

**Town of Clifton Park Planning Board**  
One Town Hall Plaza  
Clifton Park, New York 12065  
(518) 371-6054 FAX (518)371-1136

PLANNING BOARD

ROCCO FERRARO  
Chairman

ANTHONY MORELLI  
Attorney

JANIS DEAN  
Secretary



MEMBERS

Emad Andarawis  
Denise Bagramian  
Jeffery Jones  
Andrew Neubauer  
Eric Ophardt  
Greg Szczesny

(alternate) Teresa LaSalle

**Planning Board Minutes**  
**November 14, 2018**

Those present at the November 14, 2018 Planning Board meeting were:

Planning Board: R. Ferraro, Chairman, E. Andarawis, J. Jones, E. Ophardt, G. Szczesny  
T. LaSalle – Alternate Member

Those absent were: D. Bagramian, A. Neubauer

Those also present were: J. Scavo, Director of Planning  
A. Morelli, Counsel  
J. Dean, Secretary

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

Mr. Ferraro announced that Ms. LaSalle would be sitting as a full voting member of the Board at this evening's meeting in the absence of two permanent Board members.

**Minutes Approval:**

Mr. Jones moved, seconded by Mr. Ophardt, approval of the minutes of the October 23, 2018 Planning Board meeting as written. Ayes: Andarawis, LaSalle, Szczesny, Jones, Ophardt, Ferraro. Noes: None.

**Public Hearings:**

Mr. Ferraro explained that, since the following two agenda items relate to the same parcel and project, they will be reviewed concurrently.

[2018-045] **PV Engineers c/o Borrego Solar Systems – Grooms Road Large Scale PV Facility** – Development of a 9.2 MW ground-mounted solar energy generating facility which will cover approximately 33.09 acres with surrounding 7' high fence and associated access roadway, 753 Grooms Road – Preliminary site plan review and possible determination. SBL: 276.-2-30.1

[2018-046] **PV Engineers c/o Borrego Solar Systems – Grooms Road Large Scale PV Facility** – Approval of Special Use Permit #81178 to permit the construction of a ground-mounted solar array, 753 Grooms Road – Preliminary public hearing and possible determination. SBL: 276.-2-30.1

Mr. Ferraro explained the review 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 the required public hearing on this application. He explained that although the Planning Board would pronounce the application complete, assume Lead Agency status, and issue a negative declaration, these actions would neither grant nor imply approval of the Special Use Permit and site plan applications. Should it be determined that additional environmental review is warranted based on input received at the public hearing, SEQRA discussions will be reopened and a decision rendered when deemed appropriate.

Mr. Szczesny moved, seconded by Mr. Ophardt, to establish the Town of Clifton Park Planning Board as Lead Agency for this application, a Type I action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Mr. Ferraro, Chairman, called the public hearing to order at 7:05p.m. The Secretary read the public hearing notice as published in the Daily Gazette on November 2, 2018.

Ms. Lindsey McEntire, representative for Borrego Solar, introduced Mr. Dean Smith, consultant for the applicant, and explained that the application remains generally as presented at the September 12, 2018 meeting. She noted that Borrego Solar has been among the top five largest commercial-scale solar installer nationally since 2013 and that the proposed project would provide offset power for 1,000 to 2,500 homes per year. Comments issued at that meeting were addressed in written correspondence prepared by Mr. Smith on October 19, 2018. Highlighting responses to some of the more significant comments, Mr. Smith reported that appropriate standard notes have been added to the plan, an updated Full Environmental Assessment Form has been provided, a complete Stormwater Pollution Prevention Plan will be provided that addresses the use of best management practices, verification that no significant changes to the hydrology or topography of the site will result from the development will be provided as permitting is being done concurrently with NYSDEC, coordination will be made with the Saratoga County Department of Public Works to insure that drainage along Grooms Road is maintained, and a Knox Box will be installed near the entrance gate to provide emergency service access. The solar arrays will be predominantly

placed on existing agricultural lands with equipment pads placed strategically throughout the site. A single pole light will be provided to illuminate each pad location.

