

Town of Clifton Park Planning Board
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PLANNING BOARD

ROCCO FERRARO
Chairman

ANTHONY MORELLI
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PAULA COOPER
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MEMBERS

Emad Andarawis
Eric Ophardt
Jason Beach
Andrew Neubauer
Denise Bagramian
Greg Szczesny

(alternate) Ram Lalukota

Planning Board Minutes
February 11th, 2020

Those present at the February 11th, 2020 Planning Board meeting were:

Planning Board: R. Ferraro, Chairman, E. Andarawis, D. Bagramian, J. Beach, A. Neubauer, E. Ophardt, G. Szczesny
R. Lalukota – Alternate Member

Those absent were:

Those also present were: J. Scavo, Director of Planning
W. Lippmann, M J Engineering and Land Surveying, P.C.
A. Morelli, Counsel
P. Cooper, Secretary

Mr. Ferraro, Chairman, called the meeting to order at 7:00 p.m. All in attendance stood for recitation of the Pledge of Allegiance.

Minutes Approval:

Mr. Szczesny moved, seconded by Mr. Ophardt, approval of the minutes of the January 28th, 2020 Planning Board meeting as written. The motion was unanimously carried.

Public Hearings:

None

Old Business:**2020-005 Sonic Town Plaza Site Plan Modifications**

Applicant proposes to modify a site plan previously approved on June 12, 2018. Modifications will be at the eastern section of the Town Plaza site and will include a drive thru and car stall canopy section for a Sonic Restaurant. The proposed modifications will include the redesign of the original parking and stormwater management configuration to allow for an expansion of the existing infiltration basin. Stormwater runoff does not exit the project area and the entire site drains into itself therefore obtaining a SPEDES permit under General Permit GP-0-15-12 will not be necessary, 800 Rt 146, Zoned: TC3, Status: PB Preliminary Review

SBL: 271.-3-73

To be reviewed by: MJE Consultant: Lansing Applicant: Fast Eats of CP **Last Seen on: 6-12-18**

Mr. Ferraro stated that there was an email received by the Planning Board from the Property Owner just before the meeting. Mr. Scavo stated that the email came through at 5:10pm, he read from it stating:

“Further to our discussion this email shall confirm that DCG has not approved the proposed modification to the existing Site Plan for 800 Route 146. In addition we have not been provided with the plan that is being presented to the Planning Board as it appears that the plan that they are presenting may be different than versions that we have received which are not acceptable to DCG.”

Mr. Morelli stated that he feels that the applicant needs to clarify and get approval for the site plan proposal from the land owner before the Planning Board hears the application. Mr. Scavo noted the applicant should provide an updated owner authorization form prior to the project proceeding forward.

Mr. Lansing stated that this application is conceptual, and he stated that the property owner is in agreement with this new plan per the applicant. He also stated that the plan has not been changed much from original approval. He agrees that this is an issue for the applicant and the property owner.

Mr. Ferraro stated that he feels that based on the letter on behalf of the property owner and Mr. Morelli's statement that the Board should hold off on review of the application this evening. Ms. Bagramian seconds Mr. Ferraro's comment.

Mr. Ferraro noted that the applicant had received staff comments prior to the meeting and these comments offer an insight on some of the comments and concerns from the Town's standpoint. The written comments provided to the applicant were as follows:

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 1/30/2020 stating:

- SWPPP required
- All signage to be submitted to the Building Department
- Angled parking 20' on one side and 18' on the other
- Site plan should include drive lane widths
- Site plan details cut off and not included as stated
- Green space per the Planning Board

Scott Reese, Stormwater Management Technician issued a memo dated 2/6/2020 with the following comments:

1. Is there an agreement / easement for the stormwater management practice with the NYSDOT?

The Environmental Conservation Commission held a meeting on 2/4/2020 and issued a memo recommending:

1. Due to the probability of food and liquid wastes leaking from the on-site dumpster(s) into a storm water catch basin and/or surface water body, the ECC recommends the applicant enclose the area (i.e. roof) on an impervious surface with a berm surrounding the dumpster(s) that accept food and liquid wastes. If necessary, the Applicant will need to periodically pump out the accumulated wastes within the bermed area to avoid any overflow
2. The ECC notes that the total greenspace percentage is not listed. The greenspace shall comply with The Town Center Bulk Standards Table and listed on the plans.
3. The ECC recommends that if the stormwater management areas are deeper than 4 feet and has slopes steeper than 4:1 should be enclosed by fencing.
4. The ECC would like to see a planting plan showing all the greenspace for this project.

Roy Casper of the Trails Subcommittee submitted the following comments for the Planning Board to consider in its decision making:

- In order to complete a full connection to the east side of the site, the proposed restaurant sidewalks should connect to the Municipal Plaza roadway with crosswalks, sidewalks and ADA accessible ramps. This would provide a direct pedestrian connection to the town street and a route for pedestrians arriving northeasterly from Route 146 or southeasterly from lower Maxwell Drive Extension. (See the attached map indicating proposed sidewalks and crosswalks.)

- If existing topographical conditions permit, a sidewalk along Municipal Plaza roadway to the sidewalk on NYS Route 146 is also recommended.

John Scavo, Director of Planning issued a letter dated 2/4/2020 with recommendations he made:

1. This project was vetted out previously with the applicant from 2016 to 2018 with approvals on the original site plan with a drive-thru granted on June 12, 2018.
2. The revised conceptual layout is generally in keeping with the prior approved site plan. The applicant should delineate the area of physical disturbance which appears to have increased based on the SEQR Documentation submitted.
3. The applicant should confirm if the increased area of disturbance is due to stormwater revisions that will use an infiltration basin in lieu of previously proposed underground storage units in combination with an existing infiltration basin.
4. The applicant may need to obtain a Use and Occupancy Permit from NYS DOT for construction and the location of any expansion of the stormwater basin within the State's ROW.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 2/7/2020 had the following comments:

State Environmental Quality Review

1. Since this appears to be an amendment to a previously approved application, the Planning Board does have the option of relying upon the prior SEQRA findings. Should the Planning Board feel that this proposal is not consistent with the prior SEQRA findings then a new review shall be conducted. Based upon our review of Part 617 of NYS Environmental Conservation Law, the project still appears to be an "Unlisted" action. Assuming the Planning Board is to request Lead Agency status under SEQRA, the need to undergo a coordinated review is optional. Under a coordinated review, involved / interested agencies to be engaged may include, but is not necessarily limited to the following:
 - a. Saratoga County Planning: 239m referral due to the parcel being within 500 feet of NYS Route 146.
2. Under Part I.2, if the project expects 1 or more acres of disturbance, the NYSDEC should be added as an additional permitting agency
3. Under Part I.3.b, the response indicates 1.0+/- acres of disturbance is expected. Should 1 or more acres of disturbances occur, the project will be subject to GP 0-20-002 and a

project specific stormwater pollution prevention plan will be required as part of subsequent submissions.

