

TOWN SUPERVISOR:

Philip C. Barrett

ECC CHAIR:

Brian Glick

ECC ATTORNEY:

Joel Peller

STORMWATER MANAGEMENT TECHNICIAN:

Scott Reese

TOWN LIAISON:

Sanford Roth

MEMBERS:

Raoul Desy

Brian Glick

Dan Mathias

Karl Siverling

Howard Vipler

Chuck Bassett

Fred Pineau

Peter Lanahan

Lawrence Kelley

MINUTES: **Tuesday, February 17, 2015**

CALL TO ORDER: Brian Glick, Chairman, called the meeting to order at 7:00 PM in Town Hall

PRESENT: Brian Glick, Scott Reese, Raoul Desy, Peter Lanahan, Lawrence Kelley, Sandy Roth, Dan Mathias

ABSENT: Howard Vipler, Karl Siverling, Fred Pineau, Chuck Bassett

GUESTS: Greg Laymon, Marc Laymon

ANNOUNCEMENTS:

- Next meeting: **Tuesday, March 3, 2015** at 7 PM in Town Hall, Conference Room C
- Scott Reese, Stormwater Management Technician was present to explain the project applications
 - o Scott Reese reviewed the previous Planning Board meeting.
- ZBA – 1 project – Not referred to ECC by board
- Dan Mathias spoke on the Saratoga County Planning and Zoning Conference

Public Hearings

2014-55 Mackey Kendra Drive Extension

Proposed (8) lot subdivision with public water and sewer creating a cul-de-sac at the end of Kendra Drive, 1644 Crescent Rd, Zoned: CR, Status: Preliminary public hearing and possible subdivision determination.

SBL: 288.-2-43.11

To be reviewed by: MJE

Consultant: ABD

Applicant: Mackey

The plan was presented as follows:

1. The proposed 8 lot plus the Lot Line Amendment shall be in conformance with the Town's Conservation Residential Zoning Requirements and the applicant is not requesting any variances. The minimum lot size is 1.0 acre and the largest lot size is 3.7 acres.
2. As per the Conservation Residential Zone, 50% of the parcel will be Deed Restricted as open space. The proposed open space will adjoin existing Town of Clifton Park open space land.

3. The developers intent to minimize the disturbance on each lot to keep the disturbance less than 5 acres.

ECC Recommendations on 12/02/14:

1. The ECC requests that the statement, “There will be no further subdivision of the proposed lots,” be included on the individual deeds.
2. The ECC is concerned with the close proximity of the wetlands and LC zone to the proposed residences and feel the boundaries of the wetlands and LC zone be marked. (e.g. split rail fencing)

Recommendations:

1. **The ECC has concern with the lot configuration of lots 1 and 4 in regard to the possible impacts to the federal wetlands and buffer zones of the stream. In addition the proximity of the proposed home to the wetlands on lot one could result in seepage into the foundation.**
2. **The ECC is concerned with the close proximity of the wetlands and LC zone to the proposed residences and feel the boundaries of the wetlands and LC zone be marked. (e.g. split rail fencing)**
3. **The applicant shall clarify the extent of property to be deeded to the Town of Clifton Park and the ownership of the stormwater management area.**
4. **The ECC requests clarification of a watercourse (intermittent?) on lots 4 and 5.**

A **motion** to adopt this recommendation was made by Dan Mathias, seconded Raoul Desy: all in favor, none opposed.

2014-054 Caruso Home Builders

Proposed 2-lot subdivision in CR zone, 701 Riverview Rd, Zoned: CR, Status: Preliminary public hearing and possible subdivision determination.

SBL: 276.-1-44

To be reviewed by: MJE

Consultant: ABD

Applicant: Caruso

ECC Recommendations 12/02/14:

1. ECC believes that this project would violate the CR zoning requirements.

Recommendations:

1. **Per Section 208-16,F of the Town Code (Conservation Residential Zones), proof of preservation in perpetuity of permanent open space for these privately owned sites shall be supplied to the Town of Clifton Park Planning Board and filed prior to the final plat approval of a site plan or subdivision plat.**

A **motion** to adopt this recommendation was made by Raoul Desy, seconded Peter Lanahan: all in favor, none opposed.

