

**TOWN OF NISKAYUNA**  
**Conservation Advisory Council**

**A G E N D A**

**April 6, 2022**

**7:00 P.M.**

**VIA HYBRID FORMAT  
IN PERSON (TOWN HALL) AND VIRTUAL (GOOGLE MEETS)**

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. APPROVAL OF MINUTES**
  - 1. March 2, 2022
- IV. PRIVILEGE OF THE FLOOR**
- V. ENVIRONMENTAL ASSESSMENT FORM REFERRALS**
  - 1. One Research Circle – GE Global R&D Center – site plan application for the construction of a new building.
- VI. DISCUSSION ITEMS**
  - 1. 2635 Balltown Rd. -- Trinity Baptist
- VII. REPORTS**
  - 1. Natural Resource Inventory
  - 2. Pesticide Outreach Update
  - 3. Low Mow / Biodiversity Initiatives Update
    - i. No Mow May
- VIII. ADJOURNMENT**

**Next Meeting: May 4, 2022  
AT 7 PM, Hybrid Format**

**TOWN OF NISKAYUNA**  
**CONSERVATION ADVISORY COUNCIL**  
Meeting Minutes  
March 2, 2022

Members Present                      Ellen Daviero (Acting Chairperson)  
                                                 Ashok Ramasubramanian  
                                                 Chelsea Rattner  
                                                 Ryana Sarcar  
                                                 Micki Vysohlid  
                                                 Steven Burkholder

Also Present:                              Laura Robertson, Town Planner  
                                                 Clark Henry, Assistant Planner

**I. CALL TO ORDER**

Acting Chairperson Daviero called the meeting to order at 7:00 PM.

**II. ROLL CALL**

Mr. Strayer was excused tonight.

**III. APPROVAL OF MINUTES**

**1. February 2, 2022**

Acting Chairperson Daviero made a motion to accept the minutes and it was seconded by Ms. Rattner. The minutes were approved unanimously.

**IV. PRIVILEGE OF THE FLOOR**

Mr. Roy Thorton recapped his discussion at the Town Board meeting and his interview regarding the low mow initiative with the Daily Gazette. He reiterated that this low mow initiative will help with pollinators, butterflies and not just the grass nesting Bobo Link birds.

The Council discussed ways to of broadening this initiative to other areas of Niskayuna.

**V. ENVIRONMENTAL ASSESSMENT FORM REFERRALS**

**1. EAF 2022-2 Historic Preservation Code**

Ms. Daviero confirmed with Ms. Robertson the Chairman Strayer had been consulted on this EAF prior to the meeting and was okay with the project proceeding. Ms. Daviero stated she considered him the lead on this item and wanted to make sure his input on the Code was reviewed. Ms. Robertson stated that he had a chance to review the Code and sent her an email that he had no further comments.

Mr. Ramasubramanian stated his agreement with the changes made to Historic Preservation Code.

Ms. Robertson went through the questions on part 2 of the EAF with the Council. She stated the Comprehensive Plan encourages the Town to preserve historic properties due to the fabric of our community. She stated the intent of the code is to preserve properties and thier surroundings and it does not conflict with adopted land use or zoning regulations. She proposed that in totality, this code will be

following the guidance of the Comprehensive Plan, not conflicting with adopted land use and zoning regulations.

Mr. Ramasubramanian asked if there is concern if a historic home is deemed able to be demolished, is there a concern regarding lead or asbestos. Ms. Robertson stated that any property to be demolished would need to make sure there wasn't asbestos or lead and if there was, it would need to be handled properly according to code.

Mr. Ramasubramanian made a motion for a negative declaration on environmental impacts of adopting the Historic Preservation Code and it was seconded by Ms. Daviero. The Council voted 6-0 on a recommendation to the Town Board for a negative declaration of environmental impacts on the adoption of the Historic Preservation Code.

## **VI. DISCUSSION ITEMS**

### **1. One Research Circle – GE Global R&D Center – site plan application for the construction of a new building.**

Ms. Robertson stated the building plans are preliminary due to the proposed building being higher than code allows (55') and it will need to go before the ZBA for a height variance approval.

Ms. Robertson described the project and displayed the proposed site plan for the project. Mr. Henry added some details regarding the building itself. Ms. Robertson explained that this building will be replacing 2 other active buildings on site. This building will need to be finished before the other 2 can be demolished. Ms. Robertson stated she will update the plans with the height of the adjacent building once she receives that information.

