



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

Fred Barthmaier

James Ruhl

Keith Martin

Mary Anne Mariotti

MINUTES:

Tuesday, July 5, 2017

CALL TO ORDER:

Brian Glick, Chairman, called the meeting to order at 7:00 PM in Conference Room C

PRESENT:

Scott Reese, Dan Mathias, Raoul Desy, Brian Glick, Sandy Roth, Mary Anne Mariotti

ABSENT:

James Ruhl, Keith Martin, Karl Siverling, Fred Barthmaier, Howard Vipler

ANNOUNCEMENTS:

- Next meeting: The next ECC meeting will be **Tuesday, August 1st, 2017** 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 – 0 Project received – 0 to review.

Planning Board

II. Public Hearings

2017-015 Daggett Development 4 Lot Subdivision

Applicant proposes to subdivide the existing commercial property that currently has 2 buildings into 4 parcels. Two parcels will be for the two existing buildings and the other 2 will be for potential future development in accordance with the current Hamlet Mixed Use Zone; 1585/1587 Rt 146, Zoned: HM, Status: PB Prelim Review - Pos Determination SBL: 269.-3-2.2

To be reviewed by: MJE Consultant: Christopher Longo Applicant: Daggett Development Company

ECC Recommendations on April 4, 2017:

- A. The limits of (the LC Zone and 100 foot buffer zone, DEC Wetlands, Federal Jurisdictional Wetlands) *shall* be identified on the plot plan and clearly shaded.
- B. The ECC request that the applicant address the comments that are stated in the ACOE letter, dated March 21, 2017 to the applicant in advance of subdivision approval.

Recommendations:

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

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

III. Old Business

2016-051 Peak Environmental Industrial Park – Site Plan

Applicant proposes to develop the 16.63 acre parcel with Light Industrial buildings; 44 Wood Rd, Zoned: L 1, Status: PB Preliminary- Possible Determination
SBL: 259.-2-73.12

To be reviewed by: MJE Consultant: Mark Jacobsen Applicant: Terry Hubbard

ECC Recommendations on February 21, 2017:

- A. The ECC recommends the applicant address the significant design detail as follows:
 - a. No development should be located in the NYSDEC wetland buffer.
 - b. Additional excavation of the steep, sandy, unstable slopes present at the site should be immediately stabilized upon excavation.
 - c. The site will disturb more than one acre and will need to obtain and adhere to the NYSDEC construction disturbance permit.
- B. The ECC recommends the grading plan to be submitted and commented on by the NYSDOT.
- C. The Peak Environmental sign immediately adjacent to the Northway property should be examined for compliance with applicable laws and regulations by the Town Code Enforcement Officer.

Recommendations:

1. **The ECC recommends rejection of this plan because of the following:**
 - a. **Pursuant to 208-69.2 of the Town Code – Permitted uses within the LC Zone, “Roadway or driveway crossings (are permitted), provided that the applicant demonstrates that there is no other reasonable means of access available and the applicant obtains appropriate permits from the NYSDEC.” The applicant should relocate outside of the LC Zone or eliminate the proposed 8-auxillary parking spaces as indicated in John Scavo’s letter dated February 9, 2017 to Terrance Hubbard.**
 - b. **The applicant should relocate the access drive to the storage area so it does not intrude into the LC Zone (NYSDEC Buffer).**
2. **The Peak Environmental sign immediately adjacent to the Northway property should be examined for compliance with applicable laws and regulations by the Town Code Enforcement Officer.**

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

2017-013 Hatlee 4 Lot Subdivision

Applicant proposes to subdivide 10+/- acres into 4 new lots for building a single family home on each. Each Lot will connect to public water supply at Hatlee Rd. and sanitary sewer. Existing house and outbuildings to be demolished, Preliminary Plan Public Hearing was held and closed on May 9,2017; 993 Hatlee Rd, Zoned: R-1, Status: PB Preliminary Review – Possible Determination SBL: 258.-1-23.1
To be reviewed by: MJE Consultant: GVG Applicant: GJA & S, LLC

ECC Recommendations on May 2, 2017:

- A. Applicants grading plan proposes fill in lot 3 which encroaches into the LC Zone (approximately 6 feet of fill). Per section 208-69.2 of the Clifton Park Town Code, this is not a permitted use within a LC Zone. Furthermore approximately 10,000 square feet of the applicants yard in within the LC Zone that should not be disturbed.
- B. The ECC after careful consideration deems Lot 3 of the proposed 4 lot subdivision is not buildable due to the wetlands and LC Zone constraints.
- C. The ECC is concerned of the sizeable portions of each lot are designated as wetlands and there is a concern for encroachments into these wetlands by the future property owners.

