



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

Fred Barthmaier

James Ruhl

Keith Martin

Mary Anne Mariotti

MINUTES: **Tuesday, February 6th, 2018**

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

PRESENT: Keith Martin, Mary Anne Mariotti, Brian Glick, Dan Mathias, Sandy Roth, Scott Reese, James Ruhl, Raoul Desy

ABSENT: Karl Siverling, Fred Barthmaier

GUESTS:

ANNOUNCEMENTS:

- Next meeting: The next ECC meeting will be **Tuesday, February 20th, 2018** 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 – 2 Project received – 1 to review.

Zoning Board

I. New Business –

Variance # 81151 - 42 Clifton Country Road

Applicant proposes to change parcel to a separate tax parcel and to build a four story mixed use (commercial / residential) building. The first floor will be commercial use while the upper three floors will be residential. Area is zoned combination of TC-2 and TC-5. Applicant: DCG Development Company

Recommendations:

1. **The variances sought for height of building and setback reduction will result in undesirable change in character of the neighborhood as defined in the Town center plan and a detriment to near-by properties will be created by granting of the variances. In addition, both the height variance and setback variance s are substantial. For example,**

- the reduction in setback from 25 feet to 8 feet is a 68 % impact and will have an adverse impact on the environmental and visual conditions in the district.
2. This project is immediately adjacent to the boulevard zone. The boulevard zone is designed to show case the large lawns, large trees, and planted medians and a multi-use path as park like setting.
 3. The Town Center Code calls for architecture tower elements as apposed to complete building towers. There is no design standard requiring a four-story building tower. Furthermore, the existing tower element adjacent to the nearby Chipotle store is three-stories.
 4. Approving a variance of this magnitude with undermine the spirit and intent of the Town Center Code and will establish an undesirable precedent for future projects.

A **motion** to adopt these statements was made by Mary Anne Mariotti seconded by James Ruhl; all in favor, none opposed.

Planning Board

I. Public Hearings – none

II. Old Business –

2017-021 Abele 14 Lot Subdivision and Duplex SUP

Applicant proposes construction of 14 Duplex Units on a private road to be connected to John J McKenna IV Way. After construction of the duplex buildings, each building will be subdivided down the common wall so each side can be individually owned. A homeowner association will own and maintain the roadway. Christinamarie Dr, Zoned: R-1, Status: PB Concept Review SBL: 284.-1-10.21

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

ECC Recommendations on January 2, 2018:

1. ECC requests the applicant provide a standard lot layout of single family residential lots as per the R-1 Zoning.
2. Due to the existing topography there appears that significant grading will be necessary to provide buildable lots. Applicant shall include a grading plan for the R-1 zoned standard lot layout in order to assess the feasibility of this proposal.
3. The ECC notes that eight proposed lots do not meet the minimum required size (20,000 Square Feet) for single family homes and duplexes are being proposed on these lots.
4. The ECC would like to reiterate the comments above and are in agreement of the State Environmental Quality Review and Full Environmental Assessment Form comments by MJ Engineering, dated December 27, 2017.
5. Due to the Deed Restrictions noted on the plan, the ECC recommends that this project be rejected as proposed, due to the environmental impacts.

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

III. New Business –

2018-006 Pagoda Duplex SUP

The applicant proposes to subdivide 2.61+/- acres into 2 lots. Parcel 1 will be 1.32+/- acres and Parcel 2 will be 1.29+/- acres. Both are for construction of duplexes which require a Special Use Permit to be granted by the Planning Board. Each lot will have its

own public utility connections and both lots will share one curb cut to Grooms Road. An area variance for each lot was granted on January 2, 2018, 532 Grooms Rd, Zoned: R-3, Status: PB Concept Review

SBL: 277.-3-96

To be reviewed by: MJE Consultant: GVG Applicant: Pagoda Associates

Recommendations:

- 1. The ECC recommends that this SUP be denied based on section 208-79 (E)(1)(a) that the use is out of character for the surrounding area.**
 - a. The use will prevent the orderly and reasonable use of adjacent properties or of properties in adjacent use districts. The historic single room school house at the intersection of Grooms Road and Moe Road will be negatively visually impacted by the development of the two duplexes.**
- 2. This project does not promote the general purposes and the intent of the Comprehensive Plan. This is an example of re-zoning via SUP and undermines the R-1 Zone.**

