres of federal jurisdictional wetlands. The Planning Board has reviewed the following information as part of its SEQR analysis in regards to wetlands:

- Federal & State Wetlands Boundary contained within the map entitled, “Water of the United States, Lands of Country Club Acres, Inc.” by Ivan Zdrahal Associates, Map No. 11-18-LR, Drawing WL-1, WL-2 Dated October 2011, Revised: Drawing WL-1: 5/18/2012, and Drawing WL-2: 12/1/2012.
- Freshwater Wetland Validation Letter dated December 13, 2011 from Jed Hayden, Wildlife Biologist at the New York State Department of Environmental Conservation, Bureau of Wildlife. The DEC wetland validation will remain valid until December 13, 2014.

In conclusion the installation of a closed storm drainage structure system and micropool extended detention pond (P-1); and use of green infrastructure techniques including conservation of natural areas, rooftop disconnection, and vegetative swales will minimize any significant adverse impact to the Dwaas Kill. The proposed stormwater ponds will not interact directly with the groundwater in or near the Dwaas Kill.

Based on the foregoing, the Project will not have any significant adverse impacts to the quantity or quality of wetlands, water recharge area, and groundwater.

Utility Services

The Project will be serviced by new connections to the existing water and sanitary sewer facilities along NYS Route 146. There is an existing 12" water main running parallel to and northerly of NYS Route 146. There is an existing 8" sewer main in a public easement, also on the north side of NYS Route 146. Sewer connections will be provided by an internal gravity sewer network, feeding to a sewage pump station at the southwesterly corner of the property. Anticipated water and sewer demands are estimated to be approximately 35,200 gallons per day, which is available through the existing districts. Private utilities consisting of telephone, electric and gas are available to the site. There will be no impact on town communication systems. Approximately 3 tons per month of solid waste is expected to be generated by all occupancies, which will be conveyed by private hauler to a designated landfill facility.

The Project will be serviced by emergency service providers, which include the County Sheriff, NYS Police, Clifton Park/Halfmoon EMS and the Jonesville Volunteer Fire District.

Based on the foregoing, the Project will not have any significant adverse impacts to utility services within the community.

Aesthetic Resources

The site is currently zoned for single family residential use. The Project will be visible from transportation corridors and adjoining properties. The project will have a 25' vegetated buffer for lots adjacent to existing residential neighborhoods.

Based on the foregoing, the Project will not have any significant adverse impacts to aesthetic resources.

Cultural Resources

Phase 1A/1B and Phase II Cultural Resource Investigations have been completed by a qualified archeologist and were submitted to the State Historic Preservation Office (SHPO) for review. The existing home on the property has been determined to be eligible for listing on the National Register of Historic Places. However, because the area to be disturbed for the new lots is outside of the immediate vicinity of the historic farmhouse structure and the applicant's statements that the historic farmhouse will be preserved, SHPO issued a letter dated January 3,

2013 which states, “the planned project will have no adverse effect on historic property listed or eligible for listing on the National Register of Historic Places.”

Based on the foregoing and specific conditions placed on the subdivision plan to ensure preservation of the historic farmhouse, the Project will not have any significant adverse impact on cultural resources.

Community Character

The Project will not have any significant adverse impact on the community character in the area. The development of this parcel is in accordance with the cluster subdivision option under the applicable zoning for the parcel and is in conformance with the Town’s Subdivision Code and Comprehensive Plan. The project will have positive economic and fiscal impacts to the local economy and taxing jurisdictions.

Based on the foregoing, the Project will not have any significant adverse impact on community character.

Exterior Lighting

Exterior lighting requirement per Town’s subdivision regulations for residential development have been satisfied by the applicant and reflected on the final subdivision plan.

Based on the foregoing, the Project will not have any significant adverse impact.

Construction

The site construction is not expected to result in any significant adverse environmental impacts. Although several short term and minor impacts are expected during construction, these will be mitigated whenever practicable by implementing best management practices (“BMPs”). For example, the use of construction vehicles and equipment may increase air emissions and noise temporarily on and around the parcels. These temporary emissions are not expected to adversely affect air quality in the area and the efficient use and proper maintenance of both vehicles and equipment will mitigate air and noise impacts. In addition, fugitive dust may be created during construction activities. However, commonly employed construction practices (i.e., water suppressants, blanket screening, limiting activities to non-windy days, etc.) will be used, as necessary, to minimize such impacts, if any. The applicant will implement BMPs to control stormwater run-off during construction. It is highly unlikely that any of these construction impacts will be significant.

All construction waste will be collected and deposited in large garbage dumpsters or dump trucks on-site and removed on a regular basis for disposal at a regulated waste facility, thus helping to ensure that construction waste will not result in any significant adverse environmental impacts.

Based on the foregoing, the Project will not have any significant adverse impact.

Open Space and Recreation

The site had been previously utilized for agricultural farming. Since the site is not currently serving as a designated open space or recreation area, there is no direct change in the net amount of acreage available for such uses. A multi-use recreational pathway will be constructed adjacent to NYS Route 146 within the public right-of-way. A second trail system will be developed within the permanently protected open space area of the parcel and will connect to an existing trail network that connects the Brookhaven Residential Subdivision to the Park Lane Estates Residential Subdivision. These connections were vetted out during the subdivision review process with input provided by the Open Space Trails Subcommittee and supporting information from the Town Trail's Master Plan.

Electric Service

The subdivision will not have any significant adverse impact on electric services provided in the area. There is sufficient capacity to meet the Project's demand for the services.

Solid Waste

The disposal of solid waste will be at an existing solid waste facility.

Mr. Ophardt moved, seconded by Mr. Koval, to establish the Planning Board as Lead Agency for this application, a Type I action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. John Endres, consultant for the applicant, presented a very brief overview of this application that remains generally as presented at the February 12, 2013 Planning Board meeting. He reported that the project proposes two points of access to the subdivision: a right-in/right-out restricted access to the easterly side of the parcel and a full access to the westerly side of the parcel that will align with Sterling Heights Drive.

Mr. Scavo reported that the comments issued by the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee have been forwarded to all Planning Board members.

Mr. Scavo explained that Mr. Myers, Director of Building and Development, reported that many of his comments regarding this application remain to be addressed. He provided additional comments, noting that the proposed lot slopes "are still too steep" and that there is "unimpressive reasoning for the lack of green infrastructure." He also points out that there is no verification that the basement floors have the NYS building code required separation distance and that details for expansive soils in the vicinity of the foundations are not shown. He observes that the plan shows that the "daylighting" of foundation drains occurs on town property: this should not be allowed since maintenance of the drains would become the town's responsibility.

He recommends that the drains be tied into a drainage system that will address sheet flow across yards as well.

Mr. Scavo reported that Ms. Reed, Chief of the Bureau of Fire Prevention, requests that the problem with street names be resolved and that appropriate 911 addresses be added to the plan. Mr. Ferraro reported that it was his understanding that the Post Office has implemented new guidelines for mail delivery services that may require the installation of a centrally located, communal box: he expressed concerns regarding the “site location, standards, specifications, and maintenance” that may be required for the newer boxes. Mr. Scavo explained that the Post Office has not issued a formal policy regarding new regulations: the applicant must meet all postal requirements.

Mr. Scavo offered comments prepared by the Planning Department. He notes that since there is a discrepancy regarding the amount of wetland delineated on the property in the Stormwater Pollution Prevention Plan and the Engineer’s Report provided with the application, the applicant should clarify the differences and provide documentation regarding the correct acreage of ACOE wetland, non-jurisdictional wetlands, and acreage of wetland disturbance that is proposed. The applicant must submit a copy of all jurisdictional determination letters. The plan should include the date of the wetland delineation, the name of the individual who provided the survey, and use different symbols for jurisdictional and non-jurisdictional wetlands. The area noted as “Conservation Area to be dedicated to the Town” should be relabeled as follows: Permanently Protected Open Space to be Dedicated to the Town. The applicant must provide a communal mailbox that has been approved by the Clifton Park Postmaster.

Mr. Montague, Environmental Specialist, reported that, after review of the materials submitted for preliminary review, the ECC offered the following comments regarding this application. The ECC is concerned with the density of the development regarding traffic volume as well as the intent of preserving the open space character of western Clifton Park. The ECC notes that sensitive environments (i.e. Dwaas Kill) exist on properties adjacent to the project site, thus there is a potential for environmental impacts to these areas in the event that the capacity of the stormwater management system is inadequate, in agreement with the Stormwater Management Officer. The applicant's Drainage, Stormwater and Erosion Control Plans should be protective of these environments during construction and occupation of the project.

Mr. Bianchi reported that, after review of all materials submitted by the consultant for review, M J Engineering and Land Surveying, P. C. offered the following comments. The applicant shall obtain the approval of NYSDOT for the design along NYS Route 146 and a copy of the permit from that agency for work within the NYS Route 146 right-of-way before any site work is initiated must be forwarded to the Town.

