



Town of Clifton Park

ENVIRONMENTAL CONSERVATION COMMISSION  
*Protecting today's environment for the  
next generation...*



Town Supervisor:

Philip C. Barrett

ECC Chair:

Brian Glick

Stormwater Mgmt. Officer:

Scott Reese

Town Liaison:

Agatha Reid

Members:

Brian Glick

Dan Mathias

Karl Siverling

James Ruhl

Dave Alexander

Marla Zuarino

Jean Cottrell

Michael Christianson

## FINAL

MINUTES:

**Wednesday, September 6<sup>th</sup>, 2023**

CALL TO ORDER:

Dan Mathias, called the meeting to order at 7:00 PM

PRESENT:

Scott Reese, James Ruhl, Dan Mathias, Dave Alexander, Jean Cottrell, Marla Zuarino

ABSENT:

Brian Glick, Michael Christianson, Karl Siverling,

**ANNOUNCEMENTS:**

- Next meeting: The next ECC meeting will be **Monday September 18<sup>th</sup>**, at 7 PM
- Scott Reese, Stormwater Management Officer was present to explain the project applications.
- The **Town of Clifton Park Household Hazardous Waste Day will be on September 23, 2023**, from 8:00 AM till 2:00 PM asking for volunteers to assist with material checking and collecting paint from town residents.

**Zoning Board** – None

**Planning Board**

Public Hearings –

**Bass Pro Shops Store Site Plan & SUP**

SBL: 272.-1-11

Proposed Bass Pro Shops Store, 400 Clifton Park Center RD, Zoned: TC1 - Highway Zone

Status: Preliminary with possible determination

Citizenserve File Number: 23-001064, Application Number: SUP23-000009

Applicant: Bass Pro Shops - Alexis Neuroth, Consultant: RAA Design - Ray Myers

**ECC Comments:**

- 1. The ECC notes that Roof signage is not permitted by Town Code. Because this project will significantly alter the skyline of Clifton Park Town Center, the ECC recommends that no roof signage be permitted. Furthermore, the ECC notes that Town Code limits wall signage to two wall signs. The ECC recommends that this project conforms to these requirements in order to limit the amount of light pollution that will impact the surrounding residential area.**
- 2. The ECC notes that the applicant has not provided a lighting plan which details what lighting will be used to illuminate the building. The ECC requests that the applicant provides this plan as well as a rendering of the nighttime illumination.**
- 3. The ECC has reviewed the comments by MJ Engineering related to traffic and we recognize the 19 concerns enumerated in their report. The ECC recommends that the applicant address these concerns in detail prior to project approval.**
- 4. The ECC is concerned with potential traffic impact at the intersection of Clifton Park Center Road and Clifton Country Road adjacent to the Mobil Station.**
- 5. The ECC is concerned with the redesign of a 30-inch storm drain that will replace the existing swale which currently drains runoff from the interstate 87 area to a storm drainage that crosses under Clifton Park Center Road. In consultation with the Town of Clifton Park stormwater management officer, the applicant should provide calculations that demonstrate that the redesign storm drain is adequate to handle the existing flow.**
- 6. The current design includes an underground infiltration system and an overflow connection to the outlet that crosses under Clifton Park Center Road. This waterway eventually connects with the Town of Clifton Park Barney Road as well as the Town of Colonie Stoney Park Reservoir. 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 these sensitive environments.**

Jean Cottrell made a motion to adopt this statement, seconded by Marla Zuarino, all in favor, none opposed.

**377 Moe Rd 5 Lot Duplex Subdivision & SUP**

SBL: 277.-2-16

Applicant proposes a subdivision to accommodate 9 residential units, 377 Moe RD

Zoned: R1 - Residential, Status: Preliminary

Citizenserve File Number: 23-001633, Application Number: SUS23-000001

Applicant: Erik Kohler Homes LLC, Consultant: EDP - JOSEPH DANNIBLE

**ECC Comments:**

- 1. In the previous submission the ECC commented that the zoning map shows the presence of a stream along the property line. Per Town Code Chapter 208-69.2 A. (3) Roadway or driveway crossings, provided that the applicant demonstrates that there is no other reasonable means of access available, and the applicant obtains appropriate permits from the New York State Department of Environmental Conservation. The applicant has not addressed the fact that the roadway encroaches into the LC Zone. The ECC still maintains that there is other reasonable access available that would avoid incursion into the LC Zone. The ECC requests the Planning Board explore other options for access to the project.**

**The ECC original comment is included here for reference:**

The ECC notes that per Town of Clifton Park Town Code Chapter 208-69.1: Classified streams located in the Town of Clifton Park that have been indexed and/or mapped by the New York State Department of Environmental Conservation, and a fifty-foot adjacent area (buffer) on each side of the outer bank of the high-water mark.

