

Clifton Park Planning Board Meeting Minutes

April 22, 2003

Those present at the April 22, 2003 Planning Board meeting were:

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

Absent: None

Those also present were: J. Kemper, Director of Planning, J. Grasso, Clough, Harbour, and Associates, P. Pelagalli, Counsel

Mr. Bulger, Chairman, called the public hearing to order at 7:10p.m. He announced that two items listed on the published agenda had been withdrawn from consideration by the applicants: the Cole Subdivision and the Wayne VanPatten PUD.

Minutes Approval:

Mr. Larkin moved, seconded by Ms. Czub, approval of the minutes as amended. Ayes: Larkin, Czub, Karam, Marzola, Russell, Bulger. Noes: None. Abstained: d'Amico.

Public Hearings:

[2002-058] Cole, Daniel – Proposed (2) lot subdivision, Riverview Road – Preliminary public hearing and possible determination.

This application was withdrawn from consideration at the request of the applicant.

[2003-010] King of Kings Lutheran Church – Proposed 8,725 SF addition and 480 SF garage, 1593 Crescent Road – Preliminary public hearing for Special Use Permit and preliminary site plan review and possible determination.

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

Mr. Lance Manus, L M Associates, presented this project proposal on behalf of the applicant, explaining that King of Kings Lutheran Church requests approval of a Special Use Permit that would permit the expansion of the existing church in the R-1 zone. The Board has also been asked to consider approval of Phase I of the proposed site improvements. This phase consists of the construction of 9,205 SF to the existing facility and construction of a garage. This addition will provide additional classroom and meeting space. Additional parking spaces will also be added. Addressing previous Board concerns, Mr. Manus explained that signage would be added to the eastern driveway that

would restrict its use. Since there is a high level of ground water on the site, dry wells will be placed to the front of the site. Clearing will be limited to the extent practicable for construction. A lighting plan, illustrating the use of residential-style lighting has been submitted. Lamp posts lining the entrance drive will be six feet in height in order to maintain a residential character.

Mr. Kemper explained that this project last appeared before the Board on March 11, 2003. At that time the Board asked that the site statistics for the property be added to the plan, that federally jurisdictional wetlands be delineated, and that the number of curb cuts entering Crescent Road be evaluated by the Town Engineer. In response to these concerns, a wetland delineation was performed by Environmental Design Partnership and a sign has been added to the plans on the eastern most curb cut which states "Private Drive, No Thoroughfare." Sign-offs will be required from the Clifton Park Water Authority and the Saratoga County Sewer District. A curb cut permit from Saratoga County Department of Public Works will need to be provided prior to the stamping of the plans. Façade renderings will need to be provided when the plans are submitted for stamping. The limits of clearing and grading for the project should be depicted on the plot plan. A vegetative buffer will need to be provided along the northern end of the garage parking lot to prevent headlights from impacting the neighboring properties. The applicant must clarify if the parking lot will serve both the garage and the proposed addition. Cut sheets should be provided for the proposed lighting. The Saratoga County Planning Board approved the application on March 20, 2003 with the following comment: "The applicant should contact Saratoga County DPW to obtain an access permit for the proposed second drive onto Crescent Road"

Mr. Grasso stated that Clough, Harbour, and Associates reviewed the preliminary site plan for the above project prepared by LM Associates-Consulting Engineering dated March 31, 2003 and found that several comments from the March 5, 2003 concept review letter remain unaddressed. The application states that the subject parcel is zoned R-1 Residential and that a Special Use Permit currently exists. According to the Town's official zoning map the site is situated within the limits of a Planned Unit Development (PUD). No information is provided regarding the conditions of the existing permit. This issue must be clarified.

Mr. Grasso provided additional comments. The applicant needs to develop a more detailed and complete set of plans. Future plan submissions should include the following: grading and drainage plans that include proposed grading contours and limits of grading; spot elevations at the entrance to the proposed addition to confirm that handicap access facilities comply with required standards; layout plans to include dimensions of the proposed improvements and their location relative to existing buildings; dimensioning that includes driveway, sidewalk and parking area widths, curb radii, dimensions of parking stalls, dimensions of handicap parking aisles and any other labeling needed to fully define the scope of the proposed improvements. This dimensioning and layout information will also be needed during construction. Lighting details, including catalog cuts of all proposed poles, pole-mounted fixtures, and building-mounted fixtures, must be submitted. Architectural renderings should be submitted for the Board's review.

Mr. Kemper received one comment from the ECC. The Commission does not believe the eastern-most curb cut to Crescent Road serves a useful purpose: members recommended that the Town Engineer consider asking the applicant to remove this curb cut from the plan.

Mr. Art Harris, Chairman of the Expansion Committee, explained that since the eastern curb cut provides a convenient access to the parsonage, parishioners would prefer that it remain.

Mr. Gagnon, resident of Crescent Road, expressed concern about the noise that would result from the expansion and increased use of the facility. He was particularly concerned about the location of the proposed soccer field. Mr. Manus explained that the soccer field that is depicted on the plan will be relocated to allow a 100-foot buffer to the adjoining property.

Mr. Ray Gargett, resident of Crescent Road and adjoining property owner, asked for clarification of the proposed phases. Mr. Manus described Phase I that calls for the construction of a 9,205 SF to the existing church facility for the purpose of providing additional classrooms. While there is no plan to use these areas for a full-time school, it is possible that such use would be considered in the future. Phase II consists of a 1,114 SF addition to the sanctuary. Phase III consists of 9,210 SF of additional classroom and meeting space. Total build-out is expected to occur within 10-20 years. Mr. Gargett asked that the existing foundation located on the parcel recently acquired by the church be filled in.

