

Town of Clifton Park Planning Board
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PLANNING BOARD

ROCCO FERRARO
Chairman

ROBERT WILCOX
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PAULA COOPER
Secretary



MEMBERS

Emad Andarawis
Eric Ophardt
Ram Lalukota
Andrew Neubauer
Denise Bagramian
Greg Szczesny

(alternate) Keith Martin

Planning Board Minutes
October 27th, 2020

Those present at the October 27th, 2020 Planning Board meeting were:

Planning Board: R. Ferraro, Chairman, E. Andarawis, D. Bagramian, R. Lalukota,
A. Neubauer, E. Ophardt, G. Szczesny
Keith Martin – Alternate Member

Those absent were: None

Those also present were: J. Scavo, Director of Planning
W. Lippmann, M J Engineering and Land Surveying, P.C.
R. Wilcox, Counsel
P. Cooper, Secretary

Mr. Ferraro, Chairman, called the meeting to order at 7:00 p.m. Mr. Ferraro stated that the Planning Board meeting for tonight is being held remotely due to the current health crisis and inability to hold large gatherings in one place.

Minutes Approval:

Mr. Szczesny moved, seconded by Mr. Lalukota, approval of the minutes of the October 14th, 2020 Planning Board meeting as written. The motion was unanimously carried.

Old Business – Tabled by Planning Board on 10- 14-20 for Possible Preliminary and Final Determination

2019-008 DCG Tallow Wood Apartments

Applicant proposes to construct a 12,000 +/- sf 3 story 34 unit apartment building, convert the existing 19,000 +/- sf office space into a 16 unit apartment building and utilize existing parking area in compliance with local zoning. New building will connect to CPWA water and SCSD Sewer. Area of disturbance <1.0 acre with no change to total impervious area. Development will utilize existing stormwater pond, 855 Rt 146, Zoned: TC4, Reviewed by Technical Advisory Committee. Status: PB Preliminary Review w/possible final determination SBL: 271.-3-67.1

To be reviewed by: MJE Consultant: EDP Applicant: DCG **Last**
Seen on: 10-14-20

Consultant/Applicant Presentation:

Joe Dannible – EDP – Mr. Dannible stated that he has received a letter the Board has requested back from Clifton Park Sewer Dept. that indicated a sufficient trunk line capacity to accommodate the project. Mr. Dannible stated that he also is waiting for a letter from the Clifton Park Water Authority (CPWA) stating they would need some modifications and would like the Board to consider approving the site plan application and make a condition that that the CPWA comments are satisfied. Mr. Dannible stated that the Saratoga County has sent out their letter of findings of No Effect or Impact and that architectural concerns from the Board have been addressed. Mr. Dannible showed on the Zoom screen an image of the architectural renderings and stated that it was a perspective from Tallow Wood Drive. He then showed rear elevations and stated that is partially gabbled to hide the mechanics and the roof below is flat. The slant of the roof is 10 ft. to screen HVAC and roof drains.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 10/22/20 stating:

- For clarity it was determined by the town attorney that residential would be allowed on the first floor of this project as the TC-4 zoning does not allow it
- It is quite a distance to the “shared Refuse” area for the new building
- Street trees appear to be eliminated

- I find no hydrant at the daycare or along Tallow Wood. Hydrants are required within 100' of the fire department connections.

Mr. Scavo stated that residential can be on the first floor if the Planning Board gives a dimensional waiver for the application.

Wade Schoenborn, Chief of the Bureau of Fire Prevention:

1. Provide locations for all existing Fire Hydrants
2. Add Fire Hydrants within 100' of Fire Department connections

Scott Reese, Stormwater Management Technician issued a memo dated 10/22/20 with the following comments:

1. Consultant's engineer should provide written response to TDE's October 9th, 2020 review comments that pertain to stormwater and erosion and sediment control.

