

Clifton Park Planning Board Meeting Minutes

June 10, 2003

Those present at the June 10, 2003 Planning Board meeting were:

Planning Board: S. Bulger, Chairman, T. Karam, J. Marzola, J. Russell

Absent: B. Czub, R. d'Amico, J. Larkin

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:

[2003-034] Fossa, Arthur J. and Nancy J. – Proposed (3) lot subdivision, 939 Main Street – 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 June 1, 2003.

Mr. Dean Taylor, real estate representative, presented this application that was originally approved in 2000. At that time the proposal called for the subdivision of 2.95 acres of land off Main Street, Jonesville, in an R-1 zone into three lots. One lot of 35,996 SF will contain the existing residence. The other two lots will be 68,752 SF and 23,755 SF, respectively. One new lot will be served by an access from Main Street; a drive from Edward Street will serve the other. All lots will be served by the Clifton Park Water Authority and the C. K. Sanitary System will accept the additional sewerage flows.

Mr. Kemper stated that this project last appeared before the Board on April 25, 2000 and when it received preliminary and final approval. The issues outlined by the Board at that meeting were never addressed and the approval expired. The subdivision layout, however, has remained the same. The project will require a signoff from C.K. Sanitary and descriptions for the easement will have to be submitted for review. The project will not need to be sent back to the Saratoga County Planning Board because they granted approval on March 16, 2000. Postal addresses must be added to the plot plan. Don Clemens submitted a memo dated June 10, 2003 in which he recommended that the grinder pump proposed for the lot on Edward Street be installed outside of the house because such placement eliminates potential problems when service or replacement is necessary. A note stating this should be added to the plans.

Mr. Grasso reported that Clough, Harbour, and Associates reviewed the proposed project and offered several comments. The application 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 – Subdivision Plan Approval; Saratoga County Sewer District – Sewer Connection Permit; Clifton Park Water Authority – Water Connection Permit. Although not an involved agency, Section 239 Referral by the Saratoga County Planning Board is required.

The subdivision map shows the proposed driveway to 939A Main Street coming from the “PROPOSED EASEMENT” shown along the north side of the property. According to Note #9, this easement was granted to Arthur J. Fossa. Provisions must be made to transfer rights included in the easement to the new owner. The proposed easement should indicate that it is for ingress, egress and utilities for 5 Edward Street and 939A Main Street, and the easement should also cover the utility connections for 939A Main Street. The final subdivision plan should include the stamp and signature of a licensed land surveyor and should include the Town’s standard subdivision note for lots with an ingress/egress easement.

Mr. O’Brien, Environmental Specialist, said that the ECC had no comment on this project.

There being no public comment on this application, Mr. Bulger moved, seconded by Mr. Russell, to close the public hearing at 7:15p.m. The motion was unanimously carried.

Mr. Karam 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. Bulger offered Resolution #15, seconded by Mr. Karam, to grant preliminary and final subdivision approval, waiving the final hearing, to this application conditioned upon the comments offered by Mr. Kemper. Ayes: Marzola, Karam, Russell, Bulger. Noes: None.

[2003-032] Klimkewicz, Michael – Proposed transfer of .32 acres of land, Lots 857 and 865 NYS Route 146A – Preliminary public hearing and possible determination.

Mr. Bulger called the public hearing to order at 7:17p.m. The Secretary read the public notice as published in the Daily Gazette on June 1, 2003.

Mr. Gil VanGuilder, the applicant’s consultant, presented this proposal that calls for the transfer of .385 acres of land that is currently a portion of Lot 865 Route 146A to adjoining Lot 857 Route 146A. The applicant, who owns both parcels, requests approval of this land transfer in order to ensure that the trees and natural screening between the lots can be preserved and controlled by the owners of Lot 857.

Mr. Kemper found the proposal acceptable. He explained that the Saratoga County Planning Board approved this project at its May 15, 2003 meeting. He asked that the title block be corrected on the plot plan and that descriptions be submitted for the new lots

created by the lot line adjustment.

Mr. Grasso offered no engineering comments on this application. Mr. O'Brien, Environmental Specialist, reported that the ECC had no comment on the application.