4. Under Part I.12.b, the response indicates that the project is located in an archeological sensitive area. If the project is subject to GP 0-20-002, documentation shall be provided demonstrating that the project is eligible for permit coverage.

Additional involved/interested agencies may be defined as the project proceeds through the Town's regulatory review.

Site Plans

5. The project is located within the Town's TC3 General Zone. The proposal for exterior parking lot improvements and drive thru may be considered an ancillary to the existing principal use. It is noted that Table 3-1 of the Form Based Code (FBC) identifies a drive-thru, either as part of a bank or restaurant operation to be considered a permitted use.
6. There needs to be inclusion of traffic regulatory signage that clearly directs traffic to and through the drive-thru so not to impede other traffic flow through the parking lot or result in vehicles utilizing the drive-thru lane as access to other parking areas. Signage and paint markings were previously presented on the site plan dated May 21, 2018.
7. Identify the location of the accessible parking spaces intended to service the establishment, either existing or new spaces.
8. Provide an illumination plan that shows footcandle values at pavement levels. The plan shall also show the mounting height of free standing fixtures.
9. Provide information regarding the materials of construction for the two refuse enclosures.
10. The EAF indicates a site disturbance of 1.34 acres. Subsequent submissions shall detail how stormwater management is being accommodated. If a construction project includes both new development and redevelopment activities, the stormwater management practices for the new development portion of the project must be designed in accordance with the sizing criteria in Chapter 4 or 10, and the redevelopment activities portion of the project is subject to the sizing criteria in Chapter 9.
11. It is suggested the proposed eight (8) customer parking spaces be reconfigured to accommodate the ability to park in these spaces when entering from either direction (ie. 90 degree parking spaces).

12. The proposed stop bar and sign on the southern access road should be moved to its intersection with Municipal Plaza.
13. Considering the plan submitted is conceptual in nature, we will reserve further comments until more detailed plans and reports are submitted. Subsequent submissions shall include information as outlined in Section 208-115 of the Town zoning specific to site grading, lighting, erosion control and stormwater management to fully assess the design and its compliance to the applicable standards.

Old Business:

2019-037 Boni, Ryan 2 Lot Subdivision

Applicant proposes to subdivide a 13.07 acre parcel into 2 lots (10.04 acres and 2.82 acres) to accommodate 2 residential single family homes, Rt 146A, Zoned: CR, Status: PB Preliminary Review w/ possible determination

SBL: 264.-3-66.11

To be reviewed by: MJE Consultant: n/a Applicant: Ryan Boni **Last Seen on: 1-14-20**

Mr. Ferraro stated that the noise study for this application has been completed and staff was able to review it before the meeting. Mr. Ferraro then asked Mr. Lippmann to explain the findings of this noise study.

Mr. Lippmann stated that the noise study conducted was with all site conditions upheld and was tested with and without tree removal, this included the terrain, trees, and trains. Mr. Lippmann stated that there was a 2 decibel difference found, this does not include possible structures that will be on the property with the ability to buffer sound, just trees vs. no trees.

Mr. Ophardt asked if buildings would benefit to blocking noise, and if a certain position of the buildings would be more beneficial than others. Mr. Lippmann stated buildings should not make it worse and that the current proposal on the position of the homes looks good.

Mr. Andarawis asked how the traffic noise compares. Mr. Lippmann stated that if roadway traffic was added to this study the existing background ambient noise level would go up but how much he is unsure of. Mr. Lippmann stated that the noise generated per car driving by would be 70 decibels measured from an adjacent sidewalk. Mr. Andarawis asked for comparison purposes what this noise study shows to be normal background noise. Mr. Lippmann stated that 40-50 decibels is comparable to normal conversation.

Mr. Lalukota stated that small houses would not be as great of an impact on noise or traffic as would a housing development.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 1/30/2020 stating:

- No further comments

Scott Reese, Stormwater Management Technician issued a memo dated 2/6/2020 with the following comments:

1. No comments at this time.

The Environmental Conservation Commission held a meeting on 2/4/2020 and issued a memo recommending:

1. It appears to the ECC that the granting of the variances was contingent upon the donation of 7 acres of land to the Town of Clifton Park. However, a review of this proposed donation by the town planning department indicates that due to its lack of accessibility, this donation would be better suited to be made to Saratoga Plan which owns the adjacent Woodcock Preserve. The ECC recommends that the Planning Board / Town Board determine that such a donation would be acceptable to Saratoga Plan before proceeding with a decision. The criteria and procedure for approval is outlined in Town Code 208-43.16.
2. The approval of the second lot should be contingent upon the applicant demonstrating to the Planning Board that the proposed donation will be consummated prior to the approval of the second lot either by a donation to Saratoga Plan, Town of Clifton Park or obtaining a permanent conservation easement on the property.

Roy Casper of the Trails Subcommittee submitted the following comments for the Planning Board to consider in its decision making:

- A 15 Ft. wide ROW/Trail Easement should be considered on the property boundary line along Route 146A for a future multi-use path and utility realignment.
- **The recommended 15 Ft. wide ROW/Trail Easement is not shown on the current site plan.** The Town of Clifton Park Trails Concept Plan proposes a future multi-path on Route 146A at this location based on the significance of this route as a bicycle and pedestrian transportation corridor and an important link in the existing trail network. (See the attached Trails Concept Plan.)

Mr. Scavo stated that there is sufficient ROW so the extra easement is not warranted here.

John Scavo, Director of Planning issued a letter dated 2/4/2020 with recommendations he made:

1. All my prior comments offered to date have been addressed.
2. The applicant should modify the final plan to note the 7.12 acre parcel shall be conveyed to Saratoga Plan, a 501(C)(3) Tax-Exempt Organization.
3. At the request of the Planning Board, I have reached out to Saratoga PLAN and have confirmed that Saratoga PLAN is very interested in obtaining the 7.12-acre parcel adjacent to Saratoga PLAN's Woodcock Preserve. No permit should be issued for the second single family home until such time the land transfer is completed or if not accepted by Saratoga PLAN a permanent deed of conservation easement shall be established.
4. The applicant should be aware, Saratoga PLAN will require the entity transferring ownership to cover transaction costs such as title insurance, legal fees, boundary survey, and contribution to the Stewardship Fund to ensure PLAN can uphold its land stewarding responsibilities in perpetuity.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 2/7/2020 had the following comments:

State Environmental Quality Review

1. No further comments.

Site Plans

2. As noted in Comment 4 of our November 4, 2019 and January 10, 2020 review, provide information on the plans to indicate how potential sump pump laterals may be positioned which shall be in conformance with Section 86-7(A)(6) of the Town Code.
3. As noted in Comment 4 of our November 4, 2019 and January 10, 2020 review, indicate locations of the existing water and sewer mains along NYS Route 146A.