Mr. Scavo reported that all comments prepared by Mr. Myers, Director of Building and Development, Ms. Reed, Chief of the Bureau of Fire Prevention, the ECC, Mr. Reese, Stormwater Management Technician, Mr. Dahn Bull, Highway Superintendent, M J Engineering and Land Surveying, P.C., and the Trails Subcommittee of the Open Space, Trails, and Riverfront Committee for items on this evening's agenda have been forwarded to Board members for their consideration.

Mr. Scavo reported that Mr. Myers, Director of Building and Development, offered the following comments regarding this application in a memo dated October 26, 2018. Plans indicate that the proposed access road will be 20' wide. The road must be 26' wide and able to support a 75,000 lb. vehicle. The roadway must be within 150' of all points of the array. Since it appears that the Conservation Easement approved for the parcel will be removed as part of the project, the owner must reimburse the town for the benefits received. This should occur prior to the final stamping of the plans. Ground water levels have been reported to be 8" TO 6.5' below ground level though no soil boring data has been provided. The Stormwater Pollution Prevention Plan refers to Appendix L which is blank.

Mr. Scavo reported that Ms. Reed, Chief of the Bureau of Fire Prevention, reiterated comments issued by Mr. Myers, noting that the developer must provide a 26' wide access road capable of supporting a 75,000 lb. vehicle and that the emergency access road must extend to within 150' of all points of the array.

Mr. Scavo explained that the ECC provided the following comments regarding this application after review at its November 7, 2018 meeting. The ECC recommends that the layout of the panels not intrude into the LC zone as per NYSDEC and Town Code Section 208-69 in reference to the 100 adjacent area as measured from the border of the NYSDEC wetlands. The removal of trees and stumps from the LC zone will significantly reduce the effectiveness of this area as a buffer zone and will negatively impact wildlife habitat and stormwater filtration. The ECC recommends that until final determination of the wetlands labeled I, J and K are identified and reviewed the placement of any PV structure must not be approved.

Mr. Scavo reported that Mr. Reese, Stormwater Management Technician, provided a number of comments regarding this application in a memo dated November 9, 2018. The applicant shall address the Clifton Park Code Chapter 208-69.2.C and have it reviewed by the Chief Zoning Officer to determine if a variance is required for the project. Response/approvals from the NYSDEC shall be forwarded on the disturbance and work within the NYSDEC Wetland Adjacent Area. The Full EAF Section E.1.b indicates that the project will have 2 acres less wetlands than the current acreage. Verification from ACOE will be required to determine whether or not the wetlands shown on the plans being impacted are isolated and non-jurisdictional. Mr. Reese issued several technical Stormwater Pollution Prevention Plan comments. Section 3.4 Construction Sequencing description in the SWPPP and reference to the Erosion and Sediment Control Plans is a little open for Phase II with the removal of trees exceeding 5 acres and reversing crop areas to seeding for meadows. The phase's boundaries should be shown on the plans so the developer

knows to stay under the 5 acre threshold of disturbance at one time. In Section 3.5.1 Soil Types – the correct county location should be provided and all other locations in the SWPPP should be corrected to match the current project. Section 3.5.2 Stormwater Runoff Characteristics – The NYS Stormwater Management Design Manual – Chapter 4 requires Water Quality Volume calculations, Runoff Reduction Volume calculations, Channel Protection Volume (1 year storm), Overbank Flood (10 year storm) and Extreme Storm (100 year storm) information be provided. Rainfall amount sources shall also be included in this section. The applicant needs to address how the water quality volume treatment is met for the surface of the solar panels and access roadway. Section 3.5.5 Drainage Patterns – the design points should be prior to the wetland boundaries as runoff should be treated and controlled prior to entering the wetlands. Section 3.6 Construction Site Estimates - there appears to be both row crops and pastures on the existing property. On the Pre-Development Watershed Plan the different fields should be shown on the plans and labeled. In the HydroCAD calculations the time span should be increased to get the runoff and volume calculations (i.e. depth should = not have a > sign). The Town is concerned of the construction process when disturbance and limited ground cover will be at its maximum. The SWPPP should discuss in detail how erosion control will be handled when large areas are being disturbed. The applicant shall describe in detail on how previous projects of this size were handled and how the protection of the existing wetlands will be maintained. The SWPPP should address how the individual panels will be arranged to allow the following:

- a. the passage of runoff between each module thereby minimizing the creation of concentrated runoff.
- b. the growth of vegetation beneath and between the panels.
- c. the preservation of existing vegetation by minimizing the construction equipment to disturb the earth.

The details show a Typical Rack Section, noting that actual rack size may vary. The stormwater runoff calculations should address the tilt angle and length of run it will have over the panels.

Mr. Scavo read the comments prepared by the Planning Department. Page 1 of 4 within the Operations and Maintenance (O and M) Plan refers to the Town of Hubbardston instead of Clifton Park. The 3<sup>rd</sup> bullet - Page 4 of 4 within the O and M Plan refers to the MassDEP Emergency Response Program at (1-88-304-1133); this should be corrected. Emergency Contacts – Page 4 of 4 within the O and M Plan should remove MassDEP Western Regional Office. The notes requested to be added to the plan from a prior review letter have been added to the current plan set as requested. The applicant should confirm that the solar facility or equipment will not be located over a septic system or leach field area. The Saratoga County Real Property information notes the existing dwelling is serviced by private sewer. The Saratoga County Planning Board reviewed both the Special Use Permit and Site Plan applications at its September 13, 2018 meeting and recommended approval of the Special Use Permit, determining that the project would have no significant county-wide or inter-community impact. The County Planning Board did, however, issue a number of comments regarding the application. A curb cut permit is required from the Saratoga County Department of Public Works for the proposed gravel access road from Grooms Road (County Route 91). Since the project is located within Saratoga County Agricultural District #2, an Agricultural Data Statement and Control Form must be completed and any identified farm operations within 500 feet must be notified by mail prior to the public hearing. The Agricultural Data Statement and Control Form must be included in the public meeting for this project. The project does not seem to be located on an active agricultural site, but it is located within the most

agriculturally active portion of the town: the NYS Department of Agriculture and Markets (NYSDAM) provides impact mitigation guidance for solar energy projects within agricultural areas. NYSDAM recommends avoiding installing solar arrays on the most valuable or productive farmland as well as avoiding as much as possible soils classified as Prime Farmland Soils, Prime Farmland Soils if drained, and Soils of Statewide Importance. The applicant is advised that this proposal is the subject of Saratoga County Supervisor's Resolution 204-2018 requiring Borrego Solar Systems to enter into a PILOT agreement for this project in accordance with NYSERDA's Solar Energy Systems PILOT Calculator. A utility study with an anticipated completion date of October, 2018 will be undertaken by National Grid to determine the exact wattage to be produced by this facility. The copy of the decommissioning plan with cost estimate for a surety bond must be provided.

In Mr. Bianchi's absence, Mr. Scavo reported that, after review of the plans and accompanying documents submitted for consideration, M J Engineering and Land Surveying, P.C. offered the following comments and recommendations regarding this application. Several comments related to the Full Environmental Assessment Form submitted. As noted in Comment 2 of the August 10, 2018 review letter, the applicant is asked to correct the school district to Shenendehowa Central Schools in Part C.4.a. As noted in Comment 3 of the August 10, 2018 review letter, Part C.4.b must be corrected to NYS Police and Saratoga County Sheriff. As noted in Comment 5 of the August 10, 2018 review letter, Part D.2.b notes that the project will not result in alterations of or increased encroachments into existing wetlands or waterbodies. The submitted plans suggest the removal of trees with the stumps remaining in regulated wetlands. The response needs to be updated as appropriate based upon the proposed scope of work, if necessary. As noted in Comment 6 of the August 10, 2018 review letter, Part E.1.b notes an increase in agriculture lands upon completion of the project. The applicant is asked to explain this circumstance, considering the finished condition will include solar arrays with no indication of additional agriculture uses. As noted in Comment 9 of the August 10, 2018 review letter, the applicant is asked to provide a response to Part E.2.m. It shall be noted that the Ipac database indicates the potential for the Northern Long Eared bat and Karner Blue butterfly being present within the project site. The applicant will need to illustrate how the proposed action will not adversely impact these species.

