



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:

Dan Mathias

Karl Siverling

James Ruhl

Dave Alexander

Marla Zuarino

Jean Cottrell

Anne Dillenbeck

Mary Anne Mariotti

Sam Gowan

FINAL

MINUTES: **Thursday, May 21st, 2026**

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

PRESENT: Scott Reese, Dan Mathias, Karl Siverling, Anne Dillenbeck, Marla Zuarino, Mary Anne Mariotti

ABSENT: James Ruhl, Sam Gowan, Jean Cottrell, Dave Alexander, Agatha Reid

GUEST: Drew Cottrell

ANNOUNCEMENTS:

- Next meeting: The next ECC meeting will be on **Thursday, June 4th, 2026**, at 7 PM
- Scott Reese, Stormwater Management Officer, was present to explain the project applications.

Planning Board

Public Hearings – None

Old Business –

#2025-017 1910 Route 9 Commercial Buildings Site Plan (Concrete Batch Plant)

SBL: 259.-2-44

Proposed ready mix concrete batch plant, 1910 Us Rt 9, Zoned: L2 - Light Industrial 2

Status: Revised Preliminary

ECC Comments:

- 1. The ECC notes that the applicant has submitted an expanded EAF as prepared by Whiteman, Osterman & Hanna dated May 4, 2026. Based upon our review of the above documents, The ECC will perform additional SEQRA review of this document as the application continues through the review process.**
- 2. The ECC requests the Planning Board to direct the applicant to respond in writing with technical data to the ECC following comments:**
 - a. The ECC finds that this project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, the ECC recommends that the Planning Board issue a positive declaration under SEQRA and require a Full Environmental Impact Statement (EIS) be prepared for the following reasons:**
 - b. The ECC notes that this project is adjacent to the Dwaas Kill, a Class A trout stream, a C(T) stream and a 303D protected water way. The fishery contains both native and stocked brook trout. The town and its residents have a significant investment in the quality and the protection of this waterway (Dwaas Kill Nature Preserve). The proposed plant is located within approximately 180 feet of this important environmental resource. Concrete plants present several risks including but are not limited to air and water pollution as well as dust exposure. Given the proximity of the concrete plant to the Dwaas Kill the ECC is concerned about potential adverse environmental impacts.**
 - c. The ECC recognizes the potential impact to the water quality as trout in the Dwaas Kill are very sensitive to PH and all water quality changes. This project utilizes a gravel access road and is porous in nature and therefore will be difficult to control pH changes to the groundwater and other potential contamination.**
 - d. This project is a complete change of use from a truck repair facility to a concrete batch plant, coupled with an expansion of the impervious area of over 125%, this project cannot be treated under the standard re-development regulations. This project shall be treated as a new development. Re-development only treats the water quality volume where a new project will need to treat the channel protection volume as well the extreme storm events.**
 - e. The ECC notes that the applicant's engineer was requested to provide additional technical documentation and quantifiable data to support their response to Town Code Chapter 208-64 F with particular attention to the levels of dust generated by the Concrete Batch Plant that may reach the Dwaas Kill and effect the pH levels. In addition, this may have a negative health impact.**

- f. In evaluating a batch concrete plant similar to the 1910 Route 9 proposal, the Town of Clay NY relied on scientific data from studies published in peer reviewed journals. The conclusions from these studies validate the need to perform a Full EIS for this project in order to evaluate the potential risks to the environment and public health. The ECC requests the applicant to respond to the following scientific data and indicate why it is not applicable to their application. In a 2021 study entitled "Asthma and Particulate Pollution: Insights from Health Survey and Air Quality Monitoring in the Buzzard Point, Washington DC Neighborhood" by Hseih et.al. (ENVIRONMENTAL JUSTICE, Volume 14, Number 4, 2021), the case study focused on asthma rates affected by air quality in a studied neighborhood located "next to concrete batch plants and close to several construction projects." Significantly, the study suggests that there is a correlation between air quality and respiratory symptoms (e.g., asthma). The increased particulate matter from the concrete batch plants associated with this neighborhood contributed significantly to the airborne particulate materials ("PM") and that short-event, high-PM exposures "may overwhelm the defensive mechanisms in the upper airway that normally protect the respiratory tract from coarse particles."
- A second study ("Assessing the Impact of Fugitive Dust Emissions from Cement Silos at a Cluster of Concrete Batching Facilities Using Air Dispersion Modeling" by Rady, et al.; Journal of Environmental Protection, 2023, 14, 373-391) compared PM emissions from "Controlled and Uncontrolled" Cement Silos and identified the hazards of cement dust to the environment and human health. It found that "uncontrolled or dis-repaired cement silos have no control efficiency" and resulted in PM releases 5.3 times higher than the World Health Organization (WHO) standards for air quality. Among other conclusions, this study found that the primary reason for high PM exceedance is the non-compliance of concrete batching facilities with "regulatory permit conditions" and that such conditions are not compatible with the surrounding community. The potential impact from such events on the residential areas near the Route 9 project must be assessed as part of a Full EIS.
- g. In recommending a positive declaration, the ECC notes that the long form EAF prepared by the applicant fails to correctly answer questions that raise identifiable concerns, e.g., Parts D.2.i, in regard to dust particulate emissions, parts E.2. q (fishing), and E.3.h & i (public resources within 5 miles). These errors underscore the need for a Full EIS.
- h. Per Town Code Chapter 208-64 B. (1), "Assembling/fabrication, processing or light manufacturing of products, provided that such activity is not violative of the district regulations as set forth herein, and further provided that such activity does not result in any noxious noise or odor outside the district and does not have a deleterious effect on the air or water quality."