Mr. Bianchi offered several comments regarding the subdivision plans. Note 11 on the cover page needs to clearly indicate that the conservation area being conveyed to the Town is that which is adjacent to the Dwaas Kill and not any of the conservation areas that will reside on any individual residential lots. Note 12 on the cover page needs to clarify that it shall be specific to home construction only. The Subdivision Plat shall show the proposed easement that will be

conveyed to the Town for the multi-use path along NYS Route 146 that crosses Lot 1 (homestead lot). Parcels A through C as shown on the Subdivision Plat that will be lot conveyances to the Town as part of the multi-use trail along Route 146 shall be noted as “to be conveyed to the Town of Clifton Park”. Parcel A as shown on the Subdivision Plat shall extend along the full length of western lot line of Lot 2 from the NYS Route 146 right-of-way to the proposed Fern Drive right-of-way as a result of the new alignment of the multi-use trail. The parcel shall be transferred by deed conveyance as with all proposed land conveyances to the Town. Pursuant to the workshop meeting with the applicant and Town, all lots that abut the east and west lot lines of the mother parcel shall include a no cut buffer: these no cut buffers shall be delineated on the subdivision plat. Further, any deeds for these lots shall identify the existence of the no cut buffer and it shall be included as a restrictive covenant on each lot. This includes Lots 28 through 32, 34, and 9 through 14. It is recommended that the Planning Board’s attorney review any suggested covenant language as it relates to form and content. Further, it is recommended that any plot plan submitted as part of the building permit process shall also include the no cut buffer. For any lot intended to include conservation areas within the boundaries of that lot, the subdivision plat shall delineate the boundaries of the conservation easement. Further, any deeds for these lots shall identify the existence of the conservation easement and it shall be included as a restrictive covenant on each lot. This is of critical importance since the conservation areas proposed are part and parcel of the stormwater design and green infrastructure practices selected. It is recommended that the Planning Board’s attorney review any suggested covenant language as it relates to form and content. Further, it is recommended that any plot plan submitted as part of the building permit process shall also include the conservation easement. The applicant is asked to provide an additional note on the Subdivision Plat indicating the both the Saratoga County Sewer District No. 1 and Clifton Park Water Authority shall be provided easements for access to their respective utilities within the proposed Town right-of-way(s) that corresponds to the boundaries of the Town’s right-of-way(s). The eastern project entrance as detailed on General Site Details sheet needs to be modified such that the curbing is limited to the portion of the median north of the multiuse trail crossing with all portions south of the trail to be delineated by either painted stripes or imprinted/colored pavement. The center of the curbed island shall include a treatment to be approved by the Town. The materials or method of delineating the pedestrian crosswalk at both the east and west entrance needs to be clearly defined. Those items associated with island treatment, delineation of the median south of the crossing, and the delineated crossing materials must be resolved prior to final plat approval. The proposed multi-use trail as shown on the Grading Plan along NYS Route 146 at proposed Lot 2 shall continue south through Lot 2, along its western property boundary up to the right-of-way of Fern Drive and then continue westerly along Fern Drive, terminating at the existing intersection of Fern Drive and Tisdale Lane. The portion of the trail through Lot 2 shall be contained within a deeded parcel to the Town. The multi-use path shall be of a continuous width with an attempt to maintain that width as the trail parallels Fern Drive. The proposed multi-use trail as shown on the Grading Plan along NYS Route 146 at proposed Lot 9 shall terminate at the edge of pavement of Route 146 rather than dead end at the rear lot line of Lot 9. The trail that traverses the conservation area and terminates along the eastern edge of the project shall have a loop rather than a dead end at the eastern property line. During the workshop between the applicant and Town, the applicant agreed to extend the trail that traverses through the conservation easement, exiting the project on its western edge. The

trail will connect to an existing trail within the adjacent Brookhaven Subdivision. The plans need to fully describe the materials of construction, anticipated alignment and termination point, understanding its final positioning is subject to change based upon field conditions. The consultant must provide notation indicating the final alignment of the trail shall be reviewed and approved by the Town prior to installation. There remains proposed lot grading that is along lot lines that does not fully demonstrate that surface drainage will be directed away from the homes, toward the common lot lines, and toward an approved drainage system which is a general requirement of Section 86-7(A)(5) of the Town Code. The grading needs to be modified and/or spot elevations need to be added to demonstrate that the drainage will be directed as described. This includes areas between Lots 12/13, 22/23, 24/25, and 32/33. The fence around the stormwater management area shall include two gated access points, 12-feet wide each, and at each access road to the area. The gates shall be positioned to allow easy access for Town equipment into and out of the area. M J Engineering and Land Surveying, P.C. recommends that the final location of any gates be subject to the review and approval of the Highway Superintendent. The graded berm that parallels NYS Route 146 shall include the locations, species, and caliper of proposed tree plantings. The final design of the landscaping along the berm remains subject to review by the Town. The Utility Plan shall note any drainage structure that shall include sump pump laterals for individual lots. Each sump pump lateral shall either be within the right-of-way and/or on the lot it will serve and shall not cross an adjacent lot. If any junction boxes are needed to appropriately connect a sump pump to the drainage system, the plans shall show the junction boxes. Should any junction boxes be deemed necessary, an associated construction detail shall be provided within the plan set for review and approval by the Town. The vertical grade along Fern Drive as it approaches Honey Hollow Way still does not comply with Section 86-6(D)(2) of the Town Code with respect to maximum grades of 3% within 100-feet of the intersection: the vertical grade must be revised to comply with the Town standards. The consultant is asked to provide notations on the Road and Utility Profile sheet regarding the type and method of installing any road fill sections that are greater than 5-feet in depth. Further, each profile shall identify the locations along the proposed roads where and to what depth special fill sections are required. The curbing detail shown on the General Site Detail sheet needs to be modified as follows as the detail provided will not be adequate for the for application proposed:

For a cast in place curb, the vertical height of the curb shall be a minimum of 18 inches in height, with a 6-inch vertical reveal at the pavement side. Provide 6 inches of NYSDOT Type 1 or Type 2 subbase 6 inches below and 6 inches behind the curb. On the road side, the subbase shall smoothly transition into the road subbase.

For pre-cast curb, the curb shall be placed in a bed of dry mix portland concrete setting bed to properly assure grade and alignment. Any undercut for placement of the curb shall be backfilled with NYSDOT No. 1 crushed stone. There shall be concrete backfill on the backside of the curb up to the limits of excavation extending from the bottom of the curb up to the bottom of the surface treatment of the center island.

The trail section detail shown on the General Site Detail sheet needs to be modified to show a fabric and shall apply to both the out slope and crowned section. The out slope section shall include an upgradient swale such that surface runoff does not cross the trail and wash out the

surface treatment. Should the final positioning the trail require piped drainage crossing the trail from an upland area, this shall be resolved during trail installation in concert with Town staff. Any required cross piping shall be directed by the Town. On the Erosion and Sediment Control Plan, the construction fence requested along the buffer areas and locations of the restrictive signage must be shown. Notation on the Erosion and Sediment Control Plan indicates phasing will be implemented to maintain site disturbances below 5 acres: a site specific phasing plan is required for review by the Town to demonstrate how this will be accomplished.

The Town's Designated Engineer offered additional comments on the Stormwater Pollution Prevention Plan. As noted in Comment 48 of the February 8, 2013 review, M J Engineering and Land Surveying, P.C. noticed that there was a possibility that the proposed stormwater management area may be within an area of the site with groundwater elevations of approximately 38" (~3') below existing grades. It has been confirmed via the response that groundwater is present, that the permanent pool will be groundwater fed, and that calculations now account for the lost storage volume within the permanent pool. Since groundwater will now be part of the practice, it is no longer classified as a P-1 practice and now appears to be a P-5 practice. The consultant is requested to review the report and associated calculations. If in fact this is the case, modifications must be made to both to correlate with design requirements of a P-5 practice.

Mr. Bianchi stated that because the comment letter had been forwarded to the applicant's consultant on May 24, 2013, the consultant has addressed many of the issues of concern. Both he and Mr. Scavo believe that the minor technical and stormwater-related issues remaining will be resolved through consultation with professional staff, M J Engineering and Land Surveying, P.C., and Mr. Myers.

Mr. Dan Hartnett, representative of the Trails Subcommittee of the Town of Clifton Park Open Space, Trails, and Riverfront Committee, reported that the subcommittee did not support the trail connection to the rear of Brookhaven or the "loop" at the end of the eastern portion of that trail. It was recommended that the applicant extend the trail along Route 146 to Vent Fitness and construct a crosswalk across Route 146 at the Honey Hollow – Route 146 – Sterling Heights intersection.

Mr. Al Morson, 3 Chillmark Turn, reported that Mr. Scavo and Mr. Ferraro visited the Brookhaven Subdivision this afternoon following a day of heavy rains in the area and he asked them to describe the site conditions in the area of the trail connection as proposed from the Honey Hollow Farm subdivision to the existing bridge. The speaker distributed a letter to Board members that asked that the members terminate the path "well within the proposed subdivision property line so that no pedestrian traffic is possible anywhere between his back yard and the Dwaas Kill." He explained that there are several quiet roads that are being used for walking which would provide the future residence of Honey Hollow Farms with a "very pleasant and easy connection" to the bridge over the Dwaas Kill. Attached to the letter he authored were two photographs of the area in which the proposed trail is proposed: though taken several weeks ago before the heavy rains, they both indicated "multiple wet pools". He stated his opposition to the proposed trail link that would require installation of the pathway directly behind his property.

Mr. Zhang Galor Wenyi, 2 Chillmark Turn, spoke of the negative impact the proposed trail would have on his property and family life, explaining that although he approved of the concept of trail development that would “knit communities together,” he believes there is too much wetland in the area of the proposed trail to make it viable. He stated that he was concerned with disturbance of the natural environment and believes that that money needed to construct the trail could be “used for a better purpose.” He asked that the Board members not require the installation of the trail link that would be placed behind his property.

Mr. Frank Parisi, 4 Chillmark Turn, stated that there would be “no point for the trail to be located to the rear of his property,” since there were several other available trail connections in the area. He cited significant wetlands as an issue for trail construction and noted that maintenance of trails within the area has been a problem. He also objects to the trail section because it would result in a lack of privacy that his family now enjoys.

There being no further public comment, Mr. Ferraro moved, seconded by Mr. Werner, to close the public hearing at 7:30p.m. The motion was unanimously carried.