Recommendations:

- A. The ECC after careful consideration deems Lot 3 of the proposed 4 lot subdivision is not buildable due to the wetlands and LC Zone constraints. Approximately 1.3 acres of the 1.77 acre lot 3 parcel is unusable by the future home owners due to wetlands and LC Zone restrictions. Furthermore this restriction should be placed in the future deed.**
- B. The applicant shall address the concerns brought up in Mr. Michael O’Brien, CSM letter dated June 22, 2017, addressed to Heritage Custom Builders, LLC.**
- C. The ECC is concerned of the sizeable portions of each lot are designated as wetlands and there is a concern for encroachments into these wetlands by the future property owners.**

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

IV. New Business –

2017-036 Massaroni Tanner Road Subdivision

Applicant proposes to subdivide the property to create 2 lots for the purpose of building a duplex on each. The parcels are part of an approved subdivision plan that was never filed. Applicant may alter the configuration of the remaining proposed lots from the prior plan; Tanner Rd, Zoned: CR, Status: PB Concept Review SBL: 264.-3-53.1
To be reviewed by: MJE Consultant: Lansing Applicant: Massaroni Builders

Recommendations:

- 1. Duplexes are not allowed as a permitted use in the CR Zone except as approved with a Special Use Permit.**
- 2. There is insufficient information provided for the ECC to further comment on this application. Based upon the lack of data the ECC can not make any recommendations on this project at this time.**

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

2017-033 MDG Mill Creek Grooms Road 3 Lot Subdivision

Applicant proposes to create 3 lots approximately .98, 1.27, and .68 acres to build 3 duplexes. Project also includes SBL 278.-1-45 and 278.-1-46.2. Existing curb cuts will be utilized for access to the duplexes; 465 Grooms Rd, Zoned: R-1, Status: PB Concept Review

SBL: 278.-1-46.1

To be reviewed by: MJE Consultant: Hershberg & Hershberg Applicant: MDG Mill Creek

Recommendations:

- 1. Due to the fact that there is proposed construction within the wetland on Lot 3, the proposed plan is not realistic. The ECC notes there is very little usable yard due to the presence of wetlands.**
- 2. For lots 1 and 2 the ECC recommends delineation of the wetlands using split rail fencing along the wetland borders and deed restrictions to protect the remaining wetlands.**
- 3. The applicant should consult with the ACOE and determine the mitigation measures required for this proposal. 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 any disturbances for the project. The Town of Clifton Park should be provided with copies of all related correspondence.**

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

2017-034 MDG Mill Creek Grooms Road Duplex SUP

Applicant proposes to construct 3 duplex units on the 3 parcels being subdivided. Project also involves SBL 278.-1-45 and 278.-1-46.2, 465 Grooms Rd, Zoned: R-1, Status: PB Concept Review

SBL: 278.-1-46.1

To be reviewed by: MJE Consultant: Hershberg & Hershberg Applicant: MDG Mill Creek

Recommendations:

- 1. Due to the fact that there is proposed construction within the wetland on Lot 3, the proposed plan is not realistic. The ECC notes there is very little usable yard due to the presence of wetlands.**
- 2. For lots 1 and 2 the ECC recommends delineation of the wetlands using split rail fencing along the wetland borders and deed restrictions to protect the remaining wetlands.**
- 3. The applicant should consult with the ACOE and determine the mitigation measures required for this proposal. 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 any disturbances for the project. The Town of Clifton Park should be provided with copies of all related correspondence.**

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

2017-035 Riggi Miller Road Subdivision

*Applicant proposes the construction of 79 single family residential lots on 106.44 acres, new roads, and associated water, sewer and stormwater. The proposed lots will include carriage lots (10,000 sq ft min), executive lots (16,000 SF min) and estate lots (20,000 SF min.) Water and Sewer will connect to Clifton Park Water Authority and Saratoga County Sewer District 1; Miller Rd, Zoned: R-1, Status: PB Concept Review
SBL: 270.-2-51.2*

To be reviewed by: MJE Consultant: Lansing Applicant: V&R, LLC (Vincent Riggi)

Recommendations:

- 1. The applicant is proposing a cluster development; a standard subdivision with R-1 zoning should be shown to demonstrate how many standard lots could be built on this parcel with all the existing lot constraints.**
- 2. The ECC notes that an aquifer recharge area is present within the project limits. The Applicant must design a stormwater management system that protects the aquifer resource.**

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

Discussion Items –

* * * * * * * * * * * * *

The meeting was adjourned at 9:25 PM.



Respectfully submitted,
Brian Glick

cc: Clifton Park Town Clerk
Planning Director (E-mail copy)
Sanford Roth, Town Liaison (E-mail copy)