There being no additional public comment, Mr. Russell moved, seconded by Mr. Larkin, to close the public hearing at 7:35p.m. The motion was unanimously carried.

Mr. Larkin commented that he believed that the project plan was “well thought-out and presented.” He expressed his appreciation for the presentation of the long-range plan that included three proposed phases. Mr. d’Amico stated that although he preferred the revised plan, he recommended alignment of the driveways with Boyack Road and Oakwood Boulevard. Mr. Grasso pointed out that if signalization of the intersections were to be considered, more precise alignment of the driveways with existing roadways would certainly be required. Mr. Anderson, Building Chairman, does not believe a traffic control device would be approved at either location since there is a traffic light at the intersection of Moe Road and Cortland Boulevard.

Mr. Marzola asked that the open foundation be filled in soon since it created a neighborhood hazard. Church representatives assured the Board that the foundation would be filled within the month.

Board members discussed several concerns regarding the easterly access drive. Mr. Russell stated that he was concerned that the driveway locations would encourage dangerous u-turns onto Crescent Road. In response, Mr. Manus stated that the church was

prepared to install signs reading “No Thoroughfare – Private Drive”. In addition, parishioners would be encouraged to use the two other access drives. Mr. Karam would support elimination of the easternmost driveway if safety were a factor. Church members stated that there have been no accidents at the site since the church was constructed 27 years ago. Mr. Bulger found the plan acceptable as presented, noting that driveway locations can be established during site plan review.

Mr. d’Amico moved, seconded by Ms. Czub, 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. Larkin offered Resolution #7, seconded by Mr. Karam, to grant approval of the Special Use Permit conditioned upon satisfactory evidence that the church property is not located within the boundaries of the Crescent Estates North PUD. Ayes: Larkin, Czub, d’Amico, Karam, Marzola, Russell, Bulger. Noes: None.

[2003-011] Country Club Acres, Inc. – Proposed (3) lot subdivision, VanPatten Drive - Preliminary public hearing and possible determination.

The Chairman called the public hearing to order. The Secretary read the public notice as published in the Daily Gazette on April 14, 2003.

Mr. Tom Andress, consultant for the applicant, presented this application that calls for the subdivision of 21.6 acres of land into lots of 6.6 acres, 7.6 acres, and 7.4 acres, respectively. The applicant proposes the construction of a 62,000 SF warehouse on the largest lot. In response to concerns expressed at previous meetings, Mr. Andress explained that access easements to serve adjoining properties have been provided.

Mr. Kemper explained that this project was presented to the Board on March 11, 2003, at which time the concerns raised were the proposed setbacks and the conveyance of additional rights-of-way that would be required for future trail improvements. Required setbacks must be illustrated on the plot plan. The site statistics table indicates that the property will be served by on-site septic systems: this should be revised since connection to the Saratoga County Sewer District is now proposed. The applicant should determine if wetland areas are limited to those that are depicted in the lower southeast corner of Lot #3. Descriptions for all proposed easements should be submitted prior to the stamping of the plans. Details should be provided for the cemetery that is located on Lot #3. Additional rights-of-way may be required along Pierce and Ushers Roads for future multi-use pathway improvements.

Mr. Grasso, Clough, Harbour, and Associates, reported that the engineering firm reviewed both the preliminary subdivision plan (dated March 13, 2003) and preliminary site plan (dated April 2, 2003) for the above referenced project as prepared by ABD Engineers and Surveyors.

The following comment from the March 5, 2003 review letter remains unaddressed. The

Town of Clifton Park's Trails Master Plan indicates that the roadways surrounding this property are all considered candidates for a multi-use pathway at some point in the future and Clough, Harbour, and Associates is currently preparing a design for a multi-use pathway along Van Patten Drive. Based on the current design, it appears that only minimal additional right-of-way may be required along Van Patten Drive. It is recommended that five feet of additional right-of-way be provided along Van Patten Drive. Because the final location of the pathway along Ushers Road and Pierce Road is not known at this time, it is recommended that an additional ten feet of right-of-way be provided along these roads. If the conveyance of the right-of-way is not possible at this time, provisions should be made for the conveyance at no cost to the Town at such time that final design plans for the pathway are prepared.

Mr. Andress reported that the applicant has agreed to provide a 5-foot strip of land along VanPatten Drive and a 10-foot strip along Ushers and Pierce Roads for future road and/or multi-use pathway improvements; however, he asked that the setbacks for the parcels be established from the original property boundaries.

Mr. Grasso offered several additional comments regarding this application. Existing underground telephone lines and a six-inch natural gas line pass through the area where the stormwater detention basin is proposed to be built. The plans indicate that the telephone lines will be relocated. The plans should clarify if relocation of the gas line will be required. The subdivision plan indicates that wastewater disposal will be by on-site septic. The plans indicate a connection to existing sewers. Clarification is requested. The proposed method of stormwater management appears acceptable. A SPDES Permit for Stormwater Discharges Associated with Construction Activity will be required and a copy must be provided to the Town prior to construction. Lighting details should be provided. The site plan and subdivision plan should both indicate the sewer easement and indicate to whom it will be conveyed. Any existing water or sewer easements should also be shown. If the water main to which the project will connect is not public, an application to the NYSDOH for extension of a public water supply system will be required. Due to the high susceptibility to erosion of the soils, the limits of erosion control blankets should be extended to include the entire swale leading to the stormwater management area. Due to the difficulty in evaluating the effectiveness of the buffer to remain along Van Patten Drive, it is recommended that a note be added stating that up to an additional ten evergreen trees should be provided as needed. The need for the landscaping can be determined during the site work inspection. The height of the proposed evergreen trees should be increased to no less than seven feet.