There being no public comment on this application, Mr. Bulger moved, seconded by Mr. Marzola, to close the public hearing at 7:20p.m. The motion was unanimously carried.

Mr. Karam 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. Marzola offered Resolution #16, seconded by Mr. Russell, 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: Marzola, Karam, Russell, Bulger. Noes: None.

[2003-030] Stormy View Stables – Proposed 11,592 SF riding and boarding arena, 421 Schaubert Road – Special Use Permit – Preliminary public hearing and preliminary site plan review and possible determination.

Mr. Bulger called the public hearing to order at 7:20p.m. The Secretary read the public notice as published in the Daily Gazette on June 1, 2003.

Mr. Gil VanGuilder, consultant for the applicant, presented this application that remains as presented at the May 13, 2003 meeting. He explained that the Zoning Board of Appeals granted a variance on May 20, 2003 to permit a commercial stable on less than 10 acres. This approval was conditioned upon the removal of animal waste from the site on a regular basis. The applicant proposes removal of such waste to a local dairy farm for disposal on a weekly basis. Mr. VanGuilder identified the main issue to be resolved as the location of the access. He explained that the entrance to the new arena facility as located off Schaubert Road offers the safest and most reasonable point of access because it provides the best grade to the finished floor elevation of the barn and because the significant slopes on Hubbs Road would make exiting with trailers very difficult. The plan no longer calls for the installation of the 1,000 gallon holding tank for sanitary waste.

Mr. Kemper explained that this project was considered by the Board on May 13, 2003. Members did not comment on the application because at that time the building could not be constructed as proposed under the N.Y.S. Building Code. The Zoning Board of Appeals approved the variances being requested for the project: a minimum lot size of 6.55 acres when 10 acres are required; a side yard setback of 36' when 50' is required; 10 horses allowed at the stable. The Saratoga County Planning Board approved the site plan conditioned upon shifting the proposed access to Hubbs Road. The applicant is scheduled to appear before the Department of State for a variance from the N.Y.S. Building Code in July.

Mr. Grasso reiterated the concerns of May 13, 2003, explaining that the driveway being proposed is located only 120 feet south of the Schaubert Road/Hubbs Road intersection. This limited separation can lead to confusion for drivers exiting the stables and drivers stopped on Hubbs Road waiting to turn and go south on Schaubert Road. Additionally, drivers exiting the stables must also be concerned with traffic approaching from the south. There is limited sight distance for vehicles exiting the site and for drivers on Schaubert Road approaching from the south. Clough, Harbour, and Associates recommends relocating the driveway to Hubbs Road approximately 200 feet east of the intersection. Westbound traffic in this area will be slowing as it approaches the intersection, and eastbound traffic will have just turned off of Schaubert Road and will have not reached cruising speed.

Mr. Grasso's concern that another stable business on the west side of Schaubert Road directly opposite the subject site would result in the crossing of horses or pedestrians between the two stables is no longer an issue because the applicant assured the Board that there would be no interaction between the two properties.

Mr. Grasso also asked that, in accordance with the zoning regulations, unless specifically decided otherwise by the Planning Board, screening is required between stabling facilities and any other nonagricultural use.

Mr. O'Brien, Environmental Specialist, reported that, after reviewing the project, the ECC reiterated comments regarding water quality concerns made at the May 6th meeting. These concerns centered on the potential for contamination of the residential drinking water well: records indicate that contamination has occurred in similar situations in the Town.

Mr. John Hill, owner of the property, described himself as a retired police officer whose family became interested in this property on Schaubert Road not only to provide a sheltered riding arena for his daughter but also to restore and maintain a piece of Clifton Park's history. Calling on his 23 years in law enforcement, he described the difficulties of accessing the property from the point on Hubbs Road that was recommended by the Town Engineer. Noting that the stable across Schaubert Road has been an established facility with nearly 70 vehicles entering and exiting on a daily basis, he believes that the limited traffic produced at his site will minimally impact the traffic situation on Schaubert Road. He stated that, although he initially planned to provide the facility only for his family, he was asked by a few other horse owners to provide boarding and riding facilities for them. He decided to pursue approvals to permit such an activity because of the cost of the barn construction and restoration of the other farm buildings located on the property. Mr. Hill requested the Board's "positive affirmation" of the project, offering to restrict access, install a gated entrance, require right turns only, or comply with any other traffic control measure the Board might require.

