

Town of Clifton Park Planning Board
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Clifton Park, New York 12065
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PLANNING BOARD

DENISE BAGRAMIAN
Chairwoman

ROBERT WILCOX
Attorney

PAULA COOPER
Secretary



MEMBERS

Emad Andarawis
Eric Ophardt
Heather Fariello
Andrew Neubauer
Jennyfer Gleason
Keith Martin

(alternate) Lisa Westrick

Planning Board Minutes
November 22nd, 2022

Those present at the November 22nd, 2022 Planning Board meeting were:

Planning Board: D. Bagramian, Chairwoman, E. Andarawis, H. Fariello, A. Neubauer, E. Ophardt, K Martin, J. Gleason

Those absent were: L. Westrick

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

Ms. Bagramian, Chairwoman called the meeting to order at 7:00 p.m. All in attendance stood for the recitation of the Pledge of Allegiance.

Minutes Approval:

Ms. Fariello moved, seconded by Ms. Gleason, approval of the minutes of the November 9th, 2022 Planning Board meeting as written. The motion was unanimously carried. Mr. Neubauer abstained.

Public Hearings:**#2022-039 5 Maxwell Drive Subdivision (DCG)**

SBL: 271.-3-74.22

Applicant proposed a 2 lot subdivision and Lot Line adjustment, 5 Maxwell DR , Zoned: TC4 - Transition Zone, Status: Preliminary Review w/ possible determination Citizenserve File Number: 22-000039, Application Number: SUB22-000007 Applicant: DCG Development Co., Consultant: EDP Last Seen: 11/9/22

Ms. Bagramian explained the review and approval process to those present, stating that the Board was required to render a determination pursuant to SEQRA (State Environmental Quality Review Act) prior to conducting a public hearing on this application. She explained that the Planning Board would assume Lead Agency status for the project and issue a negative declaration as a “formality” which neither granted nor implied approval of the subdivision application. Should it be determined that additional environmental review is required, SEQRA discussions will be reopened and a decision rendered when deemed appropriate.

Mr. Andarawis moved, second by Ms. Fariello, to establish the Planning Board as Lead Agency for this application, an Unlisted action, and to issue a negative declaration pursuant to SEQRA.

Ms. Bagramian called the public hearing to order at 7:05 p.m. The Secretary read the public notice as published in the Daily Gazette on November 4th, 2022.

Consultant/Applicant Presentation:

Joe Dannible – EDP – Mr. Dannible stated that he is here tonight for a minor 2 lot subdivision as well as a lot line adjustment. He stated that there would be no physical change on the property, only a subdivision. Mr. Dannible stated that a 2 acre parcel on the corner of Maxwell Drive and the St. Peter’s building would maintain their parking and the existing building would be on the 11 acre lot. He stated that the lot line adjustment is for parking on an adjacent parcel. Mr. Dannible stated that easements would be granted for utilities.

Staff Comments:

The Environmental Conservation Commission and issued a memo recommending:

No comments

Wade Schoenborn, Building and Development issued a memo stating:

- Postal Verification will be required.
- Assigned 911 addresses are required to be on the final site plan.
- No further comments at this time

Scott Reese, Zoning Administrator issued a memo stating:

No comments

Scott Reese, Stormwater Management Technician issued a memo stating:

No comments

John Scavo, Director of Planning issued a memo stating:

- The Saratoga Co. Planning Board noted the project would have no significant county-wide or inter-community impacts.
- The applicant has satisfied my prior comments.

Mike OBrien, Sewer Department issued a memo stating:

- 2022-012 Maxwell Drive 5 Lot Residential Subdivision (Klapija) Concept Review: This project lies within Clifton Park Sewer District #1. As proposed, lots 1 and 2 has low pressure sewer laterals being directed to a Saratoga County Sewer District sewer main on Via Da Vinci. The Clifton Park Sewer Department understands the reasoning for this design. Because lots 1 and 2 would not be served by CPSD #1, these lots would need a Town Board action to adjust current District Boundaries to reflect services.

Professional Comments:

No professional comments.

Public Comments:

No public comments.

There being no additional public comment, Mr. Martin moved, second by Mr. Ophardt, to close the public hearing at 7:15 p.m. The motion was unanimously carried.

Planning Board Review:

Mr. Andarawis asked if, after the lot is broken off, the green space requirements would still be met for each lot. Mr. Dannible stated greenspace would still meet the requirements. He stated that there may be a deed restriction in the future on lot 1 if it is developed.

Ms. Bagramian asked how many parking spots were under the existing building. Mr. Dannible stated 70.

Mr. Ophardt offered Resolution No. 11 of 2022, seconded by Ms. Fariello to waive the final hearing for this application for the 5 Maxwell Drive Subdivision approval, and to grant preliminary and final subdivision approval conditions 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.

Roll Call:

D. Bagramian - Yes

E. Andarawis - Yes

E. Ophardt – Yes

H. Fariello - Yes

A. Neubauer - Yes

K. Martin – Yes

J. Gleason – Yes

L. Westrick (alternate) - absent

Ayes _____7_____

Noes: ____0_____

The resolution is carried.

