

Clifton Park Planning Board Meeting Minutes

February 25, 2003

Those present at the February 25, 2003 Planning Board meeting were:

Planning Board: S. Bulger, Chairman, R. d'Amico, T. Karam, J. Larkin, J. Marzola, J. Russell

Absent: B. Czub

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

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

Public Hearings:

[2002-070] Healy, Richard – Proposed (7) lot subdivision, 488 Grooms Road – Preliminary public hearing and possible determination.

Mr. Bulger called the public hearing to order at 7:10p.m. The Secretary read the public notice as published in the Daily Gazette on February 15, 2003.

Mr. Gil VanGuilder, VanGuilder and Associates, presented this application that calls for the subdivision of 5.02 acres of land in an R-1 zone into seven lots ranging in size from 22,925 SF to 36,462 SF. The largest lot will contain the existing residence. The property is located on the south side of Grooms Road, west of the Presidential Estates subdivision. All lots will connect to the Clifton Park Water Authority and the Saratoga County Sewer District and will be accessed by a cul-de-sac of approximately 560 linear feet. Mr. VanGuilder explained that the existing stormwater management area on Roosevelt Court will be expanded to handle the additional flows produced by this development.

Mr. Van Guilder addressed a number of the comments offered by Clough, Harbour, and Associates. He stated that the sight distances along Grooms Road have been verified: these distances exceed NYSDOT safety standards. A long EAF will be submitted to the Planning Department to allow for coordinated review pursuant to SEQRA. A 10' strip along Grooms Road will be conveyed by the applicant to allow for future road improvements. A multi-use pathway will be installed within the Grooms Road right-of-way to provide a connection to Lincoln Avenue. Names of adjacent property owners have been added to the plan. Additional notes will be added to the plan stating that the existing shed will be relocated to the Healy parcel and that the water connection will be made via boring from the north side of Grooms Road. Postal addresses will be added upon receipt of the verification form from Sheryl Reed. Street monuments identifying property boundaries will be placed appropriately. Technical details will all be addressed to

Clough, Harbour, and Associates' satisfaction.

Mr. Kemper stated that this project last appeared before the board on November 26, 2002. At that time, the major issues were incorporation of a multi-use pathway connection and the capability of the stormwater management basin to handle the additional flows. Lou Gerard, Highway Superintendent, continues to review this proposal. Since this project is a Type 1 action under SEQRA, coordinated review is required and a Full EAF must be provided. If the Board finds the overall layout of the subdivision plan acceptable, the SEQR process will be initiated. Due to the proximity of the expansion of the stormwater management basin to Lot #4 Roosevelt Court, a planted buffer should be provided. The airport note should be added to the plans. A note should be added to the plans stating that the project is located in the Stoney Creek 1 Park District. Sheryl Reed, Chief of the Bureau of Fire Prevention, asked that the applicant provide a road name for the postal verification and place an additional hydrant at the corner of Grooms Road and the proposed entrance road.

Mr. O'Brien, Environmental Specialist, reported that the ECC issued several comments on this application. Due to the potential for federal wetlands on this parcel, the applicant should determine the location and extent of disturbance of federal wetlands before a building permit is issued. A stormwater management plan will be necessary for this project that demonstrates that the Presidential Estates' stormwater management system has the capacity to handle the additional load. The utility easement to Presidential Estates should also incorporate a multi-use recreational trail.

Mr. Grasso explained that several of the comments issued by Clough, Harbour, and Associates for the November 26, 2002 Planning Board meeting remain to be addressed. He noted that because the proposed action involves realty subdivision approval by NYSDOH, it is a Type 1 action pursuant to SEQR, and as such, coordinated review and preparation of a Full Environmental Assessment Form is required. A copy of the Full Environmental Assessment Form (EAF) should be submitted for review. The plan should show existing topography and any environmental constraints including wetlands, streams, vegetation, etc., as well as existing improvements on the north side of Grooms Road. In addition, consideration should be given to the conveyance of a ten-foot strip of right of way along Grooms Road to accommodate possible future highway and drainage improvements. Though this item was discussed during conceptual review, the parcel to be conveyed is not shown on the revised plan.

The subdivision should accommodate pedestrian access to other parklands in the project site area. Consideration should be given to a pathway through the existing utility easement to Roosevelt Court, a pathway along Grooms Road to Lincoln Avenue, or a pathway along Grooms Road to Evergreen Avenue. Though this item was discussed during the conceptual review, no pathway connections are shown on the plan.

The Town Engineer offered several other comments. In general, the plans lack sufficient clarity and detail to provide a detailed technical preliminary plan review. It is recommended that additional information be submitted for review prior to the close of the

public hearing. Identification of adjacent landowners of all parcels must be provided and all existing improvements within fifty feet of the limits of the project site should be shown on the plan. The limits of proposed work must also be indicated on the plan. Identification of those to whom the existing and proposed easements have been and/or will be conveyed to must be included. Top of frame elevations for all structures and invert elevations must be included on the grading plan.

