

**Planning Board Meeting**  
**December 11, 2007**

Those present at the December 11, 2007 Planning Board meeting were:

Planning Board: S. Bulger, Chairman, A. Kramer, J. Larkin, J. Thorne, T. Werner

Those absent were: S. Pace

Those also present were: K. Maynard, Director of Planning;  
J. Grasso, Clough, Harbour and Associates;  
M. O'Brien, Environmental Specialist;  
P. Pelagalli, Counsel;  
J. Dean, Secretary and Assistant Director of  
Planning

Mr. Bulger, Chairman, called the meeting to order at 7:10p.m. All in attendance stood for recitation of the Pledge of Allegiance.

**Public Hearings**

There were no public hearings scheduled for this evening's meeting.

**Old Business**

[2007-045] **Steam Plant** – Proposed 10,935 SF addition to existing facility, 900 Commerce Drive – Preliminary site plan review and possible determination.

Mr. Dan Proper, consultant for the applicant, presented a revised project plan for preliminary consideration by the Planning Board, explaining that the applicant has reduced the footprint of the addition from 10,000 SF to 7,600 SF. In combination with the second floor expansion in the existing building, the total increase in square footage for the project will be 10,935 SF. The consultant has submitted a revised application, owner's narrative, and full environmental assessment form that reflect the changes. Mr.

Proper reported that both the Saratoga County Sewer District and the Clifton Park Water Authority have provided correspondence that indicates that current systems are adequate to handle the proposed expansion. In response to Clough, Harbour, and Associates' concerns regarding the adequacy of the existing storm water management area to treat the increase in impervious area, Mr. Proper offered the following:

It is proposed that the existing storm water pond be expanded to handle the increase in flow brought about by the expansion project. This is also required since the expansion project will affect over one (1) acre of land. The detention pond has been designed/revised so that the pre-1988 construction flow is maintained. In addition, the pond configuration has been revised to meet the current storm water management requirements outlined by the NYSDEC. A Storm Water Pollution Prevention Plan has been submitted.

The building height is indicated on Drawing B-3 of the submission plan packet as being 26'4". Drawing C-4 now shows the proposed relocation of existing trees on the site as well as the placement of additional landscaping materials. The speaker emphasized that additional trees will be planted along the northern property line to provide added screening from the adjacent property. In accordance with NYS Building Code requirements, two (2) handicapped parking spaces have been provided.

Ms. Maynard provided comments prepared by the Planning Department, explaining that this application was last reviewed by the Planning Board at its September 25, 2007 meeting at which time members recommended increased buffering of property from adjacent properties, the need to maintain the 40% green space, and need to secure further information from DEC regarding the presence of endangered or threatened species and/or associated habitat on project site. It was noted that consultant sent correspondence to DEC requesting information regarding rare and endangered species: no response from DEC has been received to date. The plan now indicates the relocation of trees to north and additional landscaping along the northern property boundary. Since the wall packs proposed on side of addition are not allowed, it is recommended that they be replaced with downward lighting fixtures that contain the lens within the screen. GEIS fees will be calculated when trip generation information is provided. Colored façade renderings must be provided. A striped parking island has been added.

Mr. Steve Myers, Director of Building and Development, provided several comments regarding this application in a memorandum dated November 27, 2007. Privately owned and maintained storm water management areas are required to be inspected by the town to ensure compliance. "Bulges" in the silt fence are not a specific enough maintenance procedure. Baled filters are not recommended since they only serve as dams: a different practice is suggested to allow flow. Inspections shall be as required by the permit, not just after each storm event. Drainage areas DA-1 & DA-2 are said to drain off site: this is not allowed. All drainage must be contained to the site. Modifying the existing detention pond into a pocket pond is highly discouraged. Pocket ponds will shortly be eliminated from the acceptable storm water management practices. In theory this would allow storm water to mix with the water table. 90 percent of the  $WQ_v$  is required for the pond and only 50 percent is shown. The NOI is not signed and lists the

Dwaas Kill as the nearest stream yet wrongly denotes it as not a 303(d) listed stream. A watershed study shall be prepared to ensure no further impairment of this stream.

