



Planning Board Agenda
February 12, 2008

Those present at the February 12, 2008 Planning Board meeting were:

Planning Board: S. Bulger, Chairman, J. Koval, J. Larkin, S. Pace
J. Thorne, T. Werner

Those absent were: None

Those also present were: K. Maynard, Director of Planning;
J. Grasso, Clough, Harbour and Associates;
J. Quinn, Chairman, Environmental Conservation
Commission
P. Pelagalli, Counsel;
J. Dean, Secretary and Assistant Director of Planning

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

Mr. Bulger announced that Mr. Kramer has resigned his Planning Board position to assume a leadership role with the Republican Party. He commended Mr. Kramer's dedication to Town residents, noting that Mr. Kramer brought integrity and knowledge to the planning process.

Mr. Bulger also announced that Jan Dean, Assistant Director of Planning and Secretary to the Board will be retiring as of this meeting. He read a letter prepared by Ms. Dean that expressed her respect for members of the Planning Board and her gratitude for the opportunity to serve the residents of Clifton Park. Mr. Bulger stated his appreciation for her years of service and offered those in attendance the opportunity to speak.

All in attendance stood for recitation of the Pledge of Allegiance.

Public Hearings

[2008-003] **Komoroski, David** – Ashdown Road – Proposed (3) lot subdivision – Preliminary public hearing and possible determination.

Mr. Bulger, Chairman, called the public hearing to order at 7:10p.m. The Secretary read the public notice as published in the Daily Gazette on February 4, 2008.

Mr. Scott Lansing, consultant for the applicant, presented this application that calls for the subdivision of 26.3 acres of land on the east side of Ashdown Road south of its intersection with Wayto Lane into lots of 10.96 acres, 12.89 acres, and 2.52 acres, respectively. The smallest lot contains an existing residence. The parcel is located within the CR (Conservation Residential) zone and complies with all zoning requirements. The proposed residences will be served by individual wells and septic systems. The total constrained land on the site is 17.44 acres. The amount of deed restricted open space is 20.74 acres. 3.3 acres of the permanently protected open space is identified as unconstrained land: this amounts to 36.9% of total unconstrained lands within the project site. Mr. Lansing explained that the applicant requests a waiver of the requirement that septic system designs be submitted with the final plans. He reports that a standard note has been added to the plans that state that “prior to the issuance of a Building Permit, perc test results and sanitary design details shall be submitted to the Building Department and Town Engineer.” The plan has been revised to include the proposed left turning sight distances. In response to comments offered at the January 8, 2008 meeting by Clough, Harbour, and Associates, the plan now indicates the limits of proposed deed restricted land conservation areas.

Ms. Maynard explained that this application was considered by the Board at its January 8, 2008 meeting at which time the proposed subdivision was determined to be generally acceptable. Issues of concern included verification of the adequacy of available sight distances, confirmation that open space will be held in private ownership, that appropriate notes assuring protection of open space areas be included on the plan, and the addition of a note on the plan that lists the approved uses for privately owned open space. The applicant is reminded that pursuant to the Statement of Findings for the Western Clifton Park GEIS, a payment of \$696.00 will be required. The speaker recommended that the note regarding the land conservation area should reference §208-16: permitted uses on permanent open space will be in compliance with permitted uses as outlined in the town’s CR (Conservation Residential) zone: §208.16 D (2).

Mr. Grasso reported that Clough, Harbour, and Associates provided the following comments. The clarity of the Subdivision Map is compromised by the hatching of the Land Conservation Area. The opaque hatching covers the map information below. A revised map should be provided. The project location depicted on the site location plan of the subdivision map is incorrect. The label for the proposed open space on the subdivision map should be revised to read “limits of proposed deed restricted land conservation area.” NYSDOH regulations require domestic wells to be a minimum of fifteen feet from a property line. There appear to be two existing wells on Lot #1. Confirmation of the existing well is required. Both plans shall be filed as part of the subdivision. Professional license stamps and signatures shall be provided.

Mr. Jim Quinn, Chairman of the Environmental Conservation Commission, stated that the Commission offered no comment on this application.

There being no public comment, Mr. Bulger moved, seconded by Ms. Pace, to close the public hearing at 7:32p.m.

In response to Mr. Bulger's question, Mr. Grasso reported that Clough, Harbour, and Associates found the proposed septic system designs acceptable. He also reported that adequate sight distance had been verified.