The Environmental Conservation Commission held a meeting on 10/20/20 and issued a memo recommending:

1. The ECC requests the applicant clarify if the 12,900 is per floor or total square footage of the structure.

Mr. Scavo stated that this is per floor and the total square feet of the building is 20,000

John Scavo, Director of Planning issued a letter dated 10/22/20 with recommendations he made:

1. The Saratoga County Planning Board noted that the project would not have any significant county-wide or inter-community impacts.
2. Approvals and final signoffs from all involved agencies (i.e. Clifton Park Sewer District, CPWA) are required to stamp the final site plan. No construction activities are to occur until the final site plan is stamped.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering – Mr. Lippmann stated that the traffic study has been sent out to Board members for review. He stated that for general office use in the peak a.m. and p.m. hours the trip generation is 22 for a.m. and 23 for p.m.; for medical, 51 in the a.m. and 66 in the p.m.; and for residential the am trip generation is 20 for the a.m. and 28 for p.m.

Public Comments:

None

Planning Board Review:

Mr. Neubauer stated that he spoke to the architect and received clarification on the roof plan and the prior questions have been satisfied. He stated that what is being shown is what he was looking for in the plan. Mr. Neubauer stated that the balconies will have the underside soffits finished off and closed, consistent with what is being pictured on the plan

Mr. Ophardt moved, second by Ms. Bagramian, 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. Ophardt moved, second by Mr. Andarawis, to waive the final hearing for this application for the site plan review of DCG Tallow Wood Apartments, and to grant preliminary and final site plan approval conditioned upon satisfaction of all comments provided by the Planning Department, Town Designated Engineer, and all items listened in the final comment letter issued by the Planning Department.

Conditions:

1. The Town of Clifton Park Planning Board is waiving the dimension requirements.
2. Approval from the Clifton Park Water Authority for water line modifications.

Ayes: 7 Noes: 0 The motion is carried.

Public Hearings:**2020-026 132/134 Lapp Road Site Plan**

Applicant proposes to build two, 2- family residential dwellings with separate driveways that will access to Lapp Road. Parcel has previously been approved for two 3.750 square foot office buildings in 2007 via site plan and use variance. 132 Lapp Rd, Zoned: R-1, Status: PB Preliminary Review

SBL: 284.13-1-19/284.13-1-18

To be reviewed by: MJE Consultant: EDP Applicant: A. Massaroni **Last Seen on:**
6-24-20

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 explained that the Planning Board would assume Lead Agency status for the project and issue a negative declaration as a “formality” which neither granted nor implied approval of the subdivision application. Should it be determined that additional environmental review is required, SEQRA discussions will be reopened and a decision rendered when deemed appropriate.

Lalukota moved, second by Ms. Bagramian, to establish the Planning Board as Lead Agency for this application, an Unlisted action, and to issue a negative declaration pursuant to SEQRA.

Mr. Ferraro, Chairman, called the public hearing to order at 7:30 p.m. The Secretary read the public notice as published in the Daily Gazette on October 27th, 2020.

Consultant/Applicant Presentation:

Owen Speulstra – EDP – Mr. Speulstra stated that this project was last seen in June. He stated that this project is located across the street for Ace Hardware on Lapp Road and is zoned R1. Mr. Speulstra stated that there was a previous application for medical buildings to be built on the property in 2007 that is still valid. Mr. Speulstra stated that the applicant is now looking to construct a 2-family dwelling on each of the 2 lots present within the project site. Mr. Speulstra stated that in August the ZBA approved needed variances for the project and that the Highway department has approved the proposed driveways. Mr. Speulstra showed on the Zoom screen the properties and pointed out for all in attendance proposed rain gardens to catch water run-off, as well as stating that there will be gravel diaphragms to slow and disperse the rainwater from the driveways. Mr. Speulstra stated that both homes would have sanitary connections as well as separate water connections. Mr. Speulstra stated that he knows the Board has concerns about stormwater and asked that the Board approves the application with conditions upon MJ and Mr. Myers comments being satisfied.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 10/22/20 stating:

- Area variances were granted
- The proposed grading plan continues to direct runoff to the rear of the property and does not appear to contain it on site. This is a known issue for the undeveloped lot and must be corrected as a result of this project. Drainage containment must be provided on site with possible outlet thru the existing utility easement. Significant uncontrolled runoff from Lapp Road is also an issue with no controls proposed.