There being no public comment, Mr. Russell moved, seconded by Ms. Czub, to close the public hearing at 8:05p.m. The motion was unanimously carried.

Mr. d'Amico moved, seconded by Ms. Czub, 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. Bulger offered Resolution #8, seconded by Mr. Karam, to grant preliminary and final

subdivision approval to this application conditioned upon satisfaction of the comments of Mr. Kemper and Mr. Grasso. Ayes: Larkin, Czub, d'Amico, Karam, Marzola, Russell, Bulger. Noes: None.

Old Business:

[2003-012] Country Club Acres, Inc. – Proposed 62,400 SF office and warehouse space, VanPatten Drive – Preliminary site plan review and possible determination.

Mr. Andress, consultant for the applicant, presented a revised site plan for the Board's consideration. Explaining that this updated plan reflects comments and recommendations offered by Town officials and Clough, Harbour, and Associates, Mr. Andress noted that plans now include the appropriate site location map, the correct building size of 68,640 SF, and the requested land conveyances to increase the Town's rights-of-way for future road improvements. The plan also shows that the building will connect to the Clifton Park Water Authority system and to the Saratoga County Sewer District. The erosion control measures proposed for the lower stormwater management basin have been extended in accordance with Planning Department recommendations. Mr. Andress explained that the greenspace will be 70.6% upon completion of the first phase of construction: it will be 56% after total build-out. Plans call for 47 parking spaces: 31 will be installed initially and 16 are to be land banked. The applicant will leave existing vegetation along Ushers Road and will enhance the landscaping with additional buffering along VanPatten Drive.

Mr. Kemper offered several comments on this application. The site location map should indicate the location of the project. A note should be added to the plans stating that prior to any parking lot expansion, the project must reappear before the Planning Board. The pines and spruces should be increased to a minimum height of 6 feet and the specific species should be indicated on the planting plan. Additional silt fence should be located around the southern end of the stormwater management basin. A sign-off will need to be provided from C.K. Sanitary and the Saratoga County Sewer District. Façade renderings will have to be included when the plans are submitted for stamping.

Mr. Kemper read the comments submitted by the ECC. 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 notes that Karner Blue Butterfly habitat may exist at this location and asks that the applicant should request a determination by the New York State Department of Environmental Conservation (NYSDEC). In keeping with the recommendations and goals of the Town Comprehensive Plan, the applicant is encouraged to consider retaining

existing vegetation to the maximum extent practicable and/or the use of landscaping and grading to provide visual and auditory buffering between the project and adjacent roadways and properties. Any exterior lighting shall be directional and limited. The applicant should accommodate the proposed trails delineated in the Town's Trails Master Plan.

In response to queries from Board members, Mr. Andress stated that the entire warehouse will be situated within the designated Empire zone, adequate access will be provided for emergency service vehicles pursuant to Sheryl Reed's recommendation, the building will be 35 feet in height, and the business will require the hiring of more than 30 employees.

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

Mr. Karam moved, seconded by Mr. d'Amico, to grant preliminary and final site plan approval to this application conditioned upon the satisfaction of all outstanding comments from Mr. Kemper, Mr. Grasso, and the ECC. The motion was unanimously carried.

[2002-070] Healy, Richard – Proposed (7) lot subdivision, 488 Grooms Road – Determination from preliminary public hearing held on February 25, 2003.

Mr. Gil Van Guilder, consultant for the applicant, presented this proposal that remains generally as presented at the public hearing on February 25, 2003. The applicant will convey a 10' strip along Grooms Road to the Town of Clifton Park or Saratoga County for future road improvements or the installation of a multi-use pathway. Since a path connection along Lincoln Avenue may be more beneficial to the trail network, Mr. VanGuilder will request a conveyance from the property owner of 8 Lincoln Avenue. The existing stormwater management area on Roosevelt Court will be enhanced to provide containment for the proposed subdivision.

Mr. Grasso stated that Clough, Harbour, and Associates has reviewed the preliminary subdivision plans for the above referenced project as prepared by Lansing Engineering, PC, and the Stormwater Management, Water Supply, and Sanitary Sewer reports dated March 7, 2003. The stormwater management report, water supply and sanitary sewer reports are acceptable and may be submitted with the plans to the other involved agencies for approval. Mr. Grasso requested that copies of any review correspondence and any required plan changes be sent to the Town Engineer. Evidence of the necessary approvals should be provided to the Town prior to stamping the final plans.

Mr. Grasso noted that the multi-use pathway proposed on the plans is six feet wide. The Town's standard width of multi-use pathways is ten feet. Given the anticipated level of use, however, eight feet would appear to be acceptable. The standard separation distance from a vehicular travel way not separated by curbs is ten feet. A portion of the pathway is shown only three feet from Grooms Road. It is recommended that additional right-of-way

be obtained to provide the minimum of ten-foot separation. The applicant's consultant should clarify that there are no landscaping improvements or driveways that will require restoration along Roosevelt Court. The utility easement between Lots #3 and #4 should also be conveyed to the Town of Clifton Park. A note stating that if the County does not accept the additional right-of-way along Grooms Road, it should be dedicated to the Town of Clifton Park must be added to the plan. In lieu of a detailed grading plan, the detail for the multi-use pathway should be expanded to show the vertical and horizontal relationship to Grooms Road.

Mr. Bulger encouraged the applicant to convey the land for the multi-use trail and to maintain the landscaped buffer along the bordering roadways.

