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

MINUTES: **Tuesday, March 21, 2017**

CALL TO ORDER: Brian Glick, Chairman, called the meeting to order at 7:00 PM in Building Department Conference Room

PRESENT: Scott Reese, Brian Glick, Sandy Roth, James Ruhl, Keith Martin, Raoul Desy, Fred Barthmaier

ABSENT: Dan Mathias, Howard Vipler, Karl Siverling,

GUESTS:

ANNOUNCEMENTS:

- Next meeting: **Tuesday, April 4, 2017** at 7 PM in Town Hall, Conference Room C
- Scott Reese, Stormwater Management Technician was present to explain the project applications
  - Planning Board meeting rescheduled to March 21, 2017 @ 7:00 P.M.
- ZBA – 2 Projects received – 1 to review.

Zoning Projects for Environmental Review:

Variance #81125 896 Main Street

Applicant requests to construct a single family – 2 story detached residence on a pre-existing non-conforming lot in this R-1 Zone. Variances required for parcel area, front setback, and frontage required at building line.

Recommendations:

A. **The ECC recommends that this project is denied as the lot size is too small to support a septic system on the existing lot size. The density of the existing neighborhood would be disrupted by this proposed lot size variances. Any appurtenant structures or uses could be inimical to adjacent properties.**

A **motion** to adopt this recommendation was made Keith Martin seconded by Fred Barthmaier; all in favor, none opposed.

Planning Board

Public Hearing –

2012-030 Crescent Woods
Proposed 62 lot cluster subdivision; 1567 Crescent Rd, Zoned: R-1, Status: PB Preliminary Review w/ possible Approval.
SBL: 283.-2-8
To be reviewed by: MJE Consultant: Infinigy Applicant: Scott

ECC Recommendations on December 1, 2015:

1. The jurisdiction of the wetlands shall be indicated on the plans for clarification. (ie ACOE or NYSDEC).

2. If they are NYSDEC wetlands it seems that the 100 foot wetland buffers should be shown on the plans and adjustments shall be made.

ECC Recommendations on March 15th 2016:

1. Since the December 1, 2015 ECC review of the project, no response to the above recommendations has been received. Therefore, the ECC reiterates its previous recommendations and respectfully requests that this information be provided in order for the ECC to make a proper assessment of this project.
    a. The jurisdiction of the wetlands shall be indicated on the plans for clarification. (ie ACOE or NYSDEC).
    b. If they are NYSDEC wetlands it seems that the 100 foot wetland buffers should be shown on the plans and adjustments shall be made.
2. In addition the limits of the 50 foot LC zone for the existing stream should also be labeled.
3. The ECC would like to be copied on the Joint Application Permits and associated plans and details for the proposed wetland disturbance and mitigation as noted on drawing numbers C-23 & C-24.

Recommendations:

A. The Army Corps of Engineers failure to respond (as per letter received Feb 21, 2017, from the ACOE) to this application still means that this determination does not eliminate the need to obtain any Federal, State or Local authorization required by law for the proposed work, especially any required permit or Water Quality Certification from the New York State Department of Environmental Conservation (NYSDEC).

B. **The ECC recommends the applicant sufficiently and completely address the specific impacts on the water quality of the Stony Creek Reservoir.**

C. **The ECC acknowledges the applicant's note 6 of the plan's cover sheet which specifically states, "Prior to undertaking any project that maybe within in or adjacent to the wetland, contact BOTH the DEC Region 4 Office and the ACOE to obtain the required permits." According to the current status of this application, the DEC still must be consulted.**

D. **The ECC would like to reiterate the following past statements from the last time this project was reviewed:**

E. **Since the December 1, 2015 ECC review of the project, no response to the above recommendations has been received. Therefore, the ECC reiterates its previous recommendations and respectfully requests that this information be provided in order for the ECC to make a proper assessment of this project.**
   a. **The jurisdiction of the wetlands shall be indicated on the plans for clarification. (ie ACOE or NYSDEC).**
   b. **If they are NYSDEC wetlands it seems that the 100 foot wetland buffers should be shown on the plans and adjustments shall be made.**

F. **In addition the limits of the 50 foot LC zone for the existing stream should also be labeled.**

G. **The ECC would like to be copied on the Joint Application Permits and associated plans and details for the proposed wetland disturbance and mitigation as noted on drawing numbers C-23 & C-24.**

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

Old Buisiness –

2017-001 Stewart's Shops Vischer Ferry / Route 146A

Applicant proposes to raze the existing two buildings on the southwest corner of Route 146 and Vischer Ferry Road for the construction of a new 3,675 square foot Stewart's with four fuel dispensers (eight fueling positions). 1202 Rt 146, Zoned: B-3, Status: PB Revised Concept Review SBL: 270.-2-18

To be reviewed by: MJE Consultant: Ktichner/Stewart's Applicant: Stewart's

ECC Recommendations on 2/7/17:

A. ECC recommends that the plans at least maintain the 22% greenspace currently in place (the proposed greenspace is 15%). The minimum B-3 zoning greenspace requirement is 35%.
B. Due to the probability of food and liquid wastes leaking from the on-site dumpster(s) into a storm water catch basin and/or surface water body, the ECC recommends the applicant enclose the area (i.e. roof) on an impervious surface with a berm surrounding the dumpster(s) that accept food and liquid wastes. If necessary, the Applicant will need to periodically pump out the accumulated wastes within the bermed area to avoid any overflow.
C. The ECC notes that the project includes the installation of storage tanks that may be regulated under the state petroleum or chemical storage regulations. The ECC recommends that the Planning Board require the applicant to provide evidence of registration of these tanks prior to placing in service.
D. The ECC recommends that the Planning Board require the Applicant to incorporate sediment traps and oil water separators with appropriate capacity to limit the migration of vehicular contaminants into sensitive environment.

Recommendations:

A. The ECC recommends that the catch basin under the proposed dumpster be relocated out from underneath the dumpster. The pad underneath the dumpster shall be contained with an asphalt berm.

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

IV. New Business

2017-014 Village Plaza Mixed Use Subdivision

Applicant proposes to subdivide the new out lot development from the balance of the shopping center. There will be 2 new lots plus the remaining lands, 19 Clifton Country Rd, Zoned: TC5, Status: PB Concept Review

SBL: 272.-1-44

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

Recommendations:

A. The ECC has no comment at this time.

A **motion** to adopt this recommendation was made Keith Martin seconded by Fred Barthmaier; all in favor, none opposed.

2017-013 Hatlee 5 Lot Subdivision

Applicant proposes to subdivide 10+/- acres into 5 new lots to build a single family home on each. Each Lot will connect to public water supply and sanitary sewer. Existing house and outbuildings to be demolished, 993 Hatlee Rd, Zoned: R-1, Status: PB Concept Review SBL: 258.-1-23.1

To be reviewed by: MJE Consultant: GVG Applicant: Brooks Heritage

Recommendations:

A. Prior to any project approval, the ECC requests that the applicant obtain a Jurisdictional Determination of the wetlands by the NYSDEC.

B. In general due to the orientation of the proposed structures there is very little usable yard space due to the existing wetlands and buffer requirements.

C. The ECC requests that topographic elevations should be added to the plans. Including the proposed elevations for the limits of disturbance.

D. The ECC notes that this project is within an archeological sensitive area and suggest that the applicant contact SHPO to verify the project will not impact an archeological sensitive area.

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

Discussion Items – None

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The meeting was adjourned at 8:40 PM.

Respectfully submitted,
Brian Glick

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