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

Mr. Werner offered Resolution #6, seconded by Ms. Thorne, to waive the final hearing for this application and to grant preliminary and final subdivision approval conditioned upon satisfaction of the comments offered by the Planning Department and Clough, Harbour, and Associates. Ayes: Kramer, Larkin, Pace, Koval, Thorne, Werner, Bulger. Noes: None.

Old Business

[2007-058] **Adirondack Dental** – Proposed 1,152 SF addition, 1753 Route 9 – Preliminary site plan review and possible determination.
From 11/28/07 meeting

Mr. Gil VanGuilder, consultant for the applicant, presented this application that calls for an 1,152 SF addition to an existing dental office located in a B-4A zone on the east side of Route 9, approximately 950 feet south of the intersection of U. S. Route 9 and Biette Road. The total number of parking spaces will be increased to 21, including one handicapped space. The existing well will continue to be used for the water supply and connection will be made via a low pressure force main to the existing Saratoga County Sewer District line that is located on the westerly side of Route 9. Additional run-off from impervious surfaces will be handled by an infiltration system installed under the parking area: run-off currently contained in a small detention basin located in the northeastern corner of the site will be included in the storm water management capacity calculations. Green space on the site will be reduced from 61% to 49%. Access to the site will not change. Mr. VanGuilder stated that existing lighting at the site appears adequate. All of Clough, Harbour, and Associate's comments will be addressed. In response to Planning Board comments, increased landscaping will be provided along property boundaries. Mr. VanGuilder's presentation included a colored façade rendering.

Mr. VanGuilder explained that the following variances were granted by the Zoning Board of Appeals at its January 8, 2008 meeting: a variance from Section 208-50.3A from the required 43,560 SF minimum lot size – proposed 25,075 SF – variance requested = 18,485 SF; a variance from Section 208-98 from the required 130 foot

setback from the center line of Route 9 – proposed setback = 105.9 feet – variance requested = 24.1 feet; a variance from Section 208-50.3 from required 80-foot front setback – proposed setback = 38 feet – variance requested = 42 feet; a variance from Section 208-50.3C from the required 30-foot side yard setback – proposed setback = 17.3 feet – variance requested 12.7 feet; a variance from Section 208-50.3C from the required 20-foot parking setback – proposed setback = 3 feet – variance requested = 17 feet; a variance from Section 208-50.5 from the required 15 feet of landscaping from the front building line to the rear property line – proposed = 3 feet – variance requested = 12 feet.

Ms. Maynard reported that this project was reviewed by the Planning Board at its November 28, 2007 meeting at which time the Board found the project generally acceptable. Increased landscaping throughout the site is recommended. Ms. Maynard recommended that a “floating easement” to properties both the north and south of this parcel be provided with a note on plan stating that connection(s) will be made when appropriate. The Saratoga County Planning Board approved this project plan. The speaker reiterated previous recommendations regarding increased landscaping on site. Façade renderings must be included with each set of plans.

In response to Ms. Maynard’s request for the incorporation of a cross access easement with properties to the north and the south, Mr. VanGuilder stated that, although the applicant would be amenable to providing an easement for such future connections, the difference in elevation between this property and the adjoining property to the north would likely prohibit a vehicular connection.

Mr. Steve Myers, Director of Building and Development, reported that all required variances were approved by the Zoning Board of Appeals at its January 8, 2008 meeting. Mr. Myers noted that Harold Berger, project engineer, is proposing a “subsurface practice for storm water” that is not approved in Chapter 9, the Redevelopment Chapter of the Storm Water Design manual. Since this proposal is not covered by the manual, a 60-day review is required by DEC (since the old permit is still in effect). A basic SWPPP is required.

Mr. Grasso reported that, after review of this application, Clough, Harbour, and Associates offered the following comments. The following comments from our November 26, 2007 review letter remain to be addressed. The zoning code requires plantings along the side lot line of a width of a minimum 15’. The proposed pavement along both side lot lines is within 15’ of the property line. If the layout is deemed acceptable by the Planning Board, it is recommended that significant landscaping be installed to provide acceptable mitigation. Clough, Harbour, and Associates does not believe the proposed landscaping sufficiently meets the intent of the Zoning Code. The proposed dumpster location should be depicted on the plan. The Short Environmental Assessment Form should be signed. Clough, Harbour, and Associates offered the following additional comments. A layout plan depicting dimension and materials should be provided. Additional design information of the closed storm sewer system including pipe material, size slope and inlet drain inverts should be provided. A “No Parking” sign should be provided at the striped handicap access aisle. The sign will likely require a re-design of the area. A detail of the proposed dual pipe handrail meeting ADA requirements should be provided. A cut sheet of the proposed light fixtures should be provided. The use of sandbags to provided inlet protection is not an acceptable practice.