The following comment was received from Ms. Sheryl Reed, Chief of the Bureau of Fire Prevention:

Per the New York State Fire Code, the propose addition would need to provide a fire apparatus access road. The access road shall extend from the northeast corner of the parking lot to the back corner of the proposed addition. The road shall be a minimum of 20 feet wide and be able to support the imposed loads of fire apparatus and shall be surfaced to provide all weather driving capabilities. The access road shall be designed per the NYS Fire Code.

The applicant agreed to seek additional information from Ms. Reed and will comply with all code requirements.

Mr. Grasso reported that Clough, Harbour, and Associates reviewed this application and provided the following comments. In addition to the proposed pitch pine trees, white pines should be proposed along the rear of the proposed addition. All proposed evergreen trees should be 8' minimum height. The 2 gallon Holly screening proposed around the dumpster enclosure is inappropriately placed and of insufficient size. Additional design detail is required. Clough, Harbour, and Associates is concerned with the unprotected parking spaces as currently proposed. A striped aisle or alternative design feature should be considered. The site plan does not include sufficient pavement width at the overhead door to extend in front of the man-door. In addition, the site plan does not depict a landing at the rear man-door. If this exit is required for emergency egress, a continuous sidewalk to the front of the building may be required. The lighting plan proposes the use of building mounted wall packs. The wall packs should be replaced with cut-off down-light style fixtures. Adequate handicap parking signage including a "No Parking" sign should be provided. It appears the sidewalks to the building would be blocked by vehicles within the parking spaces. This should be addressed on the final plans. The method of roof-drain collection should be indicated on the Grading and Drainage Plan.

Clough, Harbour, and Associates also reviewed the Storm Water Pollution Prevention Plan dated November 2007 and offered the following comments. There is a concern with the potential for clogging of the 1¼" low flow orifice of the outlet control structure. The size should be increased and a trash rack provided if the current configuration is to remain. The NYSDEC Design Manual should be consulted for acceptable non-clogging low flow orifice configurations. The pre- and post-development drainage area maps were not included as part of the SWPPP. These plans should be provided. The final NOI should be signed. It should be noted that privately owned and maintained storm water management areas are required to be inspected by the Town to ensure compliance. A note to this effect should be included on the plans. Additional maintenance procedures should be provided for the silt fence beyond the "bulges" description depicted on the detail. Typically a silt fence should be maintained when sediment reaches no greater than 1/3 the height of the fence. Baled filters are not a recommended inlet protection measure as the bales impede drainage flow: an alternate practice should be proposed and appropriately detailed on the plans.

Mr. O'Brien, Environmental Specialist, offered comments prepared by the ECC. The follow standard statements must 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.

In response to Mr. Bulger's question regarding the importance of the issues surrounding the project's storm water management design, Mr. Grasso explained that the proposed storm water management area was located within the Dwaas Kill watershed. Storm water management regulations currently being considered by the Town Board may require additional containment measures and/or treatment. Mr. Bulger noted that the possible disturbance of endangered species or related habitat areas must be evaluated. No decision by the Board could be made without comment from NYSDEC representatives, since no SEQRA determination could be rendered. Mr. Larkin asked that the consultant correct the building size in the site statistics table. Colored renderings of the building must be provided.

[2007-047] **Latham Construction** – Proposed (2) lot subdivision, Biette Road – Revised conceptual review.

[2007-048] **Latham Construction** – Proposed 14,200 SF Construction, Maintenance, Equipment Repair, and Storage Facility, Biette Road – Revised conceptual site plan review.

The two applications submitted by Latham Construction were considered concurrently. Mr. Brien Ragone, consultant for the applicant, presented this application that calls for the subdivision of a 9.06 acre parcel of land into lots of 4.06 and 5 acres, respectively. Development of the five acre parcel will include the construction of two buildings: a private construction, maintenance, and equipment repair facility and a storage facility. Mr. Ragone listed the revisions that had been made to the plan based upon comments from the Board and Clough, Harbour, and Associates. Connection will be made via a low pressure line to the existing sanitary sewer in Turf Trailer Park: construction of a pump station will be required. Connection will be made to the municipal water system in the park. A berm and fencing will provide screening between existing residential properties and the development site. The speaker explained that, once site development is completed, a small one-ton pick-up truck will be the largest vehicle to visit the site.