The CAC asked for confirmation that the building will not affect the wild flower field along the Mohawk Hudson Bike Hike Trail. Ms. Robertson pointed out the distance of the proposed building to the field and noted the parking lot seems to be closest to the proposed building.

The CAC noted the amount of parking and questioned why the building would need to be built on new ground. They wondered if some of the vast parking lot could be used.

Ms. Daviero asked if green energy will be planned for this building when finished. Ms. Robertson stated she will ask.

Mr. Ramasubramanian asked if there would be hazardous material. Mr. Henry stated it would only receive liquid nitrogen deliveries.

Mr. Thorton asked for GE to do the low mow initiative and to research the impacts of the new Building on the water waste into Towns sewers.

Ms. Robertson wrote down all concerns and stated she would present them to GE.

## **VII. REPORTS**

### **1. Natural Resource Inventory**

Mr. Ramasubramanian stated that the NRI consultant will be arriving May 14 to do some preliminary survey of open spaces, parks and pocket parks in Niskayuna. Ms. Robertson stated she would like to attend this if possible.

**2. Pesticide Outreach Update**

Ms. Daviero stated she attended the Niskayuna School Board meeting to discuss the changes and updates to the pesticide use on the school grounds. Ms. Daviero stated the school is working towards pesticide free but their language could be stronger regarding pesticide free lawn maintenance. Ms. Daviero stated she drafted a statement for a recommendation to the School Board.

She stated that there is a designated pesticide coordinator that will be working with the community to make decisions for the district.

Ms. Daviero stated that she found a website that refers local pesticide free lawn companies by entering your zip code. She stated she would like to get clearance to post it to the website. Mr. Thorton stated he will pass on an informative sheet on how to create a pollinator habitat in your back yard. Ms. Ratner added that she has recently heard of a website called "Sunday Lawn Care" that you can send them your zip code and they will design pesticide free lawn products specifically for your area.

Mr. Ramasubramanian added that he would like for the CAC to sign up again to have a booth at the Niskayuna Farmers Market. He felt it was a great way to connect and inform residents. Ms. Daviero agreed and stated she will reach out to the head of the Farmers Market.

**3. Low Mow / Biodiversity Initiatives Update**

Ms. Robertson displayed the signs that have been approved by the Highway Department and the Town Supervisor. She stated one of the signs will be sent to the company that the Town uses to make their signs to get a quote. Ms. Robertson stated she will continue working on getting sign #2 made. Ms. Rattner commented on the Grassland Habitat sign. She suggested larger pictures to view. She found it difficult to see the photos clearly. Ms. Daviero stated that now that she has a visual, she can enlarge the photos on the sign. Mr. Henry added that it might be helpful to limit the pictures to just the birds and not its surroundings. Ms. Daviero welcomed Ms. Ratner's help on designing the sign. Ms. Robertson stated that the members could email her pictures for the sign.

The Council agreed that the low mow initiative sign looked good. Mr. Thorton asked if Ms. Robertson was in contact with Conservation District to receive wild flower cedar into the low mow area. Ms. Robertson stated she has been trading phone calls and will try to connect with them to Mr. Smith from Highway.

The Council discussed the map in which they plan to put the signs. Ms. Robertson displayed the areas in Blatnick Park where they had discussed the signs going.

**VIII. ADJOURNMENT**

Mr. Ramasubramanian made a motion to adjourn and it was seconded by Ms. Rattner. The meeting was adjourned at approximately 8:00 PM.



# TOWN OF NISKAYUNA

## CONSERVATION ADVISORY COUNCIL

### AGENDA STATEMENT

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AGENDA ITEM NO. V. 1

MEETING DATE: 4/6/2022

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**ITEM TITLE:** One Research Circle – GE Global R&D Center – site plan application for the construction of a new building

**PROJECT LEAD:**

**APPLICANT:** Town of Niskayuna

**SUBMITTED BY:** Laura Robertson, Town Planner

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**REVIEWED BY:**

☒ Planning Board & Zoning Commission ☐ Zoning Board of Appeals (ZBA) ☐ Town Board  
☐ OTHER

**ATTACHMENTS:**

☐ Resolution ☒ Site Plan ☐ Map ☐ Report ☐ Other:

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**SUMMARY STATEMENT:**

Corrie Whalen, acting on behalf of the General Electric Company, submitted an Application for Site Plan Review for a proposed new building on the campus at the intersection of KW Rd. and Discovery Drive. The proposed building is approximately 16,000 sq. ft. with a footprint of 80' wide x 220' long x 55' high.