A method from the New York State Standards and Specifications for Erosion and Sediment Control should be proposed. The proposed silt fence should be installed parallel to the contours. Silt fence should not be used as a substitute for construction limit fencing. Approval from the NYSDOT and Saratoga County Sewer District will be required for the proposed sanitary sewer service crossing Route 9. The grinder pump can not be located within the building. The following comments related to the Storm Water Design Report prepared by Harold Berger, P.E. dated January 22, 2008:

- While it appears the proposed storm water management area will mitigate the increase in proposed impervious area, we are concerned with the operation of the proposed system. Tests pits and percolation tests should be performed within the limit of the proposed infiltration area. Elevated ground water levels could significantly impact the operation of the facility.
- The volume of pretreatment prior to infiltration should be quantified.

Mr. Jim Quinn, Chairman of the ECC, reported that, after review of data presented at our February 6, 2008 meeting, it was determined that the applicant has not added the standard statements as requested during the November, 2007 meeting. The ECC again requested that the following standard statement be added to the 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.

Mr. Quinn also reported that the ECC recommended that the storm water management plan should be consistent with the rules and regulations associated with well head protection.

In response to comments made by Mr. Grasso, Mr. VanGuilder stated that no dumpster is proposed.

Mr. Larkin observed that the grading plan shows that grading will be required quite close to the property boundaries: he supported the recommendation for additional landscaping throughout the site. He also asked that a 24' wide floating easement be provided for access to lands to the south. Mr. Bulger addressed the issue of the recommended "floating easement," stating that experience has taught that such easements are often not viable due to development of adjoining properties. He recommended that the language included in notes on the plans state that the Planning Board will have the discretion to determine where an easement will be located. Mr. Pelagalli agreed that such language would be reasonable. Mr. Bulger recommended that the applicant provide more detailed preliminary plans since the information provided was insufficient for the issuance of a SEQRA determination.

New Business

Littman, Paul and Loretta – Historic Preservation Easement Application – Referral from Town Board.

Ms. Maynard explained that at its meeting of January 7, 2008, the Town Board referred a Historic Conservation Easement application for 18 Ferry Drive to the Planning Board for comment and/or recommendation. Paul and Loretta Littman, owners of the property request approval of a historic conservation easement for their property for the duration of fifteen (15) years. There is no maximum amount of time established for such an easement. The 5-acre property contains four (4) buildings: a single-family residence of 2,784 SF; a 70 SF smokehouse; a 36 SF outhouse; a 2,720 SF barn. The Littmans believe that their property is eligible for the easement since it is listed on the Clifton Park Historic Register. The property was formerly the home of Captain John Vischer and reputedly served as the summer residence and studio of artist Russell Sambrook.

A transmittal from Mark Kazmierczak, Chairman of the Historic Preservation Commission, states that “at this time the owners of 18 Ferry Drive could apply for Landmark Status and, if approved, file for the Historic Conservation Easement.” Records indicate that the property is listed on the Town Register of Historic Places and is, therefore, acceptable for nomination to be a “Landmark.” Information regarding the Historic Landmark Designation process, including the Criteria of Designation of Landmarks, has been provided to this Board and the applicants.

Mr. John Scherer, Town Historian, presented a brief history of this property, explaining that the Greek Revival residence was constructed by Captain John Vischer in 1862 and later was inhabited by the well-known magazine illustrator Russell Sambrook. He stated that the home was “worthy of being on the Town’s historic register” and noted that the approval of the easement application by the Town Board assures that the home’s exterior will be preserved since any proposed changes to the façade would require review by the Planning Board. Mr. Scherer also noted that the tax assessment will affect the value of the residence and not the land.

Upon learning that the parcel containing the historic home was five (5) acres in size and was located within the Conservation Residential zone, Mr. Larkin found the proposal acceptable. Though Mr. Scherer could not answer Mr. Larkin’s question regarding the amount of tax benefit that would result from approval of the easement, he did state that the Town Board provided the “easements” in order to provide property owners the funds necessary for proper upkeep of historically significant properties. Ms. Thorne commented that she is pleased that the Town is encouraging the preservation of historic properties.