Ms. Czub moved, seconded by Mr. d'Amico, 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. Karam offered Resolution #9, seconded by Mr. Larkin, to grant preliminary and final subdivision approval, waiving the final hearing, for this application conditioned upon the satisfaction of comments offered by Mr. Kemper and Mr. Grasso. Ayes: Larkin, Czub, d'Amico, Karam, Marzola, Russell, Bulger. Noes: None.

The Board considered the following three applications concurrently since the applicant and the applicant's representing consultant were the same for each proposal. The three proposals were similar since they all called for co-location of transmission antennas on the existing telecommunication towers.

[2003-013] A T & T – Proposed telecommunication tower co-location, 14 Crossing Boulevard – Preliminary site plan review and possible determination.

Ms. Maureen Elwell, attorney for the applicant, presented this application on behalf of her client. The project calls for the placement of up to six (6) panel antennas at a centerline height of 115 feet, and the installation of a 6'x10' concrete pad at the base of the existing 150-foot monopole located at 14 Crossing Boulevard.

Mr. Kemper explained that the project last appeared before the board on March 25, 2003. At that time, Board members asked that the Radio Frequency Emission Report be provided for review by C.T. Male. This report was provided and C.T. Male has submitted a sign-off letter for this project. The Saratoga County Planning Board determined that the project had no significant countywide impact at their March 20, 2003 meeting. The ECC offered no comment on this application.

Mr. Vopelak, C.T. Male, in correspondence of April 18, 2003, reported that C.T. Male Associates, P.C. reviewed the Calculated Radio Frequency Emission Reports for each of the A T & T applications being considered by the Board. The conclusion reached by the reviewers was that "the expected radio frequency emissions from the proposed and existing installations are all below the FCC maximum permissible exposure limits for the

general public and, therefore, the co-locations should be acceptable.”

In response to Mr. Larkin’s question concerning the type of battery back-up and the size of the proposed equipment box, Ms. Elwell stated that no hazardous materials will be required or stored within the small equipment shelters that will be located at each co-location site. She also noted that the ECC has approved all of the projects on this evening’s agenda. Mr. Scott Heffernan, Director of Engineering Services for Transcom Engineering, who was also in attendance at the meeting, confirmed that the new equipment require limited back-up systems that would not contain hazardous materials.

Mr. Pelagalli advised the Board that if it is determined that the radio frequencies emitted by proposed antennas fall within FCC standards, the Board may not deny the applications unless there is a violation of Town law. If no violation is apparent, the Board must treat the application as it would any site plan. No Special Use Permit is required.

Mr. Larkin moved, seconded by Mr. Marzola, 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. d’Amico moved, seconded by Ms. Czub, to grant preliminary and final approval to this application conditioned upon satisfaction of the comments issued by Mr. Kemper, and C.T. Male. The motion was unanimously carried.

[2003-014] A T & T – Proposed telecommunication tower co-location, 129 Sugar Hill Road – Preliminary site plan review and possible determination.

Ms. Maureen Elwell, attorney for the applicant, presented this application on behalf of her client. This application proposes the placement of up to six (6) panel antennas on an existing 250’ guyed tower at a centerline height of 200 feet and to install a 6’ x 10’ concrete pad at the base of the existing tower.

Mr. Kemper explained that the project last appeared before the board on March 25, 2003. At that time, Board members asked that the Radio Frequency Emission Report be provided for review by C.T. Male. This report was provided and C.T. Male has submitted a sign-off letter for this project. Mr. Clemens, Director of Building and Development, has determined that the previous variance permitting a telecommunications tower or co-location within 500 feet of an existing residence runs with the project. Therefore another variance would not be necessary. The ECC offered no comment on this application.

Mr. Vopelak, C.T. Male, in correspondence of April 18, 2003, reported that C.T. Male Associates, P.C. reviewed the Calculated Radio Frequency Emission Reports for each of the A T & T applications being considered by the Board. The conclusion reached by the reviewers was that “the expected radio frequency emissions from the proposed and existing installations are all below the FCC maximum permissible exposure limits for the general public and, therefore, the co-locations should be acceptable.”

Comments from Board members and Mr. Pelagalli made for the previous application – the A T & T co-location at 14 Crossing Boulevard – were also relevant to this project.

Mr. Karam moved, seconded by Mr. Larkin, 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. d'Amico moved, seconded by Mr. Marzola, to grant preliminary and final approval to this application conditioned upon satisfaction of the comments issued by Mr. Kemper, and C.T. Male. The motion was unanimously carried.

[2003-022] A T & T – Proposed telecommunication tower co-location, 287 Ushers Road - Preliminary site plan review and possible determination.

Ms. Maureen Elwell, attorney for the applicant, presented this application on behalf of her client. This application calls for the placement of up to six (6) panel antennas on the existing 140 foot monopole at a centerline height of 122.5 feet and the installation of a 6' x 10' concrete pad at the base of the monopole. The pad will provide a base for the installation of two equipment cabinets.

Mr. Kemper explained that this project was referred to the Saratoga County Planning Board on April 2, 2003. Approval was granted by that body on April 17, 2003. Though C.T. Male has reviewed the complete application and reports that it conforms with the Town Code, two minor modifications to the SEQR documentation are requested. C.T. Male also provided a sign-off on the Radio Frequency Emission Report.

Mr. Kemper highlighted the significant elements of Mr. Vopelak's comment letter of April 21, 2003. From documents prepared by the applicant's consultants, it appears that the proper building code was followed and that the resulting structural analysis indicates that the existing tower and foundations are adequate for the proposed co-location. Additionally, the proposed location will be completed in accordance with standard engineering practices. Mr. Vopelak states that Part I of the Full Environmental Assessment Form (EAF) provides technical information that is accurate and complete. It could provide a substantial basis for completing Part 2 of the EAF and would serve to support a negative declaration pursuant to SEQRA. The Visual EAF Addendum and the results of the visual analysis appear accurate and complete: the collocation is not anticipated to have any significant adverse environmental impact. It is recommended that the wording of two items of the Negative Declaration be revised. Item #10 should read as follows: "The project will not have an adverse impact upon historic or archeological resources." Item #12 should read, "The Project will not have any adverse noise or odor impacts."