The subdivision plat is labeled as being drawn at a scale of 1"=50': the drawing is actually at a scale of 1"=40". The subdivision plan indicates that the proposed front yard setback for the existing house will be approximately fifty feet. Since the required minimum setback is fifty feet, the actual setback should be verified at this time. The proposed pavement tie-in to the shoulder of Grooms Road should be shown as a tie-in in accordance with the paving termination detail provided. Clough, Harbour, and Associates assumes that approximately three feet of the shoulder will be milled out to allow an overlap of the binder and top course pavements.

The proposed storm sewer across the rear of Lot #3 is shown differently between the subdivision plan and the grading plan: clarification and additional detail is required. The effectiveness and impacts of the clearing associated with the installation of the storm sewer as shown are of concern.

The Site Statistics on the cover sheet identify the development as a "Cluster Subdivision" and list the appropriate space and bulk standards. The site statistics listed on the subdivision plan, and the subdivision plan itself, reflect conventional subdivision standards for an R-1 zone: clarification is needed. Information regarding the disposition of the existing shed should be identified.

It appears that the two junction boxes in front of Lot #7 can be eliminated in lieu of one structure located in the cul-de-sac of Roosevelt Court. This structure could then provide drainage of this area as now required in new subdivisions. It may also reduce underground utility conflicts within the lawn area of the right-of-way and impacts to existing improvements in this area. On Drawing PP-1 the rim elevations for Sanitary MH-2 differ on the two profiles shown. The proposed grade on the pipe between SMH-1 and SMH-2 also differs between the two profiles. CB-A8 on Supplemental Profile Proposed Utilities should be stationed relative to the profile on which it is being shown. The same applies to CB-A6.

A Stormwater Management Report addressing pipe sizes, pipe velocities and the sizing of the Stormwater Retention Basin must be provided. The "Typical Roadway Cross Section" on Drawing DT-1 does not reflect the current Town standard. A copy of the current standard section has been forwarded to the applicant. The detail and plans should be revised accordingly. The adequacy of sight distance along Grooms Rd. should be verified. The house numbers as determined by the Chief of Fire Prevention should be added to the plans. The lot numbers and street name should be submitted to the Post Office and County Emergency Services for review and approval.

Though plans call for water service to come from an existing main on the north side of Grooms Road, there is no information included regarding the proposed construction method for crossing Grooms Road. This matter should be discussed with the Saratoga County Highway Department and mutually agreed upon details should be shown on the plans.

An Engineer's Water Supply Report including a DOH Form 348 should be provided. The plans and report should also be submitted to NYSDOH for review and approval of the proposed public water supply improvement. In addition, an Engineer's Sanitary Sewer report should be provided. The plans, the Sanitary Sewer Report, the Stormwater Management Report, a Design of Sewers' Checklist and Stormwater Management Self-Assessment Checklist should be submitted to NYSDEC for review and approval of the proposed public sanitary sewer system and SPDES permit. Erosion and sediment controls should be shown on the plan including a stabilized construction entrance and silt fence along the downslope limits of grading and clearing. These limits should also be clearly delineated on the plans. The driveway shown for Lot #2 encroaches on to Lot #3. Catch basin A-9 is shown in front of a proposed driveway: this is not desirable. Future plan submissions should identify the locations of existing and proposed rights-of-way, property monumentation, and benchmarks.

Mr. Sheppard, 7 Roosevelt Court, asked Mr. VanGuilder for details regarding connection to the sewer system. Mr. VanGuilder explained that the development would be served by gravity feed via an existing easement to the existing system on Roosevelt Court.

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

Mr. Bulger approved of the proposed location for the multi-use pathway. Mr. Larkin believes that the stormwater management plan that utilizes the existing basin on Roosevelt Court is acceptable. Board members found the proposed subdivision acceptable and recommended that the Planning Department initiate coordinated review pursuant to SEQRA.

[2003-003] Krawiecki, Vincent – Proposed (2) lot subdivision and land transfer, 931 Grooms Road – Preliminary public hearing and possible determination.

Mr. Bulger called the public hearing to order at 7:26p.m. The Secretary read the public notice as published in the Daily Gazette on February 15, 2003.

Mr. Gil VanGuilder, representative for the applicant, presented this preliminary plan for the Board's consideration. The plan calls for the subdivision of 107 acres of land that is bisected by Grooms Road and generally located west of the Grooms Road and Droms Road intersection, east of Appleton Road. Mr. Vincent Krawiecki, applicant, proposes to subdivide 11.37 acres from the family farm. Additionally, .78 acres will be transferred from a 4.8 acre parcel owned by Edward P. and Betty Jean Krawiecki to become part of the 11.37 acre lot. The new lot will be served by an on-site well and septic system. All

required setbacks have been respected and adequate the sight distance along Grooms Road has been verified. Mr. VanGuilder stated that since the owners will continue to farm the land as they have done in the past, they do not wish to establish land preservation

Mr. Kemper reported that this project was first presented to the Board on January 14, 2003 at which time the main concerns were information from the deep test pits, wetland delineations, and the plans for the remaining lands. Mr. Kemper asked that the correct lot numbers be added to Note #11 and that the airport note be added to the plans. Descriptions for the ingress/egress easement must be provided prior to the stamping of the plans. The Saratoga County Planning Board approved the project on January 16, 2003, commenting that the applicant will need to contact County DPW for any drives onto Grooms Rd. The County Board also asked that the town inquire about future plans for the remaining acreage. Mr. Kemper explained that though the curb cut is existing, a sign-off must be provided from Saratoga County DPW. The location of the deep test pit performed by Wayne Kant, P.E. should be identified on the plot plan.