Mr. Ferraro explained that he and Mr. Scavo visited the proposed trail site behind the Brookhaven Subdivision before this evening’s meeting and witnessed the ponding of water in the area of the proposed trail. He stated that he viewed this situation as a “somewhat unique situation” and explained that, although he originally supported the trail location, the area appears to be extremely wet and would require the installation of a bridge to cross. He noted that there would likely be maintenance issues associated with such a feature and that it would be cost prohibitive. Describing the possible alternatives for a trail location, he noted that the trail section could be placed either “in the woods” or too close to the neighbors’ property lines: neither location appeared a feasible option. He stated his support for the pedestrian trail proposed along the Route 146 frontage, connecting to Tisdale Lane as proposed. Mr. Ophardt commented that there “are lots of benefits” to being able to use a trail along the Dwaas Kill and he would encourage the Board and the applicant to explore ways to install the trail “if it is worthy.” Mr. Scavo informed the Board that the existing bridge behind the Brookhaven Subdivision has been damaged twice within five years and has required considerable maintenance at considerable cost. Mr. Ferraro stated that the trail along Route 146 was important since it would connect neighboring subdivisions with desirable destinations. A discussion regarding the desirability of trails and the most reasonable locations for trail development ensued. Mr. Ferraro believes that people enjoy walking in natural areas and that access to such areas is valuable. Mr. Koval stated that due to the wet nature of the area, the proximity to backyards of those residing in the Brookhaven Subdivision, and the anticipated cost and maintenance of such an amenity, there would be no need to extend the trail beyond the cul-de-sacs within the Honey Hollow subdivision. He viewed the trail along Route 146 as more desirable since it provided a link to commercial areas and existing neighborhoods. Mr. Ophardt agreed that the maintenance issue was significant: he agreed to support the elimination of the trail from the Honey Hollow Way cul-de-sac westward. Mr. Hartnett suggested that the Board may wish to have the applicant “extend the eastern end of the trail [along Route 146] to Vent Fitness,” by striping “the existing property line to the blacktop on the commercial property between Vent Fitness and the Bordeau

property.” Board members briefly discussed this recommendation, though came to no resolution regarding the proposed striping. Mr. Ferraro commented that he favored the “cul-de-sac to cul-de-sac” connection and elimination of the westerly portion of the trail to the rear of the property. Mr. Koval stated that even if there is no clear delineation of a pathway to the east, it will be used as a “walkway”. Mr. Andarawis supports the removal of the trail section along the southern property boundary, explaining that, although connectivity through the rear of the subdivision would be desirable, the anticipated costs of maintenance makes it less so: he sees no need for parallel trails. In response to Mr. Hartnett’s concerns regarding lack of specificity of the materials to be used for trail construction, Mr. Bianchi explained that crusher run would be used for the trails to the rear of the property: asphalt would be used to construct the multi-use pathway along Route 146. In response to Mr. Ferraro’s question regarding the design of the island, Mr. Bianchi stated that the curbed island will be installed in accordance with town standards and that the crosswalk treatments – either striping or imprinted concrete – would be the same at both access points. Board members stated their preference for the use of imprinted concrete crosswalks. Mr. Andarawis requested information regarding the status of the existing house. Mr. Endres reported that “the applicant will meet all of his obligations” with regard to the home’s preservation. Mr. Scavo explained that the applicant has been made aware of preservation responsibilities, property restrictions, and covenants and that the Historic Preservation Commission will work in conjunction with the applicant and staff to be certain that all components of the Memo of Understanding are met. In response to Mr. Koval’s question regarding the berm proposed for the Route 146 frontage, Mr. Bianchi explained that the plan shows a one-to-two foot berm planted with a variety of landscaping materials, including several 6’-7’ high trees. Mr. Koval noted that the applicant proposes phased development of the project and asked how stormwater would be handled. Mr. Endres explained that a temporary basin would be installed.

Mr. Werner offered Resolution #9 of 2013, seconded by Mr. Ophardt, to waive the final hearing for this application and to grant preliminary and final subdivision approval conditioned upon satisfaction of the comments offered by the Planning Board, Planning Department, Town Engineer, and all comments listed in the final comment letter prepared by the Planning Department. Ayes: Ophardt, Andarawis, Prescott, Werner, Koval, Ferraro. Noes: None.

Old Business:

[2013-003] **5 Fairchild Square** – Proposed amendment to approved site plan, 5 Fairchild Square – SEQRA determination – Preliminary site plan review and possible determination. SBL: 259.-2-110

Mr. Tom Andress, consultant for the applicant, presented this application that calls for an amendment to the approved site plan for the building to be constructed at 5 Fairchild Square. Though the new building will remain at 40,000 SF, the configuration of the structure will change. The front will now consist of a lower office area, designed “to fit more with the theme of office use in the park” and that building will “get masonry treatment of the office up to the windows”. The entire building will be designed to better fit the multi-tenant demands. Mr. Andress stated that the utility and storm drainage designs will remain “similar to those

previously approved.” The speaker stated that the greenspace has been increased to meet the 40% requirement.

Mr. Scavo read the comments prepared by Mr. Myers, Director of Building and Development. Mr. Myers reports that it appears that the greenspace requirement has now been met. He notes that a maintenance agreement for all stormwater facilities will be required. He questions the viability of the “storm tech system” to meet requirements due to the lack of a separator that would allow system cleaning. He comments that there is “no discussion regarding green infrastructure” and that an “end of pipe pond” is proposed.

Mr. Scavo reported that Ms. Reed, Chief of the Bureau of Fire Prevention, requests that the proposed hydrant located at the southeast corner of the building be relocated to a “minimum distance of 40’ from the building.”

Mr. Scavo offered the following Planning Department comments. The applicant must clarify the purpose of the partial parking lot to the west of 5 Fairchild Square: the lot must be appropriately labeled on the final site plan. The required handicapped parking spaces must be shown on the plan and all signage and parking stall details must be included on the plan. A detail for the ADA compliant drop curbs and accessible ramps must be provided.

Mr. Montague, Environmental Specialist, reported that the ECC found this project plan acceptable.

Mr. Bianchi stated that, after review of the site plan and Supplemental Stormwater Management Report for this application, M J Engineering and Land Surveying, P.C. provided several comments. The project resides within the Town’s L1 (Light Industrial) zoning district. The proposal appears to meet the requirements as an ancillary use supporting a principal use and all applicable lot setback requirements appear satisfactory. Based upon changes to the plan, the bulk lot requirements appear to be satisfied. It appears as if proposed tree clearing may infringe upon the buffer preservation area paralleling Ushers Road; however, it is difficult to discern from various line types on the plans submitted: the consultant is asked to verify that no clearing is proposed into the buffer. It is suggested that the sidewalk up to the front entrance of the building be linked to the sidewalk along the entrance road as they are in close proximity to one another. Stop signs or stop bars should be added at the two ingress/egress locations from the site. Verification of the spot elevations along the ADA accessible route is required as some appear to propose running slopes of the sidewalk in excess of 2% (reference to the two spot elevations shown of 285.3 and 284.6 which are 15 feet apart are yielding a slope of 4.6%). The plans need to specify the color and spacing for the line striping of the crosswalk along the ADA accessible route from the handicapped parking spaces and crossing the parking lot entrance. Mr. Bianchi requested that the consultant provide additional spot elevations denoting the drop curbs at the ADA accessible ramps. The planting schedule needs to include the scientific and common name for “JH” which is shown at the loading dock. The plan must specify what the ground cover type will be at the loading dock where the land slope appears in excess of 1 on 3. It is suggested that a river rock be used to prevent wash-out. The plans should note whether automatic sprinklers are required to satisfy the requirements of the Building Code of New York State. If automatic

sprinklers are required, the fire department connection should be noted on the plans or a notation should be provided indicating the location shall be approved as part of the building permit process. The proposed location for the building Knox Box should be shown on the plans or a note should be provided indicating the location shall be approved as part of the building permit process. The minimum pipe slope for the 6 inch diameter sanitary sewer line shall be no less than 2%. A review of the top of frame, invert elevation, pipe sizes, and catch basin detail suggests that CB 3, 4, and 5 will not work and the inverts need to be lower. Verification that the inverts shown are appropriate for the structure type, pipe diameter, and selected frame and grates specified must be provided. Should the storm inverts need to be lowered as noted above, there may be a potential issue with stormwater backing up the culverts from the infiltration basins and not allowing free discharge for the 10-year, 24-hour storm event. Notation shall be added to the plans indicating that none of the infiltration practices shall serve as sediment control device during the site construction phase. Since the infiltration practices cannot be used for construction phase runoff control, the plan must specify where the construction phase sediment trap(s) would be located. The plans show no exterior and building mounted lighting with associated footcandle values at pavement level: lighting does appear warranted. There is no exterior dumpster location shown. If none is proposed, the consultant must indicate how refuse will be handled and stored. Provisions for dewatering the infiltration basin as required by Section 6.3.6 of the NYSSMDM must be included. These provisions can either be shown on the plans or described in the project's operations and maintenance manual which was not furnished for review. The drywell detail notes 4 foot and 8 foot diameter drywells; however, the stormwater calculations use 8 foot and 12 foot diameters: correct the plans and report so they match the design used. The drywell detail refers to the plan sheets for the size of specific drywells; however, the plans do not note the size of any of the proposed drywells.

Mr. Bianchi offered several comments related to the Supplemental Stormwater Management Report. The consultant is asked to provide the record falling permeability test results and any test pits completed that established groundwater elevations and locations so they may be checked against the values used in the HydroCAD model as well as verifying compliance with specific design provisions of the NYSSMDM. Calculations that show that the infiltration system can fully dewater the entire WQv within 48 hours as required in Section 6.3.2 of the NYSSMDM must also be provided. The infiltration basin is designed without an emergency spillway and all runoff will not breach the sides of the basin up to the 100-year event. It is suggested that the HydroCAD model be run without the exfiltration rates to model winter time operation and/or potential plugging of the basin after long periods of operation.