Several comments related to the site plan presented for consideration. The applicant shall provide sufficient data to demonstrate that the proposed activity will not result in any of the changes noted in Section 208-69.3 of the Town's Zoning Code. As noted in Comment 16 of the August 10, 2018 review letter, the site plans shall note the individual or firm that completed the wetland delineation and date the delineation was completed. The existing roadway drainage shall be maintained along Grooms Road. A new culvert pipe may be necessary at the improved driveway. The applicant shall coordinate with the Saratoga County Department of Public Works regarding the extent of improvements that may be required. As noted in Comment 19 of the August 10, 2018 review letter, a note needs to be added to the plans indicating all work within the Grooms Road right-of-way is subject to permitting by the Saratoga County Department of Public Works. The note cannot be found on Sheet C-1.0 as indicated by the applicant. As noted in Comment 21 of the August 10, 2018 review letter, it was suggested that a Knox box be installed on the site access gate and the applicant has agreed to provide this. A notation on the plans must be provided indicating that the Knox box will be installed. As noted in Comment 22, of the August 10, 2018

review letter, the plans shall show how site disturbances will occur without exceeding 5 acres of ground disturbance at one time. At the previous Planning Board meeting, the applicant committed to preparing visual simulations of the project site from Grooms Road. The status of these simulations should be provided.

Although no comments specifically related to the Wetland Delineation Report, as previously requested, the applicant needs to furnish the town all copies of wetland and adjacent area impact permits, upon receipt.

Several comments referenced the Stormwater Memo. The stormwater analysis indicates that under the proposed conditions there will be a decrease in site runoff due to the change in surface cover (row crops to seeded lawn). Due to the historic and current uses of the agriculture lands, the tilling of the soil usually creates a hard pan layer just below the surface, limiting and/or prohibiting infiltration. Unless the project intends on performing soil restoration that eliminates the hard pan layer, it is believed the proposed development condition would have the same or slightly higher curve number attributed to the unchanged agriculture fields and proposed access road. There is no discussion as to why water quality treatment is not being provided with the increased impervious associated with the access road. The access road is being proposed as a clean stone surface, which under favorable soil conditions may be treated as a "porous" surface as well as having the ability to provide quantity control, if positioned properly. However, the soil survey suggests high groundwater and heavy soils. There needs to be additional analysis and discussion describing how water quality controls are being provided. If they are not being provided, justification shall be offered.

Review of the Stormwater Pollution Prevention Plan resulted in the following comments. Section 4.1 of the Stormwater Pollution Prevention Plan is entitled, "Endangered Species Protection," yet it discusses wetlands. This section shall reference database search results of the NTSDEC Heritage Program and USFW Ipac as provided in Appendix J of the SWPPP. It should be noted that the Ipac database provided by the applicant indicates the potential for the Northern Long Eared bat and Karner Blue butterfly being present within the project site. Further analysis is warranted in order for the project to be eligible for coverage pursuant to Part I.F.4 of the General Permit. The SWPPP shall include documentation that indicates the project is eligible for permit coverage with respect to cultural or archeological resources pursuant to Part I.F.8 of the General Permit. A draft NOI must be provided for review.