Wade Schoenborn, Chief of the Bureau of Fire Prevention:

1. No comments

Scott Reese, Stormwater Management Technician issued a memo dated 10/22/20 with the following comments:

1. Total area of disturbance for this project is at 37,100 square feet (0.85± acres), therefore the project does not require a NYSDEC SPDES General Permit. The plans do show rain gardens and erosion and sediment control for best management practices. Adjoining residents to the west have brought up excessive storm runoff leaving this site. Any mitigation measure to decrease the drainage flow to at least predevelopment conditions would be amenable.

The Environmental Conservation Commission held a meeting on 10/20/20 and issued a memo recommending:

1. The ECC requests the applicant to provide the documentation stating that the wetlands are non-jurisdictional.
2. Existing vegetation should be preserved in areas where such growth enhances erosion control and mitigates runoff onto adjacent properties.
3. The Applicant should retain existing vegetation and/or use landscaping and grading to provide visual and auditory buffering between the project and the adjacent properties. The ECC recommends that the planning board require a deed restriction to maintain the vegetation buffer to the adjacent properties.

John Scavo, Director of Planning issued a letter dated 10/23/20 with recommendations he made:

1. A referral request to the Saratoga Co. Planning Board (SCPB) has been once the preliminary plan set was received by Town Staff. The plans are consistent with a similar referral that was sent by the Clifton Park ZBA to the SCPB where the recommendation noted, "No significant County-Wide or Inter-Community Impact".
2. Based on response letter dated October 5, 2020, prepared by Environmental Design Partnership, LLP on behalf of the applicant, it appears my prior comments offered in a review letter dated June 19, 2020 have been satisfied.
3. A final approval should be conditioned upon a final sign-off from the Clifton Park Water Authority, who expressed in a letter dated August 20, 2000 it has adequate capacity and is willing to service the project.
4. As previously noted, this proposal significantly reduces proposed impervious area and land clearing necessary for stormwater management systems that were previously approved for two commercial office buildings.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 10/23/20 had the following comments:

SITE PLANS

1. Provide the Town with a copy of the USACOE correspondence dated March 2, 2018.
2. Each duplex is required to have a separate and independent connection to the Saratoga County Sewer District #1 (SCSD). The plans should be revised accordingly.
3. Where the sewer is planned for conveyance to SCSD, the sewer lateral from SBL 284.13-1-19 shall be located within an easement when crossing private property (SBL 284.13-1-18).
4. Indicate on Sheet 3 of 4 the location(s) of the gravel diaphragm.
5. On Detail 1 on Sheet 3 of 4, specify exact depth dimensions of soil media and washed stone based on design.
6. On Sheet 3 of 4, additional silt fence shall be installed at the north and south ends on parcel 284.13-1-18 and along the south side of the rain garden and north side of the duplex on parcel 284.13-1-19.
7. Sheet 3 of 4 shall indicate the stabilized construction entrance location(s) and associated details to avoid tracking debris onto Lapp Road.
8. Each lot appears to propose a rain garden. Provide the appropriate design information and construction details for this proposed stormwater practice for review.
9. At a minimum a stormwater management report/calculations shall be provided to ensure that the development will not result in adverse impacts to adjacent properties.