Mr. Grasso explained that Clough, Harbour, and Associates reviewed the final subdivision plan for this project and most of the engineering comments have been adequately addressed. The applicant does not appear interested in establishing a land preservation area over the environmentally sensitive portions of the site, including the 100-foot wetland buffer which comprises the LC-Land Conservation zone. Mr. Grasso noted that the final plans submitted for signing should bear the stamp and signature of a Licensed Land Surveyor and a certifying statement addressing Section 179-16 of Article V of the Town Code. Mr. VanGuilder explained that because members of the Kraweicki family intend to continue to farm the ninety-two remaining acres, they do not wish to establish a land preservation area on the property.

Mr. O'Brien, Environmental Specialist, reiterated the ECC comments of January 14, 2003, again requesting that the LC Zone and wetland delineations be included on the new plot plan. He noted that the standard statements have been added to the plat as previously requested.

There being no public comment, Mr. d'Amico moved, seconded by Mr. Russell, to close the public hearing at 7:32p.m. The motion was unanimously carried.

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

Mr. Larkin offered Resolution #2, seconded by Mr. Karam, to grant preliminary and final subdivision approval to this application, waiving the final hearing, conditioned upon satisfaction of the comments offered by Mr. Kemper. Ayes: Larkin, d'Amico, Karam, Marzola, Russell, Bulger. Noes: None.

Old Business:

[2002-041] Quinn Master Plan – Medical Park – Proposed 28,800 SF medical office use in (6) buildings, Route 146 – Preliminary site plan review and possible determination. Mr. Tom Andress, ABD Engineers and Surveyors, introduced Mr. Tom Pratico, representative of Bast-Hatfield Construction Company, and members of the Quinn Medical Group who were in attendance at this evening's meeting. Mr. Andress presented this preliminary application that calls for the construction of six office buildings on a 7.1 acre parcel pursuant to the Verbeck Frank PUD that was approved by the Town Board in 1996 and amended in 1997. The plan remains basically unchanged from the initial submission that was reviewed by the Board on October 22, 2002 and January 14, 2003. Access to the site will be provided from Emma Lane, though the roadway width will be widened to include right and left turn lanes for exiting the site.

Mr. Kemper explained that this project last appeared before the Board on January 14, 2003 at which time the Board identified a number of issues to be addressed. Among their concerns were extension of the existing fence, additional landscaping of the buffer area, location of the proposed dumpsters, and the impact of additional traffic on the Bruno Road/Route 146 intersection. The project will require a sign-off from the CPWA. Color façade renderings will need to be included with the final site plans. The project will also require a sign-off from Sheryl Reed and emergency services. Dumpster locations must be shown on the site plan. A NYSDOT curb cut permit will be required for the work to be completed in the NYS Route 146 right-of-way: a copy of this permit must be provided prior to the stamping of the plans.

Mr. Kemper explained that a letter from Gary and Marcia Hajeck was received on February 11, 2003 requesting placement of a fence from the Phase 1 portion of this PUD up through and behind the remaining properties on Robinwood Drive. He also reminded Board members that a letter was received from Jim and Heidi Reale on January 12, 2003 that asked for extension of the fence, the placement of dumpsters in areas that do not adjoin the residential properties, and that the lighting be similar to that used at The Harbor.

Mr. Kemper stated that the main issue from the January 14, 2003 meeting was the proposed light at the Bruno Road and Route 146 intersection. Though NYSDOT has determined that a light at the Route 146/Bruno Road intersection was not warranted at this time, the applicant has voluntarily agreed to pay a mitigation fee for potential traffic improvements to the Route 146 corridor.

Mr. O'Brien, Environmental Specialist, reiterated the concerns of the ECC that were voiced at a previous meeting. Since the location of the parcel presents a unique traffic problem due to a dangerous merge in the vicinity of the proposed office park, multiple curb cuts may exacerbate the problem. The ECC recommends that the Town Engineer review traffic information. The Commission also recommends that any proposed outdoor lighting be directional and limited.

Mr. Grasso reported that project plans prepared by ABD Engineers and Surveyors, last

revised January 10, 2003, have been reviewed. Although previous site plan comments have been adequately addressed, previous comments regarding possible traffic related impacts and technical comments on the previously submitted traffic study remain outstanding. Mr. Grasso explained that although this applicant will contribute toward future, the cumulative impacts of recent projects along NYS Route 146 must be evaluated.

In response to Mr. Bulger's question regarding the extension of the fence that was placed on The Harbor site, Mr. Andress explained that because of the height of the berm and the addition of substantial plantings to berm, no additional fencing was proposed.