Ms. Mary Garrison, 335 Miller Road, was particularly concerned about whether the proposed tree cutting on the site would likely increase run-off from the site which would impact adjacent properties since there are significant wetlands bordering the property. Mr. Smith reported that approximately seven (7) acres of the site will be cleared and that the applicant must prove that the clearing will not result in run-off from this parcel to adjoining properties. He noted that the nearest residence is approximately 500' from the leased site. Mr. Ferraro explained that Mr. Reese, Stormwater Management Technician, will ensure that stormwater is adequately managed on site in compliance with state and local regulations. In response to Mr. Ferraro's question regarding undergrowth, Mr. Smith explained that the site will be seeded with native grasses which will provide for water filtration. Mowing will occur once or twice a year. No pesticides, herbicides, or fertilizers will be used on the site.

Mr. Anthony LaFleche, 21 Wheeler Drive, asked if the site would be leased or conveyed to the solar corporation. Mr. Smith explained that the property would be leased. Mr. LaFleche also asked that, should improvements need to be made to the drainage corridor or the access point to the property from Grooms Road that consideration be given to providing an easement for future roadway improvements or trail installation. Mr. Ferraro explained that since the property will be leased, the provision for an easement is not viable.

Mr. Owen Speulstra, 784 Grooms Road, expressed concern regarding reflective glare from the proposed photovoltaic arrays. Mr. Smith explained that a “glare study” had been completed that resulted in a determination that no area of the site had the potential to create a problem. He did state that landscape buffering would be provided along the easterly side of the development site. No areas on the opposite side of Grooms Road would be impacted by glare from the site.

A resident of Wishing Well Lane, questioned whether or not the site would be adequately maintained during the winter months and asked if there would be visual impacts to his neighborhood during those months. Ms. McEntire explained that the cells were designed to allow snow to slide off – no scraping or other manual snow removal would be required. She explained that visual impacts to adjoining neighborhoods would be minimized by the distances between existing residences and the development site as well as increased landscaping surrounding the site. In response to a question regarding possible vandalism and site access by unauthorized persons, Ms. McEntire explained that the arrays were placed on private lands not readily accessible to the public. Mr. Smith pointed out that the fencing surrounding the site discouraged intruders. In response to Mr. Ferraro’s question regarding vandalism, Mr. Smith reported that he was not aware of instances where site access was gained by vandals. The biggest problem the company has dealt with has been with juveniles who have thrown stones from beyond the fencing which have damaged the panels. He explained that the energy production from a site is constantly remotely monitored and that, should production levels indicate the need for repair or replacement of panels, the situation will be addressed expeditiously. Though he explained that Borrego, in some instances, provides 6’ high fencing topped with barbed wire, this site will be surrounded by 7’ high chain link fencing with no barbed wire.

There being no additional public comment, Mr. Ferraro moved, seconded by Mr. Szczesny, to close the public hearing at 7:35p.m. The motion was unanimously carried.

Mr. Ophardt expressed his concerns with the proposed encroachment into the LC zone and called upon the applicant to “attempt to keep it clear.” Mr. Smith described the NYSDEC review process, explaining that he has met with agency officials on site and they have verbally agreed that, especially since a large portion of the site has been cleared for use as agricultural or pasture land, the project plan appears reasonable. He noted that the utility installations are a permitted use within the LC zone and that minimal clearing will be required. Mr. Smith also reported that the border fencing will be raised approximately 6” above ground level to permit wildlife access. A “full permit” issued by NYSDEC will be issued before work on the project is undertaken. Mr. Jones called for affirmation from the state agency of its approval, expressing concern for disturbances to portions of the site identified as adjacent wetland areas. Mr. Smith pointed out that the state agency does not consider the installation of support posts and photovoltaic arrays as