Mr. Vopelak, C.T. Male, in correspondence of April 18, 2003, reported that C.T. Male Associates, P.C. reviewed the Calculated Radio Frequency Emission Reports for each of the A T & T applications being considered by the Board. The conclusion reached by the reviewers was that "the expected radio frequency emissions from the proposed and

existing installations are all below the FCC maximum permissible exposure limits for the general public and, therefore, the co-locations should be acceptable.”

Comments from Board members and Mr. Pelagalli made for the A T & T co-location at 14 Crossing Boulevard which was discussed earlier in the evening were also relevant to this project.

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

Mr. Bulger moved, seconded by Mr. Marzola, to grant preliminary and final approval to this application conditioned upon satisfaction of the comments issued by Mr. Kemper, and C.T. Male. The motion was unanimously carried.

[2003-020] Edelman, Matt – Proposed commercial riding stable in an R-3 zone, 974 Grooms Road – Preliminary site plan review.

Mr. Gil VanGuilder, consultant for the applicant, presented this application that remains as presented on April 8, 2003. The project plan proposes the construction of a 2,279 SF addition that will link the two existing barns. Since this is a minimal change to the site, no expansion of the existing Special Use Permit will be required. Available sight distance information has been added to the plan: sight distances in both directions from the stable's access onto Grooms Road exceed the standard requirements. Although small pockets of federally jurisdictional wetlands have been identified on the parcel, they are isolated. NYSDEC wetlands have been delineated and are depicted on the plan. Associated buffer areas as well as the boundary of the L-C zone have also been mapped.

Mr. Kemper reported that the Saratoga County Planning Board approved this project at its April 17, 2003 meeting. He requested that details regarding the dumpster enclosure be added to the plan. The standard notes for lots with wells, aviation activity, driveways over 500 feet, and farming activities must be added to the final plans. Mr. Kemper noted that the proposed expansion lies beyond the boundary of the Town of Clifton Park L-C zone. The ECC found the proposal acceptable.

Mr. Grasso stated that all engineering concerns had been satisfactorily addressed.

Ms. Czub commented that the new owners of this stable, now known as Blue River Farm, have substantially improved the property.

Mr. Russell moved, seconded by Mr. Larkin, 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 approved.

Mr. Bulger moved, seconded by Mr. d'Amico, to grant preliminary and final site plan approval to this application conditioned upon the satisfaction of the comments issued by

Mr. Kemper. The motion was unanimously carried.

New Business:

[2003-027] Abraham, Akiva D. – Proposed 9,600 SF medical building, 956 Route 9 – Conceptual site plan review.

Mr. Tom Andress, ABD Engineers and Surveyors, represented the applicant for this application that calls for the construction of two 4,800 SF medical office buildings on a 2.1 acre parcel in a B-1 zone. The parcel is located on the south side of NYS Route 146 across from Green Meadow Drive. Connection will be made to the Country Knolls Sanitary System and water will be provided by an on-site well. The plan provides 70 parking places with 15 future parking spaces available for development if warranted. Access is provided through a combined drive with the adjoining property to the east also owned by Dr. Abraham. Greenspace totals approximately 55% of the site.

Mr. Kemper stated that this project is an unlisted action under SEQR: coordinated review is optional. The project will require a sign-off from Sheryl Reed to ensure adequate access for emergency vehicles. An ingress/egress easement will have to be provided over the existing driveway: descriptions for the easement should be submitted for review. He reminded the Board that there are failing intersections within this corridor. Board approval required that the applicant for the Quinn Medical Park project contribute to future traffic improvements in this corridor. The Board may want to consider that option for this project. He asked that future plan submittals should include a detailed landscaping plan, details on site lighting, façade renderings including sample materials and colors, and any signage proposed for the project.

Mr. Kemper reported that the ECC requested that 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.

It was also recommended that any exterior lighting be directional and limited. In addition, the applicant should submit a stormwater management plan for review by the Town Engineer and the ECC.

Mr. Grasso listed the recommendations that were prepared by Clough, Harbour, and Associates following review of the concept site plan. The proposed project appears to be an unlisted action pursuant to SEQR, and as such, coordinated review is optional. Involved agencies are expected to include the following: Town of Clifton Park Planning Board – Site Plan Approval; Saratoga County Planning Board - Section 239 Referral; NYSDOT – Curb cut Permit and Utility Work Permit.

Mr. Grasso reported that the engineering firm believes that the proposed project will result in additional traffic in the vicinity of the project site. Poor levels of service have been documented in this area in recently conducted traffic studies. The development along Route 146, in the B-1 and B-2 Zones is typically small office buildings or complexes as allowed by zoning. The projects individually will generally not have a significant impact on traffic. Construction of many of these small projects over time, however, will have a significant cumulative impact on traffic. In order to address this cumulative impact on the corridor, a recently approved office project on the north side of Route 146 that included six 4,800 square foot office buildings provided a voluntary contribution of \$40,000 to the Town of Clifton Park. Those funds are intended for future traffic improvements or long range traffic planning studies for this corridor. In order for this proposed project to mitigate its fair share of the cumulative traffic related impacts on the corridor, it is recommended that the applicant offer an equitable contribution toward these future traffic improvements or studies.

