



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

Dave Alexander

Heather Fariello

Marla Zuarino

Jennyfer Gleason

## FINAL

MINUTES:

**Tuesday, January 5<sup>th</sup>, 2021**

CALL TO ORDER:

Brian Glick, called the meeting to order at 7:00 PM in on Zoom Video Conferencing Link from Electronic Device

PRESENT:

Scott Reese, Brian Glick, James Ruhl, Dan Mathias, Karl Siverling, Heather Fariello, Jennyfer Gleason, Raoul Desy, Dave Alexander, Marla Zuarino

ABSENT:

### ANNOUNCEMENTS:

- Next meeting: The next ECC meeting will be Tuesday, **January 19<sup>th</sup>, 2021** at 7 PM on Zoom Video Conferencing Link from Electronic Device
- Scott Reese, Stormwater Management Technician was present to explain the project applications

### Environmental Design Partnership - Zoom Presentation

**Pasquariello Mixed Use Planned Development District – PDD Referral from Town Board for a Recommendation Only on the Applicant's PDD Request for Consideration:**

*Applicant proposes to develop a Commercial/Business area limited to lands fronting NYS 146, create a single-family residential community, establish vast areas of open space and buffers adjacent to existing residential properties and develop a multi-use trail system connecting Waite Rd to Tanner Rd.*

**ECC Recommendations:**

1. **The Town of Clifton Comprehensive Plan states that a Planned Development District (or "Planned Unit Development" as it is referred to in section 208-72 in the Zoning Code) should place greater importance "on the retention of larger amounts of open space and a density cap. The PUD could be also strengthened to encourage greater preservation of environmentally sensitive areas or features. Density and uses should be consistent, to the extent possible, with the surrounding area, which will ensure that the character of the area is not altered."**  
**Given this goal, the Environmental Conservation Commission supports the inclusion of the Pasquarelli parcel in the CR Zone and the preservation of this land as permanent open space deeded to the Town of Clifton Park. In addition, any project approval should be based upon existing Town code applicable to housing density in order to ensure that the objectives established for the CR Zone are achieved.**
2. **The ECC endorses and reiterates with the Open Space, Riverfront and Trails Committee, Town of Clifton Park recommendations as noted below:**
  - a. **Given the above review, we do not recommend that the project be permitted in the proposed configuration.**
  - b. **The project should be developed in strict adherence to the CR Zoning Requirements to protect the long term integrity of the CR Zone and the Western GEIS.**
  - c. **If the adjoining B-5 property is made part of the proposal, it should be rezoned to CR to put all of the project area within the CR Zone. This would increase the number of "by right" units permitted.**
  - d. **Any additional units proposed beyond the "by right" quantities should be approved under the "cash incentive" provision of the Open Space Incentive Zoning code Section 208-43.14.A.**
  - e. **Do not utilize a PDD since PDDs have the potential to undermine the integrity of the CR Zone and are open to reconsideration in the future**
3. **Please refer to Exhibit A attached to the official minutes reflecting a scope and review pertaining to the ECC final recommendations stated below. In conclusion the ECC backs the Open Space, Riverfront and Trails Committee recommendation e.**
4. **ECC also cautions the Planning Board decisions surrounding proposals such as this may lead to degradation of the CR Zone and the GEIS.**

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

**Zoning Board** - *None*

**Planning Board**

I. Public Hearings – *None*

II. Old Business –

**2020-026 & 2020-027** **132/134 Lapp Road Site Plan & SUP** *Applicant proposes to build two 2 family residential dwellings with separate driveways that will access to Lapp Road. Also involves parcel 284.13-1-18 (134 Lapp Road) Public Hearing previously held and closed on 10-27-20, 132 Lapp Rd, Zoned: R-1, Status: PB Prelim Review - Poss. Determination*  
SBL: 284.13-1-19 - To be reviewed by: MJE Consultant: EDP Applicant: A. Massaroni

**ECC Recommendations:**

- 1. The ECC recommends that the Planning Board require a deed restriction which prevents the property owner from altering the stormwater management facilities.**
- 2. The Applicant *should* retain existing vegetation and/or use landscaping and grading to provide visual and auditory buffering between the project and the adjacent properties, including the homes to the rear of the project.**
- 3. The ECC recommends that the planning board require a deed restriction to maintain the vegetation buffer to the adjacent properties.**

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

**2020-037** **Druthers of Clifton Park**

*Applicant proposes developing 5.3 acres with a restaurant/brewery. The plans will include outdoor dining areas that will provide opportunities for play area, casual seating, music and private events. Paved parking will be provided. The building will be connected to public sewer and water utilities and storm water will be managed on site, South Side Dr, Zoned: PUD (comm), Status: PB Poss. Final Determination* SBL: 271.16-1-6.1  
To be reviewed by: MJE Consultant: EDP Applicant: Druthers

**ECC Recommendations:**

- 1. The ECC recommends that the Planning Board require the applicant to record a deed restriction preserving the tree buffer, including maintenance, on the south side of the property adjacent to the Bentley.**
- 2. The ECC recommends the applicant to provide a fence along Maxwell Drive to discourage foot traffic from pedestrians entering/exiting the site from Maxwell Drive. The ECC requests the applicant to provide information on the design and materials to be used for the fence along Maxwell Drive to the Planning Board.**