Mr. Bulger moved, seconded by Mr. Werner and Ms. Pace, to authorize the Chairman to prepare a positive recommendation for the Town Board’s acceptance of the application. The motion was unanimously carried.

[2008-004] **Elliott, Terrence** – Proposed land transfer and (2) lot subdivision, 710 and 712 Tanner Road – Conceptual review.

Mr. Kevin Dailey, legal consultant for the applicant, presented this application for the Board's consideration. The subject parcels are located in the CR (Conservation Residential) zone on the west side of Tanner Road approximately 2,500 feet north of its intersection with Route 146. The applicant proposes to adjust the boundary lines between Lots #710 Tanner Road and #712 Tanner Road to move the driveway serving Lot #712 entirely onto that property. The lot line adjustment will also create additional frontage for Lot #712 on Tanner Road. A portion of land along the eastern rear side of Lot #712 will be annexed to Lot #710 allowing for a reciprocal transfer of lands. The applicants also propose to subdivide a 33.05 acre parcel into lots of 26.2 acres and 6.85 acres, respectively. The application form indicates that it is the applicants' intention to convey the smaller parcel to a family member. The subdivision plan shows that the proposed new residence will be located on an unrestricted upland area of the new lot. The applicant understands that a driveway and utility crossing of the NYSDEC wetland corridor will be necessary: a permit application will be submitted to NYSDEC Region 5. The lots are served by individual wells and septic systems.

Ms. Maynard offered comments prepared by the Planning Department. Review of the previously-approved subdivision for this parcel is underway since it appears that the intent of conditions placed on that approval included a requirement that the land conservation easement established would prohibit clearing of vegetation, grading, and installation of utilities within the easement. She recommended that the conditions issued be considered within the context of protection of resources on the remainder of the site and asked the Board members to carefully consider any precedent-setting decision that would significantly impact wetlands. The Land Conservation Area should be relabeled to clearly define the area. The applicant is advised to consult with NYSDEC regarding the possibility of obtaining a wetland permit for crossing wetland and buffer area. It is recommended that the driveway be constructed of gravel. Building Department officials agree that a gravel drive would be acceptable. Ms. Maynard recommended that a note be added to the plans stating that no further subdivision will be permitted. The standard notes for a driveway over 500' in length and common ingress and egress agreements will be required. Clearing limit lines should be shown on the plan. The applicant is requested to contact Mr. Myers, Director of Building and Development, to obtain a determination regarding the flag lot configuration.

Mr. Dailey stated that his client may not find the note prohibiting further subdivision acceptable since access to the southern portion of the site may permit development in the future.

Mr. Grasso stated that the following comments resulted from Clough, Harbour, and Associates' review of the subdivision proposal. The proposed project appears to be an "Unlisted" action pursuant to SEQRA, and as such, coordinated review is optional. Involved agencies are expected to be the Clifton Park Planning Board for subdivision approval and NYSDEC for a wetland permit. The project site is located within the CR

(Conservation Residential) zoning district which limits development to one lot per ten acres. There are 33.05 acres of unconstrained land therefore; the maximum density would be 3 lots and the proposed density is in conformance with the requirements. The plan indicates the wetlands were flagged by NYSDEC in October, 1994. It is recommended that a current determination be made to determine the current limits of the wetlands and associated wetland adjacent area. The area labeled Land Conservation Area should be labeled Land Conservation District. The proposed setback for the house on Lot #712A should be shown on the plan. The plan should include topographical information. Test pits and percolation tests should be performed within the limits of the proposed septic system. The existing well on Lot #710 should be shown on the plan. There is a line depicted on the plan with bearings and distances that is located to the north and west of the existing house on Lot #712 that is not labeled. The intended purpose of this line is unclear. An easement should be provided for the proposed common driveway.

Mr. James Quinn, Chairman of the Environmental Conservation Commission, read the comments and recommendation prepared by that Commission. After review of data presented at our February 6, 2008 meeting, the ECC offered the following comment. Before further review of this proposal, the ECC requests information on the existence of any NYSDEC or ACOE wetlands on adjacent Lot #4 of the Tanner Road subdivision and the location of any ACOE wetlands on Lot #712A.