Mr. Tony Arrao, 14 Robinwood Drive, asked the Board to approve lighting for this site that was similar to the lighting that was installed at The Harbor, the assisted living facility, since he believes that high-intensity lighting will negatively impact the adjoining residences on Robinwood Drive. Mr. Andress explained that the needs for the proposed medical office buildings were much different than those of the nursing facility and asked the Board to approve the 20-foot high light fixtures. He noted that house shields would be placed on lights installed on the back of the buildings and that all lighting would be restricted to the "task areas". In response to Mr. Arrao's demand to know what standards dictate the lighting design, Mr. Bulger explained that the Town Engineer and the Planning Department work to determine what standards will be applied on a site-specific basis. Mr. Grasso noted that the lighting design submitted for the site appears to be appropriate.

Mr. Arrao asked that the dumpsters be fully enclosed: the applicant was in agreement with this request.

Mr. Richard Mason, 9 Robinwood Drive, expressed his appreciation to the applicant for proposing additional buffering on the berm, but asked that the fence currently existing on The Harbor site be extended to mitigate impacts to the Robinwood Drive residences. He supports the concept of minimal lighting on the site.

Mr. Roger Kerr, 2 Robinwood Drive, submitted a letter from his neighbors, Mr. and Mrs. Ronald Piracci, 11 Robinwood Drive, who requested that the fence be extended. He also spoke in favor of extension of the fence and referenced the PUD legislation that provided for "no substantial impact from lights to homes on Robinwood Drive." He encouraged the Board to ensure that substantial trees are planted on the berm to provide screening from the proposed medical office buildings. Mr. Kemper stated that 6'-7' conifers are proposed: he explained that the Town will require the establishment of a security account to be certain that the conditions of approval are met and that site improvements are made and trees installed as shown on the approved plan.

Mr. Gary Hajeck, 13 Robinwood Drive, stated that he submitted a letter to the Board that requested "a continuation of the fence from the Phase I portion of the PUD through and behind the remaining properties on Robinwood Drive bordering the project." He urged the Board to provide the "same considerations" to his neighbors as were granted to the

properties adjoining Northcrest Drive since there is a serious problem with pedestrian traffic through the backyards of those bordering the PUD site.

Mr. Larkin noted that the Board was particularly interested in mitigating impacts from lighting associated with development of this site: concern with pedestrian traffic between and behind the residences on Robinwood Drive and was a “new” issue that the homeowners were presenting to the Board. Mr. Bulger described this problem as a “pre-existing” condition that was not directly related to the development of the medical offices.

Ms. Claire Brown, 17 Robinwood Drive, expressed concerns that the “foot traffic” would be increased due to the increased paving proposed by the applicant.

Mr. Pelagalli explained that, as Town Attorney, he was involved in approval of the PUD legislation for this area. He believes that the Town Board recognized that mitigation would be necessary when the final site plan for the project was submitted. It was agreed that mitigation measures such as fencing and/or landscaping would be determined by the Planning Board.

Mr. Hajeck reiterated his concerns and pointed out the most desirable location for the fence on the site plan provided by the applicant. In response to Mr. Arrao’s question concerning the architectural details of the buildings, Mr. Andress explained that the buildings will be residential in character and will have windows in the rear. The same color and tones as The Harbor will be used in order to integrate the site. Mr. and Mrs. Richard Schellinger, 15 Robinwood Drive, expressed their support for the continuation of the fence as well as the additional landscaping.

Mr. Bulger thanked the residents for their interest, involvement, and cogent comments. Mr. Karam suggested that the applicant consider modified lighting that could be turned off at night for area that borders Robinwood. Mr. Russell suggested that a chain link fence installed at the property line would limit pedestrian access to the site. Mr. Larkin noted that it was the Board’s responsibility to protect the interests of all individuals and he believed that Mr. Russell’s proposal was reasonable. Mr. d’Amico was not in favor of a fence, citing safety and maintenance issues as major concerns. He recommended extensive landscaping, with an increase in plantings in the area bordering Lots #15 and #17 Robinwood Drive, since the berm does not extend to those properties.

Mr. Bulger noted that the PUD legislation offered guidance for a determination concerning mitigation measures. The legislation gives the Planning Board the discretion to determine the amount and kind of buffering that would be most desirable to separate the office complex and the residential neighborhood. He believes that it is the Board’s responsibility to mitigate development impacts and that a fence may be warranted. Mr. Marzola believes that if the homeowners believe that a fence would best serve their needs, the Board should support such a site improvement. Mr. Karam would support the installation of a fence, but believes that the existing fence should not be connected to the proposed new fence.

Mr. Address argued that, although the applicant would comply with all development conditions imposed by the Board, the installation of a fence would neither improve site aesthetics nor mitigate lighting from the offices. Mr. Pratico, Bast-Hatfied representative and agent for the applicant, asked the Board to render a determination because tentative leases with potential tenants were dependent upon timely approvals.