**BACKGROUND INFORMATION**

The 522 acre property at 1 Research Circle lies within I-R Research and Development zoning district.

A 12-page document package was submitted with the application. Eight (8) of the pages were entitled "GE Cryo Schenectady, NY" by American Buildings Company dated 2/21/22 with no subsequent revisions. All 12 pages were stamped "Received Feb 23 2022 Planning Office Niskayuna, NY".

Niskayuna Zoning Code Section 220-10 District Regulations H Research and Development District (1) Permitted principal uses includes: (a) Research, experimental and testing laboratories. The main Global Research and Development building is therefore a permitted principal use in the I-R zoning district. As proposed the new building has a maximum height of 55 feet above finished grade. Therefore a variance of 20 feet ( $55 - 35 = 20$ ) of building height was required and granted by the Zoning Board of Appeals.

**2/28/22 Planning Board (PB) meeting** – Mr. Whalen presented the project to the Board and described GE's need for the building. He stated that once the building is up and running two existing buildings will be demolished. Mr. Whalen disclosed that liquid Nitrogen will be delivered

to the building on a regular basis and that there are no hazardous wastes or byproducts produced by the equipment that will be operated within the building. He also noted that no additional parking area will be added, the existing parking lot will actually be reduced. The Board asked for a digital rendering showing how the proposed building would appear from public roads and called for a recommendation to the Zoning Board of Appeals (ZBA) to be made at the 3/14/22 PB meeting.

**3/2/22 Conservation Advisory Council (CAC) meeting** – Ms. Robertson described the project to the CAC. Several questions were raised that were forwarded on to and answered by Mr. Whalen.

1. Will any new parking need to be added?  
--- No, the parking lot in front of the location for the proposed build is in poor shape. The plan is actually to reduce parking spaces.
2. Could the proposed building be located on some of the existing impervious area?  
--- The location was chosen so the parking area that is in good condition could continue to be used while the parking area in poor condition is removed.
3. Will green energy concepts such as solar panels, EV chargers be utilized?  
--- EV charging stations will be included.  
--- The applicant is working with NYSEERDA / National Grid to make sure the building is energy efficient and as environmentally friendly as possible.  
--- The HVAC system will be geothermal to reduce carbon emissions.
4. Will the new building significantly increase the demand on the Town's sewage collection and treatment systems?  
--- No, these areas will stay neutral when the project is complete.  
--- Once the proposed building is up and running two existing buildings will be demolished.
5. Will there be any VOC emissions from the proposed building?  
--- No.

**3/12/2022** Staff researched the following nearby building heights allowed by variances over time on the GE property:

1978 – Variance for 75' high Coal Gasification research building  
1983 – Variance for 63' high building  
1983 – Variance for 65.5' Semiconductor Facility  
1980 – Variance for 67' high Metallurgy and Ceramics Building  
1998 – 45' High addition to Coal Gasification Building  
2002 – Variance for 88' C-wing building  
2002 – Variance for 54' Guest House buildings  
2004 – Variance for 55' for Chemistry Building  
2017 – Variance for 20' service (accessory) building

**3/14/22 Planning Board (PB) meeting** – The Board discussed the project and made a recommendation to the Zoning Board of Appeals (ZBA) with a vote of 6 – 0 to grant the 20 ft. area variance for the height of the building. They requested better drawings going forward.

**3/16/22 / 3/23/2022 Architectural Review Board (ARB) meeting** – The ARB reviewed the project and asked for ways that the building's façade could have things added or bumped out to reduce the long façade and also to mitigate the height. They requested more design drawings on the building and additional landscaping. The applicant has added windows and is working on updated renderings. They have stated the building will be in year one and the landscaping will be in year two because of the way the project is budgeted with GE.

**3/16/22 Zoning Board of Appeals (ZBA) meeting** – The ZBA reviewed the project at their regularly scheduled meeting on 3/16/22 and granted the area variance for 20 ft. of additional height (55 ft. total height).