intrusions. Mr. Ferraro observed that installation of equipment was proposed for non-jurisdictional wetlands, specifically those areas labeled I, J, and K on the site plans. Mr. Smith agreed that such installations were, indeed, part of the proposal and that work in such areas was not regulated by either the NYSDEC or the ACOE. In response to Mr. Jones' question regarding the number and size of pilings to be placed within the LC zone, Mr. Smith stated that although he was uncertain of the exact number called for in this project design, the "screws" used to hold the racking systems were 3 1/4" in diameter and placed approximately 20' apart. The consultant explained that the ACOE views the installation of racking systems and panel arrays as acceptable, limiting permitting to "dredge and fill" activities. Observing that the plan proposed "trenching" within the isolated wetland areas, Mr. Jones questioned whether or not such activity would be detrimental to the site. Mr. Scavo explained that the 30" – 36" deep trenches provided for the laying of conduit are considered only temporary impacts within unregulated isolated wetlands since the soil is replaced and seeded with low-mow seed mix once the lines are placed. Mr. Ferraro commented that it appeared that the plan called for tree cutting but no stump removal within wetland areas and, citing comment #5 of Mr. Reese's comment letter, questioned whether the tree removal would impact the hydrology of the site. Mr. Smith explained that information regarding such impacts would be included in the stormwater calculations based upon hydroCAD modeling. Mr. Smith conceded that a necessary crossing required for the project's implementation would result in the singular "small wetland impact." In response to Mr. Andarawis' question regarding the size of the leased area, Mr. Smith explained that the area would be defined as any area that is necessary to properly maintain the fenced area. Mr. Andarawis encouraged the inclusion of the buffer areas since they provided mitigation for visual impacts to adjoining properties. In response to Mr. Jones' expressed desire for a reduction of tree cutting, Ms. McEntire reported that NYSDEC officials' determinations regarding the siting of improvements generally mandated the location of development. Mr. Smith noted that the development company will use no pesticides or chemicals on the property. Mr. Jones called for the company to "first and foremost" offer potential utility savings to the residents of Clifton Park. Citing Mr. Myers' comments regarding site access, Mr. Ophardt questioned whether or not the 150' radius for fire access would be met. Mr. Smith explained that the space between racks would allow access but that he will consult with town officials to be certain that all regulations are met. Mr. Ferraro focused upon correspondence from a resident that expressed concerns with health impacts from the electromagnetic field. Mr. Smith described the impacts as minimal, comparing exposure to the amount of exposure resulting from "sitting in front of your television set" and that emission impacts diminish in direct proportion to the distance from the site.

Mr. Ferraro requested that the applicant provide documentation regarding the possible health impacts resulting from exposure to the array site, submit a decommissioning plan, and address concerns surrounding the identification of endangered species (Norther Long Eared bats and Karner Blue butterflies). Mr. Smith stated that a habitat study has been completed and that a final determination from the US Fish and Wildlife Service will dictate whether or not any mitigation measures will be required to ensure preservation of the identified species. Mr. Ferraro requested "more appealing fencing" along the Grooms Road corridor. Ms. McEntire called the Board's attention to hand-outs provided at the beginning of the presentation that included renderings of fencing, noting that green vinyl slats and additional landscaping would be provided along the portion of fencing visible from Grooms Road. Upon review of the renderings, Mr. Ferraro requested that the proposed mainly deciduous trees be placed closer together and that



“denser, more fast-growing” varieties of trees be planted in the areas where the vinyl fencing is proposed. Mr. Ophardt stated that he was not comfortable granting any approvals at this meeting. Mr. Jones stated that he would not support preliminary approval since questions regarding wetland impacts remain. Mr. Andarawis commented that future subdivision plans will likely incorporate photovoltaic components. In response to Mr. Ferraro’s comment regarding the site selection process, Ms. McEntire explained that the site selection process involves evaluation of a number of factors including the proximity of the property to existing utility services, topography, and site access. Mr. Ferraro expressed his concerns with the loss of trees, impacts to the LC zone, and the setting of precedent by permitting such substantial development within restricted area of the LC zone. He called upon the applicants to be “sensitive to environmental concerns and natural resources.”