Public Comments:

Anthony LaFleche - -21 Wheeler Drive – Mr. LaFleche asked the applicant how far the duplex is from Lapp Road and Crescent Road. Mr. Speulstra stated that it is 100ft from the center line of Lapp Road and about the same from Crescent Road. Mr. LaFleche asked if an easement for Lapp and Crescent Roads would be needed in the case that in the future a trail would be put in. Mr. Speulstra stated that there is an existing easement from 2007. Mr. Scavo stated that the map shown does show the 10ft dedication. Mr. LaFleche asked how much vegetation is between this property and Crescent Road? Mr. Speulstra stated that there is brush like vegetation and wetlands, but the applicant is looking to keep a vegetated buffer. Mr. LaFleche asked if the

applicant can put in a shared driveway for both properties. Mr. Speulstra stated that the drawing is the actual proposal for the driveways and the driveways have been manipulated to fit between utility poles and far enough away from the stop bar at the intersection of Lapp Road and Crescent Road.

Rich Tordirichi – 2B Easton Drive – Mr. Tordirichi stated that his property is directly behind the proposal and that the elevation of Lapp Road is higher than the property as well as his. He stated that the lay of the land makes the rear of the 132 and 134 Lapp Road very wet and that he feels that if the stormwater issue is not addressed it would impact his property and make for uncomfortable outdoor living situations. He stated that his and his neighbor's yards are already swampy and that building on the adjacent land will only increase this problem. Mr. Tordirich asked what recourse he would have if the stormwater plans do not work as intended and he is negatively affected by this. Mr. Speulstra stated that the applicant is bound by stormwater regulations and professional engineering judgments. Mr. Tordirichi asked if there would be any excavation going on due to sewer connection. Mr. Speultra stated that there is an existing man hole sewer drain that runs from Lapp Road to the south of Ace Hardware entrance, and just north of Mr. Tordirichi's home, and the only excavation happening would be from the homes to the existing sewer line, not crossing into his property.

Bryan Herman – 2A Easton Drive – Mr. Herman stated that there are not a lot of trees in the rear of the property and most of them are dead. Mr. Herman stated that with this project he would like to see the dead or dying trees removed as he feels it is a danger for his property.

Ralph Reale – 13 Hiawatha Drive – Mr. Reale stated that this is a high traffic area and feels that this is an overuse of the lot. He stated that he feels that this will increase traffic, especially with the new development going in as well, and make it difficult for driveway access to this proposal. He also expressed concern about the possibility of an increase in the number of 2 family proposals in that area. Mr. Reale stated that he feels that the approval for medical buildings in 2007 was also a mistake as these are not good fits for the neighborhood.

There being no additional public comment, Mr. Ferraro moved, second by Mr. Neubauer, to close the public hearing at 8:13 p.m. The motion was unanimously carried.

Planning Board Review:

Mr. Ferraro stated that due to less than one acre of disturbance no SWPPP is required. Mr. Ferraro did also state that the applicant needs to make sure that the runoff is self-contained. He also noted that there are isolated wetlands in the area shown to be filled, so the applicant needs to make sure separation from groundwater is done and address the concerns to reduce potential for increased runoff even with buildings on the property. Mr. Speulstra stated that there will be fill

brought into the property if approved and that the buildings will be above grades and infiltration stormwater practices will be installed. Mr. Speulstra stated that the applicant will work with town staff and MJ Engineering to resolve the concerns. Mr. Ferraro asked who would be responsible to maintain the rain gardens especially if down the road the properties are sold and how would we insure this. Mr. Ferraro also suggested expanding the rain garden to help more with stormwater management. Mr. Lippmann stated that a hydro cad model would be the easiest method to see what effect would be most beneficial and calculations can be inputted into the modeling. Mr. Scavo stated that due to less than one acre being disturbed there is no typical stormwater management agreement that will be executed but conditions can be made for the special use permit to who would maintain and be responsible for the rain gardens.

Mr. Neubauer stated that the Board needs to judge each application on their own merit. He stated that he remembers that the corner lot that is a part of the application has been for sale for a time and was originally intended for office space and is now duplexes. Mr. Neubauer stated that he likes that there is an easement for a trail way but has concerns about the safety of these trails as there is no safe way to cross Crescent Road. Mr. Neubauer stated that looking at the architecture he understands why the applicant is placing them the way he is but his opinion is not to have large garage doors facing the roadway. Mr. Neubauer suggested taking down more trees to accommodate a different layout for the buildings or to move the garage doors further away from each other.