Consultant/Applicant Presentation:

Mr. Boni stated that the sound study conducted came back indicating very limited impact and is now asking the Board for comments.

Public Comments:

No public comments

Mr. Ferraro stated he received and forwarded an email from Mr. Weber to the Planning Board members.

Planning Board Review:

Mr. Ferraro asked if the plan is keeping the no cut zone between the two houses. Mr. Boni stated there will indeed be a buffer with a no cut zone between them.

Mr. Szczesny offered Resolution No. 3 of 2020, seconded by Mr. Neubauer to waive the final hearing for this application for the Boni 2 Lot Subdivision approval, and to grant preliminary and final subdivision approval condition upon satisfaction of all comments, provided by the Planning Department, Town Designated Engineer, and all items listed in the final comment letter issued by the Planning Department.

Conditions:

There will be a 40 foot no-cut zone between the 2 single family houses as a buffer. The rear buffer will have staggered split rail fencing. Signage will also be posted to identify the rear buffer. No permit should be issued for the second single family home until the land transfer is completed with Saratoga PLAN. If not accepted by Saratoga PLAN a permanent deed of conservation easement shall be established.

Roll Call:

D. Bagramian - yes
 E. Andarawis - yes
 E. Ophardt - yes
 J. Beach - yes
 A. Neubauer - yes
 G. Szczesny - yes
 R Ferraro - yes

Ayes 7 (Seven)

Noes: 0 (Zero)

The resolution is carried.

New Business:

2020-004 Pasquariello 2 Lot Subdivision

Applicant proposes to subdivide a 99.4 +/- acre parcel into two separate parcels. Parcel #1 shall be 3.6 +/- acres and Parcel #2 shall be 95.8 +/- acres (Remaining lands to be retained by Pasquariello, Rt 146, Zoned: B-5, Status: PB Concept Review

SBL: 270.-1-20.111

To be reviewed by: MJE

Consultant: EDP

Applicant: Arthur Pasquariello

Consultant/Applicant Presentation:

Gavin Vuillaume – EDP – Mr. Vuillaume stated that this is a 2 lot subdivision proposal at the intersection of Route 146 and Waite Road. He stated that at this time there are no plans to develop on either lot proposed, just to subdivide a portion of land adjacent to Route 146 from the remainder of the remainder of the existing parcel. Mr. Vuillaume stated that there is currently a 1400 feet of frontage on Route 146 and 500 feet of frontage on Waite Road, frontage for both parcels will be on both roadways after the proposed subdivision. The lots would be approximately 3.5 acres and 95 acres. He stated he had the chance to look over comments provided by the staff and he feels they can be addressed along with detailed mapping provided for a future meeting.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 1/30/2020 stating:

- Plans lack any significant detail

Scott Reese, Stormwater Management Technician issued a memo dated 2/6/2020 with the following comments:

1. No comments at this time.

The Environmental Conservation Commission held a meeting on 2/4/2020 and issued a memo recommending:

1. The ECC has no comment at this time.

Roy Casper of the Trails Subcommittee submitted the following comments for the Planning Board to consider in its decision making:

- A 15 Ft. wide ROW/Trail Easement should be provided on the property boundary line along NYS Route 146 and Waite Rd. for future multi-use paths and utility realignment. The ROW/Trail Easement at this location on Rt. 146 is essential for this major bicycle and pedestrian route and the future multi-use path construction.

John Scavo, Director of Planning issued a letter dated 2/3/2020 with recommendations he made:

1. The applicant should note if the project will result in any curb-cuts to access either of the parcels.
2. The proposed subdivision is subject to Section 239 of General Municipal Law and has been referred to the Saratoga Co. Planning Board for a recommendation.
3. The lengths along the proposed division line and the length of the frontage for each parcel should be shown.
4. It is recommended that all federally jurisdictional wetlands and NYSDEC regulated wetlands be delineated on the project site using the best available data (GIS Layers). It is understood that a Jurisdictional Determination from both NYS DEC and Army Corps of Engineers is not required until and if a future site plan application is prepared for either parcel.
5. It appears a portion of Lot 2 traverses a National Grid Utility Corridor. As plans progress, the status and/or deed reference for an easement through the National Grid Utility Corridor should be noted on the plan. Clarification as to the intent and land use rights of that area is required.
6. Although the project is before the Planning Board for Subdivision Review only, the Board may request that the applicant provide a conceptual site plan layout in conformance with the B-5 Corporate Commerce Zoning to evaluate potential SEQR Impacts as a result of the subdivision.
7. The project is in the Corporate Commerce GEIS Study Area. The GEIS sets forth specific criteria and conditions under which future actions will be undertaken or approved, including requirements for any subsequent SEQR compliance. This may include thresholds and criteria for supplemental EISs to reflect specific significant impacts, such as site-specific impacts, that were not adequately addressed or analyzed in the generic EIS. It should be noted that no further SEQR compliance is required if a subsequent site-specific action carried out is in conformance with the conditions and thresholds established for such action in the Corporate Commerce GEIS or its finding statements. In order to review the application under SEQR, the findings statement should be reviewed by the applicant's consultant and a narrative should be provided that indicates how each finding statement item either applies and is being addressed or does not apply.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 2/7/2020 had the following comments:

State Environmental Quality Review

1. Based upon our review of Part 617 of NYS Environmental Conservation Law, the project appears to be an "Unlisted" action. If the Planning Board is to request Lead Agency status under SEQRA, the need to undergo a coordinated review is optional. Under a coordinated review, involved / interested agencies to be engaged may include, but is not necessarily limited to the following:

- a) Town of Clifton Park: Subdivision approval
- b) Saratoga County Planning: 239m and n referral due to location along Route 146

Additional agencies may be identified by the Town during its review of the project.

2. Part I.2 – The proposed action requires subdivision review and approval by the Town of Clifton Park Planning Board. The answer should be changed to reflect the required Planning Board Approval.
3. Part I.12b – The applicant indicates that the proposed action is not within or adjacent to an area designated as sensitive for archeological sites. This response is inconsistent with a review of the DEC Environmental Assessment Form (EAF) Mapper, located at www.dec.ny.gov/eafmapper/. The applicant should provide confirmation from the NYS Office of Parks, Recreation and Historic Preservation that the action is not within or adjacent to an area designated as sensitive for archeological sites to support their response or modify response.
4. Part I. 13a – The SEAF indicates that a portion of the site of the proposed action, or lands adjoining the proposed action contain wetlands or other waterbodies regulated by a federal, state, or local agency. In future plans for the project site the applicant will need to provide documentation to confirm the presence or absence of state or federally regulated wetlands on or adjacent to the project site.