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

III. New Business –

**2020-057 & 2020-058 Blue Barns Solar Development SUP & Site Plan**

*Source Renewable LLC proposes installing a 2.5 MW-AC solar farm on the approximately 36 acre vacant CR property. The 19 Acre project area will consist of about 237 free-standing, tracking solar tables (total 19,206 modules/panels) to be installed. Anchored into the ground via H-Piles, each row of solar tables will be about 5.5 ft in height, 6.5 ft in width. Ground disturbance will be about .8 acres. Low-growth pollinator-friendly seed mix will be planted underneath the tables. An access road will enter the site from Blue Barns Road. Both underground and overhead electrical lines will be installed. Other project elements include minimum setbacks of 75 ft Front, 25ft Rea, 10 ft side from all property lines, agricultural fencing, small operational & control structures, and mostly unimproved access roads. Source Renewables, LLC will participate in the NYSEDA NY-Sun Initiative to provide clean energy to local businesses, Blue Barns Rd, Zoned: CR, Status: PB Concept Review SBL: 263.-2-80 To be reviewed by: MJE Consultant: Labella Assoc Applicant: Blue Barns Solar*

**ECC Recommendations:**

1. **The application shows solar panels being placed in designated NYS Wetlands and the 100' adjacent wetland buffer areas as well as Federal Wetlands. Standards for Special Use Permits (208-79E(1)(d) states "The use will be in harmony with and promote the general purposes and intent of the Comprehensive Plan and this chapter." The Comprehensive Plan – Environment Goals state that "to protect wetlands and stream corridors for their benefits to wildlife habitat, flood and stormwater control, ground water protection, erosion control, and recreation." This project contravenes these goals as well as other goals in the Comprehensive Plan.**
2. **Projects should be carried out in an ecologically sound manner that protects environmental sensitive areas. This project does not support that goal.**
3. **In view of the size and scope of the proposed project, the ECC recommends that the Planning Board consider issuing a positive declaration under SEQRA and that the Applicant be required to prepare a Draft Environmental Impact Statement.**
4. **Per the "New York Solar Guidebook for Local Governments": "Wetlands are one of the most commonly encountered regulated environmental resources in New York State. Wetland regulations significantly limit what can be done within wetland boundaries or buffers. Wetlands should be avoided to the greatest extent practicable."**

A **motion** to adopt these statements was made by Karl Siverling, seconded by Dave Alexander all in favor, none opposed.

**2021-005 Solar Foundations Site Plan**

*Applicant proposes construction of a 20,000 sf warehouse & light manufacturing structure on the vacant lot, Wood Rd, Zoned: L 2, Status: PB Concept Review SBL: 259.-2-74.2*

To be reviewed by: MJE Consultant: Insite Eng Applicant: Solar Foundations, LLC

**ECC Recommendations:**

- 1. The ECC will hold comment until the information requested by John Scavo is provide to the Planning Department for review.**

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

**2021-001 DCG Wood Road 3 Lot Subdivision**

*Applicant proposes subdividing the 16.01 +/- acre lot into three new lots which will be utilized for light industrial zoning development, Wood Rd, Zoned: L 2, Status: PB Concept Review*

SBL: 259.-2-74.2 To be reviewed by: MJE Consultant: EDP Applicant: DCG

**ECC Recommendations:**

- 1. The ECC recommends the applicant review the proposed lot lines in accordance with established wetland boundaries, and to ensure ease of access with minimal impact to the wetlands.**

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

**2021-002 Ushers Rd (256-262) Medical Buildings**

*Applicant proposes construction of a 40,000 SF two story Medical Office Building on a 3.79 acre parcel with parking. Project includes access on Ushers Road. Also includes parcel: 259.-2-42.1, 262 Ushers Rd, Zoned: B-3, Status: PB Concept Review SBL: 259.-2-41.2*

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

**ECC Recommendations:**

- 1. The parcel is located in an area which may be impacted by railroad traffic activity. Impacts may include noise and/or vibration.**

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

**2021-004 DCG Tallow Wood Subdivision**

*Applicant proposes to subdivide the 8.15 acre lot into 2 lots which will be utilized for zoning compliant site developments, 855 Rt 146 & 3 Tallow Wood Dr, Zoned: TC4, Status: PB Concept Review SBL: 271.-3-67.1*

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

**ECC Recommendations:**

- 1. The ECC concurs with John Scavo’s review letter dated, December 29, 2020.**

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

**2021-003 22/42 Clifton Country Rd Subdivision**

*Applicant proposes subdividing the 23.1 acre lot into 3 lots to be utilized for Town Center zoning compliant site developments., 22 Clifton Country Rd, Zoned: TC5, Status: PB Concept Review SBL: 272.-1-45.1*

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

**ECC Recommendations:**

- 1. The ECC has no comment at this time.**

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

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The meeting was adjourned at 9:20 PM.



Respectfully submitted,  
Brian Glick

cc: Clifton Park Town Clerk & Planning Director