Mr. Ophardt stated he would like to see a side entrance garage for each duplex. He stated he understands grading issues and drainage and suggested to the applicant to look at an interception ditch in the rear of the property and run it north to south. Mr. Tordirichi stated that if this is installed the mosquito problem would make it so no one could enjoy their back yards and is in favor of a more active draining plan. Mr. Speulstra stated he can look into this suggestion.

Mr. Ferraro stated that the applicant is responsible for the impact of the project but not for the existing problems and would like to see a hydro cad model.

Ms. Bagramian stated that she has the same concerns as Mr. Neubauer and Mr. Ophardt has with stormwater. She stated that she would also like to see more of a home and less of the garages facing the roadway.

Mr. Andarawis stated that he agrees that the configuration of the home placements needs to be worked on and the stormwater impacts of the buildings. He stated that he would like to see a more comprehensive landscaping plan as well. Mr. Andarawis suggested having one driveway splitting to both buildings to decrease disturbance. Mr. Massaroni (applicant) stated that if down the road he chooses to sell one of the properties it would make it hard with a shared driveway.

Mr. Anthony Massaroni (applicant) stated that the site conditions for a side load garage may be possible, but would like to know what the Board suggests. Mr. Speulstra stated that if the

pavement is increased then the site disturbance would greatly increase and the stormwater disturbance as well.

Mr. Neubauer asked the applicant if they would be willing to go down to a single garage. Mr. Massaroni stated no, he plans to live in one of the duplexes and wants to make them as nice as possible and would prefer 2 car garages per unit.

Mr. Ferraro stated that the easement may be an issue in the future due to high traffic area. Mr. Ferraro stated that this is also an area with aviation activity and that this needs to be noted on the deed as well as maintaining the buffer with a no disturbance sign and stormwater management. Before any action can be taken, the stormwater issue needs to be more thoroughly addressed as well as alternative design/landscaping considerations along the front.

Public Hearings:

2019-040 1267 Route 146 2 Lot Subdivision (Fleischman)

Applicant proposes subdividing a .94 acre parcel with an existing dwelling into 2 parcels. 1 parcel will have the existing dwelling with a new proposed access to the soon to be dedicated Vista Court. The second parcel will remain vacant with a long range plan to build a 2 family home on it, 1267 Rt 146, Zoned: HM, Status: PB Preliminary Review w/ possible determination

SBL: 270.8-5-4

To be reviewed by: MJE Consultant: Bethlehem Land Surveying Applicant: A. Fleischman

Last Seen on: 8-13-19

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 explained that the Planning Board would assume Lead Agency status for the project and issue a negative declaration as a “formality” which neither granted nor implied approval of the subdivision application. Should it be determined that additional environmental review is required, SEQRA discussions will be reopened and a decision rendered when deemed appropriate.

Mr. Szczesny moved, second by Ms. Bagramian, to establish the Planning Board as Lead Agency for this application, an Unlisted action, and to issue a negative declaration pursuant to SEQRA.

Mr. Ferraro, Chairman, called the public hearing to order at 9:10 p.m. The Secretary read the public notice as published in the Daily Gazette on October 21st, 2020.