In response to Mr. Ferraro's concerns, Mr. Address stated that additional clearing to the rear of the building will be required and that the sidewalk and crosswalk will be properly aligned with the roadway. Mr. Address stated that the sidewalk will be located as requested and all ADA requirements will be met.

Mr. Dan Hartnett, representative of the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee, asked that a bike rack be installed near the entranceway to the office portion of the proposed building and that specifications of the equipment and details regarding its installation be included on the site plan. In response to his expressed concern regarding the

location of the proposed sidewalk connection, Mr. Address stated that the sidewalk and crosswalk will be properly aligned with the roadway.

In response to Mr. Werner's question regarding the types of building materials to be used and the height of the building, Mr. Address reported that the metal used will be either light gray or beige in color and that the building will be 29' high. The building will appear to be constructed a bit below grade since the rear wall is designed to act as a retaining wall and additional landscaping materials, including several mature evergreens, will be placed within the buffer area between the building and Ushers Road. Mr. Ferraro asked that the additional plantings be provided along the office area: Mr. Address agreed to do so.

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. Andarawis moved, seconded by Mr. Prescott, to grant preliminary and final site plan approval to this application conditioned upon satisfaction of the comments offered by the Planning Board, Planning Department, Town Engineer, and all items listed in the final comment letter issued by the Planning Department. The motion was unanimously carried.

New Business:

[2013-012] **Shenendehowa Central School District** – Proposed (2) lot subdivision, NYS Route 146 – Conceptual review. SBL: 271.-3-40.11; 271.-3-39

Mr. Joe Dannible, consultant for the applicant, presented this application that calls for the subdivision of 62.46 acres of land lying in the PIR (Public, Institutional, Recreational) in the Clifton Park Town Center area into lots of 30 acres and 32.5 acres, respectively. The parcel is located to the north of The Bentley Senior Condominiums and the Arongen Elementary School and south and west of the intersection of Maxwell Drive and Southside Drive. The 62.5 acre parcel includes a portion of the Arongen School buildings, parking lots, athletic fields, and various other site improvements. The remainder of the site is undeveloped forest. The new parcel B will have frontage on Moe Road: the new Parcel A will be combined with the remainder of the Arongen school campus. A 100' no-cut buffer will be established along the rear of the school buildings and a "floating easement" through Parcel B will be provided to allow for maintenance of a fiber-optic line that crosses the property and the transfer of equipment from the main campus area to the Arongen – Shatekon site. A Full Environmental Assessment Form has been prepared and submitted with the subdivision application. Mr. Dannible explained that there is approximately 1,900 linear feet of an intermittent stream on Parcel B that is apparently a tributary of the Stoney Creek Reservoir. The approximate limits of the drainage corridor and its associated LC zone buffer have been indicated on the subdivision plan.

Mr. Scavo reported that Mr. Myers, Director of Building and Development, offered only one comment at this time. He noted that a review of Saratoga County wetland maps indicate that

the wetland/stream protected areas appear to be much more significant than depicted on the current subdivision plan.

Mr. Scavo offered comment prepared by the Planning Department. The speaker explained that although Planning Board review is limited since the Shenendehowa School District is a municipal entity; however, a mylar stamped by the Planning Board is required in order for the subdivision to be recognized by Saratoga County.

Mr. Montague, Environmental Specialist, reported that the ECC offered no comment on this application.

Mr. Bianchi stated that, after review of the documents provided with the conceptual submission, M J Engineering and Land Surveying, P.C. offered the following comments. Based upon review of Part 617 of NYS Environmental Conservation Law, the project appears to be an “Unlisted” action. Assuming the Planning Board is to request Lead Agency status under SEQRA, the need to undergo a coordinated review is optional. Under a coordinated review, involved/interested agencies to be engaged may include, but are not necessarily limited to the following: Saratoga County Planning Board – 239m referral due to the project’s proximity to NYS Route 146. The project resides within the Town’s Public/Institutional/Recreational (PIR) District. There are no new uses proposed with this application; therefore, compliance with the associated bulk lot requirements cannot be confirmed. Notwithstanding, it is believed that the applicant (Shenendehowa School District) is not subject to the Town’s land use regulations. Lot A, upon its reconfiguration will not have frontage on a public street; however, the plan provides for an access easement through Lot B to Moe Road. In accordance with Section 208-101 of the Town’s Zoning Code, no dwelling shall be erected on a lot which does not abut on at least one street for a distance of not less than 40 feet. The Town Engineer would defer to Town staff as to whether this provision of the zoning code applies to this applicant and/or subdivision application. The subdivision plat needs to - at a minimum - provide the metes and bounds of the parcels. Based upon a review of the Town’s GIS, there is a mapped NYSDEC wetland within the western portions of Parcel A and B and it should be noted on the plat. In accordance with Section 179-8(B)(1) of the Town Subdivision Regulations, the plat shall include the following mapping features: Contour lines at five foot intervals to the USGS datum, and; wetlands (the Town’s GIS, indicates mapped NYSDEC wetland within the western portions of Parcel A and B).

Mr. Koval observed that the stream corridor may make it difficult to provide an easterly access to Parcel B in the future, though that the parcel does have approximately 200’ of frontage on Moe Road.

Mr. Frank Berlin, 980 Main Street, asked if the stream “fed” the public reservoir. Mr. Scavo stated that the water eventually flows to the Stoney Creek Reservoir. Mr. Berlin commented that it was his understanding that the protective buffer area should be measured from the high water mark rather than from the center of the stream. Mr. Scavo agreed to review the requirements for setbacks, stating that buffering requirements vary for differing stream classifications.

Board members found the subdivision proposal generally acceptable.

[2013-010] **Vistas Phase 1 – Lot Revision** – Proposed (3) lot subdivision, 14 Vista Court – Conceptual review. SBL: 270.8-4-4

Mr. Gavin Vuillaume, consultant for the applicant, explained that this application requests approval of a three lot subdivision within the newly-constructed development entitled The Vistas at Clifton Park. He explained that since renovation of an existing single-family residence to create a “clubhouse” for residents of the twenty-four lot subdivision was not feasible, the home will be demolished. The applicant now proposes a three lot subdivision to allow for the construction of two additional units. The remaining lands would be preserved as open space. The new lots would be served via extension of existing municipal water and sewer lines. Noting that the proposed residences would “fit the existing neighborhood character,” Mr. Vuillaume distributed copies of the subdivision plan originally approved for the site.

Mr. Scavo reported that Mr. Myers, Director of Building and Development, has stated that a demotion permit must be obtained for the razing of the existing residence.

Mr. Scavo explained that Ms. Reed, Chief of the Bureau of Fire Prevention, requires that the Postal Verification Form be completed and that appropriately assigned 911 addresses be added to the plan.

Mr. Scavo read the following comment that was prepared by the Planning Department. The following note must be added to the plan:

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. A Certificate of Occupancy will not be issued without all utilities complying with this requirement.

Mr. Montague, Environmental Specialist, reported that the ECC issued the following recommendation. Since the property is located along the border of the LC zone, the ECC recommends that the applicant install signage indicating that the proposed open space as a land conservation area.

Mr. Bianchi reported that M J Engineering and Land Surveying, P.C. reviewed the documents submitted with this conceptual submission and provided the following comments. It is understood that this application is an amendment to a previously approved subdivision. The Planning Board as the SEQRA Lead Agency can either make a determination that this amendment is consistent with the Board’s prior SEQRA findings and no further action is required or, alternatively, may re-initiate a new SEQRA review process specific to the amendment and make independent findings. M J Engineering and Land Surveying, P.C. would defer to Town staff as far as how to handle SEQRA on this site plan amendment. It should be noted that in the event this application is determined to be an amendment to a previously approved realty subdivision, then it is believed that if a new SEQRA review was initiated, it would have to follow the Type I action procedures.

Mr. Bianchi offered a number of comments on the subdivision plan. The lot being proposed for further subdivision lies within the Town's Hamlet Residential (HR) zoning district with portions of the rear lot within the LC Zoning district, correlating to the mapped wetlands. In accordance with Section 208-17(B)(1) of Town Zoning, single family homes are permitted uses within the HR District. It appears that this application is being treated as a minor amendment of a previously approved subdivision. If the original subdivision was approved within the last 5 years, it may be necessary to seek approval of an amendment of the realty subdivision approval that was received from the NYSDOH. The proposal takes into account only the land associated with existing Lot 7 of 1.94 acres and not the area of original parcel(s) prior to creation of all other lots. There needs to be discussion with the Town as to whether the original area is needed in order to justify the additional lots being proposed. In reviewing Section 208-17(C)(1) of Town Zoning, the base density in the HR District is 0.33 units per acre which would translate to no more than one lot permitted on the 1.95 acre parcel. It does not appear that sufficient land is available to for the two lots proposed. Bonus density is permitted as described in Section 208-17(D) of zoning, however, it is unclear if the necessary steps have been taken for the Town to consider granting any bonus density. Lot 7 was previously approved as set aside for open space. There needs to be confirmation that by granting approval to further subdivide this parcel for residential uses, it does not contradict and/or violate previous approvals granted for the prior project. It is understood that the Town previously granted relief from Section 86-6 of the Town Code allowing 24 residential units on a road with a single access. With the proposal to add additional residential units, the applicant would have to once again apply for and receive relief from the same provision of the Town Code. Subsequent plans need to include lot grading to demonstrate conformance to Section 86-7(A)(5) of the Town Code. It is believed that this proposal should be considered part of a larger common plan as defined by the NYSDEC with respect to stormwater management planning and design. As such, the project is subject to the NYSDEC Phase II Stormwater Regulations and General Permit GP-0-10-001. The Stormwater Pollution Prevention Plan of record needs to be updated incorporating the proposed changes. The Stormwater Pollution Prevention Plan needs to account for any required water quality and quantity controls that may be necessary to mitigate against increased runoff from the development of the additional lots. The consultant is asked to add a note to the plat indicating that no utilities shall be installed under the driveway.