Projects in front of Planning Board

Old Business

2014-031 Shopper's World Bank

Proposed construction of a 2,784SF bank on a vacant pad site at Shopper's World Plaza, 15 Park Ave, Zoned: B-4, Status: Preliminary site plan review and possible determination.

SBL: 271.-3-72.2

To be reviewed by: MJE

Consultant: ABD

Applicant: Windsor

The plan was presented as follows:

1. Construction of a 3,000 square foot bank at the corner of Park Ave and Maxwell Drive.

ECC Recommendations on 7/08/14:

1. ECC is concerned with the combined environmental impact with the multiple projects that are within the same parcel.
2. ECC recommends replacement of the two dead elms with two 3” caliper deciduous trees.

Recommendations:

- 1. The ECC requests that the 35% green space area shall remain intact for the entire tract owned by the applicant. Prior approval of the Price Chopper renovations was predicated upon the proposed location of the bank remaining as green space. This project jeopardizes the site meeting the required amount of green space.**
- 2. The ECC is concerned that this project borderlines segmentation due to the close proximity of review time between the Price Chopper Renovation project and this current project.**

A **motion** to adopt this recommendation was made by Lawrence Kelley, seconded Dan Mathias: all in favor, none opposed.

2010-038 Windhover Farms

Proposed (25) lot subdivision with additional emergency access, Grooms Road, Zoned: CR, Status: Revised conceptual subdivision review

SBL: 276.-1-9

To be reviewed by: MJE

Consultant: Infinigy

Applicant: Dailey

The plan was presented as follows:

When previously reviewed on 4/01/2014, the ECC stated the following:

1. The ECC requests that the applicant clarify the designation of ACOE and DEC wetlands. The DEC Wetland is also labelled ACOE.
2. ECC notes, per Town Code, the Applicant must provide proof of preservation in perpetuity of permanent open space.
3. In order to establish the permanent open space the Applicant must develop an existing resources and site analysis plan of the natural, cultural, and scenic feature of the proposed project

ECC Recommendations on 6/17/14:

1. The ECC recommends if the County requires an access road for the sewer line maintenance that it would be minimally invasive to the wetlands.
2. ECC notes, per Town Code, the Applicant must provide proof of preservation in perpetuity of permanent open space.

Recommendations:

1. **The ECC recommends if the County requires an access road for the sewer line maintenance that it would be minimally invasive to the wetlands.**
2. **ECC notes, per Town Code, the Applicant must provide proof of preservation in perpetuity of permanent open space.**

A **motion** to adopt this recommendation was made by Dan Mathias, seconded Raoul Desy: all in favor, none opposed.

2012-012 Ushers Woods & Northway 10 Apartments

Proposed construction of 92 duplex rental units and 265,800 SF commercial office/warehouse space, Ushers Rd, Zoned: B-1, Status: PB - Revised conceptual site plan review

SBL: 259.-2-60

To be reviewed by: MJE

Consultant: ABD

Applicant: Boni Ent.

ECC Recommendations on 9/24/12:

1. In keeping with the recommendations and goals of the Town Comprehensive Plan, the Applicant *should* retain existing vegetation to the maximum extent practical and/or the use landscaping and grading to provide visual and auditory buffering between the project and adjacent roadways or other properties.
2. Existing vegetation should be preserved in areas where such growth enhances erosion control.
3. In accordance to the Town Comprehensive Plan, the ECC is concerned about the project altering existing topography resulting in sedimentation of streams, ponds, and wetlands, as well as, potential adverse effects of noise pollution.
4. The ECC is concerned the density of the entire site could potentially adversely affect the water quality of the Colonie Channel Aquifer, which is present within the site plan boundaries.
5. It appears the LC Zone wetland boundary is inaccurately delineated. The LC Zone is shown over a "Federal Wetland" the ECC believes this wetland area is under NYS DEC jurisdiction. The applicant should verify the delineation.
6. The ECC strongly discourages the private road bridge structures needed to cross the protected wetlands.
7. The parcels should develop independent of one another to protect the natural habitat.
8. The proximity of proposed improvements to critical environmental features on the site creates a scenario where the potential for negative environmental impacts are likely (i.e. proximity to protected wetlands and steep slopes).
9. Seeps may be present at the bottom of the steep slopes and the environmental impacts of such features should be evaluated.

