



Town of Clifton Park

ENVIRONMENTAL CONSERVATION COMMISSION

*Protecting today's environment for the next generation...*



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

Peter Lanahan

Lawrence Kelley

MINUTES: **Tuesday, July 7, 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, Howard Vipler, Sandy Roth, Karl Siverling, Dan Mathias, Peter Lanahan, Lawrence Kelley, Chuck Bassett

ABSENT:

GUESTS: Fred Barthmaier

**ANNOUNCEMENTS:**

- Next meeting: **Tuesday, August 4, 2015** at 7 PM in Town Hall, Conference Room C
- Brian Glick on behalf of the ECC expressed gratitude of Fred Pineau's service to the ECC.
- Scott Reese, Planning Director was present to explain the project applications
  - o Scott Reese reviewed the previous Planning Board meeting.
- ZBA – 6 projects received – 2 for review 1117 Rt. 146A & 1 Clute Circle

**Zoning Projects for Environmental Review**

**Variance # 81041 1 Clute Circle**

Applicant requests variances from Sections 208-11 & 208-16 for a 2 Lot Subdivision in the CR Zone.

**Recommendations:**

1. **The ECC recommends the CR Zoning requirements be upheld and other viable options be pursued.**
2. **The proposed subdivision would create a substandard lot, which the ECC is concerned that it would set a precedent that it would weaken the CR Zoning Code.**

A **motion** to adopt this recommendation was made Karl Siverling seconded by Chuck Bassett; all in favor, none opposed.

**Variance # 81039 1117 Rt. 146A – Amy Pollard**

Applicant requests use variance from Section 208-16 D –Permitted Uses in a “CR” zone. Bordering properties are zoned “HM” where the use would be allowed. Considerable wetlands on property making a majority of the property unbuildable.

**Recommendations:**

- 1. The ECC notes that the project may result in intrusion into (NYSDEC) / Federal Jurisdictional Wetlands. Prior to granting a use variance the ECC recommends that the ZBA requests additional information from the applicant as to their intent to utilize the wetlands and associated land conservation zone for their business operations. In addition the ECC recommends that the applicant provide information as to the restrictions imposed by the permanent conservation on the 20.82 acres.**

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

**Public Hearings -**

**2010-038 Windhover Farms**

*Proposed (25) lot subdivision with emergency access. , Grooms Road, Zoned: CR, Status: Preliminary public hearing and subdivision review with possible determination.SBL: 276.-1-9*  
To be reviewed by: MJE      Consultant: Infinigy    Applicant: Dailey    **Last Seen on: 6/24/2014**

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

When previously reviewed on 6/17/2014, the ECC stated the following:

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 prior to approval.**

A **motion** to adopt this recommendation was made Karl Siverling seconded by Howard Vipler; all in favor, none opposed.

**2015-032 Columbia Development, (Lands of CEH)**

*Proposed (2) lot commercial subdivision to allow construction of [2015-012] Columbia Development Medical Offices, 1783 Rt 9, Zoned: B-3, Status Preliminary public hearing and subdivision review with possible determination. SBL: 266.3-2-5*

To be reviewed by: MJE      Consultant: EDP      Applicant: Columbia Dev.

**See ECC comments in Old Business**

**Planning Board**

**Old Business**

**2015-012 Columbia Development Office Building**

*Proposed development of 60,000 SF medical office space, 1783 Rt 9, Zoned: B-3, Status: Preliminary site plan review with possible determination. SBL: 266.3-2-5*

To be reviewed by: MJE      Consultant: EDP      Applicant: Columbia Dev.