Consultant/Applicant Presentation:

Jason Peterson – Bethlehem Land Surveying – Mr. Peterson stated that the subdivision is to make 2 properties. The applicant went to the Zoning Board to get approvals for area variances, and after many options made the proposed 2 family on Lot 2 facing Route 146. Lot 1 would have the existing home and the applicant would occupy it. Mr. Peterson stated that both lots would face Vista Court and driveways would exit on to Vista Court as well and the existing driveway to Route 146 would be removed. Mr. Peterson stated that the ingress/egress and maintenance agreement would be deeded to Vista Court. Mr. Peterson stated that landscape screening will be in place and if needed raised beds can be added, however the applicant is planning to screen the rear yard from Route 146 for safety. Mr. Peterson stated that that the setback from Route 146 has been pulled back for the 2 family to minimize the variance needed and that sanitary hookups would be connected from Route 146 as well as water from the Clifton Park Water Authority, but he will reach out for official approval.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 10/22/20 stating:

- Variances were granted for current configuration
- Curb cut on Route 146 will be removed

Wade Schoenborn, Chief of the Bureau of Fire Prevention:

1. Postal verification
2. Place correct 911 addresses on the final map. Lot 1 - 31 Vista Court and Lot 2 – 29A and B Vista Court

Scott Reese, Stormwater Management Technician issued a memo dated 10/22/20 with the following comments:

1. No stormwater comments at this time

The Environmental Conservation Commission held a meeting on 10/20/20 and issued a memo recommending:

1. The ECC has no comments at this time.

John Scavo, Director of Planning issued a letter dated 10/22/20 with recommendations he made:

1. The Saratoga Co. Planning issued a recommendation noting the project would not have any significant county-wide or inter-community impacts.
2. As noted by the applicant, the area variance granted by the ZBA was conditioned upon the existing curb-cut to Route 146 being eliminated and both lots are to have access only from Vistas Court.

3. The proposed deciduous trees shown to planted meet the Town's minimum two street tree requirement for subdivided lots pursuant to §86-10(A)[3] of the Clifton Park Town Code.
4. NYS permit is required for utility extensions and driveway removal.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 10/23/20 had the following comments:

STATE ENVIRONMENTAL QUALITY REVIEW

1. As per Comment 2 from our August 9, 2019 review, The applicant has submitted Part 1 of the Short Environmental Assessment Form (SEAF). Based upon our review of the submitted Part 1 SEAF, the following comments are offered:
 - a. Part 1. 12b: Part I.12b – The applicant indicates that the proposed action is not within or adjacent to an area designated as sensitive for archeological sites. This response is inconsistent with a review of the DEC Environmental Assessment Form (EAF) Mapper, located at www.dec.ny.gov/eafmapper/. The applicant should provide confirmation from the NYS Office of Parks, Recreation and Historic Preservation that the action is not within or adjacent to an area designated as sensitive for archeological sites to support their response or modify response.
 - b. Part I.13a – The applicant indicates that no portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by federal, state or a local agency. A review of the DEC EAF Mapper indicates a discrepancy in this response. The applicant should provide documentation to confirm the presence or absence of state or federally regulated wetlands on or adjacent to the project site and modify response accordingly.
 - c. No further comments at this time.

SUBDIVISION PLAN

2. The applicant is currently scheduled to be on the September 1, 2020 ZBA agenda for the following variances:
 - a. 208-43.3(B)(a)(3) - Two-family dwellings: 3,000 gross square feet per acre.
 - b. 208-43.3(B)(5)/208-98 Front yard, Special setback lines to NYS Route 146 – 130 feet from centerline.

c. 208-43.3(B)(5) Rear yard - 30 feet.

The plan shall identify the variance(s) granted, date they were granted, resolution number and extent of relief granted