Mr. Larkin encouraged the applicant to provide an updated wetland delineation prior to further Planning Board review. In response to a question from Mr. Werner, Mr. Dailey discussed the access on Tanner Road and proposed ingress/egress easements. Mr. Bulger stated that he was not opposed to the subdivision, though approval would be dependent upon Mr. Myers' sign-off regarding the keyhole lot configuration and sign-off from both NYSDEC and ACOE on the wetland delineation.

[2008-005] **Robinson, Wayne** – Proposed (9) lot subdivision, Glenridge Road – Conceptual review.

Mr. Scott Lansing, consultant for the applicant, explained that this application requests approval of a (9) lot subdivision within approximately 21.78 acres of a 44.43 acre site on Glenridge Road at the Saratoga County/Schenectady County boundary line. The project site is located in a CR (Conservation Residential) zone on the northern side of Glenridge Road approximately 2,000 feet west of the intersection of Route 146 and Blue Barns Road. The Boston and Maine Railroad lies to the west of the parcel and lands east and south are comprised of single-family residences. The applicant proposes a conservation subdivision that would promote open space preservation, retain scenic views, and protect natural resources. Mr. Lansing stated that it was the applicant's goal to "encourage sensible growth while maintaining the rural character of the Town and the preservation of wetlands and environmentally sensitive areas." Freshwater wetlands have been delineated by a wetland scientist and have been surveyed into a base map. Of the total parcel, 11.95 acres are designated ACOE, of which 1.55 acres are isolated wetlands: 10.4 acres are jurisdictional wetlands. The parcel apparently lies beyond FEMA 100-year floodplain boundaries. Mr. Lansing reported that, although there are two barns on the property, there are no structures that are currently "listed on, nominated to, or determined

eligible for the State and National Register of Historic Places within the proposed development.”

Mr. Lansing’s engineering firm has identified natural, ecological, and cultural resources on the subject property and has prepared a Conservation and Resources Analysis. An evaluation of the parcel’s environmental constraints in accordance with Town of Clifton Park Zoning Law and planning techniques resulted in determination that there were 34.03 acres of unconstrained land. A total of 11 units would be permitted. The applicant proposes nine (9) lots ranging in size from 1.37 acres to 14.16 acres. Special consideration has been made to preserve significant ecological areas such as wetlands and natural vegetation. No wetland disturbance is proposed. A 50’ buffer will be applied to building setbacks on all ACOE wetlands. Forested areas have been preserved to the greatest extent practicable. In compliance with Town Code requirements, the plan proposes that 51% of the area will be designated as permanent open space. 12.95% of the site – or 38% of the unconstrained land on the site will be included as a portion of the permanent open space areas.

Mr. Lansing described the development plan, explaining that the primary elements of infrastructure include roadways, water supply, and storm water management. It is reported that the results of deep hole soil investigations indicated that there is adequate depth to the seasonal high water table available to support raised bed waste water systems on each of the proposed lots. Vehicular access to the site will be provided by one curb cut on Glenridge Road and will consist of approximately 1,886 linear feet of paved roadway with a bottomless culvert spanning an ACOE wetland at the intersection of the proposed roadway and Glenridge Road. The speaker noted that impacts to wetlands and environmentally sensitive features have been minimized. A water main extension is proposed from the existing water main along Glenridge Road. All storm water management and mitigation will be performed on site.

Mr. Lansing addressed several comments offered by Clough, Harbour, and Associates. He stated the applicant will seek clarification of the status of the non-jurisdictional ACOE wetland on the site in order to validate the density calculation. In response to the comment concerning the road alignment in relation to Madison Avenue, Mr. Lansing noted that Madison Avenue serves only four (4) residences. Relocation of the access to the west would encroach upon an adjoining residence. The speaker stated that the lay-out presented “clusters” the residences to the greatest degree practicable.

Ms. Maynard offered comments prepared by the Planning Department. Prime soils and statewide important soils have been identified on parcel. The applicant is encouraged to consider a cluster subdivision alternative. Such a design would allow for a shorter road way length, more narrow right-of-way, and less sprawl. The availability of municipal water services allows for a minimum lot size of 30,000 SF. The speaker noted that the open space as currently configured does not reflect intent of the CR code since the open space parcels are not contiguous. The proposed permanently protected open space should reflect conservation of parcel’s natural resources and should not simply provide a buffer around lot boundaries. Density calculations must be provided. The

status of the existing barn structures located near frontage of parcel should be clarified. The Historic Preservation Commission has been asked to provide comment and recommendations regarding the historical significance of these buildings. The adequacy of sight distances at the access point must be verified.