Mr. Grasso, Clough, Harbour, and Associates, stated that he believed that the installation of a fence for the total length of the project would not reasonably mitigate the impact of sight lighting or reduce the pedestrian traffic behind the Robinwood residences. He recommended the installation of fencing behind the parking areas located between buildings 3 - 4 and 5 – 6. A separation is proposed between the existing fence and proposed fence on the eastern portion of the site. This would block lights from vehicles using the parking lots. Board members found this an acceptable solution because it would reduce the impact of lights from vehicles using the parking lots. Board members agreed that Robinwood residents would be adequately protected from development impacts by such fencing used in conjunction substantial landscaping.

Mr. Bulger moved, seconded by Mr. Larkin to establish the Planning Board as Lead Agency for this application, an unlisted action. The motion was unanimously carried.

Mr. Russell moved, seconded by Mr. Karam, to grant preliminary and final site plan approval for this application conditioned upon satisfaction of the comments offered by Mr. Kemper, Clough, Harbour, and Associates, and the ECC. Approval was also conditioned upon the installation of fencing at the northern edge of the proposed parking areas between buildings 3 and 4 and 5 and 6. The motion was unanimously carried.

Mr. Bulger moved, seconded by Mr. Marzola, to amend the motion regarding SEQRA, noting that the Board will issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

[2002-047] Stewart's Ice Cream Shops, Inc. – Proposed 3,600 SF rental building, 639 Grooms Road – Final site plan review and possible determination.

Mr. Tom Lewis, Stewart's real estate representative, presented this project proposal for the Board's consideration. Mr. Lewis explained that the site plan has been revised in response to previous Board comments. The plan now shows one curb cut onto Grooms Road rather than the two originally proposed. Architectural plans have been revised to include a pitched roof rather than the prototype mansard design. The gas island has been reconfigured to allow for easier vehicle maneuvering throughout the site and 39 parking spaces, including four spaces at the gasoline pumps, have been provided. Lighting fixtures will be limited and directional in an effort to maintain all lighting on site and substantial landscaping will improve the aesthetics of the area. All of the comments and recommendations provided by Clough, Harbour, and Associates will be addressed. Mr. Lewis noted that the Zoning Board of Appeals approved six area variances for the site in order to accommodate the proposed layout.

Mr. Kemper explained that this project last appeared before the board on January-14, 2003 at which time the Board granted preliminary site plan approval and issued a negative declaration under SEQR. The main issues to be resolved were engineering details. A consolidation deed combining the two adjacent parcels must be submitted for review. The 10' strip of land to be deeded to Saratoga County still needs to be shown on the plot plan. Details regarding the dumpster screening should be provided. Erosion control measures should be depicted on the plot plan. The handicapped and no-parking signs should be depicted on the plot plan. A curb cut permit from Saratoga County Department of Public Works must be submitted. The water line location must be depicted on the plot plan.

Mr. O'Brien, Environmental Specialist, reported that all comments from the Environmental Conservation Commission have been addressed.

Mr. Grasso explained that Clough, Harbour, and Associates previously commented on the height of the proposed berm along Grooms Road and recommended that the minimum berm height be three feet above the road. Based on the grading shown on the plan, the maximum berm height will be one foot above the road and in most areas the berm will be below the road elevation. In order to provide any effective screening, the grading must be revised to reflect a higher berm. He also stated that, in accordance with NYS Building Code regulations, "No Parking" signs are also required in front of the striped handicapped parking access aisles.

The engineering firm reviewed the "Conceptual Storm Water Calculations" prepared by Lawrence Rutland, Jr., PE, dated February 2002 and offered the following comments. The prefix "Conceptual" should be removed from the Final Stormwater Report. It appears that the date of the report should be February 2003. Pre-developed and post-developed drainage pattern maps should be provided and the time of concentration travel paths should be shown for both pre- and post- developed drainage pattern maps and both watershed areas. The time of concentration calculations should demonstrate the appropriateness of the 15-minute values used for both the pre- and post- developed conditions and both watershed areas. Typically post- developed time of concentration values decrease significantly due to increased impervious surfaces resulting in a more rapid runoff. It would appear that the post-developed time of concentration should be less than 5 minutes, which would result in an increased intensity and post- developed peak discharge rate. The water quality volume (WQv) should be captured and treated in accordance with the 90% Rule as outlined in the New York State Stormwater Design Manual, dated October 1, 2001. Calculations, volumes, and methods of treatment for the water quality volume should be specified. The total required and provided storage volumes for the 2, 10 and 100-year storm events should be calculated. The peak discharge rate summary table appears to include the unmitigated post-developed peak discharge rates. The post-developed peak discharge rate after treatment in the infiltration trench and drywells should be provided. Justification for the 8 minutes per inch design percolation rate should be provided based upon actual site soil conditions.

Mr. Lewis stated that all issues identified by Mr. Kemper and Clough, Harbour, and Associates will be addressed prior to submission of final plans for stamping. Board members found the plan acceptable.

Mr. d'Amico moved, seconded by Mr. Larkin, to grant final site plan approval conditioned upon satisfaction of the comments issued by Mr. Kemper and Mr. Grasso. The motion was unanimously carried.