Mr. Grasso identified several other minor issues to be addressed by the applicant. An ingress/egress easement should be provided over the existing driveway that will service the project site. The need to re-stripe the median to indicate a dedicated left turn lane on Route 146 should be evaluated. The consultant should verify that emergency vehicles are capable of maneuvering through the site. It appears that the radii on the curbed parking islands at the north and south access connections will need to be increased to allow adequate accessibility. The circled numbers representing the number of proposed parking spaces seem to have included the handicap aisles as parking spaces. The Town Engineer asks that this be reviewed and the plan revised as necessary. The applicant has indicated that water and sewer service will be from on-site facilities. The location of existing water and sewer lines and proposed routing of connections should be shown on future plans. The need for public utility extensions should be investigated. In accordance with Section 208-35.D.4 of the zoning regulations, there shall be a ten-foot buffer of vegetation preserved or planted for purposes of screening. It is recommended that the existing vegetation be preserved to the greatest extent possible and supplemented as necessary. Mr. Grasso will review the plan to determine if the number of handicapped parking spaces provided is sufficient for the medical uses proposed.

Board members offered several comments on the project plan. Mr. d'Amico asked that substantial buffering be provided along Route 146 in order to maintain the "residential character" of the area. He also asked that the signage for the adjoining properties be combined on one sign. Ms. Czub asked that the dumpster location and details of the enclosure be indicated on the plan and that the address numbers on the identifying sign be large enough to be easily readable by travelers. In response to Mr. Larkin's suggestion that a left-turn lane be provided on Route 146 for easier access to the site, Mr. Andress agreed to discuss such a traffic improvement with NYSDOT. Mr. Bulger concurred with the recommendations of the other members and, in addition, asked that additional buffering be placed to the rear of the parcel along the boundary shared with the school district.

[2003-024] Hahn, John – Proposed land transfer, Lot 19 Hempstead Commons to the Lands of Petronis – Conceptual subdivision review.

Mr. Dean Taylor, real estate representative, presented this application that calls for the transfer of 2,143 SF of and from Lot #19 Hempstead Commons to adjoining property owners William F. and Karen A. Petronis. Mr. Taylor explained that this transfer is necessary to accommodate an inadvertent encroachment onto the Hempstead Commons property.

Mr. Kemper explained that a consolidation deed combining the lands of Lot #19 with the Lands of Petronis will have to be submitted for review. He further noted that any “no clearing restrictions” on the lot will be transferred to the new landowner and such a note must be added to the plan.

Clough, Harbour, and Associates and the ECC had no comment on the application.

The Board found this proposal acceptable.

[2003-026] Hoffman, Charles – Proposed 14,000 SF office building, Chelsea Place – Conceptual site plan review.

Mr. Gordon Nicholson, consultant for the applicant, described this application that proposes the construction of a 14,000 SF two-story office building on 1.03 acres in a B-3 zone. The development parcel is located on Chelsea Place, east of its intersection with NYS Route 9. Connection will be made to the Clifton Park Water Authority and the Saratoga County Sewer District #1. Stormwater will be directed to the existing off-site management area. One access from Chelsea Place is planned and 47 parking spaces are proposed. Mr. Nicholson requested clarification of the status of Chelsea Place since the owner currently maintains this private road.

Mr. Kemper reported that this project is an unlisted action under SEQRA and as such coordinated review is optional. Façade renderings must be included with future submissions. The applicant was asked to provide details for the water service and sewer service connections. He will require a signoff from Sheryl Reed to ensure that adequate access for emergency vehicles is provided. Mr. Kemper noted that Chelsea Place is currently not maintained by the Town: he asked that a note should be added to the plans identifying this road as a private drive. Mr. Gerard, Highway Superintendent, has recommended that the private drive remain under private ownership since it was apparently not constructed to Town standards. A planting plan must be included with the next submission. The existing stormwater management area will need to be evaluated to determine if sufficient capacity remains.

Mr. Kemper read the ECC report that asks the applicant to submit a stormwater management plan for review by the Town Engineer and the ECC.

Mr. Grasso, Clough, Harbour, and Associates, has reviewed the concept site plan for the

above referenced project as prepared by Environmental Design Partnership, LLP dated March 28, 2003 and offers several comments. 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. The applicant states that the proposed building will be connected to a public sewer line and the sketch plan indicates there is an existing sewer line in the street in front of the building. During a visit to the site no existing manholes were visible in the street, though it appears that a package pump station is located next to the driveway for the existing building west of the project site. The applicant’s consultant should be prepared to discuss existing sewer facilities in the area and whether they are facilities of the S.C.S.D. #1.

Mr. Grasso further explained that the application states that stormwater management will be accomplished off-site. It is assumed that this means that runoff will be collected on-site and piped to the existing stormwater management area on the north side of Chelsea Place. If this is the plan, the Stormwater Management Report needs to confirm that sufficient capacity is available in the existing detention basins.

Based on a review on the Town’s zoning map, it appears that the easterly boundary line of the subject property may coincide with the division line between the Town of Clifton Park and the Town of Halfmoon. If this is the case, the line should be labeled as such. If the lines do not coincide, the dividing line should be added to the plan. Since it is unclear from the Town Zoning Map whether Chelsea Place is a Town street or a private street, the applicant should clarify the street’s status and add a note to the plan regarding that status. The applicant states that water service will be provided by a connection to the existing Clifton Park Water District #1 system on the west side of Route 9, 400 feet from the subject property. It is unclear whether the applicant will be requesting an extension of the district, or installing a 400 foot long “service” to serve the property. This should be clarified. The applicant’s consultant should discuss the need or opportunity to provide access to the adjoining parcel.