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

2018-005 Pagoda Grooms Rd 2 Lot Subdivision

The applicant proposes to subdivide 2.61+/- acres into 2 lots. Parcel 1 will be 1.32+/- acres and Parcel 2 will be 1.29+/- acres. Both are for construction of duplexes. Each lot will have its own public utility connections and both lots will share one curb cut to Grooms Road. An area variance for each lot was granted on January 2, 2018, 532 Grooms Rd, Zoned: R-1, Status: PB Concept Review

SBL: 277.-3-96

To be reviewed by: MJE Consultant: GVG Applicant: Pagoda Associates

Recommendations:

- 1. The ECC recommends that this SUP be denied based on section 208-79 (E)(1)(a) that the use is out of character for the surrounding area.**
 - a. The use will prevent the orderly and reasonable use of adjacent properties or of properties in adjacent use districts. The historic single room school house at the intersection of Grooms Road and Moe Road will be negatively visually impacted by the development of the two duplexes.**
- 2. This project does not promote the general purposes and the intent of the Comprehensive Plan. This is an example of re-zoning via SUP and undermines the R-1 Zone.**

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

2018-007 146A Holdings LLC Residential Subdivision

Applicant proposes the development of 34 single family residential lots and associated water, sewer, and stormwater infrastructure. Applicant is seeking to utilize the Open Space Density Incentive Zoning provision to achieve the requested number of building lots. Water will be provided by an extension of the CPWA main located along the west side of Route 146A. Sanitary Sewer will be provided by either gravity or forcemain connection to the existing gravity sewer located in Startford Drive. Access to the lots will

be provided by new roads connecting to Route 146A and Dawson Lane, Rt 146A, Zoned: CR, Status: PB Concept Review SBL: 265.-3-7.11
To be reviewed by: MJE Consultant: Lansing Applicant: 146A Holdings, LLC

Recommendations:

1. **The ECC recommends the applicant provide the items listed in Section 208-16 Conservation Residential Zones (E) (13) (b) [3] (i.e., resources that must be mapped and illustrated for the review of the Planning Board).**
2. **The ECC requests that the applicant provides a detailed map of constrained and unconstrained lands for the proposed incentive zoning “sending” parcel on Sugar Hill Road.**
3. **The ECC requests a Draft Deed of (Permanent) Conservation Easement with both entity who will hold the deed and the property owner.**
4. **In order for the ECC to properly evaluate this project, it is requested that the applicant demonstrate adherence to the GEIS design guidelines.**

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

2018-004 Firehouse Rd Associates Subdivision

Applicant proposes to subdivide a 6.11 acre parcel into 3 commercial lots. Project also involves Tax ID 272.9-1-10,11,&38.1, 1712-1718 Rt 9, Zoned: B-4, Status: PB Concept Review SBL: 272.9-1-21.1

To be reviewed by: MJE Consultant: ABD Applicant: Firehouse Road Associates

ECC Recommendations on January 16th, 2018 for Zoning Board

1. The ECC requests that the applicant provides the total greenspace percentages for each individual proposed subdivided lot within the Town of Clifton Park to verify that each meets the zoning requirements.
2. The Zoning Board should require that the applicant demonstrate that there is a workable operations plan for stormwater management prior to granting the variances for subdivision.

Recommendations:

1. **The Planning Board should verify if the two recommendations above were addressed by the Zoning Board.**

A **motion** to adopt these statements was made by Keith Martin seconded by Mary Anne Mariotti; all in favor, none opposed.

Discussion Items – The ECC reviewed the letter of concern on Implementation of The Clifton Park Town Center Plan. The ECC recommended finalizing the letter Initialed by KDM 2/4/18 and will have final review and sign off by Brian Glick. The letter will be forwarded to the Planning Department Director, Planning Board Chairman, Zoning Board Chairman and Zoning Director.

A **motion** to adopt these statements was made by Keith Martin seconded by Dan Mathias as amended; all in favor, none opposed.

Discussion Items - The ECC discussed the ECC Annual Report 2017 and made suggestions for amendments by Dan Mathias.

A **motion** to adopt these statements was made by James Ruhl seconded by Mary Anne Mariotti as amended; all in favor, none opposed.

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The meeting was adjourned at 9:30 PM.



Respectfully submitted,
Brian Glick

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