Mr. Dan Hartnett, representative of the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee, noted that the trail connection from The Vistas to Sterling Heights has not yet been paved. Mr. Scavo explained that when the original project was approved, the trail was to serve as an emergency access. Since that time the applicant has proposed an extension of The Vistas project that would have access on Tanner Road. Should this proposal be approved, there would be no need for the emergency access to Sterling Heights Drive: the trail section could be constructed to a lesser standard. Mr. Hartnett commented negatively on the developer's request to eliminate some of the recreational amenities as originally proposed.

Mr. Ferraro expressed concern regarding the proposed reduction in the open space as originally approved, though Mr. Vuillaume stated that the open space was "not warranted by the types of homeowners" who have purchased the townhomes. He also explained that the cost of maintaining the proposed amenities with the limited number of owners would become

“burdensome.” In response to Mr. Pelagalli’s question regarding the role of the Homeowners’ Association in the process, Mr. Vuillaume stated that it was indeed likely that the Association would have to vote to reduce the amenities and green space allotment and authorize construction of the additional homes. Since the subdivision may not be fully occupied at the time of the vote, concern was expressed about the weighted vote of the builder versus that of the residents who occupy the units when the vote may be taken by the Homeowners’ Association. Mr. Pelagalli remarked that it was likely that such an action would require the re-filing of documents with the Secretary of State. It was Mr. Pelagalli’s opinion that the Planning Board would need approval of the Homeowners’ Association before Planning Board consideration of the application. Mr. Koval noted that comments received at a future, formal public hearing would indicate the position of the existing residents of The Vistas and recommended that the sales agent make all of the contract vendees aware of the proposal. Mr. Ferraro stated that he was concerned with the diminishment of open space and requested that the applicant consider the placement of signage indicating the open space as a land conservation area as recommended by the ECC. Mr. Werner asked staff to investigate whether or not the proposed additional lots may require additional review by the Emergency Services Advisory Board. Board members did not comment positively or negatively on the application.

[2013-013] **Vistas, Phase II** – Proposed (24) lot subdivision – NYS Route 146 – Conceptual review. SBL: 270.-2-3.2

Mr. Gavin Vuillaume, consultant for the applicant, explained that the applicant proposes to rezone a 16 acre portion of a 37.8 acre parcel from CR (Conservation Residential) to HM (Hamlet Mixed-Use) to allow for the construction of twenty-four (24) residential town home units to be included within the existing Vistas at Clifton Park subdivision. The new homes and common open space would be included within the existing Homeowners’ Association. The parcel is located on the northeastern quadrant of the intersection of NYS Route 146 and Tanner Road. Mr. Vuillaume explained that there are some ACOE wetlands that must be crossed to establish an access onto Tanner Road and that open space will be provided along Route 146. The speaker commented that the applicant is aware that the parcel is not zoned for townhomes and that he expected no formal recommendation at this time.

Mr. Scavo provided the comment issued by Mr. Myers, Director of Building and Development, in a memo dated May 30, 2013. Mr. Myers points out that the applicant requests rezoning of the parcel from CR (Conservation Residential) to HM (Hamlet Mixed-Use) zoning. He explained that since such a zoning change would require review and approval by the Town Board – not the Planning Board or Zoning Board – any further review will be deferred until appropriate zoning is in place.

Mr. Scavo explained that Ms. Reed, Chief of the Bureau of Fire Prevention, requires that the Postal Verification Form be completed and that appropriately assigned 911 addresses be added to the plan.

Mr. Montague, Environmental Specialist, reported that the ECC declined to comment on this application until such time as zoning allows a project of this nature to go forward.

Mr. Scavo stated that the proposed subdivision cannot be reviewed further or acted upon by the Planning Board until it is modified to meet CR (Conservation Residential) zoning or until such time as the Town Board approves rezoning of the parcel.

Mr. Bianchi reported that M J Engineering and Land Surveying, P.C. reviewed the documents submitted with this conceptual submission and provided the following comments. The applicant is requesting to rezone the parcel from Conservation Residential (CR) to Hamlet Residential (HM). Since a rezoning of the parcel is necessary in order for the project to occur and/or for the Planning Board to act on any application, the engineer understands that the applicant must submit such a request to the Town Board. Only after the Town Board has referred the application to the Planning Board can the Planning Board provide meaningful feedback on the proposal. The project proposes to serve each new lot with public water from the Clifton Park Water Authority via extending a new public water main throughout the project. The project record indicates there has been correspondence with the CPWA: the applicant shall provide an update with respect to the status of the CPWA review of submitted materials. Our review of the submitted materials has excluded any design elements of the potable water system other than ensuring that adequate supply would exist for both potable water and fire protection. Any action on the subdivision application should be conditioned upon receipt of plan approval from the CPWA. The extension of public water mains to the project is subject to NYSDOH plan approval and, potentially, the NYSDEC for the taking of additional water. If not already initiated, the applicant will have to apply for the referenced plan approvals. Any action on the subdivision application should be conditioned upon receipt of plan approval from the NYSDOH and/or NYSDEC for the additional taking of water. Similarly, the extension of public sanitary sewers to the project is subject to the review and approval by the Saratoga Co. Sewer District No. 1 as well as the NYSDEC. There is no indication that the applicant has had any discussions with the SCSD regarding their ability and willingness to service the project and initial communication with the SCSD may be warranted. Any approvals offered by the Planning Board should be conditioned on receipt of SCSD and NYSDEC review and approval. The project proposes impacts to regulated wetlands and based upon the size of the anticipated impacts, it may require an individual permit. A formal wetland delineation will be required with a jurisdictional determination received from the USACOE.

Mr. Bianchi offered the following comments related to SEQRA. Based upon a review of the proposal, it is considered a realty subdivision under Environmental Conservation Law (ECL) Part 74. In accordance with 10 NYCRR Part 97 in the NYSDOH regulation implementing SEQRA (Article 8 of the ECL), Section 97.14(b)(2)(ii) requires that a realty subdivision be classified as a Type I action. Since this application meets the criteria of a Type I action, a Full Environmental Assessment Form (FEAF) must be submitted to assist the Lead Agency in their evaluation of the project and its potential impacts. Since the project would require a zoning change, it is believed that the Town Board would have to serve as the SEQRA Lead Agency for this Type I action. Under a coordinated review, involved / interested agencies to be engaged may include, but is not necessarily limited to the following: Clifton Park Water Authority – public water supply plan approval; NYS Dept of Health – realty subdivision approval and public water supply plan approval; Saratoga County Sewer District No. 1 – public sewer plan approval; NYS

Dept of Environmental Conservation – public sewer plan approval, permit coverage under stormwater SPDES, identification of threatened and endangered species, potentially taking of additional water for public; NYS Office of Parks, Recreation and Historic Preservation – identification of cultural or historic resources; Saratoga County Planning Board – 239m referral due to the project’s proximity to NYS Route 146.

Mr. Bianchi concluded by saying that since it appears that this proposal would require a referral from the Town Board in order for the Planning Board to offer comments, further comment would be withheld until that referral occurs.

In response to Mr. Koval’s query regarding the amount of land to be re-zoned, Mr. Vuillaume explained that the applicant would seek to rezone only the 16 acre parcel to be used for the construction of the townhomes. Mr. Koval stated that traffic flow along Route 146 at the Tanner Road – Route 146 intersection currently creates long waits for those drivers wanting to turn from Tanner Road onto Route 146; development of this project and potential build-out to the west will make traffic problems at that location even more problematic. Mr. Koval asked that the applicant to assure that the municipal utilities have the necessary reserve capacities to serve the project. Mr. Ophardt observed that houses located to the westerly side of the site appear to be located within the wetlands. Mr. Vuillaume stated that this situation could be easily mitigated. In response to Mr. Ophardt’s question regarding the placement of sidewalks within the development and buffering, Mr. Vuillaume said that sidewalks would be included in the design which the applicant views as a continuation of the original Vistas project and that significant buffering would be provided. Mr. Andarawis commented that the project proposal may provide the opportunity to preserve the northern part of the Adelson parcel. Because the project as presented would require rezoning by the Town Board prior to consideration by the Planning Board, members made no additional comments on the viability of the proposed subdivision.

[2013-014] Prestige Motor Car – Proposed (2) additions to an existing warehouse building, 1926/1928 NYS Route 9 – Conceptual site plan review. SBL: 259.-2-108

Mr. Tom Andress, consultant for the applicant, presented this application, explaining that the applicant was denied a use variance that would have allowed construction of a 6,000 SF building as well as building additions and site improvements partially within the LC zone. The proposed 6,000 SF building has now been eliminated from the plan which now requests approval to construct 4,000 SF additions to the front and rear of the existing building located on the northerly portion of the site. Mr. Andress further explained that since the June 22, 2012 submission, the applicant has obtained an Army Corps of Engineers Permit to fill a total of .097 acres of Federal Wetlands located to the front and rear of the site. The speaker also pointed out that although the applicant had received approval from the ECC to work within the LC zone, that work is no longer proposed. Improvements to the stormwater system to eliminate direct discharge to the Dwaas Kill will be implemented: these include re-routing the pipe that carries water from the railroad to the larger ACOE wetlands, allowing for additional filtering before reaching the Dwaas Kill.

Mr. Scavo reported that Mr. Myers, Director of Building and Development, commented that the proposed project “appears to be a viable option for this site.”

Mr. Scavo stated that Ms. Reed, Chief of the Bureau of Fire Prevention, issued the following comment in a June 3, 2013 memo. A fire apparatus access road shall extend to within 150 feet of all portions of the buildings per Section 503 of the Fire Code of New York State.