Board members expressed concern about the number of businesses served by the private drive and asked Mr. Kemper to review previous approvals to determine the Board’s intent for the road’s ownership at the time of subdivision approval. Mr. Nicholson pointed out that the current applicant should not be responsible for any necessary upgrades to the existing road should the Board determine that it should be conveyed to the town.

[2003-025] Denner, Richard – Proposed (2) lot subdivision, 608 Grooms Road – Conceptual review.

Mr. Gil VanGuilder, consultant for the applicant, presented this application that calls for the subdivision of 2.06 acres in an R-1 zone into lots of 34,584 SF and 55,185 SF, respectively. The smaller lot contains an existing residence: both lots meet the requirements of an R-1 zone. The property is located on the southerly side of Grooms

Road approximately 2,400 feet east of Vischer Ferry Road. The lots will connect to the Clifton Park Water Authority system and the Saratoga County Sewer District. The new lot will share a common access to Grooms Road with the existing home. Sight distances exceed acceptable standards.

Mr. Kemper asked that all NYSDEC and/or ACOE wetlands be delineated and depicted on the plot plan. The Town of Clifton Park LC Zone should also be depicted on the plot plan. All applicable standard notes should be placed on the plot plan. Due to the project's proximity to the Stoney Creek Reservoir, the project will require a sign-off from the Latham Water District.

Mr. Kemper stated that, after reviewing the project, the ECC recommended that the Town of Clifton Park LC Zone be delineated on the plot plan.

Mr. Grasso reported that Clough, Harbour, and Associates reviewed the concept subdivision plan for this project as prepared by Gilbert VanGuilder Land Surveyor, PLLC, dated February 28, 2003. The following comments were issued.

The proposed project appears to be an unlisted action pursuant to SEQR, and as such, coordinated review is optional. The involved agencies are expected to include: Clifton Park Planning Board – Subdivision Plan Approval; Saratoga County Planning Board – Section 239 Referral; Saratoga County Sewer District – Sewer Connection Permit; Clifton Park Water Authority – Water Connection Permit. Since the applicant is proposing to create a “keyhole lot,” the provisions of Article 208-86 of the Town Zoning Code are applicable. The Town's standard notes for keyhole lots should be added to the plan. 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 location of the 100 foot wetland adjacent area and L-C Land Conservation zoning district around the wetlands to the east of the site should be verified to determine if development restrictions exist. A note should be added to the plan stating that no new curb cuts shall be created on Grooms Road from Lot #608. This section of Grooms Road is noted in the Town's Trails Master Plan as being a designated for an on-road bike route and that shoulder improvements are required to improve bicycling facilities along its length. In order to accommodate these improvements, it is recommended that a small wedge of additional right of way be provided extending approximately five feet into the site in its northwestern corner.

Applicable Town of Clifton Park Standard Notes for Subdivisions should appear on the plan. As a minimum they should include the following:

- Standard note required on all plats of subdivisions
- Standard note required by the Clifton Park Water Authority
- Standard notes for keyhole subdivisions
- Standard note for address identification for keyhole lots
- Standard note for lots with common rights of ingress/egress

- Standard note for lots in proximity to aviation activity

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.

[2003-023] Nicoll, Donald and Janice – Proposed (2) lot subdivision, 743 Tanner Road – Conceptual review.

Mr. Gil VanGuilder, consultant for the applicant, described this application that calls for the subdivision of 9.6 acres of land located in an R-3 zone on the eastern side of Tanner Road approximately 1500 feet south of the right angle bend on the north end of the road. The proposal is to create a 2.3 acre lot around the existing improvements of the existing home. A single-family residence will be constructed on the larger parcel. Each lot will be served by an individual well and septic system. Perc test information indicates that the soils are adequate for the installation of a septic system. Sight distance information, indicating that the distances exceed industry standards, has been added to the plan.

Mr. Kemper noted that this project is an unlisted action under SEQR and coordinated review is optional. He asked that any N.Y.S.D.E.C. or A.C.O.E. wetlands be delineated and depicted on the plot plan. The results from the perc test and test pits should be provided for Clough, Harbour, and Associates' review. The applicable standard notes must be added to the plans.

Mr. Kemper also read the two comments from the ECC. The Town of Clifton Park LC Zone should be delineated on the plot plan. Due to the potential for federal wetlands on the parcel, the applicant will determine the location and extent of disturbance of federal wetlands before a building permit is issued.

Mr. Grasso explained that Clough, Harbour, and Associates has reviewed this concept subdivision plan and offered several comments. The proposed project appears to be an unlisted action pursuant to SEQR: coordinated review is optional. The only involved agency is expected to be the Planning Board with subdivision approval being required. The applicant should investigate the possibility that regulated wetlands might exist along the rear of the Lot #2. If wetlands are delineated, consideration should be given to the establishment of land preservation areas over the environmentally sensitive portions of the site. Soil investigations, including deep test pits and percolation tests, should be conducted in the areas of the proposed wastewater disposal system to verify the adequacy of the soils to accept on-site wastewater disposal systems. Symbols on the plans indicate that these tests might have already been done. If so, the results should be included on the plan for review.

The applicant has provided information regarding site distances available from the location of the proposed driveway. The applicant is also asked to provide information regarding the posted speed limit along this section of Tanner Road for use in determining the adequacy of these distances. In addition, the adequacy of sight distance from the

existing drive should be verified to determine if future relocation of the drive may be prudent. The existing right-of-way of Tanner Road is only fifty feet, which is less than the sixty feet typically recommended. As development along these collector roads continues to occur, highway improvements are often needed. In order to accommodate future highway improvements, it is recommended that an additional five feet of right-of-way be provided as part of the subdivision. The final subdivision plan must include the stamp and signature of a Licensed Land Surveyor and the Town's standard subdivision notes and certification statement should be added as applicable.