Ms. Maynard offered the following Planning Department comments. This project was last presented to the Planning Board on September 25, 2007 at which time discussion focused on noise, appropriate screening of residential properties, and access to Route 9. Though the applicant has submitted a letter that permits a connection to existing water

service at the Turf Mobile Park, additional information is required to ensure that the service will continue even if ownership of the properties should change. Mr. Pelagalli will review legal documents related to the utility connection. Mr. Jeff Williams, Planner for the Town of Halfmoon, has reported that there is agreement in place between the Town of Halfmoon and the owner of the mobile home park regarding water supply service. An existing hydrant for connection is located within the Town of Clifton Park. If preliminary approval is issued, an outside user agreement would be executed between the property owner and the Town of Halfmoon Water department. Ms. Maynard suggested that the Board consider requesting the relocation of the proposed uses on the site and the proposed hours of operation to reduce the impacts of noise from the repair operations on adjoining residential areas. In response to Ms. Maynard's question concerning use of the proposed designated gravel storage area, Mr. Ragone stated that the area would provide a storage area for equipment to be repaired.

Ms. Maynard reported that the Saratoga County Planning Board reviewed this application at its September 20, 2007 meeting. That Board requested additional information regarding the "access into the adjoining lands." The information provided must include any means proposed for controlling access to the [mobile home] park, easements required, and any improvements to the roadway.

In a memo dated November 27, 2007, Mr. Myers, Director of Building and Development stated that no Storm Water Pollution Prevention Plan has been provided to date. He also noted that water and sewer issues appear to have been addressed.

Mr. Grasso provided the following comments prepared by Clough, Harbour, and Associates. He stated that Clough, Harbour, and Associates received a letter from Turf Mobile Parks, Inc. indicating consent to allow the water and sewer services for the proposed project to tie into its facilities. It is the firm's understanding that combined privately owned water or sewer services are not permitted and all properties must be serviced by either its owned water supply and wastewater disposal facilities or that which is owned by a municipal authority or a transportation corporation. However, it appears both properties are owned by the same entity. It is recommended that the Planning Board's counsel review the information to determine if a common owner satisfies the legal requirements or if Turk Mobile Parks, Inc. qualifies as an acceptable transportation corporation. Although Biette Road is in poor condition and could be subject to accelerated deterioration if subjected to heavy truck traffic, a note has been added to the site plan stating "Daily operations include minimal traffic entering and exiting the site with the largest size truck being a one ton pickup". This provision adequately addresses our concerns. A separate subdivision plan, prepared by a NYS Licensed Surveyor, depicting existing and proposed lot lines bearing and distances should be provided. Given that the proposed buildings site appreciably lower than the existing mobile homes within Turf Mobile Home Park it is recommended that the proposed privacy fencing, berming and landscaping be moved upslope to provide more effective screening. Preliminary plans should include a section showing the relationship of the adjoining properties, the buildings, and any proposed screening. An ingress/egress easement should be provided over the access road to the Turf Mobile Home Park. Separate sanitary sewer services not routed through the oil/water separators should be provided.

Mr. O'Brien, Environmental Specialist, offered comments prepared 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.

Additionally, the ECC has added the following recommendation. If hazardous materials will be stored on-site, the applicant must submit a plan addressing handling and storage and spill response to the Town of Clifton Park Environmental Specialist before such materials are stored.

In response to Mr. Larkin's question regarding the proposed use of Lot #1, Mr. Ragone explained that the applicant has no plans for development at this time. Mr. Larkin observed that the proposed repair facility was located quite close to the access drive. Mr. Larkin was also concerned that the repair facility would store petroleum products that may pose environmental hazards if spilled or not contained properly. Mr. Grasso explained that although the facility would likely require small containers of petroleum products, no large on-site storage tanks would be required. Mr. Werner requested clarification of the sizes of vehicles utilizing the site: the applicant has clarified the fact that no large-scale equipment will be delivered to and/or repaired at the site. Mr. Bulger noted that the size of vehicles entering and exiting the site will be restricted. The applicant has included a note to this effect on the site plan.

Mr. Pelagalli advised the Board to request additional information regarding the proposed water and sewer connections, noting that although the owners of Turf Mobile Park and the proposed development site are currently one and the same, a change of ownership of one of the properties may result in a loss of service to the other. He stated his preference for the establishment of a transportation corporation; however, he was willing to consider documentation provided regarding the situation from John Tabner, Esq., the applicant's legal representative. Board members requested that the applicant provide additional information regarding the utility connections.