The key characteristics of Light Industrial results in minimal environmental impacts of noise, dust, and vibrations. The ECC requests that the applicant demonstrate that this application will conform to the performance standards of the Town Code specifically to the noise, dust (i.e. technical documentation and quantifiable data on particulate matter), and vibration levels by providing measurement of noise and vibration levels.

- i. **The ECC notes that if public water is going to be utilized then the private well on site shall be capped.**
3. **The ECC requests quantifiable data which supports the conclusions made by the applicant completing the Full EAF in order to understand the validity of the submission.**
4. **The ECC requests that the applicant provides written confirmation that the Saratoga County Sewer and Town Water Authority will supply sufficient capacities for this project.**

Marla Zuarino made a motion to adopt this statement, seconded by Mary Anne Mariotti, all in favor, none opposed.

#2026-002 1532 Crescent Rd. QuickChek Convenience Store with Fuel and Restaurant with Drive Thru

SBL: 284.-1-9.1 Applicant proposes to redevelop the site with a new +/-5,850 SF. QuickChek and +/-1,850 SF. Dunkin restaurant with Drive Thru, 1532 Crescent RD, Zoned: B3 - Neighborhood Business, Status: Revised Concept

ECC Comments:

1. **The ECC has no further comments currently.**

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

New Business – None

Discussion: *None*

Old Business for the June 9th, 2026 Planning Board Agenda –

#2025-045 Synergy Park Phase 4 Subdivision and Site Plan

SBL: 265.-5-10 Synergy Park Phase 4 Subdivision and Site Plan, 19 Synergy Park DR Rear Zoned: L2 - Light Industrial 2, Status: Preliminary

ECC Comments:

1. **The ECC notes that this project is adjacent to the Dwaas Kill, a Class A trout stream, a C(T) stream and a 303D protected water way. The fishery contains both native and stocked brook trout. The town and its residents have a significant investment in the quality and the protection of this waterway (Dwaas Kill Nature Preserve). The proposed project is located within approximately 100**

- +/- feet of this important environmental resource. This is closer to the Dwaas Kill than the previous submission. Given the proximity of this project to the Dwaas Kill the ECC is concerned about potential adverse environmental impacts.**
- 2. Considering the amount of impervious surface being proposed (36%+/-), the ECC requests the applicant provide information on the impact to the ground water quality as trout in the Dwaas Kill are very sensitive to PH and all water quality changes. The applicant has not responded to this concern.**
 - 3. The proposed stormwater management configuration may radically alter the existing surface pattern away from the Dwaas Kill. This potentially will have an impact on the water level and quality of this stream. The applicant has not responded to this concern.**
 - 4. The ECC requests that the Planning Board require the applicant to revise the SEQRA application to reflect the property in its original form (prior to any development).**
 - 5. The lighting plan should be in compliance with International Dark Sky Standards and should include cut off shields as part of the design.**
 - 6. The current application does not show the existing contours nor the distance of the grading plan to the Dwaas Kill. Without this information it is impossible to determine if the design meets Town Code. The ECC requests that the planning board ask the applicant to provide this information before approval. Given that the existing contours are not provided the following comment still needs to be addressed: “Given the steep topography of this site, the square footage of the proposed buildings and parking appear to be excessive due to the amount of grading required. For example, lot 4 will require up 20+ feet of fill in order to create a level surface. Considering the issues experienced the recent slope failures and sink holes on building site adjacent to the Dwaas Kill, the ECC recommends that the Planning Board require the footprint of the buildings along the Dwaas Kill be reduced.”**
 - 7. The limits of (the LC Zone and 100-foot buffer zone, DEC Wetlands, Federal Jurisdictional Wetlands) shall be clearly with hatch marking identified on the plot plan.**
 - 8. The ECC notes that there is no reference notes or legend for the proposed slope stabilization fabric on the proposed fill slopes on the erosion and sediment control plans.**

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

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The meeting was adjourned at 9:00 PM.

Respectfully submitted,
Dan Mathias

cc: Clifton Park Town Clerk, Planning Director