Mr. Montague, Environmental Specialist, reported that the ECC issued the following comments regarding this application. The limits of Dwaas Kill 100 foot buffer zone *shall* be identified on the plot plan. Given that the ACOE wetland located at the front of the property is being reduced in size, the applicant should evaluate the stormwater system capacity.

Mr. Scavo explained that the following comments were offered by the Planning Department. The applicant’s design professional should discuss how the stormwater system is being modified to accommodate the displaced water from the filling of ACOE wetlands to the north of the property. There is a concern that the ACOE wetlands provide water storage for rain water which is flowing into the project site from the land to the north which slopes up to the existing railroad tracks and bridge crossing over NYS Route 9. The project plan should indicate if any of the proposed improvements to the stormwater system are occurring within the designated LC zone.

Mr. Bianchi stated that M J Engineering and Land Surveying, P.C. reviewed the proposed site plan and accompanying documents for this application and issued the following comments. It is understood that this application is an amendment to a previously approved site plan. The Planning Board, as the SEQRA Lead Agency, can either make a determination that this amendment is consistent with the Board’s prior SEQRA findings and no further action is required or, alternatively, may re-initiate a new SEQRA review process specific to the amendments and make independent findings. The engineering firm would defer to Town staff as far as how to handle SEQRA on this site plan amendment. The project resides within the Town’s L2, Light Industrial District. A review of Section 208-64(B) of the Town Zoning Code indicates that the uses are permitted principal uses within the L2 and/or appropriate use variances have been granted. The proposed lot configuration appears to meet the minimum requirements as outlined in Section 208-65 of the Code, with exceptions as noted. The project proposes display parking in the front setback. Section 208-65 (E)(1) no parking or maneuvering area shall be allowed in the front yard unless the Planning Board finds that, in the case of keyhole lots or lots with similar configurations, the intent of this article is better met by allowing construction within the front yard setback. Notation on the plans indicates the applicant has received relief from the Town from the noted provision of the Town. There must be confirmation that relief was granted based on the current configuration of parking proposed. A majority of the proposed stormwater pond appears to reside within the LC Overlay area. Section 208-69.2(A) does not clearly define the placement of stormwater facilities within the LC Zone as a permitted use. Further discussion with the Town is necessary to confirm that the proposal conforms to the applicable provisions of zoning. The project proposed wetland impacts for the placement of specific improvements: the Town needs to be furnished with associated approvals permitting these disturbances as a condition of any approvals that may be offered. A conflict appears to exist between the proposed

4,000 SF building addition and an existing CB located in the existing pavement. The new building addition is shown constructed atop the CB's 6" PVC outlet: the conflict should be resolved. Proposed STMH#4 is shown with two outlets: clarification is required. The "Drip Edge" detail on Sheet 2 of 2 indicates a drainage stone depth of 6" and a perforated pipe diameter of 6". This will result in exposure of the perforated pipe above the top of the drainage stone. Insufficient grading is shown to understand how the drip edge will convey water around the proposed building addition(s). For example, the Site and Grading Plan appears to show the drip edge go "uphill and downhill" around the 4,000 SF building addition's western corner. Additional inverts and site grading may be required to sufficiently show how the proposed drip system will work. It is unclear what the "4" Solid ADS" pipe shown on the "Stone Trench Off Edge of Pavement Detail" is representing: clarification is required. A well is shown near the proposed 2,684 building addition. The consultant must verify the purpose/use of this well, and ensure that adequate separation distances are provided in accordance with NYSDOH Part 5, Subpart 5-1 Standards for Water Wells – Appendix 5B, as applicable. Adequate outfall protection at the two storm pipes daylighting west of the P-2 Wet Pond in accordance with the New York State Standards and Specifications for Erosion and Sediment Control (NYSSDESC) Manual must be provided. Additional information should be added to the Site and Grading Plan depicting the elevations and dimensions of all berms, low points, inverts, and spillways associated with the P-2 Wet Pond. The consultant was asked to add additional information to the plans depicting the permanent pool elevation for the P-2 Wet Pond. The grading between Forebay #1 and the micropool appears to be steeper than 2V:1H. This would result in an unstable slope if constructed with conventional earth compaction/stabilization methods: clarification is required. Per the requirements outlined in the New York State Stormwater Management Design Manual (NYSSMDM), the proposed P-2 Wet Pond is deficient in the following ways:

- a. For ponds with a depth of 4' and side slopes exceeding 4H:1V, a safety bench shall be constructed as required by Section 6.1.5 of the NYSSMDM.
- b. An aquatic bench is required per Section 6.1.5 of the NYSSMDM.
- c. A pond buffer shall be provided that extends 25' outward from the maximum water surface elevation of the pond per Section 6.1.5 of the NYSSMDM.

Maintenance access shall be provided for maintenance purposes per Section 6.1.6 of the NYSSMDM.

Mr. Bianchi provided comments regarding the Supplemental Stormwater Management Report. Hydraulic sizing calculations should be included to demonstrate that the 6-inch perforated pipes within the building drip edges have sufficient capacity to convey the expected flows for all required design storms. The culvert data within the attached HydroCAD model does not match the plans. The inverts in the attached HydroCAD are shown as 189.00 and 188.56, while the inverts shown on the plans are 185.65 and 185.22, for the invert in and invert out, respectively: plans must be appropriately revised. Device #4 in the attached HydroCAD model is input as a 6-inch orifice, while the plans show a 6" inlet pipe, restricted by an end cap with a 3" hole. Channel Protection Volume requirements of Chapter 4 of the NYSSMDM do not appear to be addressed, as the plug-flow detention time provided for the 1-year design storm is only 277.7 minutes (~4.6 hours). Since the Dwaas Kill is a trout-supporting stream, the 12-hour CPv detention criterion applies.

Mr. Dan Hartnett, representative of the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee, asked that the applicant install a bike rack on the site and provide crosswalks between the display lot and the main building.

Mr. Ferraro noted that maintenance of all stormwater management facilities on the site would be the responsibility of the owner. Though Mr. Address stated that he was working closely with Mr. Myers to develop an effective stormwater management plan, Mr. Ferraro expressed concerns about disturbance and future maintenance of LC-zoned land. Referencing Ms. Reed's comments regarding 360° access to the building, Mr. Ophardt questioned the applicant's ability to provide such access. Mr. Address reported that he was consulting with Ms. Reed about the issue and that all requirements would be met. Mr. Ferraro summarized the Board's concerns, explaining that stormwater management and site aesthetics were important. Stating that he was "sensitive about the visual appeal" of a site, he commented that it did not appear that implementation of the landscaping was complete and that he had observed over-sized vehicles being parked in the display area. He recommended that the landscaping be continued along the property's frontage as required by previous site plan approvals.

[2013-011] **Brooks, Geoff - Subdivision of the Lands of Farinaccio and Hackman** - Proposed (100) lot conventional subdivision or (122) lot cluster subdivision, 504 Grooms Road – Conceptual review. SBL: 277.-3-9

Mr. Scott Lansing, consultant for the applicant, presented this project plan for the Board's consideration. The 70.6 acre parcel to be subdivided is located on the southerly side of Grooms Road between Jarose Place and Wildberry Court approximately 350' west of the intersection of Evergreen Avenue and Grooms Road within the R1 zoning district. The plan proposes the demolition and removal of an existing single-family residence and the development of 105 single family residences, the preservation of approximately 13.57 acres of permanent open space, the creation of a 1.54 acre public park, and the dedication of approximately 1.9 acres of land along Grooms Road to the Town of Clifton Park. Mr. Lansing explained that site contains .49 acres of ACOE wetlands and 4.49 acres (including the adjacent buffer area) of NYSDEC wetlands which are generally located along the western and southern borders of the site: the wetlands have been delineated and mapped. Jurisdictional determination letters from the appropriate agencies are pending. The speaker described the method for determining the number of lots allowable for the parcel, stating that the amount of unconstrained or "net buildable land" totals 56.14 acres. With an allowable density of 2.17 units per acre, 122 single family dwelling units could be developed in a conventional subdivision design. Calculations, utilizing guidelines set forth in Section 179-37 of the Town Code, which permits the applicant to design a single family cluster density development, result in total of 127 dwelling units. According to Mr. Lansing, the applicant has determined that the 105 dwelling unit proposal "will provide the most conservative and environmentally sensitive number of housing units while still meeting the fiscal requirements to support the development." Mr. Lansing presented both a conventional plan and a cluster plan for the Board's consideration, explaining that the conventional plan shows lots with the required minimum 20,000 SF, 100' minimum lot width at the building line, 50' minimum front yard setback, 10' minimum side yard setback, and 25' minimum rear yard setback. Vehicular access

to the proposed subdivision would be provided by two curb cuts along Grooms Road as well as to Lincoln Avenue, Balsam Way, and Jarose Place via existing rights-of-way to those streets. Approximately 8.76 acres of permanent open space located at the southwestern corner of the property would be contiguous to the 21.71 acre parcel of open space provided with the Carlson Farms subdivision. The cluster plan shows lots of 15,000 SF with 80' minimum lot widths at the building lines, 40' minimum front yard setbacks, 10' minimum side yard setbacks, and 25' minimum rear yard setbacks. Vehicular access would be provided by a single curb cut onto Grooms Road as well as to Lincoln Avenue, Balsam Way, and Jarose Place via existing rights-of-way to those streets. The cluster subdivision would provide approximately 13.57 acres of permanent open space located in the southwestern corner of the site which would be contiguous to the Carlson Farms open space area. Both plans propose connection to existing municipal water and sewer service. Stormwater will be managed on site in accordance with the most recent NYSDEC technical standards. A traffic study has been completed: it concludes that the site will be adequately served with the proposed curb cut(s) onto Grooms Road and connections to the existing adjoining neighborhoods. No off-site traffic mitigation is recommended. The layout consists of various interconnected streets and short blocks of varying sizes. Sidewalks are proposed throughout as a part of a streetscape that would connect to adjacent developments and, potentially, to the Town of Clifton Park's multi-use pathway system. Mr. Lansing addressed several of the comments provided by M J Engineering, P.C. in a letter dated June 7, 2013. He stated that the plan calls for the establishment of an 80'-wide buffer area along the Grooms Road frontage, that a full Stormwater Pollution Prevention Plan will be prepared, and that an archeological report has been completed and forwarded to the New York State Office of Parks, Recreation, and Historic Preservation. The consultant concluded his presentation by stating that the applicant would prefer to develop the subdivision in accordance with applicable cluster legislation since "it promotes efficient land use resulting in small networks of utilities and streets thus creating a sense of community while maximizing open space and natural resource conservation."