Mr. Bulger, though expressing appreciation to the applicant for his commitment to improving a deteriorating property, stated that the Board relies upon the comments and

recommendations of its advisors. He further explained that the Board will not render a decision on this application until the state appeals board acts upon the project plan. He noted that the Board must consider the future impacts of this commercial use in a residential area on a rural road. Mr. Karam asked that information concerning the accident rates for Schaubert Road at the intersection of Schaubert and Hubbs Roads be provided.

Board members agreed that details regarding the access location should be provided and that the plan should be submitted to the County Planning Board for reconsideration.

There being no further public comment, Mr. Bulger moved, seconded by Mr. Karam, to adjourn this public hearing at 8:10p.m. The motion was unanimously carried.

[2003-033] Wicks, Carol and Robert – Proposed two-family residence in an R-1 zone, Woodin Road – Special Use Permit - Public hearing and preliminary site plan review and possible determination.

Mr. Bulger called the public hearing to order at 8:12p.m. The Secretary read the public notice as published in the Daily Gazette on June 1, 2003.

Mr. VanGuilder, consultant for the applicant, described this proposal that remains as presented at the May 27, 2003 meeting. Mr. VanGuilder explained that the Wicks would like to construct a duplex and an eight-car garage on a 1.6 acre parcel in an R-1 zone on the west side of Woodin Road approximately 500 feet north of its intersection with Grooms Road. Mr. VanGuilder explained that the applicants are unable to connect to municipal water in the area because there are no reciprocal service agreements in place between the Town of Halfmoon and the Town of Clifton Park. Connection to the existing sewer has also been refused because of severe pressure problems in the area. Though upgrades are planned, completion of the sewer project is not scheduled until later next year. Mr. VanGuilder has added a note to plan that would prevent use of the garages for commercial purposes.

Mr. Kemper explained that this project last appeared before the Board on May 27, 2003. Though the Board found the project generally acceptable, Mr. Van Guilder was asked to provide details for septic design and/or explore the possibility of connecting to public sewer. Since connection to the public sewer is not feasible at this time, the septic details have been provided. The Saratoga County Sewer District reports that there is currently a moratorium on sewer connections within the Woodin Road area. Sight distances have been added to the plot plan. The standard note for aviation activity must be added to the plot plan. Clearing limit lines should be depicted on the plot plan.

Mr. Grasso explained that although most of the engineering concerns have been satisfied, the calculations prepared by the Mr. Lansing were inaccurate. He recommended that final stamping of the plans be conditioned upon the submission of accurate septic design. He also recommended that appropriate siltation prevention measures be shown on the plan.

Mr. O'Brien, Environmental Specialist, stated that the ECC had no comment on this

application.

There being no public comment, Mr. Karam moved, seconded by Mr. Marzola, to close the public hearing at 8:17p.m. The motion was unanimously carried.

Mr. Bulger asked about the distance of the residence from the designated wetlands. Mr. VanGuilder estimated that this distance was 100 feet. Mr. Marzola asked if the garages would be attached to the house: the garages will be detached. In response to Mr. Karam's question regarding drainage from the garages, Mr. VanGuilder explained that the drainage would probably be directed underground.

Mr. Marzola moved, seconded by Mr. Russell, 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. Marzola offered Resolution #17, seconded by Mr. Karam, to approve the Special Use Permit to permit the construction of a duplex in an R-1 zone conditioned upon satisfaction of the comments offered by Mr. Kemper and Mr. Grasso, and Mr. Pelagalli's approval of language included in a note on the plan that would restrict use of the garages to storage for the owner: no commercial use of the garages will be permitted. Ayes: Marzola, Karam, Russell, Bulger. Noes: None.

The Board then considered approval of the site plan.

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

Old Business:

[2002-054] Bardakjian, Hratchia – Proposed 6,000 SF retail, commercial, and professional plaza, US Route 9 and Clifton Park Village Road – Preliminary site plan review.