Ms. Thorne expressed concern regarding the aesthetics of the outside storage area and contamination that might result from leaking oil and gas. Mr. Werner echoed these concerns and asked that there be assurance that the area does not become "a graveyard for old equipment." He recommended that substantial screening be provided around the area. Mr. Larkin recommended that screening be increased along the northern property boundary as well. Mr. Bulger requested that the applicant supply a detailed lighting plan with future submissions. Mr. Grasso asked that the applicant indicate the number of fuel tanks that will be located on the property and consider paving the outdoor storage area.

### **New Business**

[2007-059] **Garnett, Richard & Janie** – Proposed accessory use of a residence in an R-1 zone, 195 Wood Dale Drive – Special Use Permit and conceptual site plan review.

Ms. Garnett, applicant, presented her application for the Board's review. She explained that the property at 195 Wood Dale Drive is an approximately 37 year-old colonial that contains an existing 700 SF office that the former owner used for her pediatric practice. The applicant asks permission to refurbish the interior to provide a handicapped accessible waiting room, powder room, and two offices. The only change to the exterior of the building will be the addition of a ramp to the front veranda. Approval of the Special Use Permit will allow the applicants to live in the home and see their patients in the office space.

Ms. Maynard reported that the applicant requests approval of an accessory use to operate a medical office in a residence within an R-1 zone. The subject property is located in the northeastern quadrant of the Ushers Road – Wooddale Drive intersection. Exiting office space was previously utilized as a pediatrician's office. The addition of a handicapped ramp will be then only change to the exterior of the building. The applicant was asked to provide an estimate the number of patient visits anticipated per day. In response to Ms. Maynard's question regarding the provision of a separate driveway and parking for patients, the applicant stated that the driveway has been widened to accommodate patient parking: there is sufficient room to turn a vehicle. The applicant was advised to discuss signage requirements with Steve Myers, Director of Building and Development.

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

The Board found this application generally acceptable.

[2007-060] **Mertik, Joseph** – Proposed two-family residence in R-1 zone, 227 Lapp Road – Special Use Permit #80685 and conceptual site plan review.

Mr. Joseph Mertik, applicant, presented his application that calls for approval of a currently existing non-conforming use. Mr. Steve Myers, Director of Building and Development has determined that, pursuant to Section 208-10B(9)(a)(7), the Planning Board must grant approval of a Special Use Permit in order for Mr. Mertik to expand his home prior to the issuance of a Building Permit.

Ms. Maynard reported that this application involves the legalization of a currently non-conforming use. The existing residence has reportedly been used as a two-family dwelling for several years. The Board's approval of the Special Use Permit will allow for the issuance of the Building Permit necessary for the installation of fire prevention

measures required by the Building Department. The applicant must send out the required 500' notifications. The application is acceptable as presented.

Mr. Grasso reported that Clough, Harbour, and Associates offered no comment on this application.

Mr. O'Brien, Environmental Specialist, stated that the ECC found the project plan acceptable.

The Planning Board found the proposal generally acceptable.

[2007-061] **Independent Towers, LLC** - Proposed 120' high telecommunications tower, 753 Grooms Road – Conceptual site plan review.

Ms. Jacqueline Murray, legal representative for the applicant, presented this application that calls for the installation of a 120' telecommunications tower on the Lands of Lindsey. The monopole will be contained within a seventy foot (70') by seventy foot (70') – 5,700 SF site – fenced and landscaped compound will all necessary appurtenances, cabling, and fixtures. Associated unmanned equipment will be located within the fenced compound. Access to the site will be provided by a new proposed twenty-foot wild driveway that utilizes an existing tractor pathway. The applicant has submitted a comprehensive proposal that not only includes the required application, SEQRA, owner authorization, and ethics disclosure forms but also information regarding site coverage objectives, several radio frequency propagation plots that demonstrate how the proposed site will provide coverage, drive test data, and an inventory of existing towers within Town boundaries. Blimp tests were conducted when leaves were off the trees to provide a basis for analyzing visual impacts. Structural details and site location maps have been submitted. Copies of correspondence to neighboring municipalities as required by Town law have been provided. It is the applicant's intent to negotiate for shared use of the proposed tower with other telecommunication providers in the future. Future users must agree to pay reasonable charges for such use. Those charges include a pro-rata share of the cost of site selection, planning, project administration, land costs, site design, and construction and maintenance financing. The speaker explained that the Lindsey Farm site was selected after analysis of several other locations. The selected site required no variances from the Town's area restrictions, complies with the Town's 500-foot residential setback, is set 700 feet from Grooms Road, and has vegetative screening. A use variance to construct the tower in an R-1 zone was granted by the Zoning Board of Appeals on November 20, 2007. Members of that Board concluded that the applicant had justified the need for the proposed tower on the Lindsey farm.