Mr. VanGuilder asked the Board to consider waiving the parkland fees in return for the conveyance of the requested right-of-way strip. He also asked that the Board accept a note on the plan that prevents further subdivision of the parcels rather than requiring deed restrictions on the property.

Mr. Bulger found the plan acceptable, though he supported the recommendation that all wetlands on the property be delineated. Mr. d'Amico supported the idea of a parkland credit in return for the conveyance of land to the Town. He also supported the recommendation that all wetlands be delineated. Mr. Karam also spoke in favor of requiring wetland delineation. Mr. Russell expressed concerns about the location of the driveways.

Discussion Items:

[2000-005]Hahn Subdivision – Clifton Park Center Road

Mr. Donald Berthiume, resident of Clifton Park Center Road, requested an opportunity to speak to the Board. Explaining that his home is located directly across from the new subdivision known as Hempstead Commons, he explained that it was his understanding that the Planning Board had supported the placement of evergreens or landscaping on his property to mitigate the impact of headlights that might shine directly into his living room. Upon review of the meeting minutes and an aerial view of the site, Board members agreed that it was determined that the proposed driveway location would have minimal impact to Mr. Berthiume's home. Mr. Bulger suggested that, should the development indeed impact the existing property, the Board would reconsider the problem and work to remediate any impact.

[2001-032] Phillips Office Building – Plank Road (Serge Shishik)

Mr. Serge Shishik, owner of the professional office building to be constructed at 653 Plank Road, requested an administrative review and ruling to permit a dental practice to occupy the building. Mr. Shishik explained that a dentist has requested use of a portion of the building and he presented information regarding the hours of operation and required parking as well as information regarding another dental practice.

Mr. Kemper outlined the differences in code requirements for professional office use and medical use and Mr. Pelagalli explained that the medical office use would necessarily

apply to the entire building. Since the medical office use would be applied to the entire building and because such usage would require substantial additional parking, Board members agreed that permitting this dental office would not be feasible.

[2002-051] Country Club Acres, Inc. – Residential Subdivision, MacElroy Road and Route 146

Mr. Gordon Nicholson, consultant for the applicant, presented a revised plan for this project that now includes a number of keyhole, “estate” lots that will be accessed by private driveways. The private drives will be built to required Town specifications and would be gated and maintained by the homeowners. Board members discussed several issues concerning the implementation of this proposal including access for emergency vehicles and shared maintenance agreements.

[2002-072] New York Development – Subdivision of the Lands of Doty

Mr. Gil VanGuilder, consultant for the applicant, explained that the applicant for this project – at the request of the Board – has authorized the revision of the subdivision plan. The parcels to the south of the site have been shifted to the east, allowing for increased distances from the proposed homes to the L-C zone. Mr. VanGuilder said that deed restrictions will protect and prevent disturbance the wetlands. Board members asked Mr. VanGuilder to submit the plan for revised conceptual review.

Mr. Karam moved, seconded by Mr. Larkin, adjournment of the meeting at 11:05p.m. The motion was unanimously carried. The next meeting of the Planning Board is scheduled for May 13, 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 Peeler, Town Attorney, Lou Rienzi, Town Attorney, Jim Trainer, 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 #7

PRELIMINARY AND FINAL APPROVAL
Special Use Permit

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New

York, held at the Town Office Building, One Town Hall Plaza, on April 22, 2003, at 7:15 P.M. there were:

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

Absent: None

Mr. Larkin offered Resolution #7 and Mr. Karam seconded, and

Whereas, an application has been made to this Board by King of Kings Lutheran Church for approval of a special use permit pursuant to Section 208-10B(9)(a) and 208-79 to permit the expansion of an existing church in an R-1 zone; and

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on April 22, 2003 in the Town Office Building,

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

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

Now therefore, be it resolved that the Special Use Permit pursuant to Section 208-10B(9)(a) and 208-79 to permit the expansion of an existing church in an R-1 zone is hereby approved conditioned upon satisfactory evidence that the church property is not located within the boundaries of the Crescent Estates North PUD.

Resolution #7 passed 04/22/03

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

Noes: None

Abstained: None

Steven Bulger,
Chairman

Resolution #8
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 April 22, 2003

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

Absent: None

Mr. Bulger offered Resolution #8, and Mr. Karam seconded, and

Whereas, an application has been made to this Board by Country Club Acres, Inc. for approval of a subdivision plat entitled the Subdivision of the Lands of Country Club Acres, Inc. consisting of (3) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on and April 22, 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 April 22, 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 Country Club Acres, Inc., consisting of (3) lots, is hereby granted preliminary and final approval conditioned upon satisfaction of the comments offered by Mr. Kemper and Mr. Grasso.

Resolution #8 passed 4/22/03

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

Noes: None

Steven Bulger,
Chairman

Resolution #9
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 April 22, 2003

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

Absent: None

Mr. Karam Bulger offered Resolution #9, and Mr. Larkin seconded, and

Whereas, an application has been made to this Board by Richard Healy. for approval of a subdivision plat entitled the Subdivision of the Lands of Richard Healy consisting of (7)

lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on and April 22, 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 April 22, 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 Subdivision of the Lands of Richard Healy consisting of (7) lots is hereby granted preliminary and final approval conditioned upon satisfaction of the comments offered by Mr. Kemper and Mr. Grasso.

Resolution #8 passed 4/22/03

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

Noes: None

Steven Bulger,
Chairman