No further comments at this time. Additional comments may be forthcoming as the project advances.

Site Plans

5. The project is located within the Town's Corporate Commerce District (B-5). The proposal does not discuss any improvements on the lands to be subdivided. If and when a proposed use is contemplated, further review may be warranted.
6. Lacking an actual use being proposed on the proposed parcels, the Board may consider requesting notation be placed on the plat indicating that subsequent development on the parcel may be subject to additional regulatory review for compliance with Town Zoning and other applicable standards.
7. In reviewing the proposed lot configuration, keep the following in mind for future development layout:
 - a. Structures, parking areas, including maneuvering areas, stormwater retention areas and other site amenities that are an integral and necessary part of the use shall not occupy more than 50% of the total lot area.

- b. No building or part of a building, other than steps, eaves and similar fixtures, shall extend nearer to the center line of the street or road than 130 feet of Route 146.
8. The plat shall include the following pursuant to Section 179.8 of the Town Subdivision Law:
 - a. Contour lines at five-foot intervals to United States Geological Survey (USGS) datum pursuant to Section 179-8 of the Town Subdivision Law.
 - b. Wetlands, streams and other drainage corridors, flood hazard areas.
 - c. Significant forested areas and any other important environmental features.
9. Provide conceptual building layout, parking lot, utilities, etc.
10. Subsequent submissions shall include the metes and bounds of the affected lots and right-of-way. This plat shall be prepared by a surveyor licensed to practice in the State of New York.
11. Update the site statistics table to account for the special setback requirements from NYS Route 146 as defined in Section 208.98 of the Town's Zoning.
12. Provide the building setback lines for each lot shown.
13. The submitted information indicates the project is proposing to connect to an existing water main(s) within proximity to the parcel. These mains are owned and operated by the Clifton Park Water Authority (CPWA). It is recommended that the Town be furnished with documentation that the CPWA is willing and capable of providing potable water to the project.
14. The submitted information indicates the project is proposing to connect to an existing sewer main(s) within close proximity to the parcel. These mains are owned and operated by the Town of Clifton Park Sewer District and Saratoga County Sewer District No. 1 (SCSD). It is recommended that the Town be furnished with documentation that the CPWD and SCSD is willing and capable of providing sanitary sewer service to the project.
15. Provide notation on the plan as follows:
 - a. No Utilities shall be installed beneath the proposed driveways.
 - b. Any work required within the State or Town right-of-way shall be subject to any permitting from the NYSDOT and Clifton Park Highway Department (driveway, culvert, water service, sewer).
16. Prior to approval or filing of the subdivision plat with the Saratoga County Clerk, the appropriate 911 emergency response numbers must be obtained for and assigned to each lot created and placed on the filed plat.

17. Considering this plan is conceptual in nature, subsequent comments will be provided with a preliminary plan submission.

Public Comments:

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche stated he appreciates and seconds the comments given by the Trails Committee, and that in the future he sees there being potential for other proposals to tie into a trail. Mr. LaFleche also asked if there is future development, to possibly leave open a connection to tie into. LaFleche asked for clarification on the map the locations of the parcels and the subdivision. Mr. Vuillaume indicated on the map the subdivision proposal and outlined that there are 2 “legs” on the parcel that will go unused.

Planning Board Review:

Ms. Bagramian asked to see more details on the subdivision plan. Mr. Vuillaume stated he will provide additional details with a preliminary subdivision plan submittal.

Mr. Neubauer stated he would also like to see GIS layers and a sketch plan as Mr. Scavo asked for in his letter. Mr. Vuillaume stated that this is conceptual at this time but he can bring a sketch next meeting to show a structure on the property. Mr. Scavo stated he would like to see the smaller parcel’s access drive shown as well as proposed curb cuts.

Mr. Ferraro asked if there are fees associated with the GEIS, Mr. Scavo stated there are no fees as they have already been prepaid. Mr. Ferraro asked about traffic impact, and if there was a study previously done. Mr. Scavo stated there has not been but there will need to be one when site plans are submitted for the property.

Mr. Ophardt asked if there was any capacity limit to the sanitary sewer line and if it was at capacity. Mr. Scavo stated that it is not at capacity and each property within the Corporate Commerce GEIS Study Area was allocated its own capacity that was associated with the sewer line extension originally paid for by the property owners in the study area.

Mr. Neubauer stated that Mr. Scavo’s comments 4 and 6 pertaining to SEQRA is a consideration for decision making. Mr. Neubauer would like to see concept ideas for purpose of evaluating the proposed setbacks for the proposed lots.

Mr. Ferraro would like to see the environmental features to be laid out on a site plan as well as the property adjacent to the project, fronting Route 146, with an existing home. He would like to see the lot sizes and property boundary lines to be of sufficient size to accommodate the future development of the parcels without having to seek a variance from the Zoning Board. Mr.

Vuillaume stated he sees the concern and, since the parcels are under the same ownership he would be willing to do lot lines adjustments in the future if needed to accommodate the uses for each property going forward rather than seeking a variance.

New Business:

2020-006 Crescent Woods 12 Lot Subdivision

Applicant proposes to amend two prior approved projects, (project 2019-043 1573 Crescent Road 4 Lot Subdivision and 2012-030 Crescent Woods - 62 lots Subdivision) as well as multiple Lot Line Adjustments, to include 11 additional lots for a total of 77 lots (75 new and 2 existing) while also providing additional infrastructure revisions and design benefit to the Town of Clifton Park, 1573 Crescent Rd, Zoned: R-1, Status: PB Concept Review

SBL: 283.-2-9

To be reviewed by: MJE Consultant: Lansing Applicant: Beverwyck Development

Consultant/Applicant Presentation:

Scott Lansing – Lansing Engineering – Mr. Lansing noted that the plan set represents a Comprehensive Subdivision Plan for the Crescent Woods Subdivision project. The project site is located along Crescent Road in the Town of Clifton Park. The applicant planning this new development is Beverwyck Development Corp. of Clifton Park, New York. The project has been previously approved as a subdivision containing a total of 62 lots (61 new, 1 existing). The project then added an adjacent 6-acre parcel that was subdivided into a 4-lot subdivision (3 new, 1 existing) for a total of 66 lots (2 existing) with several lot line adjustments to date. This comprehensive subdivision plan combines the two approved subdivisions and subsequent lot line adjustments into one plan and includes an additional 11 lots for a total of 77 lots (75 new, 2 existing) while also providing additional infrastructure revisions and design benefits to the development and the Town of Clifton Park. The revisions and benefits are as follows:

- Reduced the overall length of proposed roadway by approximately 415 linear feet.
- Reduced the amount of wetland crossings from 8 to 4
- Reduced the amount of wetland impacts from 0.36 acres to 0.22 acres
- Increased Public Open Space from 9.99 acres to 10.39 acres
- Eliminated the proposed retaining walls surrounding the stormwater basin located at the corner of Fairmont Drive and Spencer Street by relocating the stormwater management basin north of Fairmont Drive.
- Eliminated the Pump Station with the implementation of grinder pumps on all lots.
- Added an additional emergency access point as per the

International Fire Code Appendix D Section D106.3

- Included a landscaping plan in accordance with the Town of Clifton Park Code.
- Included notes on the plans that no further subdivisions will be allowed of this project.

Mr. Lansing noted that it is his opinion that the Crescent Woods Subdivision as now shown includes a thorough plan that combines the many pieces of this project into one comprehensive plan while also providing additional benefits to the environment and the Town of Clifton Park. He noted that applicant and the applicant's engineer look forward to working with the Town of Clifton Park to advance this project and would request that the Town Planning Board seek Lead Agency Status for SEQR Purposes this evening.

Staff Comments:

Steve Myers, Director of Building and Development issued a memo dated 1/30/2020 stating:

- A new review of what should be a reviewed SWPPP is required. Comments to follow
- Lots 40 & 41 are keyhole lots. Utilities cannot be located below the driveway. The driveway must be certified to hold a 75,000 lb. vehicle
- Steep slopes adjacent to several houses are still a concern and will be addressed as needed
- Stormwater Basin #1 and #2 should be fenced due to sheer size and proximity to houses. Access road to Basin #1 needs to provide access to entire basin
- Due to significant wetlands each foundation will require approval prior to foundation placement. Foundations will not be allowed in standing ground water.

Scott Reese, Stormwater Management Technician issued a memo dated 2/6/2020 with the following comments:

1. Provide wetland information on the plans that includes either refence to the delineated wetland plans or data of who delineated the wetlands and when. Is there an accepted permit by the ACOE for the proposed disturbance of wetlands for this project?
2. Stormwater Review comments for Planning Board
 - a. The applicant is proposing using three Continuous Deflective Separation (CDS) hydrodynamic separators for this project to treat water quality. Does the highway / town want the responsibility to maintain these systems? What is the average annual cost to maintain the CDS? What are the replacement costs? If the town does not want the responsibility of the CDS units, can the project be designed with non-alternative SMPs?
 - b. The project is using swales (Ponds 1S & 2S) for stormwater management practices (SMP) with infiltration rates. The swales should be designed as dry swales (O-1) per the New York State Stormwater Management Design Manual.

- Pond 2S is on private property with no drainage easement. There is a SMP on lot 41 with no drainage easement.
- c. Should a culvert be placed at Station 5+00 on Pembroke Street to allow for surface water to link the existing wetlands? There was an existing culvert under the private driveway that linked runoff between the wetlands.
 - d. Does the highway want access to the outlet of ES1 emptying into Infiltration Basin #1?
 - e. Does highway department want turnarounds at the end of maintenance access roads?
 - f. Test Pits are required at Stormwater Management Basin #3. Fence should be installed around basin #3.
 - g. The constructed basin berms should be certified by the project engineer before being accepted by the Town.
3. Stormwater Review Technical comments for applicant
- a. There are 6.87 acres existing conditions classified with a hydrologic condition of poor. Do the existing conditions impair infiltration and increasing runoff at these locations?
 - b. The Timespan is set at 5.00-20.00 hours which does not result in the earlier and later runoff volumes to the stormwater management areas.
 - c. Include a completed NOI in the SWPPP for review.
 - d. How will the large infiltration basins be constructed without compacting the soils. Will percolation testing be necessary after the construction?
 - e. Erosion and Sediment Control Plan – Will the temporary drainage channels have enough pitch to direct flow to the two proposed sediment traps from 1,000 feet away?
 - f. Additional silt fence should be shown behind lots 54 to 64 to protect the wetlands they drain towards.
 - g. Where is Detail 3 – Wood Split Rial on Sheet LP-1 used?
 - h. Show sediment trap pipe outlet locations on ESC Plans.
 - i. Verify Detail 5 - General Note #4 on Sheet DT-7.
 - j. Table 1 on Detail #9 – Sheet DT-8 should include Basin #3 Pond Type.
 - k. Complete General Note #1 on COV-1.
 - l. Scientific name for the American Elm should be changed.

The Environmental Conservation Commission held a meeting on 2/4/2020 and issued a memo recommending:

1. The limits of (the LC Zone and 100-foot buffer zone, DEC Wetlands, Federal Jurisdictional Wetlands) shall be identified on the plot plan.
2. Federal jurisdictional wetlands have been identified on this site. Uses in this area are restricted. The Town of Clifton Park Building Department shall be notified before undertaking any land disturbance activities in Federal wetlands. The applicant should ensure no incursions into the wetlands on lot 40.
3. Due to the potential wetlands on Lot 41 the applicant will determine the location and extent of disturbance before a building permit is issued.

Roy Casper of the Trails Subcommittee submitted the following comments for the Planning Board to consider in its decision making:

- **Fairmont Drive Sidewalk**

The preliminary site plan seems to show good pedestrian access on Fairmont Dr. with a sidewalk provided from Crescent Rd. to the Emergency Access Way/Multi-Use Path on the west side of the subdivision. (The majority of this sidewalk is shown on the right side of the street with a 100 ft. sidewalk segment indicated on the left side of the street that ultimately connects with the Emergency Access Way/Multi-Use Path. A crosswalk is shown at the point where the sidewalk switches to the left side of the street.)

- **Emergency Access Way/Multi-Use Path**

The Emergency Access Way/Multi-Use Path shown on the preliminary site plan from Fairmont Dr. to Pico Rd. is labeled well and provided with good description detail. The Emergency Access Way/Multi-Use Path will be a significant pedestrian connection for the future residents of the Crescent Woods Subdivision and residents of Aspen Wood and Crescent Estates.