[2002-068] Chili's Restaurant – Proposed 5,555 SF restaurant, 5 Northside Drive – Final site plan review and determination.

Mr. Rob Spiak, Bohler Engineering, provided a brief history of this application and introduced Mr. Rich Fernicola, Property Development Manager for Brinker Restaurant Corporation. Site plans for this project remain as presented for preliminary review on January 14, 2003. One of the major concerns identified by the Board at that time was the establishment of an agreement between Chili's and the adjoining Comfort Suites that would provide for the installation and maintenance of two pedestrian connections between the sites. Mr. Spiak reported that preparation of such an agreement is in progress and, upon completion, it will be forwarded to Mr. Pelagalli for his review and acceptance.

Mr. Kemper explained that this project was last before the Board on January 14, 2003. At that meeting, the Board issued a negative declaration under SEQR and granted preliminary approval. The owners of Comfort Suites submitted a letter on January 28, 2003 stating that they will allow the pedestrian access to the hotel site: the proposed cross-access easement should be depicted on the plot plan. The partially completed stormwater management area must be totally installed as part of this project. Color façade renderings must be included in the final plans. The project will require a signoff from the Saratoga County Sewer District and the CPWA. Sheryl Reed's memo of February 25, 2003 requires that all approved ingress/egress points must have painted turn lanes on pavement and raised curbing at the planting areas throughout the interior parking lot.

Mr. O'Brien, Environmental Specialist, stated that the ECC offered the following comments after reviewing the site plan: all exterior lighting should be directional and limited; the applicant should indicate the area of greenspace on the plot plan (shading on the plot plan).

The ECC again requested that the following standard statements be added to the plot plan:

- All erosion and water quality controls shall be put into place at the initial phase of site preparation and shall be maintained until all construction ends and soils are stabilized.
- The borders of all land that is to remain undisturbed shall be clearly marked on the site before site preparation begins. These on-site boundary markers shall remain until construction is completed and soils are stabilized.
- The applicant will control fugitive dust and debris during the construction/demolition phase of the project.

Mr. Grasso explained that Clough, Harbour, and Associates had several comments regarding this application. The contours shown on the plan do not accurately represent existing field conditions. In particular the stormwater management area located on the lot for future development has not been fully constructed as originally designed. It is assumed that the currently proposed project will utilize this area for stormwater management and that the stormwater management area will need to be constructed as originally designed. Existing and proposed grading is not shown for the entire stormwater management area intended to address runoff impacts from the proposed development.

In order to provide vehicular circulation control, granite or concrete curbing should be provided around the islands along Northside Drive. Appropriate circulation controls should be included in the site plan lay-out, although access for emergency vehicles must be provided.

Mr. Grasso stated that Clough, Harbour, and Associates has reviewed the revised project plan. The plans show an existing concrete pad in the landscaped area opposite the entrance to the existing Comfort Suites Hotel. An extension of this existing pad should be considered as a means for providing pedestrian access between the hotel and the proposed Chili's. If this does not prove to be a viable option, the proposed connection is acceptable. A revised Stormwater Management Report should be provided.

During the previous review, the Town Engineer recommended that, due to the lack of vegetation on the site because of past clearing activities, significant additional deciduous and evergreen trees should be installed along the southwest and southeast corners of the site. The planting of street trees is recommended within the proposed islands along Northside Drive. Although significant low level shrub plantings have been added to some areas of the site, Mr. Grasso continues to recommend that plantings be added in the specific areas identified above.

Board members found the plan acceptable.

Mr. Larkin moved, seconded by Mr. Marzola, to grant final site plan approval to this application conditioned upon satisfaction of the comments by Mr. Kemper and Mr. Grasso. The motion was unanimously carried.

[2003-008] Burns and Brand Subdivision – Proposed (2) lot subdivision, 989 Hatlee Road – Conceptual review.

Mr. Gil VanGuilder, consultant for the applicant, presented this application that calls for the subdivision of 5.7 acres of land in an R-1 zone into lots of 1.57 and 4.1 acres, respectively. The larger lot will contain an existing residence. The property is located on the easterly side of Hatlee Road, approximately 1,400 feet north of Willow Brook Lane. The well and septic system for the existing residence will remain in use. A new well and septic system will be installed on the new lot. The new lot will meet all setback requirements for a keyhole lot.

Mr. Kemper requested that the standard note for lots with wells be added to the plans. He also asked that any wetlands on the parcel be delineated and mapped. There should be no disturbance to the swale that is located along the southern boundary line.

Mr. O'Brien, Environmental Specialist, stated that the ECC recommends the addition of the following standard statements to the plat:

- The borders of all land that is to remain undisturbed shall be clearly marked on the site before site preparation begins. These on-site boundary markers shall remain until construction is completed and soils are stabilized.
- All erosion and water quality controls shall be put into place at the initial phase of site preparation and shall be maintained until all construction ends and soils are stabilized.
- The applicant will control fugitive dust and debris during the construction/demolition phase of the project.