[2018-007] **146A Holdings, LLC – Route 146A Residential Subdivision** – Proposed (17) lot subdivision, Route 146A – Revised conceptual review. SBL: 265.-3-7.11

Mr. Jason Dell, consultant for the applicant, presented the revised plan for this proposed subdivision that is currently entitled Route 146A Residential Subdivision, explaining that revisions to the plan have been made in response to comments issued at the August 14, 2018 meeting. The southern curb cut onto Route 146A, previously labeled Road B has been eliminated. The northerly curb cut, now labeled as Natalie Drive, remains located directly opposite Stratford Drive. Liam Court, providing access to the seven (7) proposed lots along the property’s southern border connects directly with Natalie Drive. This roadway connection will require a small ACOE disturbance permit. A trail connection to Dawson Lane has been provided. The realignment of the roadways and trail connection resulted in minor revisions to the lot sizes: lots now range in size from 1 acre to 2.83 acres. All subdivision parcels have been designed in accordance with CR (Conservation Residential) zoning regulations. The 28.41 acre parcel labeled as permanent open space remains unchanged. The two designated stormwater management areas proposed on the original plan have been reduced to a single location.

Mr. Scavo reported that Mr. Myers, Director of Building and Development, provided the following comments regarding this application. The distance between Dawson Lane and the proposed Road A (Natalie Drive is 230’. This short distance may be an issue. Cul-de-sacs are not a preferred road configuration. Joining the two proposed roadways provides easier maintenance for plowing and would loop the utilities rather than dead end them. This may also provide an area to access the open space lands. A full Stormwater Pollution Prevention Plan will be required. Plans should indicated whether or not Natalie Drive is to be connected to Dawson Lane since such a connection is usually required where available.

Mr. Scavo explained that Ms. Reed, Chief of the Bureau of Fire Prevention, provided several comments in a memo dated November 8, 2018. The applicant is asked to obtain and provide assigned postal addresses on the final plat. The locations of existing fire hydrants on Route 146A as well as proposed new hydrants along Natalie Drive and Liam Court should be identified on the plan. Joining the two proposed cul-de-sacs would eliminate dead end water mains and other utilities. The plan should indicate whether or not a roadway connection from Natalie Drive to Dawson Lane is proposed.

Mr. Scavo reported that the ECC issued the following comments after review of the application at its November 7, 2018 meeting. The ECC recommends that the Permanent Open Space on the plan be conveyed to the Town of Clifton Park. This conveyance will focus and reinforce the concept of the “Green C” in the western CR (Conservation Residential) zone. In addition, classified streams located within the Town of Clifton Park that have been identified and/or mapped by the NYSDEC require a 50 foot adjacent buffer area on each side of the outer bank of the highwater mark (208-69.1.A(2)). This buffer zone shall be clearly marked as well and shall be deed restricted.

Mr. Scavo explained that the conceptual subdivision plan appears to address all comments previously issued by the Planning Department. If the revised concept plan is deemed acceptable by the Planning Board, additional comments will be prepared when the preliminary plan is submitted.

Mr. Scavo reported that Mr. Reese, Stormwater Management Technician, finds the proposed stormwater management plan acceptable at this time.

Mr. Scavo reported that M J Engineering and Land Surveying, P.C., after review of the materials submitted for revised conceptual review of this application, offered the following comments regarding this application. Referencing the Full Environmental Assessment Form, M J Engineering and Land Surveying, P.C. noted that all comments provided as part of the August 10, 2018 review letter remain outstanding. As the project moves forward, appropriate responses shall be provided as necessary. Two comments related to the subdivision plan. The submitted plans incorporate comments received from the Planning Board which includes (1) limiting the number of site access points to one and (2) providing a pedestrian connection to Dawson Lane to the north. The Planning Board shall determine whether these changes have adequately addressed concerns. Should the application move forward, subsequent plans shall address technical comments offered on the concept subdivision plan.

Mr. Anthony LaFleche, 21 Wheeler Drive, stated his preference for the plan presented at this evening’s meeting that reduces access onto Route 146A to a single curb cut. When Mr. Dell explained that the subdivision plan shows a front yard setback of 25’, Mr. LaFleche commented that he believes a larger setback would be reasonable. Mr. Dell pointed out that the setback distance reflects an attempt to minimize environmental impacts and reduce the amount of impervious surface area.