- **Crescent Road Sidewalk**

The preliminary site plan shows an incomplete section of sidewalk along Crescent Rd. from Fairmont Dr. heading east that does not reach Pembroke St. – this sidewalk connection is important for pedestrian access between the subdivision sections. Are there topographical constraints that prevent the connection between the two subdivision entrance streets? Also, a 10 ft. wide asphalt multi-use path would seem to make more sense on this property along Crescent Rd. considering the location near Okte Elementary School, future connecting multiuse paths on the north side of Crescent Rd. and the ability of the multi-use path to handle pedestrian and bicycle traffic simultaneously on this heavy traffic roadway.

- **Pembroke Street Sidewalk and Trail Connection to Weston**

Drive The Pembroke St. sidewalk and trail connection seems to provide pedestrian access from Crescent Rd. to the tennis court on the adjacent property to the east and Weston Dr., but limited access for the majority of the future subdivision residents. **Ideally, it would make more sense to continue the sidewalk north along Pembroke St. to the Spencer St. intersection and northeast to the Spencer St. cul de sac. This would balance the subdivision sidewalks between the Fairmont Dr. sidewalk on the west side and Pembroke St./Spencer St. sidewalks on the east side providing good pedestrian access to the surrounding neighborhoods for the majority of the subdivision residents.**

- **Spencer Street Cul De Sac Connection to Patriot Circle**

According to the preliminary site plans, it appears that there is an Emergency Access Way that may be designated between the Spencer St. cul de sac and Patriot Circle. This would be an ideal opportunity to co-locate a multi-use path with an Emergency Access Way and create important pedestrian connections to Countryman Estates, Hayes Nature Park, Huntwood Park and many other neighborhoods and locations.

- **Sidewalk Cross Connection**

Ideally, a sidewalk cross connection between the east and west side subdivision sidewalks would make sense on either Fairmont Dr. or Spencer St. to establish a

pedestrian sidewalk link on the north side of the development. A sidewalk on Spencer St. would be the shortest bridge and the lowest cost alternative to accomplish this goal.

- **Final Site Plans**

Final site plans should label and detail all sidewalks, multi-use paths and trails.

John Scavo, Director of Planning issued a letter dated 2/7/2020 with recommendations he made:

SEQR:

1. 10 NYCRR Part 97, is the NYSDOH regulation implementing SEQRA (Article 8 of the ECL). Section 97.14(b)(2)(ii) requires that a realty subdivision be classified as a Type I action. Coordinated Review is required, and Lead Agency Coordination Letters have been sent on behalf of the Planning Board who should assume Lead Agency Status.
2. A traffic analysis dated February 12, 2014, prepared by Creighton Manning, was submitted for review with the original Crescent Woods Project. That analysis assumed a construction and occupation date of 2015, for the new dwellings which consisted of 61 single family residences. The analysis should be reviewed and updated as appropriate to reflect the current conditions of traffic, number of lots relating to the project and be resubmitted under this project.
3. The original Crescent Woods Project contains a Letter from *NYS Office of Parks, Recreation & Historic Preservation to Infinigy Engineering, dated July 11, 2013, prepared by Philip Perazio, Preservation Program Analyst – Archaeology Unit*. Based on a review of the information provided at that time, SHPO recommended the project will have no effect on historic properties listed or eligible for listing on the National Register of Historic Places. The applicant should provide documentation that the conclusion of “No Effect” will remain the same as a result of the project’s expansion to include an adjacent parcel.

Site Plan:

4. On Sheet 1 of 28, General Note #1 should be corrected to have the title reflect the referenced Boundary and Topographic Survey performed by Gilbert VanGuilder Associates.
5. The roadway names shall be added to the Subdivision Plan and new 911 addresses once assigned shall also be added.
6. On Page 26 of 28, change the Town of Clifton Park Highway Cross Section to reflect “NYS DOT Type 6 for the 1-Inch Asphalt Top Course.”

7. On Page 26 of 28, change the Typical Sign Mounting Detail from “MUTCD No: R1-D1” to “MUTCD No: R1-1”.
8. Add a note to define the No-Cut Buffer to state:

The No-Cut Buffer is in perpetuity and is to be recorded as a binding deed restriction to extend beyond any initial construction buffer. The No-Cut Buffer shall be natural, undisturbed and free of encroachments, and shall contain the existing tree cover and vegetation as well as any supplemental plantings or replanting as may be required.

Dying, diseased or dead vegetation may be removed from a buffer provided minimal disturbance occurs. Vegetation thus removed shall be replaced where necessary to meet the screening requirements contained herein.

Enforcement of the No-Cut Buffer Deed Restrictions is a private matter. In other words, another resident should not call the Town and ask them to enforce the deed restriction.

A property owner who disagrees with the No-Cut Buffer or is aggrieved by a neighbor's property in contrary to deed restriction will need to either ask the HOA (homeowners association) to enforce the restriction if such entity exists, or sue in a court of law.

9. Add a notation to the plan that states, “All subdivided lots are to be included within Stony Creek Park District #1.”

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter dated 2/7/2020 had the following comments:

State Environmental Quality Review

1. Based upon a review of the proposal, it is considered a realty subdivision under Environmental Conservation Law (ECL) Part 74. In accordance with 10 NYCRR Part 97 in the NYSDOH regulation implementing SEQRA (Article 8 of the ECL), Section 97.14(b)(2)(ii) requires that a realty subdivision be classified as a Type I action.

2. As we understand it, this application is an amendment to the previously approved realty subdivision. The prior application was classified as a Type I SEQRA action, underwent a coordinated review with interested/involved agencies and a negative declaration was issued by the Planning Board. The current proposal includes elements that need to be discussed further with the Town to determine how a SEQRA evaluation may be conducted for the amendment being proposed. Topics to be discussed include:
 - a. The amendment includes work on a parcel of land that was not included in the prior SEQRA evaluation identified as tax parcel 283.00-2-9. We do not believe that the prior SEQRA will be adequate to rely upon solely and additional analysis may be warranted as new information is now being presented (i.e. additional lands added to the project).

3. Assuming the Clifton Park Planning Board is to request Lead Agency status under SEQRA, a coordinated review is required for Type I actions. Under a coordinated review, involved / interested agencies to be engaged may include, but is not necessarily limited to the following:
 - a. Clifton Park Water Authority – request for taking of additional water, public water supply plan approval.
 - b. Saratoga County Planning - 239m referral due to the project's proximity to Route 146.
 - c. Saratoga County Sewer District No. 1 – request for reserve sewer capacity, public sewer plan approval.
 - d. NYS Dept of Health – realty subdivision approval and public water supply plan approval.
 - e. NYS Dept of Environmental Conservation – public sewer plan approval, permit coverage under stormwater SPDES, identification of threatened and endangered species, potentially taking of additional water, joint applicant for potential wetland impacts.
 - f. NYS Office of Parks, Recreation and Historic Preservation – identification of cultural or historic resources.
 - g. United States Army Corps of Engineer - potential permitting associated impacted to regulated waters.