Mr. Grasso stated that Clough, Harbour, and Associates offered several comments regarding this application. The proposed project appears to be an unlisted action pursuant to SEQR, and as such, coordinated review is optional. The only involved agency appears to be the Planning Board because subdivision approval is required.

Mr. Grasso reported that Hatlee Road has been identified in the Town's Trails Master Plan as being proposed for an on-road bicycle route. Improvements, including widened paved shoulders, have already been made to Hatlee and Hubbs Roads south of the site. Extension of these improvements in front of the site is likely. Since Hatlee Road only has a fifty foot right-of-way, an additional ten feet of right-of-way is recommended across the site's frontage to accommodate these and other highway improvements. These improvements are needed to keep up with increased transportation system and recreational needs of the Town as a result of continued development.

The applicant is proposing to create a "keyhole lot" and is therefore subject to the provisions of Article 208-86 of the Town Zoning Code. The proposed driveway as shown on the plans, while not dimensioned, scales to be twelve feet wide. Pursuant to section 208-86.D, the minimum driveway width serving a keyhole lot shall be sixteen feet wide. The site should be investigated for the presence of federal wetlands that could effect the location of the on-site wastewater disposal system. The Town's standard notes for keyhole lots should be added to the plan. The final subdivision plan should include the stamp and signature of a Licensed Land Surveyor and should include the Town's standard subdivision notes and certification statement.

Board members found the proposal generally acceptable and recommended that the 10-foot strip be conveyed as recommended by Clough, Harbour, and Associates.

[2002-009] Excelsior Credit Union – Proposed 3,500 SF banking facility, 386 Clifton Park Center Road – Conceptual site plan review.

Mr. Tom Andress, ABD Engineers and Surveyors, consultant for the applicant, described this project plan that calls for the demolition of the existing buildings on a .95 acre of

land at 386 Clifton Park Center Road and the construction of a 3,500 SF building to house a banking and credit union business. A portion of the building (1,000 SF) may be leased out to a tenant involved in a similar type of business. The project is located in a B-4 zone and is located on the east side of Clifton Park Center Road adjoining the Exit 9 southbound Northway ramp. The building will be served by an existing on-site well and connection to the Saratoga County Sewer District. 18 parking places are proposed. The applicant proposes 53.3% greenspace, 38.3% pavement, and 8.4% building area.

Mr. Kemper explained that this project is located within the Exit 9 GEIS study area and is subject to the Exit 9 GEIS Findings Statement. As presented, the project will require an area variance for the minimum lot size allowed in the B-4 zone. Since the project lies in close proximity to the private water company that serves Clifton Country Road, it is possible that building codes will require connection to the existing system. Since drainage problems have occurred in the area, the stormwater management plan must be closely evaluated. The location of the existing building should be depicted on future plan submittals.

Mr. O'Brien, Environmental Specialist, reported that the ECC has recommended that the applicant should provide some vegetative screening along Clifton Park Center Road to enhance the existing site. The following standard statements should be added to the plot plan:

- The borders of all land that is to remain undisturbed shall be clearly marked on the site before site preparation begins. These on-site boundary markers shall remain until construction is completed and soils are stabilized.
- All erosion and water quality controls shall be put into place at the initial phase of site preparation and shall be maintained until all construction ends and soils are stabilized.
- The applicant will control fugitive dust and debris during the construction/demolition phase of the project.

The ECC also recommends that any proposed exterior lighting shall be directional and limited.

Mr. Grasso stated that the proposed project appears to be an unlisted action pursuant to SEQRA, and as such, coordinated review is optional. The involved agencies are expected to include: Clifton Park Planning Board -Site Plan Approval; Saratoga County Sewer District – Sewer Connection Point; Clifton Park Water Authority – Water Connection Point; Saratoga County Planning Board – Section 239 referral.

Mr. Grasso further commented that the proposed project lies within the limits of the Exit 9 GEIS study area. In order to make a determination regarding conformance with the Statement of Findings, the following information should be provided as part of the application. Site specific erosion control measures and a stormwater management plan must be submitted. Site specific state and federal wetland delineations and surveys for threatened and endangered species must be prepared. A tree survey to identify trees with 12" diameter and larger must be conducted. Visual resources such as architectural style, buffers, shared access, and building height should be identified. A Phase 1B

archeological field investigation shall be prepared and concurrence received from NYS OPRHP. Based on the plan submitted, the respective GEIS mitigation fee would appear to be \$630 (3,500 SF x 0.18/SF). The recommended minimum greenspace within the corridor is 45%.

In order to adequately perform a thorough conceptual review of the subject proposal, the base map should be expanded to accurately show existing conditions of the site, as well as the locations of the closest municipal sewer and water supply systems.

The proposed development is located in a B-4 (Highway Business) zone. The zoning regulations require that the minimum lot size in a B-4 zone shall be one acre (43,560 square feet). The project site contains an area of 41,594 +/- square feet, 1966 +/- square feet short of the required minimum lot size. Though the existing non-conforming lot will be "grandfathered," this should be confirmed with the Town's Code Enforcement Officer.