Per Town Code Chapter 208-69.2 A. (3) Roadway or driveway crossings, provided that the applicant demonstrates that there is no other reasonable means of access available, and the applicant obtains appropriate permits from the New York State Department of Environmental Conservation. In the case of this project the purpose of this roadway is not to access upland it eliminates the stream buffer. The purpose of stream buffer protection is to ensure that wildlife habitat is protected and the water runoff adjacent to the stream is filtered. Elimination of the buffer will obviate these benefits. The Planning Board should be aware that water carried by this stream flows into the Stoney Creek Reservoir.

- 2. The ECC reiterates that the current proposed plans are for multi-family / duplexes which are not in character with the current surrounding neighborhoods per Clifton Park Code 208-79 E. (1) (d). The proposed use is not in harmony with and does not promote the general purposes and intent of the Comprehensive Plan and the Town Code.**
- 3. The ECC reiterates that the building proposed for demolition was constructed in 1960. Per 208-78 F. (1) prior to issuing any demolition permit on a building or structure more than 49 years old, the Town Building Department shall notify the Historic Preservation Commission. The ECC recommends prior to issuing a Special Use Permit that the building department issues such notice.**

James Ruhl made a motion to adopt this statement, seconded by Dave Alexander, all in favor, none opposed.

Old Business –

**2022-007 21st Century Park Redevelopment Site Plan**

SBL: 270.-2-2

Expansion of existing light industrial park, 1315 Rt 146, Zoned: B5 - Corporate Commerce

Status: Revised Preliminary

Citizenserve File Number: 2022-007, Application Number: SPR23-000020

Applicant: MSW Properties, LLC - Martin Wawrla, Consultant: N/A

**ECC Comments:**

- 1. The ECC notes the current landscaping plan is minimal and does not reflect the Town of Clifton Park designation as a Tree City USA community. The ECC recommends that the Planning Board require additional appropriate plantings. It is recommended that the applicant at least double the planting, that shall include native plantings.**

Jean Cottrell made a motion to adopt this statement, seconded by Marla Zuarino, all in favor, none opposed.

New Business –

**CT Solar Blue Barns Rd Solar Array Site Plan and SUP**

SBL: 263.-2-89

Proposed construction of a 4.5 MW AC Solar array on a 53+/- acre property, Blue Barns RD

Zoned: CR - Conservation Residential, Status: Preliminary

Citizenserve File Number: 23-001997, Application Number: SUP23-000011

Applicant: Guyer Richard , Consultant: The Environmental Design Partnership, LLP - Stephanie Alessandrini

**ECC Comments:**

- 1. The applicant shall show the limits of the LC Zone on the plans. Per Chapter 124 Freshwater Wetlands and stream protection, any activity proposed within the limits of the LC Zone requires the applicant to obtain approval through a public hearing with the ECC. No approval shall be given by the Planning Board without the ECC's recommendations from this public hearing.**
- 2. The ECC notes that this project intends to clear 23 acres of mature trees which is in direct conflict the Towns Tree City USA designation.**

Marla Zuarino made a motion to adopt this statement, seconded by Jean Cottrell, all in favor, none opposed.

**Nott Road Solar Array Site Plan and SUP**

SBL: 269.-3-6

Proposed development of 2, 5 MW (AC) Solar arrays, Nott RD Zoned: CR - Conservation Residential, Status: Preliminary

Citizenserve File Number: 23-002037, Application Number: SUP23-000010

Applicant: Bhatti Naseem , Consultant: The Environmental Design Partnership, LLP - Stephanie Alessandrini

**ECC Comments:**

- 1. The ECC notes that this project intends to clear 28 acres of mature trees which is in direct conflict with the Towns Tree City USA designation.**

Dave Alexander made a motion to adopt this statement, seconded by Marla Zuarino, all in favor, none opposed.

**628 Mac Elroy Road – Building in the LC Zone**

SBL: 258.-2-37

Proposed development of 1 Residence, Mac Elroy Road Zoned: R-1 - Residential

Applicant: Linda LaPoint

**ECC Comments:**

- 1. The applicant shall show the limits of the LC Zone on the plans. Per Chapter 124 Freshwater Wetlands and stream protection, any activity proposed within the limits of the LC Zone requires the applicant to obtain approval through a public hearing with the ECC. No approval shall be given by the Planning Board without the ECC’s recommendations from this public hearing.**
- 2. The ECC recommends that the Planning Board not approve this application based on the following factors:**
  - a. The NYSDEC Permit #5-4124-00398/00001 for the construction of a Single-Family Home expired on 9/20/2022.**
  - b. The applicant did not obtain approval for the existing fill on the property from the ECC.**

Jean Cottrell made a motion to adopt this statement, seconded by Marla Zuarino, all in favor, none opposed.

**Discussion: None**

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The meeting was adjourned at 9:00 PM.

Respectfully submitted,  
Dan Mathias

cc: Clifton Park Town Clerk  
Planning Director