



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 Mgmt. Tech:

Scott Reese

Town Liaison:

Sanford Roth

Members:

Raoul Desy

Brian Glick

Dan Mathias

Karl Siverling

James Ruhl

Keith Martin

Mary Anne Mariotti

Dave Alexander

FINAL

MINUTES:

Tuesday, August 6th, 2019

CALL TO ORDER:

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

PRESENT:

Scott Reese, Dan Mathias, Keith Martin, Raoul Desy, James Ruhl, Brian Glick

ABSENT:

Mary Anne Mariotti, Dave Alexander, Sandy Roth, Karl Siverling

ANNOUNCEMENTS:

- Next meeting: The next ECC meeting will be Tuesday, **September 3rd, 2019** at 7 PM in Town Hall, Conference Room C
- Scott Reese, Stormwater Management Technician was present to explain the project applications
- ZBA – 2 Project received – 0 to review

Zoning Board – None

Planning Board

- I. Public Hearings – None
- II. Old Business –

2019-035 Texture Hair Studio Site Plan

Applicant proposes installing 14 new parking spaces and use the existing 1,200 sf one story building for a hair salon on 3 acre parcel with road frontage on Route 9 and Myer Road, 1812 Rt 9, Zoned: B-3, Status: PB Preliminary Review SBL: 265.-1-22.111

To be reviewed by: MJE Consultant: EDP, Applicant: Peter Hoffman

ECC Recommendations:

- 1. The ECC has no comments**

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

2019-030 Rexford Square Office Building Site Plan

Applicant proposes construction of a 3,760 SF commercial office building with associated parking and septic system, 3 Daggett Dr, Zoned: HM, Status: PB Prelim Review - Poss. Determination SBL: 269.-3-2.22

To be reviewed by: MJE Consultant: Empire Eng. Applicant: Guidarelli Const

ECC Recommendations:

- 1. The ECC directs attention to Steve Myers comments and reiterates them as seen on the memo July 31st, 2019.**
- 2. The project shall protect the the existing vegetation buffer along the southern boundary of the property.**

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

2019-015 752 Pierce Rd Flex Space Bldg Site Plan

Applicant is proposing construction of a 7,700 sf Flex Space building with associated parking (23 parking spaces) and driveways. Sanitary sewer will include a connection to the existing gravity sewer main located on Pierce Road and will require approval from the Clifton Park Sewer Department. Water connection to the water main located along the western side of Pierce Road will need approval from the Clifton Park Water Authority, 752 Pierce Rd, Zoned: L 1, Status: PB Prelim Review - Poss. Determination SBL: 265.-1-9.4

To be reviewed by: MJE Consultant: Lansing Applicant: PDRN LLC

ECC Recommendations:

- 1. ECC continues to have concerns regarding the direct runoff from the roof discharge directly into the existing wetlands without any vegetated buffer.**
- 2. The ECC has concerns that representations have been made that there will be a vegetated buffer however plans reflect discharge over riprap slope immediately that draining into wetlands. This is not representative of a vegetated buffer.**

3. **The limits of (the LC Zone and 100 foot buffer zone, DEC Wetlands, Federal Jurisdictional Wetlands) shall be identified on the plot plan.**
4. **The ECC notes that the project may result in intrusion into the LC Zone. The applicant must file for an Application for Approval of Work To Be Done in the LC Zone with the Town of Clifton Park.**

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

2018-070 & 071 1902 Route 9 Commercial Site Plan

Applicant proposes to construct a 100,000 square foot office/warehouse building which is a permitted use in the L1 & L2 zone pursuant to Section 208-64B of the Town Zoning code. The building may be developed in phases, 1902 Rt 9, Zoned: L 2, Status: PB Revised Concept

SBL: 259.-2-47

To be reviewed by: MJE Consultant: Lansing Applicant: MJ Properties

ECC Recommendations:

1. **208-69.1 of article 10 Land Conservation Districts L-C – A(2)(c) States “that the buffer area will be 100 feet from each side of the outer bank of the high water mark of the Dwaas Kill”. The Plan appears to show the limits of the LC Zone at 80 feet rather than the required 100 feet. The plans shall be updated to relocate the buildings and roadways out of the LC Zone.**
2. **The proposed 100,000 square foot building intrudes into the LC Zone as depicted on the plan. There is no available space for exterior building maintenance or fire / emergency access.**
3. **The ECC proposes that the applicant donate a conservation easement for the LC Zone deeded to the Town of Clifton Park / Halfmoon (and/or Saratoga PLAN) as a means as protecting this Class A stream. In addition, this conservation easement could accommodate a nature trail.**

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

2019-027 Environmental Design Partnership Office Park Site Plan

Applicant is proposing to construct three (4,800 SF) mixed use office buildings totalling 14,400 SF. The buildings and parking will be placed to the rear of the property. The proposed buildings will be connected to municipal sewer and water supplies. Stormwater will be managed on site, 900 Rt 146, Zoned: B-1, Status: PB Prelim Review - Poss.