The conceptual site plan proposes two full access drives onto Clifton Park Center Road. Section 208-47 of Article VI of the Zoning Regulations provides that "There shall be not more than one entrance and one exit per establishment upon any individual public thoroughfare, and the distance between the entrance and exit center lines, if separated, shall not be less than 100 feet." During a visit to the site it was observed that from the southerly drive the sight distance to the north along Clifton Park Center Road is limited due to plantings along the west side of the road. As such, Clough, Harbour, and Associates recommend that the southerly access drive be eliminated and the adequacy of sight distance verified for the remaining access drive location.

In accordance with Section 208-48 of the zoning regulations, sites within the B-4 zone shall have the property margins at the sides from the front building line to the rear property line landscaped with trees and shrubs for a width not less than fifteen feet. In addition, landscaping should be provided along Clifton Park Center Road to improve the aesthetics of the site.

Mr. d'Amico expressed concerns about traffic flow in the area, noting that Clifton Country Road is not wide enough to allow for the installation of a separate turn lane in that area. Mr. Bulger asked that Clough, Harbour, and Associates evaluate the sight distances at the proposed access point. Board members also asked that the applicant provide the architectural design plan with the preliminary submission.

Discussion Items:

DCG Development – Office Buildings, Route 146

Mr. Frank Alessandrini, F.H. Alexander, Inc., explained that his contracting firm has substantially completed the first two of the six buildings for this project and has obtained a conditional Certificate of Occupancy. The satisfaction of the final certificate is dependent upon the installation of the exterior finish system at the entrance gable and

beneath several of the windows. Mr. Alessandrini explained that because the application of the masonry material is difficult during winter conditions, he is requesting an extension in the time allotted for completion of the project. He asks that the Board approve an extension until May 30, 2003.

Board members appreciated the problems involved with the proposed exterior construction but agreed that the extension would be granted only until April 30, 2003.

Country Club Acres, Inc. – Proposed (100) lot subdivision, NYS Route 146A and MacElroy Road

Mr. Gordon Nicholson, Environmental Design Partnership, presented a revised subdivision plan for the Board's consideration. He explained that the wetlands have been delineated and that disturbance of .25 acres of federally jurisdictional wetland is proposed.

Mr. Larkin expressed concerns regarding the uninterrupted length of road, fearing that it may encourage through traffic from Route 146 to MacElroy Road. Board members generally found the proposed project acceptable.

Lands of Mildred Peck – Proposed (41) lot subdivision, Clifton Park Center Road

Mr. Gordon Nicholson, Environmental Design Partnership, presented a revised subdivision plan for the Lands of Peck. The wetlands have now been delineated on the plan: approximately 15.75 acres of federally jurisdictional wetlands have been identified. The revised plan also shows approximately 8 acres of open space. Access to the conventional subdivision is provided on Clifton Park Center and Miller Roads.

Board members agreed that the revised lay-out was acceptable, though they were concerned about the traffic issues. They agreed to review the revised concept plan in greater depth at the March 25, 2003 Planning Board meeting.

Southwick Meadows

Mr. Kemper explained that Mr. Sipperly, consultant for the Southwick Meadows development had requested information from the Board regarding the proposed cluster lay-out. Board members found the revised plan acceptable: this plan included revised lots along the eastern portion of the site.

Minutes Approval:

Mr. d'Amico moved, seconded by Mr. Karam, approval of the Planning Board minutes of February 11, 2003 as written. The motion was unanimously carried.

Mr. Larkin moved, seconded by Mr. Karam, adjournment of the meeting at 10:05p.m. The motion was unanimously carried. The next meeting of the Planning Board will be

held as scheduled on March 11, 2003.

Respectfully submitted,
Janis L. Dean,

Secretary

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

Resolution #2
Preliminary and Final Approval

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on February 25, 2003:

Present: S. Bulger, Chairman, R. d'Amico, T. Karam,
J. Larkin, J. Marzola, J. Russell

Absent: B. Czub

Mr. Russell offered Resolution #2, and Mr. Karam seconded, and

Whereas, an application has been made to this Board by Vincent Krawiecki for approval of a subdivision plat entitled Subdivision of the Lands of Krawiecki, consisting of (2) lots and the transfer of .78 acres of land from Edward Krawiecki to Vincent Krawiecki, and

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on and February 25, 2003;

Whereas, the Planning Board was established as Lead Agency for this application, an unlisted action, and a negative declaration was issued pursuant to SEQRA on February 25, 2003, and

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

Now, therefore, be it resolved that the final hearing for this application is waived and the final plat entitled the Subdivision of the Lands of Krawiecki consisting of (2) lots and the transfer of .78 acres of land from Edward Krawiecki to Vincent Krawiecki, is hereby granted preliminary and final approval conditioned upon satisfaction of the comments

offered by Mr. Kemper.

Resolution #2 passed 2/25/03

Ayes: d'Amico, Karam, Marzola, Larkin, Russell, Bulger

Noes: None

Steven Bulger,
Chairman