Mr. Scavo reported that Mr. Myers, Director of Building and Development, stated that he had few comments at this time other than to observe that the "end of pipe stormwater practices already included on the conceptual plan are not allowed without significant justification. He also noted that the wetland areas shown on Saratoga County's map appear "much more significant" than those shown on the proposed subdivision map.

Mr. Scavo's only comment at this time was to advise Planning Board members that, pursuant to Section 179-35(A) of the Town Code, the Planning Board was authorized to approve the cluster subdivision design if it achieved the goals stated in that portion of the Zoning Code.

Mr. Montague, Environmental Specialist, reported that the ECC provided two comments regarding this application. ECC members noted that wetlands shown on the subdivision plan do not agree with those illustrated on the Saratoga County wetlands mapping system. The applicant should clarify on the plan which wetlands are under ACOE jurisdiction and which are under the jurisdiction of the NYSDEC.

Mr. Bianchi reported that the applicant had submitted a number of documents for review including a conventional subdivision plan, cluster subdivision plan, site analysis plan, project narrative, Full Environmental Assessment Form, and traffic evaluation report. After reviewing the materials submitted, M J Engineering and Land Surveying, P.C. provided the following comments. The project generally consists of a 105 lot cluster subdivision, intended for single family homes on approximately 71 acres with a minimum lot size of 15,000 SF. The project is considered a realty subdivision under Environmental Conservation Law (ECL) Part 74. In accordance with 10 NYCRR Part 97 is the NYSDOH regulation implementing SEQRA (Article 8 of the ECL), Section 97.14(b)(2)(ii) requires that a realty subdivision be classified as a Type I action. Assuming the Clifton Park Planning Board is to request Lead Agency status under SEQRA, a coordinated review is required for Type I actions. Under a coordinated review, involved / interested agencies to be engaged may include, but is not necessarily limited to the following: Clifton Park Water Authority – public water supply connection permit; Saratoga County Sewer District #1 – sanitary sewer connection permit; Saratoga County Department of Public Works – access approval onto Grooms Road (Co. Route 91); Saratoga County Planning – 239m referral; NYSDOH – realty subdivision approval and public water supply plan approval; NYSDEC – public sewer plan approval, permit coverage under stormwater SPDES, identification of threatened and endangered species, potential joint permit for impacts to regulated wetlands and watercourses and potentially taking of additional water for public use; NYS Office of Parks, Recreation and Historic Preservation – identification of cultural or historic resources.

Mr. Bianchi then offered a number of comments on the proposed subdivision plans. The project is located entirely within the Town's Residential I (R1) zoning district. It is proposed to advance a cluster subdivision on the parcel which would include 105 lots intended for single family homes. In accordance with Section 208-10 of Town Zoning, both single family homes (reference Section 208-10(B)(2)) and residential cluster development (reference Section 208-10(B)(5)) are defined as permitted uses within the R-1 District. The concept cluster sketch plan as submitted requires a general utility layout as outlined in Section 179-8(A)(1) of the Town Subdivision Regulations. The proposed cluster subdivision concept is subject to Section 179-37 of the Town's Subdivision Regulations. The conventional subdivision plan provided on Sheet C2 needs to be reviewed by the Town to determine what the maximum lot yield would be under the cluster plan. The cluster subdivision plan provided on Sheet CL-P shows a proposed 100 foot buffer along the entire length of Grooms Road to be dedicated to the Town, a central community park area of 1.54 acres, and provides a minimum lot size of 15,000 SF (75% of minimum allowed by conventional zoning). The engineering firm offered the following comments regarding the cluster subdivision plan:

Lot 11 appears to have a narrow, restrictive building; the Town should consider the feasibility of this lot.

Driveway access to Lot 11 should be shown on the plan.

An access easement will be required to the proposed stormwater management facility.

The project would result in disturbances in excess of 1 acre and, therefore, is subject to the NYSDEC Phase 2 Stormwater Regulations and General Permit GP-0-10-001. As the project proceeds through the regulatory review process, a fully conforming Stormwater Pollution Prevention Plan (SWPPP) will be required that addresses stormwater quality, quantity, and green

infrastructure elements. The plan must be submitted as part of a preliminary plat submission to the town. Given the nature of wetlands identified on the parcel and the positioning of the proposed stormwater basins in close proximity to the wetlands, there is a likelihood of groundwater being at a shallow depth. This condition may limit the type of stormwater practices that can be used. The town generally does not permit the use of practices that require the use of groundwater as part of its design (i.e. P-5). As the project progresses through the regulatory review process, appropriate field testing will be required to determine the type of practice that will be required. In the event a P-5 practice is selected, appropriate justification as to why all others are not feasible will be required before the P-5 will be permitted. The project proposed four points of access: one from Grooms Road (County Route 91), and one from each of Jarose Place, Balsam Way, and Lincoln Avenue. The Grooms Road access will require review and approval from the Saratoga County Department of Public Work. The narrative indicates the project is proposing to service each new lot with public water from the Clifton Park Water Authority (CPWA) via extending a new public water main throughout the project. It is recommended that the town be furnished with documentation that the CPWA is willing and capable of providing potable water to the project. The extension of public water mains to the project is subject to CPWA, NYSDOH plan approval and, potentially, the NYSDEC for the taking of additional water. Reports prepared that define the proposed on-site distribution system as well as examine the need for any off-site improvements to the existing water distribution system should be furnished to the Town as well as other authorities having jurisdiction when they become available. The narrative indicates the project proposing to service each new lot with public sanitary sewer by way of connection to the Saratoga County Sewer District No. 1 sewer system. It is recommended that the Town be furnished with documentation that the SCSD is willing and capable of servicing this project. The extension of public sanitary sewers to the project is subject to the review and approval by the Saratoga Co. Sewer District No. 1 (SCSD) as well as the NYSDEC. Reports prepared that define the on-site collection system as well as examine the need for any off-site improvements to the existing sewer collection system should be furnished to the Town as well as other authorities having jurisdiction when they become available. The narrative indicates the project will not be impacting any on-site ACOE or NYSDEC regulated wetlands or their associated protected buffers. As a result of proposed impacts to regulated waters and being subject to the Stormwater General Permit GP-0-10-001, the applicant will need to seek consultation from the NYS Office of Parks, Recreation and Historic Preservation and the NYSDEC regarding the absence or existence of cultural or historic resources and threatened and endangered species, respectively, within the project boundaries. The applicant has included written correspondence from NYSDEC confirming that there are no known occurrences of rare or state-listed threatened and endangered species. However, correspondence from NYSOPRHP will be required.

Mr. Bianchi provided comments on the traffic impact study that was provided with the conceptual submission. The analysis is conservative in the fact that although the design includes access to adjacent development roads, the analysis was done assuming all traffic was utilizing the proposed access road. The analysis shows that there will be no adverse impact on Level of Service (LOS) for drivers on Grooms Road. The Grooms Road and Evergreen Avenue intersection fails on the Evergreen Avenue approach with LOS F for the existing condition. This is not seen as a project specific issue but more of a corridor issue. The applicant and/or

consultant should verify whether the analysis took into account the effect of the Evergreen Avenue intersection on the proposed access road if and when Grooms Road east bound backs up in the PM peak impacting vehicles attempting to make left hand turn into Evergreen Avenue. Observations during the PM Peak have seen Grooms Road back up to and past the Evergreen Avenue intersection.

Mr. Dan Hartnett, representative of the Trails Subcommittee of the Clifton Park Open Space, Trails, and Riverfront Committee, offered several comments regarding this application. He commented that installation of sidewalks would benefit the residents of the subdivision rather than be a “true, community benefit for the larger, general public” and encouraged the developer to consider creating a larger open space area that could be enhanced with a playground or other recreational facilities rather than installing sidewalks. He stated that if the developer did proceed with the sidewalks, they should be extended on both sides of the road to Jarose Place, Balsam Way, and Lincoln Avenue and “end at the property borders on the other side.” The speaker pointed out that the traffic study did not take into account the many trail connections that currently exist in proximity to the development parcel. Maintenance of the sidewalks was of concern since the project narrative did not specify the entity that would be responsible for their upkeep and repair. The Trail Subcommittee recommended that the developer include a 15’ right-of-way and 10’ wide trail that would extend from Jarose Place to Wildberry Court, a crosswalk across Grooms Road and appropriate signage to connect Evergreen Avenue to the Grooms Road Trail, and a trail connection to the Carlson Farms/Huntwood Trails.

Mr. Alan Burke, 13 Jarose Place, asked that the applicant/developer maintain a buffer between the proposed subdivision and existing properties. Mr. Lansing stated that an attempt will be made to maintain as much buffering as possible: a minimum buffer of 25’ is required.