Determination

SBL: 271.-2-22.2

To be reviewed by: MJE Consultant: EDP Applicant: EDP

ECC Recommendations:

1. **The ECC recommends that this project be carried out in keeping with the goals of tree preservation as stated in the Town Comprehensive Plan, to the greatest extent practicable.**
2. **ECC recommends the applicant to provide a lighting plan that displays the lighting plan showing foot candle in the parking area.**
3. **In keeping with 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.), especially along the southern property line adjacent to the Shenendehowa Schools.**

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

III. New Business –

2019-039 Capital District Advanced Dental Arts Parking Lot Expansion Site Plan
Applicant proposes expanding the existing parking lot from 21 spaces to 35 spaces., 601 Bruno Rd, Zoned: R-1, Status: PB Concept Review SBL: 271.-2-23
 To be reviewed by: MJE Consultant: Lamont Engineers Applicant: STB Builders

ECC Recommendations:

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. **The ECC recommends that the applicant incorporate lighting that is directional and limited.**
3. **The ECC recommends that the Planning Board determine that the proposed use will not prevent the orderly and reasonable use of the adjacent residential properties. In addition, the effect that the location of the proposed use may have on the increase of vehicular traffic congestion on Bruno Road and NYS Route 146 should be evaluated.**
4. **The ECC requests the applicant to provide the water and sewer service sources. Does this proposed project have any additional use of the existing services?**

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

2019-040 1267 Route 146 2 Lot Subdivision (Fleischman)
Applicant proposes subdividing a .94 acre parcel with an existing dwelling into 2 parcels. 1 parcel will have the existing dwelling with a new proposed access to the soon to be dedicated Vista Court. The second parcel will remain vacant with a long range plan

*to build a 2 family home, 1267 Rt 146, Zoned: HM, Status: PB Preliminary Review
SBL: 270.8-5-4*

To be reviewed by: MJE Consultant: Jason Peterson Applicant: Fleischman

ECC Recommendations:

- 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.**

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

2019-037 Boni, Ryan 2 Lot Subdivision

Applicant proposes to subdivide a 13.07 acre parcel into 2 lots (10.04 acres and 2.82 acres) to accommodate 2 residential duplex units. A Special Use Permit will be required as well, *Rt 146A, Zoned: CR, Status: PB Concept Review* SBL: 264.-3-66.11

To be reviewed by: MJE Consultant: GVG Applicant: Boni

2019-038 Boni, Ryan 2 Lot Duplex SUP

Applicant is seeking a Special Use Permit to build duplex units on 2 lots. Subdivision approval is necessary as well, Rt 146A, Zoned: CR, Status: PB Concept Review

SBL: 264.-3-66.11- To be reviewed by: MJE Consultant: GVG Applicant: Boni

ECC Recommendations:

- 1. In the June 18th minutes of the ZBA, the record states: “Mr. Boni added that he felt it was not a desirable location for a single family home and that he felt it would be better suited for duplexes as rental units.”**

This assumption, however, has various environmental and public safety dimensions:

- First, this statement assumes the possibility of annoying environmental noise levels at the site presumable due to rail and road traffic.**
- Second, The statement assumes that renters will tolerate the annoying noise levels better than owners of single family dwellings; why would they?**
- Third, the “remedy” is to increase the number of people annoyed by the surrounding noise levels by building duplexes.**
- Fourth, any real remedy such as a noise barrier is not mentioned because if the renters are vocal enough, it will be the Town that is saddled with the resolution of the problem.**

The “solution” to the Boni statement is a noise study that identifies the noise level, source and frequency of rail and road traffic noise at

the site. The odd shape of this parcel, its unique location and the possibility of small children in the rental units demands that statement #1 be resolved so that statements #2, 3, 4 can be empirically addressed.

- 2. The ECC notes that this project is adjacent to a significant wetland area and the occupants of these duplexes will be subject to mosquitos and other insects during warm weather months.**
- 3. The June 30, 2019 survey certifies a 100 foot buffer zone indicating the limits of the NYS Wetlands. The ECC recommends that LC boundaries be delineated by a split rail fence.**
- 4. The parcel (subdivision) is located in an area which may be impacted by railroad activity. Impacts may include noise or vibration. The ECC recommends that this condition be recorded on the deeds.**

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

Discussion Items – None.

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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)