10. Seeps are important discharge points for ground and subsurface flows. Depending on the vegetative composition of the seep, they can provide important habitat for variety of wildlife species, including migratory passerines, game birds, and amphibians.
11. The applicant should provide a survey showing 2' contours rather than 10' to allow an accuracy review of the proposed project in relation to steep slopes present on site.

Recommendations:

- 1. Since the concept has changed from the original design the ECC recommends that the Draft EIS should be revised to incorporate the environmental potential impacts and to identify mitigation measures that will minimize environmental impacts.**
- 2. The ECC recommends that the planning board as lead agency should review the entire project due to the modification proposed.**
- 3. The ECC requests the applicant address items 1-11 of the previous comments.**
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A **motion** to adopt this recommendation was made by Peter Lanahan, seconded Lawrence Kelley: all in favor, none opposed.

New Business

2015-006 Stewart's Shop

Proposed demolition and redevelopment of existing convenience store location with new 3,975 sf store, filling station and canopy. , 1529 Crescent Rd, Zoned: B-3, Status: Conceptual site plan review.

SBL: 284.-1-7

To be reviewed by: MJE

Consultant: Chuck Marshall Applicant: Stewart's

The plan was presented as follows:

1. Applicant will demolish existing building, gas canopy and remove all underground gas equipment.
2. Construct a 3,975 square foot convenience store with new gas equipment and canopy.

Recommendations:

- 1. The ECC would like to recommend that the applicant install an oil and water separator.**

A **motion** to adopt this recommendation was made by Raoul Desy seconded by Lawrence Kelley; all in favor, none opposed.

2015-008 Ushers Knob

Proposed (32) unit single family residential community, Ushers Rd Rear, Zoned: B-1, Status: Conceptual site plan review.

SBL: 259.-2-70

To be reviewed by: MJE

Consultant: EDP

Applicant: 1743 Route 9

The plan was presented as follows:

1. The applicant proposes to construct 32 one family dwellings located on one parcel.
2. The proposed community to be accessed by a private roadway extending through adjacent parcels with 2 points of ingress/egress on Ushers Road.
3. The proposed project will connect to municipal water and sanitary sewer off site.
4. Stormwater will be managed through on-site practices.

Recommendations:

- 1. The limits and labeling of (the LC Zone and 100 foot buffer zone, DEC Wetlands, Federal Jurisdictional Wetlands) shall be identified on the site plan.**
- 2. The ECC notes that the project may result in intrusion into Federal Jurisdictional Wetlands. The Applicant must avoid intrusion into ACOE Wetlands or apply for a Federal Wetlands Permit for disturbances of more than 1/10 acre in total for the project. The Town of Clifton Park should be provided with copies of all related correspondence.**
- 3. In order to assess the full impact of this project and the adjacent Ushers Wood**

Project the ECC recommends that the both projects be collectively reviewed in order to assess the full and cumulative environmental impacts of the two project sites. This will ensure that the natural resources of the overall area can be properly be protected.

- 4. Many of the ECC concerns mentioned for the Ushers Wood project are applicable to this project as well.**

A **motion** to adopt this recommendation was made by Dan Mathias seconded by Peter Lanahan; all in favor, none opposed.

Discussion Items

None

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The meeting was adjourned at 9:22 PM.



Respectfully submitted,
Brian Glick, Chairman

- cc: Clifton Park Town Clerk
Planning Director (E-mail copy)
Sanford Roth, Town Liaison (E-mail copy)
Dan Bull, Director of Communications and Technology (E-mail copy)