The applicant, Corrie Whalen, will be present at the CAC meeting to go over the EAF and any additional questions the CAC may have. Mr. Whalen and GE have also committed to meeting with the Tree Council to plant some trees along the bikepath at River Road to screen the view of the building from the adjacent homes and bikepath.

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

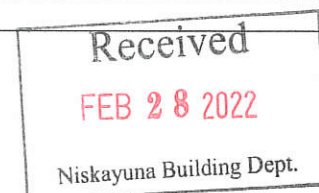
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: GE Research Cryogenics Facility			
Project Location (describe, and attach a location map): Western part of our 1 Research Circle Property			
Brief Description of Proposed Action: Construct a 200' x 80' building 55' tall with a vessel 25' in the ground inside the facility to cryogenic-ally test MRI parts and new state of the art technology for wind turbines.			
<div style="border: 1px solid black; padding: 5px; display: inline-block;"> <p style="margin: 0; font-weight: bold; font-size: 1.2em;">Received</p> <p style="margin: 0; color: red; font-weight: bold; font-size: 1.1em;">FEB 28 2022</p> <p style="margin: 0; font-size: 0.9em;">Niskayuna Building Dept.</p> </div>			
Name of Applicant or Sponsor: General Electric Research/ Corrie Whalen		Telephone: 518-391-9182 E-Mail: corrie.whalen@ge.com	
Address: 1 Research Circle			
City/PO: Niskayuna	State: NY	Zip Code: 12309	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		522 acres	
b. Total acreage to be physically disturbed?		5 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		522 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			



		NO	YES	N/A
<div style="border: 1px solid black; padding: 5px; text-align: center; float: right; margin-bottom: 10px;"> <b>Received</b>  <b>FEB 28 2022</b>  Niskayuna Building Dept. </div> 5. Is the proposed action,				
a. A permitted use under the zoning regulations?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES	
If Yes, identify: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES	
If the proposed action will exceed requirements, describe design features and technologies:				
Proposed action is still being designed but we are working closely with both National Grid and NYSERDA to ensure the building meets or exceeds current energy standards		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?		NO	YES	
If No, describe method for providing potable water: _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?		NO	YES	
If No, describe method for providing wastewater treatment: _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____				
_____				
_____				

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: <u>Corrie Whalen</u> Date: <u>2/28/2022</u>  Signature: _____ Title: _____		



**TOWN OF NISKAYUNA  
ZONING BOARD OF APPEALS  
One Niskayuna Circle  
Niskayuna, New York 12309  
(518) 386-4530**

**FILED  
TOWN OF NISKAYUNA**

MAR 17 2022

March 17, 2022

Corrie Whalen  
1 Research Circle  
Niskayuna, NY 12309

**MICHELE M MARTINELLI  
TOWN CLERK**

Dear Mr. Whalen,

At its regularly scheduled meeting held on March 16, 2022, the Zoning Board of Appeals ("the Board") reviewed the following case:

Appeal by Corrie Whalen, agent for GE Global Research, for a variance from of Section 220-17 A of the Zoning Ordinance of the Town of Niskayuna as it applies to the property at 1 Research Circle, Niskayuna, New York, located in the I-R: Research and Development Zoning District, to construct an 80' x 220' research building exceeding the allowable building height. Height: Section 220-17 A states: "No building or structure shall exceed a height of 35 feet above the average finished grade adjoining the building unless otherwise specified in this chapter. The finished grade of artificial berms or similar earthen structures created for insulation or other purposes adjacent to the building shall be disregarded in the determination of average finished grade." As proposed the new building measures 55 feet high. Therefore a 20 foot (55' - 35' = 20') area variance for the height of the building is required.

It was the decision of the Board to grant the variance as written:

The Board based its decision on the findings of fact set forth in the applicant's appeal and the discussion between the applicant (or the applicant's representative) and the Board members during the meeting. You can view a video of the meeting at [https://www.youtube.com/watch?v=1paBVg\\_vUI](https://www.youtube.com/watch?v=1paBVg_vUI).

The approval of a variance by the Board does not constitute authorization to proceed with the establishment on extension of any use, nor the construction of any structure. It shall authorize the filing of an application for permits with the Building Department on approval as required by Town Code.

Town Code Section A235-10(D) provides: "Unless otherwise specified, any order or decision of the Board for a permitted use shall expire if a building or occupancy permit for the use is not obtained by the applicant within 90 days from the date of the decision; however, the Board may extend this time an additional 90 days." As such, you must proceed with applying for a permit within 90 days of the date of this decision.