Mr. Steve Myers, Director of Building and Development, provided several comments regarding this application. The property is poorly drained as is evidenced by the significant wetlands and water present is the soil appraisal from 21" to 60" below grade. Either significant filling of the site to raise the houses above the water is required or constantly running sump pumps will be required. The poorly draining soils which seem to encompass the entire site will more than likely require the proposed septic systems to be engineered fill systems. One small storm water management area for almost 22 acres of development seems impractical. Mr. Myers notes that in the narrative the isolated wetlands (1.55 acres) are included in the "Unconstrained Land" calculation. This appears to be incorrect: the actual buildable land is $44.43 - (10.4 + 1.55) = 32.48$ acres: $32.48 \times 0.33 = 10.72$ or 10 units. The application is acceptable, however, since only nine (9) lots are proposed. A minimum of 25' at the rear of most of the lots is considered open space. Although it appears to meet the code requirements, it is approximately 1.5 acres that is of no use to anyone other than the property owners since it is not accessible. The bulk of the remaining "open space" is also unusable since it is also not accessible and is wetland. Mr. Myers does not support the preservation of land as "open space" simply because it has no other use.

Mr. Grasso offered a number of comments prepared by Clough, Harbour, and Associates. The proposed project appears to be an "Unlisted" action pursuant to SEQRA, and as such, coordinated review is optional. Involved agencies are expected to be the Clifton Park Planning Board for subdivision approval and Saratoga County DPW for a curb cut permit. The project site is located within the CR (Conservation Residential) zoning district which limits development to one lot per three developable (unconstrained) acres. The calculation provided in the narrative should include the 1.55 acres of isolated wetlands as constrained lands. Therefore, the total unconstrained lands would be 32.48 acres reducing the maximum number of lots to 10. Since 9 lots are proposed and adequate open space is being proposed, it appears the site development as proposed complies with the density requirement of the Conservation Residential zoning district. The Town's Construction and Design Standards require streets entering the opposite side of another street to be laid out directly opposite or with a minimum offset of 125' between their centerlines. The proposed town road does not meet the required minimum offset and based on the site's frontage: it does not appear as though an offset can be obtained. As such, the feasibility of locating the proposed street directly across the roadway on the south side of Glenridge Road should be investigated. The impacts of the revised road location on the adjacent properties should be evaluated. The test pits indicate high ground water through many areas of the site. It would appear the finished floor elevations and septic systems will need to be raised significantly above the existing grade. It is recommended that a preliminary grading plan be prepared to evaluate the potential impacts of the proposed grading. Percolation test results within a minimum pre-soak time of 24 hours should be provided. Clough, Harbour, and Associates is concerned with the length of the proposed cul-de-sac - 1600 feet - that services only 9 lots. A layout should be investigated that reduces the proposed lot sizes and decreases the length of the roadway. A more clustered layout would allow for additional preservation of open space. Although only conceptual, it does not appear as though the area reserved for storm

water management treatment will be adequate. The likelihood of high groundwater could require significantly more surface area to provide the required storage. A note depicting the date of the Jurisdiction Determination of the wetlands should be added to the plans. The adequacy of the sight distance at the proposed intersection of Glenridge Road should be verified. It is recommended that a Full Environmental Assessment Form be completed for the project.

Mr. Jim Quinn, Chairman of the ECC, offered comments prepared by that Commission. The ECC questions the use of the linear buffers along the eastern and western borders of the project as deed restricted open space. Such a practice does not appear consistent with the intent of the CR Zoning and appears to negate the usefulness of this property as “open space.” Due to the potential high water table, steps must be taken to ensure the proposed septic systems and home locations take this into consideration. Additionally, the ECC recommends the following statements should be added to all plans including individual site plans:

- This parcel (subdivision) is located in an area where railroad activity occurs. Such activity may include, but is not limited to periodic noise, vibration, hours of operation and other associated activities.
- This parcel (subdivision) is located in an area where airport activity occurs. Such activity may include, but is not limited to periodic noise, vibration, hours of operation and other associated activities.

