



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

Interim Town Liaison:

Councilwomen Amy Standaert

Members:

Raoul Desy

Brian Glick

Dan Mathias

Karl Siverling

James Ruhl

Keith Martin

Dave Alexander

Heather Fariello

DRAFT

MINUTES: **Tuesday, February 18, 2020**

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

PRESENT: Scott Reese, Brian Glick, Dan Mathias, Keith Martin, Heather Fariello, James Ruhl

ABSENT: Dave Alexander, Karl Siverling, Raoul Desy

ANNOUNCEMENTS:

- Next meeting: The next ECC meeting will be Tuesday, **March 3rd, 2020** at 7 PM in Town Hall, Conference Room C
- Scott Reese, Stormwater Management Technician was present to explain the project applications
- ZBA – 3 Project received – 1 to review

Zoning Board

Variance #81236 Bret & Joni Wade (Wade's Tree Service) 742 Waite Road

Applicant is appealing Steve Myers determination that Wade Tree Farm and the use of the Tree Farms equipment by Wade's Tree Service would not be permitted at 742 Waite Road. Steve Myers determination was the commercial operations for Wade's Tree Service are not allowed uses within the Conservation Residential Zone.

ECC Recommendations:

- 1. The ECC notes that the equipment to be housed at the site is primarily utilized in the applicants commercial business and not for operation of the farm activities. For this reason, the appeal should be denied by the ZBA.**

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

Planning Board

I. Public Hearings –

2020-010 Stewart's Shops 1740 Route 9 - Subdivision

Applicant proposes subdividing 1.48 acres from a parcel which currently contains the Residence Inn by Marriott and upon subdivision and Site Plan Approval will construct a new 3,696 square foot store and self-serve canopy, 1740 Rt 9, Zoned: B-4A, Status: PB Prelim Review-Poss.

Determ SBL: 272.1-1-14

To be reviewed by: MJE Consultant: Applicant: Stewart's Shops

ECC Recommendations:

- 1. The ECC has no comments on the subdivision at this time.**

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

2018-071 Synergy Phase 2 (1902 Route 9 Commercial Subdivision)

Applicant proposes to subdivide the property into 3 lots to allow for construction of office/warehouse buildings to be built in phases starting with a 100,000 square foot building on one of the lots, 1902 Rt 9, Zoned: L 2, Status: PB Prelim Review - Poss. Determination

SBL: 259.-2-47

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

ECC Recommendations:

- 1. The ECC has no comments on the subdivision at this time.**

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

II. Old Business –

2019-047 Stewart's Shops 1740 Route 9 - Site Plan

Applicant proposes subdividing 1.48 acres from a parcel which currently contains the Residence Inn by Marriott and upon subdivision and Site Plan Approval will construct a new 3,696 square foot store and self-serve canopy, 1740 Rt 9, Zoned: B-4A, Status: PB Prelim Review-Poss.

Determinat SBL: 272.1-1-14

To be reviewed by: MJE Consultant: Applicant: Stewart's Shops

ECC Recommendations:

1. **Construction should not result in a net loss of greenspace (on this parcel). The Applicant should indicate the change, if any, in percentage of greenspace as a result of the proposed construction.**
2. **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, especially along the southern boundary of the project.**

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

2018-070 Synergy Phase 2 (1902 Route 9 Commercial Site Plan)

Applicant proposes the construction of 203,400 sf of office/warehouse buildings which is a permitted use in the LI-2 zone pursuant to Section 208-64B of the Town Zoning Code. The buildings may be developed in phases, 1902 Rt 9, Zoned: L 2, Status: PB Prelim Review-Poss. Determination SBL: 259.-2-47

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

ECC Recommendations:

1. **The applicant shall show the 100-foot adjacent area of the NYSDEC Wetlands and the stream buffer on the site plans. It appears that the LC Zone for the Dwaas Kill is not shown to be 100-feet per Town Code. The Dwaas Kill is a Class C(T) stream and a listed 303(d) segment impaired by pollutants related to construction activity.**
2. **The legend on sheet ECD1 shall correspond with the symbols shown on the plans. It appears that ACOE and NYSDEC wetlands are not differentiated on the actual map.**
3. **The Land Conservation (LC) Zone shall be clearly delineated in accordance with Section 208-69 of the Clifton Park Town Code. Uses in this area are restricted. The Town of Clifton Park Building Department shall be notified before undertaking any land disturbance activities in the LC Zone.**
4. **The ECC recommends the applicant repopulate the greenspace with mature vegetation (ie. trees and shrubs) and provide a Landscaping Plan that will remediate the clearcutting of the project site; Consistent with Town Code 208-64A.3. For example the Landscaping Plan (LS-1) does not show any plantings along the northern side of the two proposed buildings where there will be significant grading. The tree lines shown on the plans are not defined and should be revised to indicate in detail where the trees were removed prior to the project. The applicant shall show a quantity of replacement trees commensurate with the number of trees that were previously removed.**

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

2020-002 DeForest Horse Barn

Applicant proposes to construct a 60'X160' (9,600 sf) Horse Barn and a 80'x200' (16,000 sf) indoor riding stable on a lot located at 753 Grooms Road. The existing lot consists of grass fields, wetlands and a cellular communications tower. Also, the lot has been previously approved for a 10,344.360 kW DC STC Rated Solar array, 753/765 (solar) Grooms Rd, Zoned: R-1, Status: PB Prelim Review - Poss. Determination

SBL: 276.-2-30.1

To be reviewed by: MJE Consultant: ABD Applicant: Sara Deforest

ECC Recommendations:

1. **We recommend the applicant supply a manure management plan.**
2. **Per Town Code 208-85(B) In passing upon any application for a stable or riding academy, the Planning Board shall consider the drainage, percolation, and topography, of the proposed site and its proximity to public or private water supplies. The ECC notes that there is an existing and a proposed well site within close proximity to the proposed stables and riding facility. The plans indicate that the proposed well is for human consumption, therefore shall not be approved in the present location.**
3. **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. The vegetation within the wetland buffer area should not be disturbed or removed.**

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

III. New Business –

2020-009 GR Lewis Construction, Co 6 Lot Subdivision

Applicant proposes subdividing a 26.08 acre parcel into 6 single family home residential lots with private septic and public sewer. The property is zoned R-3 agricultural/residential and all lots meet or exceed the zoning requirements. The lots range in size from 2.3 acres to 9.25 acres, Vischer Ferry Rd, Zoned: R-3, Status: PB Concept Review

SBL: 283.-1-1.2

To be reviewed by: MJE

Consultant: Lansing

Applicant: Rod Lewis

ECC Recommendations:

- 1. The ECC recommends that the Planning Board as lead agency should consider that the site has archeological sensitive area and contains species or associated habitats listed by the State and / or Federal Agencies as endangered and therefore should consider any necessary mitigations.**

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

2020-011 & 2020-012 Appleton Road Solar Array Site Plan & SUP

Applicant proposes construction of a 5.0 MW AC ground-mounted solar energy generating facility. The facility will cover approximately 27.7 acres and be surrounded by a 7' fence and an associated road will cover an additional 1.42 acres, 94 Appleton Rd, Zoned: CR, Status: PB Concept Review SBL: 270.-1-50.1

To be reviewed by: MJE Consultant: Borrego Solar Applicant: Jeanne Lindsey

ECC Recommendations:

- 1. In keeping with the rural 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 and residential areas.**
- 2. The fencing shall allow wildlife (small mammal) passage.**
- 3. The ECC notes that the Vischer Ferry Bird Conservation area is within close proximity to the project. It is also an Audubon Important Bird Area. Numerous bird species and “at risk” bird species use this area. As lead agency, the Planning Board should consider any adverse impacts that this project will have on this important environmentally sensitive area.**

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 9:25 PM.



Respectfully submitted,
Brain Glick

cc: Clifton Park Town Clerk
 Planning Director