Additional agencies may be identified by the Town during its review of the project. The applicant has submitted Part 1 of the Full Environmental Assessment Form (FEAF). Based upon our review of the submitted Part 1 FEAF, the following comments are offered:

4. Part E.2 (g). The answer indicates the presence of unique geologic features on the project site. Please provide a description for future submissions.
5. Part E.2 (h-i). The answer should be changed to “Yes” to indicate the presence of wetlands within the project site.

No further comments at this time. Additional comments may be forthcoming as the project advances.

Subdivision Plans

6. The applicant is proposing to make modifications to a previously approved subdivision. The major changes being requested include increasing the number of lots from 62 lots to 77 lots, modifications to the individual bulk lot requirements, reduction in length of roadway and revised project layout.
7. The prior application received various regulatory approvals, including but not limited to Clifton Park Water Authority, Saratoga County Sewer District No. 1, NYS Department of Health and NYS Department of Environmental Conservation. Should the updated concept move forward, it is anticipated that the applicant would have to once again seek approval from the same agencies for various improvements being proposed. Any approval that may be granted by the Planning Board shall be conditioned upon receipt of noted approvals.
8. The project is located within the Town’s Residential District (R-1). The proposal for single family homes is a permitted principal use within the R-1 District as noted in Section 208-10(B)(2) of the Town’s Zoning.
9. Identify the date and by whom the wetlands shown were delineated. Based on the date of the delineation and/or prior NYSDEC correspondence, the wetlands may require a re-delineation if expired.
10. The previously submitted traffic/site distance study dated February 12, 2014 should be updated to reflect the proposed plan.
11. Tree clearing should be limited to the USFWS window of October 1st through March 31st.
12. Cover, provide the title and date of the boundary and topographic survey performed by Gilbert Van Guilder Land Surveyor, PLLC.

13. Sheet ECD-1, the existing split rail fence should be removed from the County right-of-way and noted as such on the plat.
14. The existing 15" culvert is noted to be removed per ACOE. Will this culvert be replaced as part of the proposed subdivision?
15. There are utility poles, ROW monument and a flashing beacon speed limit sign shown on the west side of the new entrance from Crescent Road. These poles likely need to be relocated as they are close to the vehicle path and/or may interfere with sight distances looking right for turning movements exiting the project site.
16. The Subdivision Plat shall show the bearings and distances of all proposed easements/conveyances.
17. The proposed parcel south of Lot 1 should indicate who it will be conveyed to.
18. Provide street names on layout plans for reference.
19. The project proposed a shared drive for Lots 41 and 42. The applicant shall provide a draft maintenance agreement for review by the Planning Board's legal counsel.
20. Should any basement sump pumps be deemed required under the criteria stated in Section 86-7(A)(6) of the Town Code, their end discharge locations need to be noted on the plans.
21. It is suggested to flatten the layout of the proposed watermain in locations that are create high points in the main. If flattening is not feasible than an air release valve should be installed at these high point locations.
22. In location where the proposed watermain and forcemain are at similar depths, verify the locations of the water and sewer services do conflict with one another.
23. Provide labels for the forcemain structures on the plans.
24. Sheet PP-3, include detail for forcemain structure FMMH5 indicating interconnection with Spencer Street.
25. Sheet PP-7, it is recommended to connect to the existing manhole at an elevation at approximately 293 to prevent dipping the forcemain prior to entry.
26. At Sta 4+40 of Fairmont Drive, it appears the proposed 12-inch storm culvert will not have appropriate vertical clearance of the proposed force main. Correct utility alignments to provide a minimum of 18-inch vertical clearance between the two noted utilities.

27. At Sta 15+15 of Fairmont Drive, it appears the proposed 24-inch storm culvert will not have appropriate vertical clearance of the proposed force main. Correct utility alignments to provide a minimum of 18-inch vertical clearance between the two noted utilities.
28. At Sta 25+00 of Fairmont Drive, it appears the proposed 24-inch storm culvert will not have appropriate vertical clearance of the proposed storm sewer. Correct utility alignments to provide a minimum of 18-inch vertical clearance between the two noted utilities.
29. Provide typical trench detail for sanitary forcemain.
30. The proposed mail kiosk is shown in an offset paved area of the proposed Town road. An access easement within the Town right of way may be warranted as well as a maintenance agreement for the area and pavement outside the travel way of the future Town road.
31. Several retaining wall locations are shown on the plans. The location of the retaining wall within the right-of-way needs to be reviewed with the Highway Superintendent. It may be required that the retaining wall be placed outside of the right of way and be under private ownership of an HOA, if one is formed.
32. Confirm the guide rails shown are offset from the edge of pavement by no less than 4 feet pursuant to Section 86-6(J)(1) of the Town Code.
33. Prior to approval or filing of the subdivision plat with the Saratoga County Clerk, the appropriate 911 emergency response numbers must be obtained for and assigned to each lot created and placed on the filed plat.

Stormwater Pollution Prevention Plan

34. Update all text to reference the General Permit GP-0-20-001 that was effective as of 1/29/20.
35. Update the General Permit in Appendix F to GP-0-20-001.
36. Include in Section 2 of the SWPPP that discusses permit eligibility with respect to Part I.F.4 (state / federal threatened and endanger species) and I.F.8 (historic properties) of the General Permit. Provide any documentation received from agencies having jurisdiction, either database searches or correspondence that support permit eligibility within the SWPPP.
37. Edit Appendix H to include maintenance requirements of only those stormwater management practices proposed with the project.
38. Section 4, 6, 6.5 should reference the stormwater manual dated January 2015.