Old Business:

2022-005 989 Hatlee Road 3 Lot Subdivision (Prediletto)

SBL: 258.-1-22.1

989 Hatlee Road 3 Lot Subdivision (Predilitto), 989 Hatlee RD , Zoned: R1 - Residential, Status: Preliminary Review w/ possible determination Citizenserve File Number: 2022-005, Application Number: SUB22-000006 Applicant: Prediletto Realty, LLC, Consultant: Lansing Engineering, PC - Mike Robertson Last Seen On: 10/25/2022

Consultant/Applicant Presentation:

Mike Robertson – Lansing Engineering – Mr. Robertson stated that he is here tonight for a 3 lot subdivision on a parcel that is currently and R-1 and has one existing home on it. He stated that

the home would remain. Mr. Robertson stated that the last time he was before the Board, they had requested an alternative layout that would eliminate the long legs of parcels 2 and 3. He stated that he had an alternative and presented it to the Board. He stated that he is seeking conditional approval based on water and sewer hook-ups.

Staff Comments:

The Environmental Conservation Commission and issued a memo recommending:

- It appears that the plans with the limits of the LC Zone, 100-foot buffer DEC Wetlands etc. have not been submitted to the Town as they are not contained in the file.
- The ECC has concern with the high level of the water table and vernal wetlands that exist in the area. The applicant shall submit test hole data to indicated seasonal high-water table as it may impact the grading limits.
- As such we are reserve the right to provide comments at a later date once requested information is provided.

Scott Reese, Zoning Administrator issued a memo stating:

- Comment for the Alternative Layout #1: Per Town Code Chapter 208--86 A. Keyhole lots may be permitted by the Planning Board only in Residential Districts R-1 and R-3 and only in rare instances when required due to unusual conditions of the area. Keyhole lots shall not be created for any use other than a single-family dwelling.

Scott Reese, Stormwater Management Technician issued a memo stating:

- In 2021 the project site disturbed more than 1 acre of soil. This project will need a basic SWPPP.
- High groundwater is present in this area. Since the bottom of building footings need to be 2 feet above groundwater, deep test holes should be done to indicate seasonal high groundwater. This may affect the grading limits around proposed Lot #3

John Scavo, Director of Planning issued a memo stating:

- All Planning Department comments have previously been addressed with the convention layout that meets the Town Zoning Code Requirements.

Mike OBrien, Sewer Department issued a memo stating:

- Due to the need for a district extension as well as the potential future public dedication. The Town of Clifton Park Sewer Department is requesting additional review by Town Engineers to verify the capacity of existing 2-inch line for proposed and future connections. Review will utilize escrow established by Planning Dept.

- This project will require a Sewer District Extension. This extension must be approved by the Town Board prior to any public sewer access.

Professional Comments:

Walter Lippmann, P.E. of MJ Engineering in a letter had the following comments:

STATE ENVIRONMENTAL QUALITY REVIEW

1. No further comments.

SHORT ENVIRONMENTAL ASSESSMENT FORM

The applicant has submitted Part 1 of the Short Environmental Assessment Form (SEAF). Based upon our review of the submitted Part 1 SEAF, the following comments are offered:

2. Part 1.15 - Any action on the subdivision application should be conditioned upon receipt of correspondence from the NYS Natural Heritage.

SITE PLANS

3. If the alternate layout is considered, the driveway for Lot 1 encroaches onto the northeast corner of Lot 2.
4. Any action on the subdivision application should be conditioned upon receipt of plan approval from the NYSDOH and/or NYSDEC for the additional taking of water.
5. Any action on the subdivision application should be conditioned upon receipt of sewer extension plan approval from the Town and NYSDEC.
6. The sanitary sewer cover on Sheet DT-2 shall read Town of Clifton Park Sewer District No. 1.
7. Provide forcemain connection detail to existing manhole.

SEWER REPORT

8. Sewer report shall be revised to reflect the peak flow from the low pressure system to be 33 gpm in lieu of 5.34 gpm.

Public Comments:

No public comment.

Planning Board Review:

Ms. Bagramian asked if the applicant would be going with the new layout for approval. Mr. Robertson stated he would per the Board's request.

Mr. Ophardt stated that he liked the alternative layout presented better. He stated that this may be a keyhole lot but does not feel it is because of the offset nature of the home to the proposed lots. Mr. Robertson stated that the placement of the home to be built is not exact but in the area and that it is not a typical keyhole lot. Mr. Ophardt asked how utility hookups would be done. Mr. Roberts stated that a force main will be drilled and water would need to be cut.

Mr. Neubauer stated that he feels it achieves the objectives that he was looking for, even with a keyhole lot being proposed. He stated that a conventional layout is less desirable here than a keyhole.

Mr. Wilcox stated that unusual conditions of the area can cause a keyhole and the Board can use this as a condition for approval and validate in future applications. Mr. Scavo and Mr. Ophardt gave examples of why this application had unusual conditions, and Mr. Ophardt stated that they need to consider existing home placement as well.

Mr. Andarawis stated that he struggled with both layouts as they both would set precedence.

Mr. Neubauer offered Resolution No. 12 of 2022, seconded by Ms. Gleason to waive the final hearing for this application for the Hatlee Road 3 Lot Subdivision approval, and to grant preliminary and final subdivision approval conditioned 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.

Roll Call:

D. Bagramian - Yes

E. Andarawis - Yes

E. Ophardt - Yes

H. Fariello - Yes

A. Neubauer - Yes

K. Martin – Yes

J. Gleason – Yes

L. Westrick (alternate) - absent

Ayes 7

Noes: 0

The resolution is carried.

New Business:

None

Discussion Items:

None

Ms. Fariello moved, seconded by Mr. Andarawis, adjournment of the meeting at 7:31 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on December 13th, 2022.

Respectfully submitted,

Paula Cooper

Paula Cooper, Secretary