3. As per Comment 6 from our August 9, 2019 and September 9, 2020 reviews, update the site statistics table to account for the special setback requirements from NYS Route 146 as defined in Section 208.98 of the Town's Zoning.
4. As per Comment 7 from our August 9, 2019 and September 9, 2020 reviews, update the site statistics table to reflect a 5' front setback for single family dwelling as defined in Section 208.43.3 of the Town's Zoning.
5. As per Comment 11 from our August 9, 2019 and September 9, 2020 reviews, provide notation on the plan as follows:
 - a. No Utilities shall be installed beneath the proposed driveways.
6. As per Comment 12 from our August 9, 2019 and September 9, 2020 reviews, provide information on the plans to indicate how potential sump pump laterals may be positioned which shall be in conformance with Section 86-7(A)(6) of the Town Code.
7. As per Comment 14 from our August 9, 2019 and September 9, 2020 reviews, provide notation on the plan indicating that all work within the State right-of-way is subject to a highway work permit obtained from the NYSDOT (driveway, culvert, water service, sewer).
8. As per Comment 15 from our August 9, 2019 review and September 9, 2020 reviews, the submitted information indicates the project is proposing to connect to an existing water main(s) within proximity to the parcel. These mains are owned and operated by the Clifton Park Water Authority (CPWA). It is recommended that the Town be furnished with documentation that the CPWA is willing and capable of providing potable water to the project.
9. As per Comment 16 from our August 9, 2019 and September 9, 2020 reviews, the submitted information indicates the project is proposing to connect to an existing sewer main(s) within close proximity to the parcel. These mains are owned and operated by the Saratoga County Sewer District No. 1 (SCSD). It is recommended that the Town be furnished with documentation that the SCSD is willing and capable of providing sanitary sewer service to the project.
10. Since the applicant is proposing to subdivide the property and make future improvements to Lot 2, we suggest that the following sentence be added to the plan:

- Lot 2 will be subject to additional regulatory review for compliance with Town Zoning at a future point in time when development of this parcels is considered.
11. A shared driveway access and maintenance agreement will be required. A copy of the agreement/easement should be furnished to the Planning Board' legal counsel for review.
 12. The applicant shall provide written responses to all technical comments provided by Town staff and consultants as part of the next submission.

Public Comments:

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche asked how far from Route 146 would the proposed 2 family home be and if there could be an easement for a trail or a road extension. Mr. Peterson stated that it would be 115.8 feet from center line. Mr. Scavo stated that there is a water easement on the south side of Route 146 already but there is a trail proposal from Sterling Heights to the circle. Mr. Scavo stated that he feels there is enough room for a future trail or addition to the roadway if the land is ever needed.

Dan Dittmer – 42 Canterbury Road– Mr. Dittmer asked if the berm along Vista Court near the open space that will be dedicated to Clifton Park would be removed or continued as it helps keep privacy. Mr. Scavo stated that it will not continue but what is existing will remain.

There being no additional public comment, Mr. Ferraro moved, second by Mr. Ophardt, to close the public hearing at 9:32 p.m. The motion was unanimously carried.

Planning Board Review:

Mr. Ferraro stated that this application is within the Hamlet Mixed Use zone so a duplex is allowed. Mr. Scavo's stated that this is correct. Mr. Ferraro asked about the actual size of the 2 family home and based on the zoning code requirements the square footage of the two family home given the size of the lot would only be 1,300-1,400 square feet, and feels it may be too confining. Mr. Peterson stated that he can talk to the applicant and possibly give up the garages and have living space only as it has already been discussed.

Mr. Neubauer stated that the work and details done on the Vistas were given a lot of attention that he would like to see more of what is proposed for this site before considering it for approval. Mr. Peterson stated that he can go back to the site and work on a site simulation. He stated he is willing to work with town staff and MJ Engineering and the applicant to bring back to the Board.

Mr. Ferraro asked if he has reached out to the HOA about this proposal. Mr. Peterson stated that he has not but he was granted an easement to open to Vista Court and sanitary and water supply before Vista was even built. Mr. Scavo asked if a line of sight simulation is needed or an approach simulation. Mr. Ferraro stated he would like to see a line of sight simulation.

Old Business:

None

New Business:

None

Discussion Items:

Mr. Scavo stated at the next meeting there will be a PDD application for discussion. The PDD was recommended to be reviewed by the Town of Clifton Park Planning Board. It is a recommendation for verifying the merits of the PDD.

Mr. Ophardt moved, seconded by Mr. Neubauer, adjournment of the meeting at 9:51 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on November 10th, 2020.

Respectfully submitted,

Paula Cooper

Paula Cooper, Secretary