Mr. Zareh Altounian, consultant for the applicant, presented the preliminary plan for this application that calls for the construction of a 6,000 SF retail, commercial, and professional plaza. The project remains generally as presented at the May 13, 2003 meeting. Mr. Altounian discussed the revisions to the plan that were made in response to Board comments. The access road to the rear of the building has been eliminated. The dumpster has been relocated closer to the building. An increased amount of landscaping has been added to the planting plan. Rear elevations have been provided. Mr. Altounian said that the building will be constructed of beige-colored stucco.

Mr. Kemper explained that this project last appeared before the Board on May 13, 2003. At that meeting the Board had a number of concerns. Of particular concern was the applicant's clearing of the site without any approval from the Town. The applicant was instructed to meet with Joe Grasso and Mr. Kemper to address the issues prior to appearing back before the Planning Board. This meeting took place on May 19, 2003: to most of the Board's concerns were addressed at that time. The project will still need a sign-off from Sheryl Reed and emergency services. Emergency services has requested the placement of a hydrant at the Clifton Park Village Road entrance. The NYSDOT curb cut permit must be provided prior to the stamping of the plans. The May 9, 2003 comment letter from the CPWA must be addressed. Façade renderings have been provided: these must be in color and provided with the final plans for stamping. The Board had requested that the rear of the building be improved because it will be located at a major intersection. The plans as submitted do not appear to meet that objective. The wetland areas will need to be flagged prior to any construction on the property. Additional plantings should be provided on the parcel, particularly along the Route 9 boundary.

Mr. Grasso's only comment was that canopies should be installed above the doors located at the rear of the building.

Mr. O'Brien, Environmental Specialist, offered comments from the ECC. That Commission recommended that all outdoor lighting be directional and limited. A stormwater management plan for review by the Town Engineer and the ECC. In keeping with the recommendations and goals of the Town Comprehensive Plan, the applicant is encouraged to consider the use of landscaping and grading to provide visual and auditory buffering between the project and adjacent roadways or other properties.

Mr. Karam asked about the placement of silt fencing and the applicant's plan for protecting the wetland. Mr. Kemper explained that Mr. Altounian has included erosion control measures on the plan. They will be placed after the completion of site grubbing. Mr. Russell asked about the access for tractor trailers on the site because parking along Clifton Park Village Road would not be acceptable. Mr. Bardakjian explained that he rarely receives delivery via tractor trailer and that he would ensure that such trucks park in the parking area. Mr. Bulger found the planting plan acceptable, though he recommended delaying approval until the absent members were present to review the planting plan. A colored architectural rendering that included all building elevations must be submitted for review.

[2002-032] Shishik, Serge – 4,000 SF office building (formerly Phillips), Plank Road – Request for extension of site plan approval granted August 14, 2001.

Mr. Kemper explained that he had received a request from Third Serge Properties, LLC, to extend the site plan approval granted to the amendment for this application on May 14, 2002. Although Mr. Shishik has worked diligently to find a tenant for the property at 653 Plank Road, the market "has not been able to support the building financially at this time."

Mr. Kemper stated that he discussed this request with Mr. Pelagalli. Since §208-120 of the Town Code requires that an applicant's written request for such an extension must be received at least 30 days prior the expiration of the initial one-year approval, the Board will be unable to act on Mr. Shishik's request.

New Business:

[2003-035] VanPatten, Ronald Wayne – Proposed lot line adjustment, 42 Canterbury Road – Conceptual review.

Mr. John Gay, Northeast Land Survey and Land Development Consultants, P.C., presented this application that calls for the reconfiguration of Lots #40, 42, and 44 Canterbury Road. The parcels are located on the south side of the road in the Sherwood Forest subdivision and lie within the R-1 zone. Mr. Gay explained that an existing single-family home currently utilizes the three lots. The project proposes the combining of Lots # 42 and 44 to provide the parcel for the existing home, pool, and garage. The new lot of 1.073 acres will meet all code requirements for a building site and will be served by municipal water and sewer services.