39. The NOI found in Appendix J needs to be completed for the project.
40. Provide a turnaround for the access to the stormwater basins pursuant to Section 6.1.6 of the NYSSMDM.
41. The section entitled Soil briefly mentions existing site soil conditions. This section shall summarize the in-situ soil testing completed including infiltration tests and test pits with the results provided as an appendix pursuant to Part III.B.2.d and e of GP 0-20-001. Provide in-situ soil testing information for stormwater basin 3.
42. Pursuant to Section 6.3.1 of the NYSSMDM, the minimum geotechnical testing is one test hole per 5000 sf, with a minimum of two borings per facility (taken within the proposed limits of the facility).
43. Section 6.3.6 of the NYSSMDM requires infiltration designs that include dewatering methods in the event of failure. Since no underdrains appear proposed, describe how the system may be dewatered. Section 11.2 of the SWPPP shall also describe dewatering techniques. Should pumping be required, then it may be necessary that this equipment be furnished to the Town since it is proposed to convey the system to the Town upon project completion.
44. Provide the following note on Sheet ESCP-1 pursuant to Section 6.3.5 of the NYSSMDM, "Upstream construction shall be completed and stabilized before connection to a downstream infiltration facility. A dense and vigorous vegetative cover shall be established over the contributing pervious drainage areas before runoff can be accepted into the facility."
45. Provide a summary table of all segments of storm sewer pipe to show that the 10-year, 24-hour design storm freely discharges without backwater conditions occurring pursuant to 86-7(A)(1)(a) of the Town Code.
46. Section 6.1.6 of the NYSSMDM required warning signs to be posted prohibiting swimming, wading, and skating, warning of possible contamination or pollution of pond water, and indicating maximum depth of pond. The plans shall provide a detail for and show where these signs will be posted for each P-1 practice.
47. Pursuant to Section 3.5 of the NYSSMDM, the proposed stormwater practice needs to have a conspicuous and legible sign posted at all practices.

Public Comments:

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche stated that he likes the way the new layout pushes the roadway to the west due to the acquisition of the adjacent parcel. Mr. LaFleche

stated that he does not see on the map a trail run from the cul-de-sac to the Patriot Circle trail, and inquired if there is access to that. Mr. Lansing stated that he can check to see if it can be done. Mr. LaFleche asked for the identification of the wetlands, Mr. Lansing identified it on the map. Mr. LaFleche asked about clear cutting and how much would be done. Mr. Lansing stated that it would look very close to what is shown on the submitted map. Mr. LaFleche asked if they would consider cutting back on tree removal, and possibly keep more trees between the homes and give the homeowners the right to cut or not cut down the trees.

Eric Hamilton – 67 Pico Drive – Mr. Hamilton asked for identification of the existing 6 acre home lots. Mr. Lansing identified them on the map. Mr. Hamilton stated he feels that ½ acre lots are dense. Mr. Hamilton stated that he feels the trail to Patriots Circle is needed.

Barb Hamilton – 67 Pico Drive– Ms. Hamilton asked about a possible traffic light at the entrance to the subdivision. Mr. Scavo stated the residential area may not meet the guidelines for a traffic light but an updated traffic study may show differently. Ms. Hamilton asked if the old buffer of 40 feet from the new construction to the existing homes would stay. Mr. Ferraro stated the 40 foot buffer would remain and be extended onto the new lots proposed.

Planning Board Review:

Mr. Ophardt moved, second by Mr. Szczesny, to establish the Planning Board as Lead Agency status for SEQRA review, a Type I action. This motion was carried unanimously.

Mr. Ophardt asked if there would be an HOA, Mr. Lansing stated there would not be. Mr. Ophardt asked who would have jurisdiction if a problem arises with the buffer. Mr. Scavo stated it would be the homeowner and the neighbors' responsibility to self-regulate. Mr. Morelli would look and see if it is only a neighbor within the subdivision or if an outside neighbor would have jurisdiction as well. Mr. Ferraro expressed concerns about the lack of enforcement responsibility related to the buffer. Mr. Scavo stated that on the building permit and deed it would identify restrictions on buffers. Mr. Andarawis asked if signage could be used to identify the buffer area. Mr. Scavo said that signs can be used. Mr. Ophardt asked who takes care of the retaining wall if it is in the ROW. Mr. Scavo stated if it is in ROW then the Town owns it and the Highway Dept. maintains the structure, if it is on private property the homeowner owns it. Mr. Lansing stated that this is something that is being looked into and will be further discussed with the Highway Department.

Mr. Ophardt asked why some of the trails have been eliminated, and some park space, as well connector trails are missing. Mr. Lansing stated that the park area has in fact been expanded and is now just over 10 acres; including the wetlands; with the road separation in the new plan. Mr. Lansing stated that the walkway along Crescent Road is in fact gone as well as the pathway

adjacent to the road to the Pico Drive connector trail. Mr. Lansing did state he will look into why they were eliminated and what can be done to modify the plans as the Board recommends.

Mr. Neubauer stated that he would like to see the applicant sit down with Mr. Casper and Ms. Viggiani to see what they ultimately think can be done with the trails and he also stated that he thinks a link to Patriot Circle needs to be completed. Mr. Ophardt stated that he feels that the Board was promised previously a connection to Okte Elementary School and this new subdivision proposal eliminates those connections. Mr. Lansing stated that he would be willing to sit down with the Trails Subcommittee and Ms. Viggiani.

Mr. Ophardt stated that retention basin #3 is now in the old park area. Mr. Lansing stated that it has been moved but this has helped increase the parkland area. Mr. Lansing said it can be better defined on the map at the next meeting. Mr. Ferraro stated that lots 42-45 are new lots that were not on the previous plan and some future parkland areas proposed may have been lost with creating them even though the contiguous open space has increased with the addition of the parcel to the west. Mr. Lansing stated that they have been created but in the process it has decreased the roadway. Mr. Szczesny asked if these changes are due to the new parcels in the application. Mr. Lansing stated that they are and the new configuration is more efficient. Mr. Szczesny asked that if the applicant choses could 8 more lots be added? Mr. Lansing stated the density yield would provide up to 88 residential units.

Mr. Neubauer stated that he would like to see an overlay of the old proposal to the new proposal for the next meeting. Mr. Lansing stated he can do an overlay map for the Planning Board for the next meeting.

Mr. Ferraro stated that lots 49 and 50 look to be reconfigured from the previous approved plan, and that lots 64 - 72 were on Fairmont previously and now there is 1 new lot. Mr. Ferraro stated that he does like the new layout of the proposal but would like to see a lot given back up to increase parkland space. Mr. Lansing stated that they have increased park space and are still under the threshold for number of homes. Mr. Ophardt agrees with Mr. Ferraro stating that he like the new layout better than the previously approved one. Mr. Andarawis stated that he feels the future parkland works out the same if not better in the new proposal.

Mr. Ophardt asked if the retention pond needs access. Mr. Scavo stated that it does need access for a maintenance vehicle to drive around it. Mr. Lansing stated that it is usually just a gravel access roadway, but can discuss detailed design with Mr. Myers.

Mr. Neubauer stated that he feels that a new traffic study revision will show no impact, however he feels that the public will not agree with this. The increase of 15 homes from last approval will impact how people feel about this new expansion proposal. Mr. Ferraro stated that when the new study comes in the Board will have to evaluate this.

Discussion Items:

None

Mr. Szczesny moved, seconded by Mr. Neubauer, adjournment of the meeting at 9:12 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on February 25th, 2020.

Respectfully submitted,

Paula Cooper

Paula Cooper, Secretary