Sincerely,

*Maureen McGuinness / LMS*

Maureen McGuinness  
Chairperson

cc: Town Clerk  
Building Department  
ZBA File



**Town of Niskayuna**

**M E M O R A N D U M**

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**TO:** File

**FROM:** Laura Robertson, Town Planner

**DATE:** March 14, 2022

**RE:** One Research Circle – new 80' x 220' x 55' high research building

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At a regular Planning Board and Zoning Commission (PB) meeting held on March 14, 2022 the PB reviewed the appeal by Corrie Whalen, acting on behalf of the General Electric Company, for a variance from Niskayuna Zoning Code Section 220-17 as it applies to the property at One Research Circle, Niskayuna, New York located in the I-R Research and Development Zoning District, for an Application for Site Plan Review for the construction of a new 80 ft. x 220 ft. x 55 ft. high research building on the 522 acre property. An area variance for the height of the proposed new building is required.

Niskayuna Zoning Code Section 220-17 Height regulations A states: "No building or structure shall exceed a height of 35 feet above the average finished grade adjoining the building unless otherwise specified in this chapter."

A 12-page document package was submitted with the application. Eight (8) of the pages were entitled "GE Cryo Schenectady, NY" by American Buildings Company dated 2/21/22 with no subsequent revisions. All 12 pages were stamped "Received Feb 23 2022 Planning Office Niskayuna, NY".

As proposed in the document package, the new building has a maximum height of 55 feet above finished grade. Therefore a variance of 20 feet ( $55-35=20$ ) of building height is required.

The Conservation Advisory Council (CAC) reviewed the project with the applicant during their regularly scheduled meeting on 3/2/22. The Council requested additional information in response to 5 questions that were raised during the meeting. The applicant responded to the questions and the additional information is included in the Planning Board meeting packet for the 3/14/22 meeting.

The Planning Board made the following recommendations:

**Effect on the Comprehensive Plan –**

The Board voted (5-1) that there was no effect on the Comprehensive Plan. The one dissenting voter stated they voted the project does have a negative effect on the Plan because the proposed new 55 ft. tall building will be at least partially visible from River Road. The Table of Contents of the Comprehensive Plan lists 6 Issue Areas for the Town of Niskayuna: (1) transportation, (2) recreational facilities and open space preservation, (3) public facilities and utilities, (4) economic development, (5) land use and (6) historical and cultural preservation. The project supports the Comprehensive Plan by not impacting areas 1, 2, 3 and 6. The proposed new building supports area 4 of the Plan, economic development, by supporting industry in the I-R Research &

Development zoning district. Area 5 in the Plan, land use, is also supported since the proposed location for the new building is appropriately zoned, the lot is more than 520 acres and has ample space for the 16,000 sq. ft. building.

### **Suitability of Use –**

The Planning Board voted 6 – 0 that the project including the variance for 20 ft. of additional building height is suitable. They noted that the proposed building is in line with the other buildings on the Global Research lot. The Planning Office noted that at least 9 area variances currently exist for structures on the property ranging from 45 ft. high to 88 ft. high. It was noted that the shorter side of the 80 ft. x 220 ft. building faces River Road thereby minimizing its visual impact and the building will be 710 ft. (1/8 of a mile) from River Road and partially obscured by trees. The Board noted that the final building design and appearance will be reviewed by the Niskayuna Architectural Review Board (ARB) and ultimately the Planning Board and Zoning Commission prior to final site plan approval.

They also noted that the 5 concerns raised by the Conservation Advisory Council (CAC) at their regularly scheduled 3/2/22 meeting were satisfactorily addressed by the applicant.

1. Will any new parking area need to be added?
  - No, the parking lot in front of the location of the proposed building is in poor shape. The plan is to reduce the parking area while improving its overall condition.
2. Could the proposed building be located on some of the existing impervious area?
  - The location was chosen so the parking area that is in good condition could continue to be used while the parking area in poor condition is removed.
3. Will green energy concepts such as solar panels and EV chargers be used?
  - EV charging stations will be used and the Global Research Center is working with NYSERDA & National Grid to make sure the building is as energy efficient and environmentally friendly as possible.
4. Will the new building significantly increase the Town's sewage collection and treatment systems?
  - No, these areas will remain neutral when the project is complete.
5. Will there be any VOC emissions from the proposed building?
  - No.