Though Mr. Larkin commented that the 139’ of frontage would be sufficient for the creation of four (4) lots with a shared driveway that would be more compatible with the adjoining Hamlet Mixed Use (HM) zone, Mr. VanGuilder pointed out that keyhole lots were not permitted in the Conservation Residential (CR) zone. Mr. Lansing stated that he would consider a reduction in lot sizes. In response to Mr. Werner’s question regarding the elevation of the railroad, Mr. Lansing reported that the parcel generally slopes from east to west. Mr. Werner asked that the Environmental Assessment Form be revised to include a list required permits. Mr. Koval commented on the safety of the location of the access road way. Mr. VanGuilder stated that sight distances in the area appear adequate and Mr. Lansing commented that the subdivision development would result in relatively few trips. Mr. Bulger stated that this parcel was not identified as an open space resource parcel. He supports the open space buffer areas as presented, would prefer a cluster design, and believes that any roadway “offset” would be the responsibility of the applicant who develops the property on the southern side of the Route 146.

Discussion Items:

Sixnet – Ushers Road

Mr. Robert Bucher, Jr., architect, presented this request for approval of renovation of the exterior of the existing Media Logic building on Ushers Road. The project plan calls for the construction of an air lock vestibule and accompanying façade changes that would reflect Sixnet’s corporate logo. The design includes red banding along the roof line and an along the windowed wall.

In response to Ms. Thorne's question regarding the design, Mr. Bucher explained that the sign would be illuminated. Mr. Werner stated that, in his opinion, the introduction of a bright red strip along the building's façade would definitely change the character of the neighborhood. Though Mr. Bucher explained that the proposed design appears to be in keeping with the angled entries on buildings within this commercial area, Board members asked that the applicant submit a formal site plan application for the Board's consideration.

Clifton Park Center Road Baptist Church

Ms. Maynard explained that representatives of the Clifton Park Center Road Baptist Church have requested approval to construct a 16' x 20' storage shed in the rear parking lot. Board members found the project plan acceptable: no formal Planning Board review will be required.

Revision to Application by Clearwire, US, LLC – 14 Crossing Boulevard

On behalf of Clearwire US, LLC, Pyramid Network Services, LLC has requested approval of a modification of the approved equipment co-location at the 14 Crossing Boulevard site. Clearwire proposed to replace one (1) 2-foot microwave dish with one (1) 3-foot microwave dish. The approved heights on the tower will remain the same. The applicant has submitted a revised tower elevation design and a revised structural evaluation that has determined the tower is structurally sufficient to accommodate the larger microwave. Board members found this amended plan acceptable: no formal site plan review will be required.

Minutes Approval:

Mr. Bulger moved, seconded by Mr. Larkin, approval of the minutes of the January 8, 2008 Planning Board meeting as written. The motion was unanimously carried.

Mr. Bulger moved, seconded by Ms. Pace, adjournment of the meeting at 9:00p.m. The motion was unanimously carried. The next meeting will be held as scheduled on February 26, 2008.

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, Tom McCarthy, 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.

NOTICE OF DECISION**Resolution #6****Preliminary and Final Approval**

At a meeting of the Planning Board of the Town of Clifton Park, Saratoga County, New York, held at the Town Office Building, One Town Hall Plaza, on February 12, 2008 there were:

Present: S. Bulger, Chairman, J. Koval, J. Larkin, S. Pace,
J. Thorne, T. Werner

Absent: None

Ms. Werner offered Resolution #6, and Ms. Thorne seconded, and

Whereas, an application has been made to this Board by David Komoroske for approval of a subdivision plat entitled Subdivision of the Lands of Matthew Tiscione and David Komoroske consisting of (3) lots;

Whereas, pursuant to Section 276 of the Town Law, a public hearing was advertised and was held on February 12, 2008;

Whereas, the Planning Board established itself as Lead Agency for this application and a negative declaration was issued pursuant to SEQRA on February 12, 2008 ;

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 is waived and the subdivision plat entitled Subdivision of the Lands of Lands of Matthew Tiscione and David Komoroske consisting of (3) lots is hereby granted preliminary and final subdivision approval conditioned upon satisfaction of the comments offered by the Planning Department and Clough, Harbour, and Associates.

Resolution #4 passed 1/8/08

Ayes: Larkin, Pace, Koval

Thorne, Werner, Bulger

Noes: None

Steven J. Bulger,
Chairman