Zutao Zhou, 25 Balsam Way, stated that although he was “not generally opposed to the subdivision,” he was concerned that that the proposed roadway connection to Balsam Way would pose a threat to “kids and seniors” who reside in and use the roads within the Carlson Farm subdivision. Citing “decreased safety and decreased security,” a possible reduction in the value of his “premium-priced” property, and loss of privacy, he stated that he was “strongly opposed” to the connection to the existing cul-de-sac.

Ms. Rose Sopok, 23 Jarose Place, pointed out that since the adjoining property owner has already cleared the area adjoining the existing homes on Jarose Place, there would be a minimal or no buffering between the proposed homes and the homes on Jarose Place. She explained that Sunset Woods is a quiet neighborhood whose residents already have to “deal with church traffic:” establishment of a connecting street which would bring a possible 200 more cars through the neighborhood would create a safety hazard for those living there. She believes that her privacy will be significantly reduced and that there is no need for walkways within the proposed development. Since it appears to her that the proposed homes will be smaller than those existing on Jarose Place, she fears that the value of her property will depreciate. Describing the traffic on Grooms Road as “a nightmare,” she asked if the Board members had considered the impact that the proposed new homes would have on the area’s traffic flow.

Mr. Ed Tomeck, 19 Jarose Place, agreed that the proposed roadway connection to Jarose Place was undesirable, explaining that his house abuts the existing stub street. He asked Board members to consider whether or not it was reasonable to “open up a 15-lot subdivision” to 200 more vehicles. In response to his question regarding the applicant/developer, Mr. Lansing stated that the applicant was Brooks Heritage. In response to the question regarding proposed lot sizes, Mr. Lansing stated that the application calls for lots of 15,000 SF.

Mr. Robert Herman, 21 Jarose Place, requested information regarding property boundaries. Mr. Lansing explained that the back boundary lines of the proposed lots will abut the properties on Jarose Place. Mr. Herman commented that such a design would leave little room for buffering.

Ms. Joanne Coons, 4 Balsam Way cited Section 179-25 of the Town Code that discusses the “arrangement, character, extent, width, and location of streets,” and stated that she opposed the proposed connection to the Balsam Way cul-de-sac. She stated that she has observed that the 26’ wide streets within the Carlson Farm subdivision are very difficult to negotiate when cars are parked along the sides of the street and she assumes that such situations would make it difficult for emergency vehicles to maneuver: to connect to an additional subdivision would simply aggravate the problem. The speaker noted that the subdivision as proposed did not provide for contiguous green space. She asked that Board members compare the number of lots approved for the Carlson Farm Subdivision with the number of lots proposed for the Grooms Road property, which is to be developed on a similarly-sized property. Ms. Coons commented that the exiting mature trees on the Grooms Road property were “lovely” and asked that as many as practicable be preserved.

Mr. Tom Neiss, 21 Balsam Way, expressed his concerns regarding the density of the proposed project and the negative impacts of the development on the local water table. Stating that he calculated the total square footage of the development at approximately 200,000 SF, he asked Board members to consider where the displaced water would go.

Ms. Elaine Niess, 21 Balsam Way, reported that she liked the trail connection along Grooms Road. Referencing the reported traffic problems at the Evergreen Avenue and Grooms Road intersection, she expressed her concern with the ability of emergency vehicles to access the site due to the amount of traffic on Grooms Road. In response to her question regarding the capability of the local fire district to support another 100 homes, Mr. Ferraro explained that the fire districts review applications to evaluate their potential impacts on existing services and provide comment to the Planning Board.

Mr. Al Czerpak, 20 Balsam Way, spoke in opposition of the continuation of the Balsam Way connection, citing Section 179-25 of the Town Code which states that connection will not be recommended “where topographical or other conditions make continuance or conformance to existing streets is impracticable or undesirable.”

Mr. Koval explained that cul-de-sacs are usually created when the street reaches the property boundary and that provision is made for extension of the roadway or connection to a

new roadway. Mr. Ferraro pointed out that multiple access points provide an additional level of security since emergency vehicles are provided several means of ingress and egress from properties.

Ms. Florence Palange, 23 Balsam Way, stated that she was concerned with drivers who would use the Balsam Way connection to travel from Moe Road to Grooms Road, using Balsam Way as a “thoroughfare”.

Mr. John Pietearski, 13 Balsam Way, stated that he has lived in his new home within the Carlson Farm development for nearly two weeks. He selected his home’s location because it was located in a quiet neighborhood with a great deal of privacy. He expressed his unhappiness at learning that there was a proposed subdivision in close proximity to his new home and asked that the Board not permit the proposed connection to Balsam Way.

Mr. Walter Szwetkowski, 38 Droms Road, reported that many travelers use Droms Road as a “short cut” between Grooms and Riverview Roads.

Mr. Marjorie Bates, 18 Balsam Way, questioned why the subdivision required “so many” access points. Mr. Koval explained that a subdivision with more than 18 lots must have at least two access points. Mr. Ferraro explained that while CR (Conservation Residential) and HM (Hamlet Mixed Use) zoning in the western portion of the town calls for much less density, zoning within the eastern portion of the town allows for greater density and “infill” development. He remarked that good planning policies call for the Planning Board to provide for the continuation or appropriate extension of an existing street to provide connectivity between neighborhoods.

Mr. Pat Rohstedt, 26 Jarose Place, commented on the traffic congestion that occurs along Grooms Road during peak travel times and pointed out that such traffic may not be a positive selling factor for the developer.

Mr. Czerpak, 20 Balsam Way, reported that there is a sign posted within the Countrymen Estates Subdivision that warns drivers that the street is not “a through street,” an indication to him that drivers were apparently seeking a short cut from Moe Road to Lapp Road and indicating that drivers may seek a “short cut” through Carlson Farm. He encouraged Board members to “keep traffic from the new development on Grooms Road.”

Mr. Lansing introduced Ms. Wendy Holsberger, representative of Creighton-Manning, who prepared the Traffic Evaluation for this project. Ms. Holsberger explained that “winding through subdivision streets” to arrive at a desired location “is not reasonable:” most drivers take the most direct routes to get to their destination. She stated that a review of the Grooms Road corridor indicates that the proposed subdivision will have little impact on existing traffic flow, though she did note that the Evergreen Avenue – Grooms Road intersection is currently operating at a Level of Service F. She explained that this intersection will continue to operate with levels of service consistent with existing and no-build conditions during the peak hours. No improvements are recommended as a result of the proposed project. Ms. Holsberger reported

that accident data provided from NYSDOT revealed that thirteen accidents occurred along Grooms Road from Jarose Place to Lincoln Drive were reported in the latest three years of available data, a number that “does not indicate any prevalent accident types requiring mitigation.”

Mr. Ferraro offered comment on the application and the information presented at this evening’s meeting, noting that professionals in the fields of engineering, planning, and traffic analysis work to evaluate various design strategies, producing studies and reports that validate the planning designs and policies applied by those preparing development plans and those who review them. He pointed out that the proposed subdivision is not located in an isolated part of town and that the likelihood of such a desirable piece of property located in an R1 zoning district to remain vacant would be minimal. He noted that communities do benefit from amenities such as sidewalks that encourage walking and outdoor activities that promote health and well-being.

A speaker from the audience commented that since Grooms Road “runs east and west” there are “lots of visual problems” during peak travel times.

Ms. Toni Cochis, 22 Balsam Way, asked the Board to describe the review process. Mr. Pelagalli explained that the applicant will refine the subdivision plans based upon the comments issued by staff members, the Town Engineer, and the Planning Board. Once preliminary plans are submitted to the Planning Department and deemed complete, the Planning Board will schedule a public hearing. At the time of the preliminary submission, the applicant is required to notify all property owners within 500’ of the proposed project that the preliminary application has been submitted for review.

Addressing the issue of “connectivity,” Mr. Ferraro remarked that it is the Board’s policy to encourage connections between neighborhoods. Mr. Koval pointed out that legally, per the Town’s Zoning Code, the applicant could construct 122 homes on the parcel. Mr. Werner asked that the applicant revise the cluster plan to provide two curb cuts onto Grooms Road rather than the single entrance as currently shown: the proposed roadway connections to the adjoining developments would remain. Mr. Ophardt commented that “access management was an issue on Grooms Road.” Citing the benefits of increased buffering, wetland protection, and increased parkland areas, Board members unanimously supported the single family residential cluster density subdivision plan. In response to Mr. Ferraro’s question regarding the high water tables on Lots 20, 21, and 22, Mr. Lansing stated that soil testing will be conducted and test pit information will be provided. Mr. Ferraro asked that the applicant “not exacerbate wetlands on adjoining properties, provide trail and traffic connections as reasonable and practicable, and that the right-of-way along Grooms Road to be used for future roadway improvements or installation of a multi-use pathway be identified for potential property owners.

Mr. Frank Berlin, 980 Main Street, offered his thanks to the Board for allowing public comment and for taking that public comment seriously.

Mr. Koval moved, seconded by Mr. Ophardt, adjournment of the meeting at 11:10p.m. The motion was unanimously carried. The next meeting of the Planning Board will be held as scheduled on June 25, 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 #9 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, T. Werner
E. Prescott – Alternate Member

Absent: M. Hale, K Paulsen

Mr. Werner offered Resolution #9 of 2013, and Mr. Ophardt seconded, and

Whereas, an application has been made to this Board by the Bordeau Builders, Inc. for approval of a subdivision entitled Honey Hollow Farm consisting of (35) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on June 11, 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 June 11, 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 Honey Hollow Farm consisting of (35) lots is granted preliminary and final approval conditioned upon satisfaction of the comments offered by the Planning Board, Planning Department, Town Engineer, and all comments listed in the final comment letter prepared by the Planning Department.

Resolution #9 of 2013 passed 6/11/2013

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

Noes: None

Rocco Ferraro,

Chairman