

Excerpted from the Clifton Park Planning Board Minutes, September 15, 2005

2004-047] Kain Development Group, LLC – Proposed (18) lot subdivision, Longkill Road – Revised conceptual review.

Mr. Frank Fazio, consultant for the applicant, presented the plan for this application that has been revised since its initial submission in September, 2004. The plan remains generally as presented last year with (18) single-family residential lots in an R-1 zone. Lots range in size from 20,078 SF to 56,337 SF. The applicant proposes connection to existing municipal water and sewer services and a Town roadway that will access Longkill Road. Though the plan shows the access serving an additional (2) existing lots, Mr. Fazio reported that the proposed roadway could be moved to the north to maintain the development's compliance with the zoning regulation that limits the number of lots on a cul-de-sac to (18). In response to comments prepared by the Clifton Park Water Authority, a 16-inch water main will be installed along Longkill Road with a connection at Woodstead Road. The hydrant has been relocated to the property boundary between Lots #4 and 5.

Mr. Fazio addressed a number of comments prepared by Clough, Harbour, and Associates. He reported that the wetlands have been delineated on the site: a jurisdictional letter is anticipated. In response to the recommendation regarding consideration of a cluster layout, the consultant stated that **the developer believes that a conventional subdivision is better suited to the site**. Though the Town Engineer was concerned about the close proximity of the proposed house sites to the wetlands, Mr. Fazio stated that **the wetlands on Lots #12 and 13 have been determined to be isolated and do not impact the lots. The house on Lot #16 can be oriented more to the west to provide a suitable back yard**. Responding to the concern about routing of proposed water mains, a note has been added to the plans that states that the water main connection will be made to the end of the 16-inch water main at the intersection of Woodstead Drive and Longkill Road. **The property line between Lot #5 and 6 has been adjusted to provide a larger side lot for Lot #5**. The proposed retention basin will be dedicated to the Town. Several minor technical comments have been addressed.

Mr. Kemper reported that this project last appeared before the Board on October 13, 2005. The Board requested that a cluster layout be considered and that an ACOE wetland delineation be completed since a signoff from the ACOE on the wetland delineation must be submitted. The comment letter from the Clifton Park Water Authority has apparently been addressed. Sign-offs will be required from the Saratoga County Sewer District and the Clifton Park Water Authority. A multiuse trail should be illustrated on the plans. The applicant will evaluate the existing right-of-way to determine if a multi-use pathway could be placed within the existing right-of-way. A Saratoga County Department of Public Works work permit will be required. The Saratoga County Planning Board approved the project on October 21, 2004. Mr. Kemper noted that because the project is a Type 1 action, coordinated review is required. **Lots #16 and 17 do not provide adequate separation to the wetland area**. These lots must be eliminated or a adequate amount of separation must be provided. A catch basin must be provided in the center of the cul-de-sac. Copies of letters from David Gibson, Bill Mackesey and Maureen Sheridan were provided to Board members.

Mr. Grasso read the comment letter that was prepared by Clough, Harbour, and Associates. Mr. Fazio previously commented on a number of issues listed by the engineering firm.

Although the general subdivision design is acceptable and in conformance with the Town's subdivision regulations, **a cluster layout should be considered**. A number of lots have short rear yards that back up to other lots. This typically results in poor lot arrangements that compromise privacy. It appears that the same number of lots and less roadway could be created with 100 foot wide lots and a generally "T" configured road layout that bisects the site.

The close proximity of the proposed house sites to the wetlands on Lot #16 is of concern. The plan should better define property ownership arrangement that will result at the entrance to the proposed development. It appears the applicant is proposing to establish an ingress/egress easement over the existing lands now or formally of Wassenaar (Parcel 2). For the roadway to be dedicated to the Town, the roadway right-of-way must also be dedicated to the Town. The proposed easement would not be acceptable. The applicant is proposing to create eighteen (18) new lots and provide access to Wassenaar Parcel 1 and Lands n/f of Galeassi from the proposed access road. This creates a situation where a total of twenty (20) residential units are serviced by a single dead-end street. Dead-end streets servicing more than 18 residential units are not permitted in the Town of Clifton Park (paragraph F of Section 86-6 of the Town's Construction and Design Standards). The parcel identified as the proposed location for the storm water retention basin appears to extend along the entire length of the access road to Longkill Road. The plan should clarify if the intent is to dedicate this entire parcel to the Town. Any easements associated with the existing overhead transmission line that crosses the entrance road should be identified on the drawing. A portion of the existing driveway of Parcel 1 Lands of Wassenaar is located on the proposed Lot #1. The proposed property line should be revised to eliminate any encroachments. All proposed easements should be shown on the plan. Utility easements shall be a minimum of 30' in width. Under Section 179-27 of the Town of Clifton Park Zoning Regulations the Owner is required to dedicate "park land" or "open space" to the Town. If this offer is not made, or the land offered not useable for a public purpose, the Board can require, as a condition to approval of the plat, that the owner pay to the Town a fee per lot included in the plan. The plan does not identify lands of this nature to be dedicated to the Town. Mr. Kemper reported that the ECC reiterated a previous comment that recommended that **extensive buffering be retained along existing property lines** to reduce potential impacts to surrounding residences. In addition, the ECC asked that the following standard statements be added to the plan:

- No salts, fertilizers, pesticides, or other materials may be used on this property where they will contaminate any wetland areas or surface water through runoff, leaching, or in any other manner which violates the New York State Environmental Conservation Law (ECL).
- Federal jurisdictional wetlands have been identified on this site. The Town of Clifton Park Building Department shall be notified before undertaking any land disturbance activities in federal wetlands.
- The borders of all land that is to remain undisturbed shall be clearly marked on the site before site preparation begins. These on-site boundary markers shall remain until construction is completed and soils are stabilized.
- All erosion and water quality controls shall be put into place at the initial phase of site preparation and shall be maintained until all construction ends and soils are stabilized.
- The applicant will control fugitive dust and debris during the construction/demolition phase of the project.

Mr. Bulger addressed comments to those members of the audience who were in attendance because of this application, explaining that the Board was reviewing this application as a revised concept plan. No public comment would be received. A public hearing will be

scheduled at a later date at which time residents would be permitted to express their comments and concerns. Mr. Russell observed that the existing driveway that serves the Lands of Wassenaar should be replaced by a Town road since such a road would make access to all lots easier for residents and emergency vehicles. Mr. Larkin asked that the need for a future connection to the north to lands within the Town of Malta be investigated. Mr. Karam asked that the proposed homes be located as far from the wetlands as possible. He also asked that as much vegetation as possible be preserved to create an adequate buffer to existing homes. Mr. Bulger approved of the conventional layout design. The applicant was directed to meet with the Emergency Services Advisory Board for approval of additional lots on a cul-de-sac.