Mr. Kemper offered several comments regarding this application. A consolidation deed will have to be submitted for the new lot created by the combination of Lots 44R and 42R. If a new house is proposed for the additional lot, the location of the house should be illustrated on the plot plan since there is a significant slope to the back of the property. A grading plan may be required prior to construction. Mr. Kemper questioned the triangular portion of lot 44R that contains an old lot line boundary. Accurate descriptions will need to be prepared for both new parcels: one must include that triangular parcel.

Mr. Grasso stated that Clough, Harbour, and Associates had no comment on this application.

Mr. O'Brien, Environmental Specialist, informed the Board that the ECC asked that the following standard statements be added to the plan:

- The borders of all lands 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 and maintained at the initial phase of site preparation.
- The applicant will control fugitive dust and debris during the construction/demolition phase of the project

Mr. Bulger found the plan acceptable but did ask that the lot boundaries be clearly delineated, that the consolidated deeds be prepared for review, and that a plot plan be prepared for the proposed new lot. This was required because of the steep slope that exists on the rear portion of the property.

[2003-037] Congregation Beth Shalom – Proposed 1,510 SF addition to existing synagogue, 688 Clifton Park Center Road – Conceptual site plan review.

Mr. Tom Andress, consultant for the applicant, presented this project plan that calls for a 640 SF addition to the sanctuary and an 870 SF entrance lobby. This synagogue is located in an R-1 zone on the south side of Clifton Park Center Road west of Michelle Drive. The improvements will provide an improved appearance from Clifton Park Center Road and a larger communal meeting space. The site is currently served by the Clifton Park Water Authority and an on-site septic system.

Mr. Kemper offered several comments on the application. The date of the wetland delineation will have to be provided on the plot plan and all wetland disturbance areas must also be depicted. Colored façade renderings for the new canopy will have to be submitted for review. The date of approval for the special use permit must be included on the plot plan. Handicap and no parking signs should be depicted on the plot plan. The limits of grading should be depicted on the plot plan. Since the public sewer is located directly across the street from the proposed project, the applicant should explore the possibility of connecting into that sewer system.

Mr. Grasso offered the comments from Clough, Harbour, and Associates. The proposed project appears to be an unlisted action pursuant to SEQRA, and as such, coordinated review is optional. The only involved agency is expected to be the Clifton Park Planning Board with a Special Use Permit and Site Plan Approval being required. The proposed additions, and renovations to the north side of the building, appear to leave the building with only one means of entering and existing the building: the applicant should identify all other means of emergency egress and consult with the Town Building Inspector regarding suitability of the exits relative to the building code.

In response to Mr. Grasso's comments, Mr. Andress explained that entrances and exits were not shown on the sketch plan provided because it was simply drawn by a member of the congregation. An architect has been hired to design the improvements, thus ensuring that all building code requirements are met.

The Town's Engineer also asked that future submissions contain more detailed information regarding the area designated "WETLANDS" situated immediately adjacent to the proposed sanctuary addition. The actual limits of the wetlands should be surveyed and mapped to determine potential impacts. A buffer to the wetlands should be provided. The building currently uses a septic tank and leach field system to dispose of wastewater. A sanitary force main exists of the north side of Clifton Park Center Road in front of the building. The applicant should discuss with the Town their plans to tie in to the line and the abandonment of the existing septic system.

Mr. O'Brien, Environmental Specialist, informed the Board that the ECC recommends that, due to the potential of federal wetlands on this parcel, the applicant should determine the location and the extent of disturbance of these lands before a building permit is issued.

In response to Mr. Karam's question regarding disturbance of the wetlands that are located directly behind the proposed addition, Mr. Kemper explained that no buffer area is associated with a designated federally jurisdictional wetland. He did, however, recommend that the applicant indicate any possible disturbance of the wetlands in order to prevent problems with the ACOE: Mr. Address agreed to this condition.

Board members found this project proposal generally acceptable.

[2003-036] Friello, James – Proposed (5) lot subdivision of the Lands of Erika Piller, 511 Kinns Road – Conceptual review.