In response to Mr. Jones’ question regarding whether the project would be built on speculation or on custom demand, Mr. Dell explained that the project would be “built to suit individual buyers.”

Mr. LaFleche asked about the developer’s plans to clear cut the site. Mr. Dell explained that tree removal will be dependent on the needs of each homeowner. Tree removal would be required, of course, to allow for installation of the proposed roadways and stormwater management areas. Mr. Ferraro stated his appreciation for the applicant’s willingness to provide and/or preserve a significant vegetated buffer along the property’s Route 146A frontage. He noted that the preservation of a large portion of the site as deeded open space was commendable. Mr.

LaFleche recommended that the Board require the establishment of “a gap” between proposed new residential lots to provide access to the dedicated lands. Mr. Ferraro supported this concept, recommending that a 25’ wide strip of land be provided within the subdivision for such access. Both Mr. Ophardt and Mr. Andarawis supported “a formal way to access the dedicated parcel,” with Mr. Andarawis commenting that “if it is not accessible, it is not valuable.” Mr. Ophardt furthered his argument by pointing out that access to the open space area may be required “for any number of reasons,” including such things as firefighting, tree trimming, or trash removal. He recommended that such an access be clearly marked with “Access to Town Property” signage. Mr. Ferraro stated that he resides on a cul-de-sac with no right-of-way provided from his street to adjoining park lands, and he, along with several other residents allow neighbors access from their parcels rather than having to go down to the park entrance at Kinns Road. Therefore, he supports the establishment of such a public access, since there would be full disclosure of the situation to potential buyers.

Ms. Terri Dentinger, 10 Dawson Lane, explained that the proposed “trail link” between the proposed new roadway and Dawson Lane should be considered “a pass-through between homes” rather than a “trail,” and called for Board members to reject the connection from the new development to Dawson Lane. Pointing to the proposed subdivision presented for review, she pointed out that the proposed trail connection was only a short distance from the existing trail along Route 146A which residents could utilize to access Dawson Lane and/or the existing trail that links Dawson Lane to Carpenter Way.

Mr. Jones asked Mr. Ophardt’s opinion of the proposed location for access to the subdivision, stating that he would prefer to see “staggered” access points along Route 146A. Mr. Ophardt stated that “due to the low traffic volume” generated by the subdivision, he found the alignment of the curb cuts acceptable and commented that the increased distance from the Route 146 – Route 146A intersection was, perhaps, a benefit. In response to Mr. Ophardt’s question regarding the cul-de-sac design rather than a “looped design,” Mr. Brooks explained that linking the roadways to the rear of the site would require significant wetland impacts and create NYSDEC permitting issues. He explained that the current design requires approximately 400’ feet of additional pavement and significant expense installing equipment to maintain existing water flow patterns, estimating the future cost to the town for replacement to be approximately \$300,000.00. Mr. Ferraro stated that, in this instance, he was comfortable with the cul-de-sac design. Ms. LaSalle remarked that, although she believes that cul-de-sacs represent bad planning, in this instance, they appear to be a reasonable alternative to approving a design that would result in significant environmental impacts. Mr. Andarawis commented that although he found the proposed trail connection to Dawson Lane “less than good planning,” it is “not a huge loss for this project.” Mr. Scavo pointed out that the Dawson Lane subdivision was designed and constructed when R-1 zoning regulations governed the area: CR zoning regulations changed the permitted density. Mr. Ferraro noted that although the concept of reserving space for future streets is an accepted “good planning practice,” he approves of the trail connection for this project. Mr. Ophardt advised the applicant to consider providing access easement to the open space, with Mr. Ferraro supporting such easements from both cul-de-sacs.

Mr. Ophardt moved, seconded by Mr. Andarawis adjournment of the meeting at 9:02p.m. The motion was unanimously carried. The next meeting of the Planning Board will be held as scheduled on November 27, 2018.

Respectfully submitted,

Janis Dean, Secretary