The plan was presented as follows:

1. Proposal to construct a 60,000 s.f. medical office building on 5.0 acres
2. The site will include 306 parking spaces, public sewer and water service and on-site stormwater management.
3. Project is within an Archeological Sensitive Area

ECC Recommendations on May 5, 2015:

1. The applicant has a gerrymandered approach to meet the green-space requirement of 35%. While this may meet the letter of the law it does not provide for an aesthetically pleasing site plan where green-space is integrated in the design. The lot lines as drawn parallel the eastern border of the parcel and incorporates an isolated triangle in the northeast corner of the whole parcel.
2. The ECC is concerned that with in the event of a further subdivision that the green space allotted will be altered because a large proportion of the Columbia project green space is adjusted to the northern lot and is segregated by the roadway.
3. The ECC is concerned with the abandonment of the asphalt driveway. It would be prudent to remove the asphalt of the abandoned driveway.
4. 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.

ECC Recommendations on June 2, 2015:

1. To avoid the potential for a future segmentation of the project the ECC recommends the applicant show a proposed plan for the north side of the proposed site.
2. The applicant has a gerrymandered approach to meet the green-space requirement of 35%. While this may meet the letter of the law it does not provide for an aesthetically pleasing site plan where green-space is integrated in the design. The lot lines as drawn parallel the eastern border of the parcel and incorporates an isolated triangle in the northeast corner of the whole parcel.
3. The ECC is concerned that with in the event of a further subdivision that the green space allotted will be altered because a large proportion of the Columbia project green space is adjusted to the northern lot and is segregated by the roadway.
4. The ECC is concerned with the abandonment of the asphalt driveway. It would be prudent to remove the asphalt of the abandoned driveway.
5. 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.

**Recommendations:**

- 1. To avoid the potential for a future segmentation of the project the ECC recommends the applicant show a proposed plan for the north side of the proposed site.**
- 2. The applicant has a gerrymandered approach to meet the green-space requirement of 35%. While this may meet the letter of the law it does not provide for an aesthetically pleasing site plan where green-space is integrated in the design. The lot lines as drawn parallel the eastern border of the parcel and incorporates an isolated triangle in the northeast corner of the whole parcel.**
- 3. The ECC is concerned that in the event of a further subdivision that the green space allotted will be altered because a large proportion of the Columbia project green space is adjusted to the northern lot and is segregated by the roadway.**
- 4. The ECC is concerned with the abandonment of the asphalt driveway. It would be prudent to remove the asphalt of the abandoned driveway.**
- 5. 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.**

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

**2015-023 Wits' End Expansion**

*Proposed construction of a 14,000 SF retail addition, 1762 Rt 9, Zoned: B-4A, Status:*

*Preliminary site plan review with possible determination. SBL: 272.1-1-17*

To be reviewed by: MJE      Consultant: EDP      Applicant: Hoffman      **Last Seen: 5/27/2015**

The plan was presented as follows:

1. Applicant proposes to construct a 14,000± sf. retail building expansion on 4.3 acres. The site will include approximately 26 new parking spaces, public sewer and water service and on-site stormwater management.
2. The project is in an archeological sensitive area.

ECC Recommendations on May 19, 2015:

1. The Applicant should reserve and display on the *site plan or* subdivision proposal sufficient Rights of Way to accommodate multi-use trails to interconnect the proposed *property* with existing and contemplated trail networks, as defined in the Town Trails Master Plan.
2. Show where the proposed green space is located using color shading and confirm that the required greenspace requirement is met.
3. In keeping with the suburban nature of the project area and the recommendations of the Town Comprehensive Plan, the Applicant *should* retain existing vegetation to the maximum extent practical, and use landscaping and grading to provide visual and auditory buffering between the project and (roadway, subdivision, school, etc). The applicant should incorporate landscaping and grading to provide visually and auditory buffering from both Interstate 87 and NYS Route 9.