Mr. Gil VanGuilder, consultant for the applicant, presented this application that calls for the subdivision of 5.75 acres of land in an R-1 zone on the north side of Kinns Road across from Bernini Drive. All lots will conform to R-1 zoning regulations. The existing residence will be located on the largest lot – a 1.48 acre parcel. The four additional lots will range in size from 1 acre to 1.4 acres. Mr. Friello, who was also in attendance at the meeting, explained that he would like to construct larger, estate-type homes on the lots. The Clifton Park Water Authority will serve the proposed residences via connection to the watermain on the southerly side of Kinns Road. A sewer extension will be made of the existing Saratoga County Sewer District manhole in Bernini Drive. Mr. VanGuilder explained that the four proposed lots will be served by a common driveway because of the limited sight distance along Kinns Road. The new access point meets the NYSDOT sight distance requirements for a driveway entrance. Two parking spaces will be provided at the entrance to the development to prevent any parking on the Kinns Road pavement.

Mr. Kemper stated that the proposed project is a Type 1 action under SEQRA and as such coordinated review is required. The project will require a signoff from the Saratoga County Sewer District, the CPWA, and Sheryl Reed and emergency services. Ingress/egress easements will have to be provided for the driveways. There should be a wetland delineation to determine if there are any ACOE wetlands located on the parcel. Clearing limit lines must be depicted on the plot plan.

Mr. Grasso stated that the Town Engineers have reviewed the concept subdivision plan as prepared by Gilbert VanGuilder Land Surveyor, PLLC and have the following comments.

Mr. Grasso noted that because the proposed project contains more than four lots less than five acres in size, it is considered a Realty Subdivision by NYSDOH, and therefore, is a Type I action pursuant to SEQR: coordinated review is required. Involved agencies are expected to include the following: Town of Clifton Park Planning Board-Subdivision Approval; C.P.W.A – Water Connection Permit; S.C.S.D. #1 – Sewer Connection Permit; S.C.D.P.W. – Driveway Permit; N.Y.S.D.O.H. – Realty Subdivision Approval, Water Supply System Approval; N.Y.S.D.E.C. – Wastewater Disposal System Approval. Although not an involved agency pursuant to SEQR, Section 239 Referral by the Saratoga County Planning Board will be required.

The engineering firm recommended that the proposed sewer main be installed along the north side of Kinns Road to make it available for future extension and to keep it within the public right-of-way as much as possible. It would also appear that installation of the sewer in the location shown would result in removal of the vegetation slated to be preserved. Future submissions should include all applicable Town of Clifton Park Standard Notes for Subdivisions.

Mr. O'Brien, Environmental Specialist, asked the Board to consider the comments offered by the ECC. It was recommended that the following standard statements be added to the plan:

- The borders of all lands 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 and maintained at the initial phase of site preparation.
- The applicant will control fugitive dust and debris during the construction/demolition phase of the project.

The ECC also recommends that the applicant work with the Trails Committee to coordinate trail connections between the subdivision and the areas along Kinns Road.

Mr. Karam asked about the maintenance of the shared drive. Mr. VanGuilder explained that there will be an executed agreement to ensure that all property owners share the maintenance expense. Mr. Pelagalli informed the Board that he has worked with a number of subdivisions with common ingress/egress agreements and that appropriate agreements and notes will be added to the plat. Mr. Kemper reported that the Saratoga County Planning Board is also working to create an appropriate note for such combined driveways. Mr. Bulger asked that the developer to preserve as many trees as possible.

Minutes Approval:

Since the members present at the May 27, 2003 meeting were not in attendance this evening, approval of the minutes of that meeting will be considered at the next meeting.

Discussion Items:

Clifton Park Baptist Church

Mr. Kemper explained that representatives from the Clifton Park Baptist Church have submitted an application for a Building Permit to build a 12' x 20' shed on church property for the storage of maintenance equipment. Board members agreed that this would not be a significant change to the church grounds: it would not require formal Board review.

DCG Development

Mr. Kemper presented a revision to the landscaping plan for 939 NYS Route 146 on a parcel under development by DCG Development. The changes call for the installation of several large sugar maples and additional landscaping to more clearly define the entranceway.