Ms. Maynard provided a number of comments prepared by the Planning Department. She stated that the project was reviewed by the Zoning Board of Appeals previously at three meetings for applicants Clearwire and Sprint/Nextel: Verizon is a new co-location applicant on this application. Determination of how to proceed, propagation information and analysis does not appear to be complete for Verizon's portion of the application. Ms. Maynard noted that a report prepared by Richard Comi, consultant for

the Town of Clifton Park, concluded that justification for need of tower is complete. The construction of the tower will solve specific coverage needs for Sprint/Nextel. Complete propagation studies have been done at 120 ft (total height) to insure the minimum height necessary is being proposed. The speaker stated that the minutes of the October 16, 2007 Zoning Board meeting indicated that member of that Board agreed that the centerline of the Sprint antennas would be one hundred and seventeen feet (117) and that no ground rod was required: the entire structure will not exceed one hundred and twenty feet. Location of tower discussed at some detail, resulting in the recommendation that the tower be positioned in front of stand of trees. Mr. Comi's report contains information regarding the visibility of the balloon from various locations surrounding the proposed tower. Ms. Maynard reported that the Saratoga County Planning Board County determined no significant countywide or intercommunity impact. The color of monopole/antenna equipment should be included on the plans.

Ms. Maynard introduced Mr. Comi who was in attendance to provide "continuity for project review" and answer Planning Board members' questions.

Mr. Grasso offered comments on behalf of Clough, Harbour, and Associates. 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 Planning Board – Section 239 Referral. The project lies within the Vischer Ferry Road Corridor GEIS study area. The project should be reviewed for conformance with the statement of findings. The project involves the construction of a 120' high monopole. Evidence has not been provided that demonstrates significantly improved coverage for a 120' high antenna versus 110' high antenna. In addition, the tower will be located in an open field in direct view from Grooms Road. Given the significant visibility of the tower along Grooms Road, it is recommended that the tower be reduced in height to 110' and shifted to the northwest to take advantage of screening by existing wooded areas. Clough, Harbour, and Associates recommends that the structure, cabling and antenna be white to blend in to the greatest extent possible with the skyline.

Mr. O'Brien, Environmental Specialist, reported that the ECC offered the following recommendations. Any NYSDEC or ACOE wetlands shall be identified and indicated on future submissions. The following standard statements shall 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.
- If hazardous materials will be stored on-site, the Applicant must submit a plan addressing handling and storage and spill response to

the Town of Clifton Park Environmental Specialist before such materials are stored.

Mr. Bulger expressed concern regarding the inclusion of Verizon wireless as a co-applicant for this application, noting that Verizon was not part of the application presented to the Zoning Board of Appeals. Mr. Pelagalli addressed this concern, stating that he would confer with Mr. McCarthy, Town Attorney, and review the minutes from the Zoning Board of Appeals' meetings to determine if Verizon may be considered as an applicant in these proceedings. Ms. Murray stated that it was her opinion that the use variance was justified by Nextel: others would be permitted to co-locate on the structure. Mr. Comi offered some information regarding the Zoning Board's decision, explaining that the use variance was approved with the condition that no portion of the tower be higher than 120 feet and that it be located near the wooded area. Though Mr. Grasso recommended that the applicant consider locating the tower within the stand of trees, Mr. Lindsey, property owner, stated that the forested area contained designated wetland areas. Though Board members discussed possible locations for the tower, Ms. Murray stated that visual tests and analysis had determined that the location was best. Though a representative of Verizon encouraged the Board to include his company's co-location request as part of the application, Mr. Bulger stated that the application was "unique situation" that required additional Board consideration. Ms. Thorne asked that the visual simulations referenced in the presentation be provided to Board members for review. In response to Mr. Werner's question regarding lighting of the tower or a beacon, Ms. Murray stated that no lighting will be required. The applicant will address the Board's concerns.

