



Town of Clifton Park

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



Town Supervisor:

Philip C. Barrett

ECC Chair:

Dan Mathias

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 Christensen

Anne Dillenbeck

FINAL

MINUTES:

Monday, July 1st, 2024

CALL TO ORDER:

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

PRESENT:

Scott Reese, James Ruhl, Brian Glick, Karl Siverling, Dan Mathias, Michael Christensen, Jean Cottrell, Anne Dillenbeck

ABSENT:

Dave Alexander, Marla Zuarino,

ANNOUNCEMENTS:

- Next meeting: The next ECC meeting will be **Monday August 5th, 2024**, at 7 PM
- Scott Reese, Stormwater Management Officer was present to explain the project applications.

Zoning Board – None

Planning Board

Public Hearings –

#2024-014 68 Droms Rd 24 Lot Subdivision (Dingley)

SBL: 276.-1-34.2

Droms Rd 24 Lot Subdivision, 68 Droms Rd, Zoned: CR - Conservation Residential

Status: Preliminary Review w/ possible Final determination

Applicant: Erik Kohler Homes LLC, Consultant: EDP – J. Dannible

ECC Comments:

1. **Given the conflicts that other orchards in the area have experienced with bordering residential developments as included in the project file, the ECC recommends that the buffer area be one contiguous lot owned by either the TOCP or deeded to Riverview Orchard via lot-line adjustment with deed restrictions prohibiting any development (i.e. Clearing, expansion of the orchard, etc.). This approach will protect the wildlife corridor as well as avoiding future conflicts with neighboring property owners.**
2. **Per the Federal Workers Protection Standards Law of the EPA, the application exclusion zone must be 100 feet horizontally in all directions when the pesticide is applied by an air blast application method. This Health and Safety requirement should be incorporated into the buffer in order to protect all property owners in the vicinity of the spray plume. The ECC notes that the current proposed plan does not incorporate this standard throughout the entire buffer. The ECC recommends that this requirement be implemented in the buffer of the proposed design. This recommendation is consistent with Town zoning and the Western Clifton Park Design Guidelines.**
3. **The ECC notes that both Rainbow Orchards (Devoe) and Knight Orchards experienced a deviation from their approved plan whereby the houses were built closer to the buffer than approved. The Planning Board should require an inspection by the building department when each foundation is excavated to ensure that the construction conforms to the approved plan.**
4. **Per the Agricultural Markets Law a local reviewing agency shall review the impact of the proposed action on the functioning farm operation. The local reviewing board should ascertain present and future farming conditions to ensure the proposed land use does not conflict with current or future farming activities. The ECC notes that there has not been any report of any review contained in CitizenServe and this shall be conducted prior to any approval.**

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

Old Business –**#2023-018 377 Moe Rd 10 Single-Family Residential Lots Subdivision**

SBL: 277.-2-16

377 Moe Road 10 lot subdivision, 377 Moe Rd, Zoned: R1 - Residential, Status: Revised Preliminary

Applicant: Erik Kohler Homes, LLC, Consultant: EDP – J. Dannible

ECC Comments:

1. **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.

- 2. The ECC recommends that the Planning Board require the applicant to install split rail fencing to delineate the privately held buffer zone on each lot.**

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

#2024-018 Delmonico's Building Addition

SBL: 272.9-1-38.2

Applicant is proposing to construct a 925-sf restaurant building addition along with 25 new parking spaces and a small patio area on 1.86 acres, 3 Northside Dr (Pvt), Zoned: TC3 - General Zone Status: Revised Preliminary

Applicant: Delmonico’s, Consultant: EDP – G. Vuillaume

ECC Comments:

- 1. The ECC notes that the Colonie Channel Aquifer is present in this area. The applicant should present information which indicates where the water table is presently located in the underground infiltration chambers. The applicant has responded that “A water quality treatment device has been added to the stormwater management design”. The applicant is again requested to indicate where the water table is presently located in the underground infiltration chambers.**
- 2. The ECC reiterates that the applicant implement oil / water separation devices to protect the Colonie Channel Aquifer.**

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

#2024-019 1 Van Patten Rd Daycare Facility Site Plan (Creative Sprouts)

SBL: 265.6-1-25.11 Applicant is proposing a new daycare use that includes 19 parking spaces and a playground area. 1 Van Patten DR, Zoned: R1 - Residential, Status: Preliminary

Applicant: Country Club Acres, Consultant: EDP– G. Vuillaume

ECC Comments:

- 1. The ECC notes that the proposed plan includes a dumpster visible to surrounding neighbors therefore the ECC recommends the applicant provide screening to improve the aesthetics for the surrounding neighborhood.**

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

New Business –

#2024-026 Miller Road 3 Lot Subdivision (Boni)

SBL: 276.-2-33

Proposed 3 lot Subdivision of a 5.169+/- Acre lot with existing home into 3 lots, Miller Rd

Zoned: R1 - Residential, Status: Concept

Applicant: KLB Enterprises, LLC, Consultant: GVG Land Surveyor, PLLC – K. Weed

ECC Comments:

- 1. The ECC notes the presence of NYSDEC Wetlands on the proposed subdivision property. In order to properly assess the impact of this subdivision the ECC requests that the applicant show the delineation of the wetlands, including the 100-foot adjacent area of the wetland boundaries on the subdivision plan. No approval shall be given until such information is provided and reviewed by the ECC. The ECC observes that the proposed septic area is in close proximity and may be in the NYSDEC Wetlands and the 100-foot adjacent area.**

Brian Glick made a motion to adopt this statement, seconded by Anne Dillenbeck, all in favor, none opposed.

#2024-027 1523 Crescent Road Commercial Site Plan (The Landings at Crescent Road)

SBL: 284.-1-5 Proposed commercial site plan with a convenience store/gas station and two

additional buildings with drive-thru, 1523 Crescent Rd, Zoned: B3 - Neighborhood Business

Status: Concept

Applicant: TITAN Commercial Realty Group LLC, Consultant: Capital Architecture/City

Restoration – A. Dadamo

ECC Comments:

- 1. The limits of (the LC Zone and 100-foot buffer zone, DEC Wetlands, Federal Jurisdictional Wetlands) shall be identified on the plot plan, preferably with the use of shading and/or color.**
- 2. The ECC requests that the applicant indicate whether there is an aquifer present under the property.**
- 3. Due to Health and Safety concerns the ECC requests that the applicant provides a Traffic Study indicating potential impacts of this project.**
- 4. The ECC notes that the Cell Tower as indicated on the plan appears to be incorrect. The cell tower is currently located on the small parcel east of the proposed project. The ECC requests that the applicant provide exact measurements of proximity of the cell tower to patrons and employees of these businesses as there is a health concern for possible exposure to radiation.**

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

Discussion: - None

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The meeting was adjourned at 8:50 PM.

Respectfully submitted,
Dan Mathias

cc: Clifton Park Town Clerk, Planning Director