NY Development Group

Mr. Kemper presented the revised subdivision plan for the Lands of Doty as presented by NY Development Group. The project proposal has been reduced to nine (9) single-family residential lots. Plan revisions ensure that delineated and protected wetland areas will be further away from the proposed residences and that additional land area would be dedicated to the Town. Board members expressed their appreciation for the applicant's willingness to reduce the intensity of the site. Mr. Bulger recommended that the plans be prepared for preliminary review.

Mr. Bulger moved, seconded by Mr. Russell, adjournment to executive session at 9:30p.m. to discuss pending litigation. The motion was unanimously carried.

Mr. Bulger moved, seconded by Mr. Karam, to reconvene the meeting at 9:45p.m. The motion was unanimously carried.

Mr. Marzola moved, seconded by Mr. Karam, to adjourn this evening's meeting at 9:45p.m. The motion was unanimously carried. The next Planning Board meeting is scheduled for June 24, 2003 at 7:10p.m.

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, Lou Renzi, 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 #15
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 June 10, 2003

Present: S. Bulger, Chairman, T. Karam, J. Marzola, J. Russell

Absent: B. Czub, R. d'Amico, J. Larkin

Mr. Bulger offered Resolution #15, and Mr. Marzola seconded, and

Whereas, an application has been made to this Board by Arthur J. Fossa for approval of a subdivision plat entitled the Fossa Subdivision consisting of (3) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on and May 27, 2003;

Whereas, the Planning Board was established as Lead Agency for this application, a Type I action, and a negative declaration was issued pursuant to SEQRA on June 10, 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 Fossa Subdivision consisting of (3) lots is hereby granted preliminary and final approval conditioned upon satisfaction of the comments offered by Mr. Kemper.

Resolution #15 passed 6/10/03

Ayes: Marzola, Karam, Russell, Bulger

Noes: None

Steven Bulger,
Chairman

Resolution #16
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 June 10, 2003

Present: S. Bulger, Chairman, T. Karam, J. Marzola, J. Russell

Absent: B. Czub, R. d'Amico, J. Larkin

Mr. Marzola offered Resolution #16, and Mr. Russell seconded, and

Whereas, an application has been made to this Board by Michael Klimkewicz for approval of a subdivision plat entitled the Land Transfer Between Lots 857 and 865 Route 146A consisting of the transfer of .32 acres from the Lands of Lot 865 Route 146A to Lot 857 Route 146A;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and

was held on and May 27, 2003;

Whereas, the Planning Board was established as Lead Agency for this application, a Type I action, and a negative declaration was issued pursuant to SEQRA on June 10, 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 Land Transfer Between Lots 857 and 865 Route 146A consisting of the transfer of .32 acres from the Lands of Lot 865 Route 146A to Lot 857 Route 146A hereby granted preliminary and final approval conditioned upon satisfaction of the comments offered by Mr. Kemper.

Resolution #16 passed 6/10/03

Ayes: Marzola, Karam, Russell, Bulger

Noes: None

Steven Bulger,
Chairman

Resolution #17

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 June 10, 2003, at 7:10 P.M. there were:

Present: S. Bulger, Chairman, T. Karam, J. Marzola, J. Russell,

Absent: B. Czub, R. d'Amico, J. Larkin

Mr. Marzola offered Resolution #17 and Mr. Karam seconded, and

Whereas, an application has been made to this Board by Robert and Carol Wicks for approval of a special use permit pursuant to Section 208-10B(9)(a) and 208-79 to permit the construction of a two-family dwelling in an R-1 zone; and

Whereas, pursuant to Section 276 of the Town Law a public hearing was advertised and was held on June 10, 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)5 and 208-79 to permit the construction of a two-family dwelling in an R-1 zone is hereby approved conditioned upon satisfaction of the comments offered by Mr. Kemper and Mr. Grasso, and Mr. Pelagalli's approval of language included in a note on the plan that would restrict use of the garages to storage for the owner: no commercial use of the garages will be permitted.

RESOLUTION #17 passed 6/10/03
Ayes: Karam, Russell Marzola, Bulger
Noes: None
Abstained: None

Steven Bulger,
Chairman