[2006-026] **M.J. Properties of Clifton Park, Inc.** – Proposed 12,600 SF warehouse, U.S. Route 9 – Review of amended site plan and possible determination.

Mr. Rekucki, applicant, presented this application for the Board's consideration. The plan is a formalized version of the plan as presented as a discussion item at the November 28, 2007 Planning Board meeting. In addition to illustrating the septic design and location, the piping to the property line for future connection has been shown on the site plan. The following note has also been added to the plan:

The septic system proposed shall be only used until such time as an easement is obtained from XAR Corporation to allow connection to the Saratoga County Sewer District #1 sewer. The owner shall be required to construct the sanitary sewer lateral to the XAR Corporation property line at the time the septic system is installed. The owner shall post a letter of credit for the cost of the connection across Lands of XAR Corporation into the Saratoga County Sewer District #1 sewer prior to the issuance of a Certificate of Occupancy. The connection to the sewer shall be made within 6 months of obtaining the easement from XAR Corporation, weather permitting.

Ms. Maynard explained that the proposed site plan amendment was discussed at the November 28, 2007 meeting at which time the Board found the installation of a septic

system acceptable since connection to the municipal sewer system was not feasible. The speaker stated that she had spoken with NYSDOT representative Kevin Novak regarding the required NYSDOT curb cut permit. The agency has requested that the Board consider a shared access arrangement for this site to property owned by XAR to the north. Such a design does not appear likely due to designated wetlands. Five hundred foot notices were sent to adjoining property owners on November 30, 2007. The applicant must submit an estimate of the construction costs for installation of the piping across the XAR property for Clough, Harbour, and Associates' review and approval. The established Letter of Credit will be based upon the approved estimate.

Mr. Grasso offered the comments prepared by Clough, Harbour, and Associates. We find the construction of a septic system to accommodate the proposed use acceptable. Notes have been provided to adequately govern the future removal of the septic system and connection to municipal sanitary sewer service upon its availability. The two designs for the lateral that will initially connect to the septic system and will ultimately connect to the sewer main should be better coordinated. The invert at the proposed building should match in location and elevation. The slope of the line from the building to the sewer main per the inverts provided would yield a slope of 2.37% (length of 210 feet) whereas the plans indicate 2.0%. Exact inverts at the septic tank that will allow future continuation as a sewer lateral should be indicated on the septic design plans. In addition, the size and material of the lateral should be specified on the septic design plan and consistent with the sanitary lateral design.

Mr. O'Brien, Environmental Specialist, stated that although the ECC had concerns regarding the suitability of soils on the site for installation of the proposed septic system, the Commission would defer to the recommendation provided by Clough, Harbour, and Associates.

In response to Mr. Bulger's question regarding XAR's willingness to provide the easement necessary for Mr. Rekucki to connect to the sewer, Mr. Rekucki stated that the owner of the XAR property was not willing to provide the easement at reasonable cost.

Mr. Werner moved, seconded by Mr. Bulger, 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.

Ms. Thorne moved, seconded by Mr. Bulger to grant approval to this site plan amendment conditioned upon satisfaction of the comments offered by the Planning Department and Clough, Harbour, and Associates. The motion was unanimously carried.

### **Minutes Approval**

Mr. Bulger moved, seconded by Mr. Larkin, approval of the minutes of November 28, 2007 as written. Ayes: Kramer, Thorne, Werner, Bulger. Noes: None. Abstained: Larkin.

**Discussion Items**

**Stewart's Shops** – Addition of three “MOBIL” canopy signs, 645 Grooms Road – Referral from Zoning Board of Appeals.

Board members agreed that they would have no comment on the proposed signage as long as it was consistent with other signage in the area.

**PALS** – Extension of playground to emergency access roadway

Ms. Maynard explained that the owner of PALS child care center has requested permission to install a play area on property that had been designated as an emergency access drive. A trolley-type gate mechanism will secure the area for the safety of the children while providing necessary access by emergency vehicles. Board members discussed the issue, but determined that the issue would best be decided by the Fire Code Appeals Board. It was referred to that Board.

Mr. Bulger moved, seconded by Mr. Larkin, adjournment of the meeting at 9:05p.m. The motion was unanimously carried. The next meeting of the Planning Board will be held as scheduled on January 8, 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.