

## Town of Clifton Park

One Town Hall Plaza  
Clifton Park, New York 12065  
(518) 371-6054 FAX (518)371-1136

### PLANNING BOARD

Rocco Ferraro  
Chairman

Paul Pelagalli  
Attorney

Janis Dean  
Secretary



### MEMBERS

Michael Hale

Joel Koval

Eric Ophardt

Sandra Pace

Kim Paulsen

Tom Werner

(alternate) Emad Andarawis

### Planning Board Meeting December 13, 2011

Those present at the December 13, 2011 Planning Board meeting were:

Planning Board: R. Ferraro, Chairman, M. Hale, J. Koval, E. Ophardt, S. Pace, K. Paulsen  
T. Werner  
E. Andarawis – Alternate Member

Those absent were: None

Those also present were: J. Scavo, Director of Planning  
M. Montague, Environmental Specialist  
P. Pelagalli, Counsel  
J. Dean, Secretary

Mr. Ferraro, Chairman, called the meeting to order at 7:00p.m. All in attendance stood for recitation of the Pledge of Allegiance.

### Public Hearings:

There were no public hearings scheduled for this evening's meeting.

### Old Business:

There were no items of old business scheduled for this evening's meeting.

### New Business:

[2011-038] **Ward Brothers Tree Service** – Proposed selective timber harvesting of 52 acres on the Lands of Cotton, 216 Sugar Hill Road – Special Use Permit #80843 and conceptual site plan review. SBL: 282.-1-10.1

Mr. Kenneth Marshall, forestry consultant for Ward Brothers Tree Service, presented this application that requests Planning Board approval of Special Use Permit #80843 that would allow the selective timber harvesting of approximately 52 acres of a 102.3 acre parcel identified as the Lands of Cotton that lies within the CR (Conservation Residential) zoning district. The subject parcel is located on the westerly side of Sugar Hill Road directly across from its intersection with Ray Road. “Merchantable” timber will be removed by hand felling and skid to a loading area located near Sugar Hill Road. The speaker reported that all work will be conducted while the ground is frozen and that all trees to be removed have been identified on site. Mr. Marshall reported that he consulted with a NYSDEC Region 5 biologist who advised him that no permits from that department were required for winter harvesting activities.

Mr. Scavo reported that Mr. Myers, Director of Building and Development, provided the following comment in a memo dated December 5, 2011. Per Chapter 184 of the Town Code, the applicant must provide the following information: the number of trees to be cut, diameter range, a map showing the restoration plan and access road, classified streams and wetlands, adjacent property owners, logging operation area, product loading area, landowner statement, ECC review, Highway Superintendent notification, security submittal, and erosion and sediment control plans. He noted that the applicant would be required to comply with all conditions of approval issued by the Planning Board. Mr. Scavo noted that no comment has been received from the Highway Superintendent to date.

Mr. Scavo offered comments prepared by the Planning Department, explaining that he had forwarded a letter to the consulting forester that listed specific items to be addressed prior to Planning Board approval. The project proposal must indicate the approximate number of trees to be cut and remaining basal area after harvest. The basal area should be based on random prism plots. The **range**, in inches of diameter at breast height (DBH), of trees to be cut must be included in documents submitted for review. All skid trails will be required to be smoothed of ruts and cleared of tops and other debris. The access driveway and loading (landing area) must be indicated on a site map. These areas must be restored to their original conditions when the harvesting operations are concluded. The plan should indicate whether or not the landing area will be seeded. The plan must include the name of the consulting forester who marked the trees to be harvested and must indicate whether or not the timber harvesting will occur within 50’ of the property boundaries. If stream crossings are necessary, the number of linear feet required for such crossings and methods for accomplishing the crossings must be indicated on the plan. Mr. Scavo reported that approval of a Special Use Permit requires that a public hearing be conducted by the Planning Board. Upon submission of requested plans and information, a public hearing will be scheduled. Additional staff comments will be provided when the requested information is submitted.

Mr. Montague, Environmental Specialist, reported that the ECC provided the following comments regarding this application. The ECC notes that, as described Town Code Section 184-3 – Permitting Procedure – was not included for review. Timbering operations should remain out of the NYSDEC wetland located in the northwestern corner of the applicant’s property.

In response to Mr. Ferraro’s questions, Mr. Marshall explained that the timbering operation would occur generally within the northwesterly portion of the Cotton property and that the loading area would be established near the existing driveway that provides access to Sugar Hill Road. There will be no disturbance of the designated wetland area or its associated 100’ buffer area. Mr. Marshall explained that he submitted a report regarding the proposed timbering operation to the Building Department with the application for the required Special Use Permit and he stated that the report included much, if not all,

of the information now requested by the Director of Planning and the ECC. That report indicates that approximately 725 trees will be harvested with the total amount of board feet estimated to be 70,000 Bf. Trees to be harvested will be between 10" – 26" DBH. The types of species to be harvested are also listed in the report. Approximately 50 SF of basal area per acre will be removed. Reforestation will be by natural seeding by the seed trees left behind. All unusable by-products (slash) will be left in the forest to act as protection for the seedlings against the browsing of wildlife. The slash will be left no higher than 2 feet from the ground. When the harvesting process is complete, all skid roads and loading areas will be put back to their original states to the greatest extent practicable. Erosion control will be used where necessary. Ms. Paulsen asked that the timber harvesting report be made available to all Board members. In response to Mr. Werner's question regarding the length of time needed for the proposed timbering operation, Mr. Marshall stated that it would likely require 1 – 1½ months to complete the timbering. He again noted that the harvesting will only occur when the ground is frozen. Mr. Hale noted that wetland areas tend to freeze less quickly than regular ground areas and he advised Mr. Marshall to beware of "rivulets" that could cause siltation and some erosion. Mr. Marshall noted that such erosion would be negligible due to the "slash" that would remain and he reiterated that erosion control measures would be employed where required. Mr. Ferraro expressed his concerns regarding the reclamation process, explaining that he encouraged minimal disturbance of environmental features such as ponds, streams, and wetlands. After stating that the harvesting will result in the removal of "a little over half of the existing basal area," Mr. Marshall assured members that the harvesters would be "sensitive to" designated wetlands and stream corridors and would restore the site to its original condition to the greatest extent practicable. Board members found the conceptual plan generally acceptable. Mr. Scavo explained that it was likely that the public hearing on the application would be scheduled for the first meeting in January.

**Minutes Approval:**

Mr. Koval moved, seconded by Mr. Andarawis, approval of the minutes of the November 9, 2011 meeting as amended. Ayes: Ophardt, Paulsen, Andarawis, Pace, Werner, Koval, Ferraro. Noes: None. Abstained: Hale.

Ms. Paulsen moved, seconded by Mr. Ophardt, adjournment of the meeting at 7:30p.m. The motion was unanimously carried. The next meeting of the Planning Board will be held as scheduled on January 10, 2012.

Respectfully submitted,

Janis L. Dean,  
Secretary

cc: Planning Board Members, Planning Department, Supervisor, Town Administrator, Assessor, Zoning Board, Department of Building and Development, Town Clerk, Town Board Members, Highway Superintendent, Lou Renzi, Town Attorney, Tom McCarthy, Town Attorney, Paul Pelagalli, Town Attorney, ECC, Clifton Park Water Authority