**Recommendations:**

- 1. Show where the proposed green space is located using color shading and confirm that the required greenspace requirement is met.**
- 2. In keeping with the suburban nature of the project area and the recommendations of the Town Comprehensive Plan, the Applicant *should* retain existing vegetation to the maximum extent practical, and use landscaping and grading to provide visual and auditory buffering between the project and adjacent roadways.**
- 3. The ECC requests the applicant to provide a plan incorporate landscaping and grading to provide visually and auditory buffering from both Interstate 87 and NYS Route 9.**

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

**2015-020 The Great Discovery Childcare**

*Proposed (1) story 4800 SF childcare center with playground. Variances were granted 6/16/2015, Arnold Dr, Zoned: B-1, Status: Preliminary site plan review with possible determination. SBL: 271.-1-2.111*

To be reviewed by: MJE      Consultant: ABD      Applicant: Zaccariah

The plan was presented as follows:

1. The project is in an archaeological sensitive area.

ECC Recommendations on April 21, 2015:

1. The ECC recommends that the applicant incorporate lighting that is directional and limited.
2. The Applicant should maintain a minimum 50% green space in accordance with B-1 Space and bulk standards (208-35 D.3) calculated for the entire project.
3. The Applicant must indicate the proposed amount of green space for this project.
4. The Applicant *should reconfigure the placement* of parking lots, service areas and waste receptacles out of view from high use thoroughfares.
5. According to the NYSDEC web site EAF Mapper the project is in an archeological sensitive area. Item 12b in the Environmental Assessment Form should indicate that the project is in an archeological sensitive area.

**Recommendations:**

1. **ECC has no comments at this time.**

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

**New Business -**

**2015-033 Casale, Lands of**

*Proposed (3) lot commercial subdivision with municipal sewer and water, 1747 Rt 9, Zoned: B-4A, Status: Conceptual subdivision review. SBL: 272.1-2-7.2*

To be reviewed by: MJE      Consultant: Lansing      Applicant: Casco

The plan was presented as follows:

1. Proposed subdivision for the LaQuinta Inn & Suites – see below.

**2015-034 LaQuinta Inn & Suites**

*Proposed 4-story (104) room hotel on one lot to be subdivided as project [2015-033]., 1747 Rt 9, Zoned: B-4A, Status: Conceptual site plan review. SBL: 272.1-2-8.1*

To be reviewed by: MJE      Consultant: Lansing      Applicant: Casco

The plan was presented as follows:

1. The project was previously Casale, Tony – 1751-1747 US Route 9. There were no outstanding issues with the ECC when the project had its public hearing on September 14, 2011.
2. The project is located within the NYS Heritage Areas: Mohawk Valley Heritage Corridor. The project is located above a Primary Aquifer / Principal Aquifer.

**Recommendations:**

1. **The ECC recommends showing where the proposed green space is located using color shading and confirm that the required greenspace requirement is met for each individual lot within the Town of Clifton Park. It appears that lot 1 may not meet the required amount of green space.**

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

**2015-035 Kramer (2) Family Residence**

*Proposed (2) family dwelling per Section 208-16D(3)(a)[8] of Town Code, Mac Elroy Rd, Zoned: CR, Status: Conceptual special use permit and site plan review. SBL: 258.-2-4*  
To be reviewed by: N/A                      Consultant: N/A                      Applicant: Kramer

The plan was presented as follows:

1. This project is by the location where the land owner was placing fill along the Cooley Kill along Mac Elroy Road. The letter from the Town of Clifton Park may have “triggered” the application to be filed by the property owner.
2. The project site is in a R1 zone not a CR zone.
3. The Cooley Kill runs through this site a NYSDEC impaired waterbody.
4. The project is in an archaeological sensitive area. The project has wetlands on the site.

**Recommendations:**

1. **The ECC recommends delineating the wetlands and stream including the LC Zone using shading on the plan and confirm that the project will not impact said wetlands.**
2. **The ECC notes that the project is in an R-1 zone where two family homes are not an allowed use.**
3. **The applicant has been filling an area very close to the LC`zone along the Cooley Kill. The ECC would like to be assured by the applicant that the filling activity stays out of the LC Zone.**

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

**Discussion Items**

None

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The meeting was adjourned at 8:55 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)