### **RECOMMENDATION –**

The Planning Board voted 6 – 0 to recommend the area variance for 20 ft. of additional building height (55 ft. total height) be approved.



# GE Research Overhead Site Plan

Proposed  
new building  
location in  
RED



# GE Research K-West Zoomed View

Proposed  
new building  
location in  
RED





## Views From Research Circle



Tree line obscures view of existing K West Building





## Views From River Road



Tree line obscures view of existing K West Building



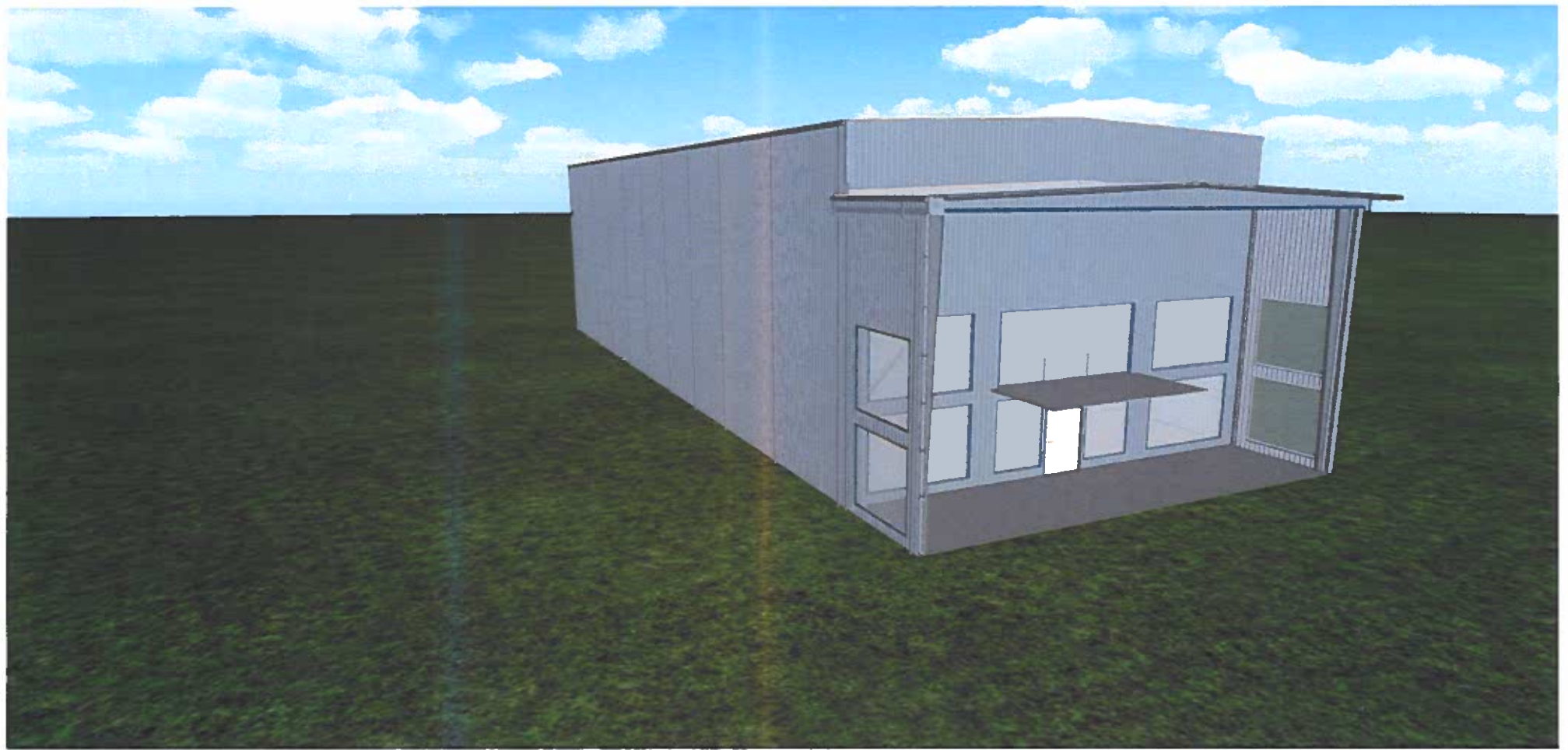
## Views From Niskayuna Soccer Park

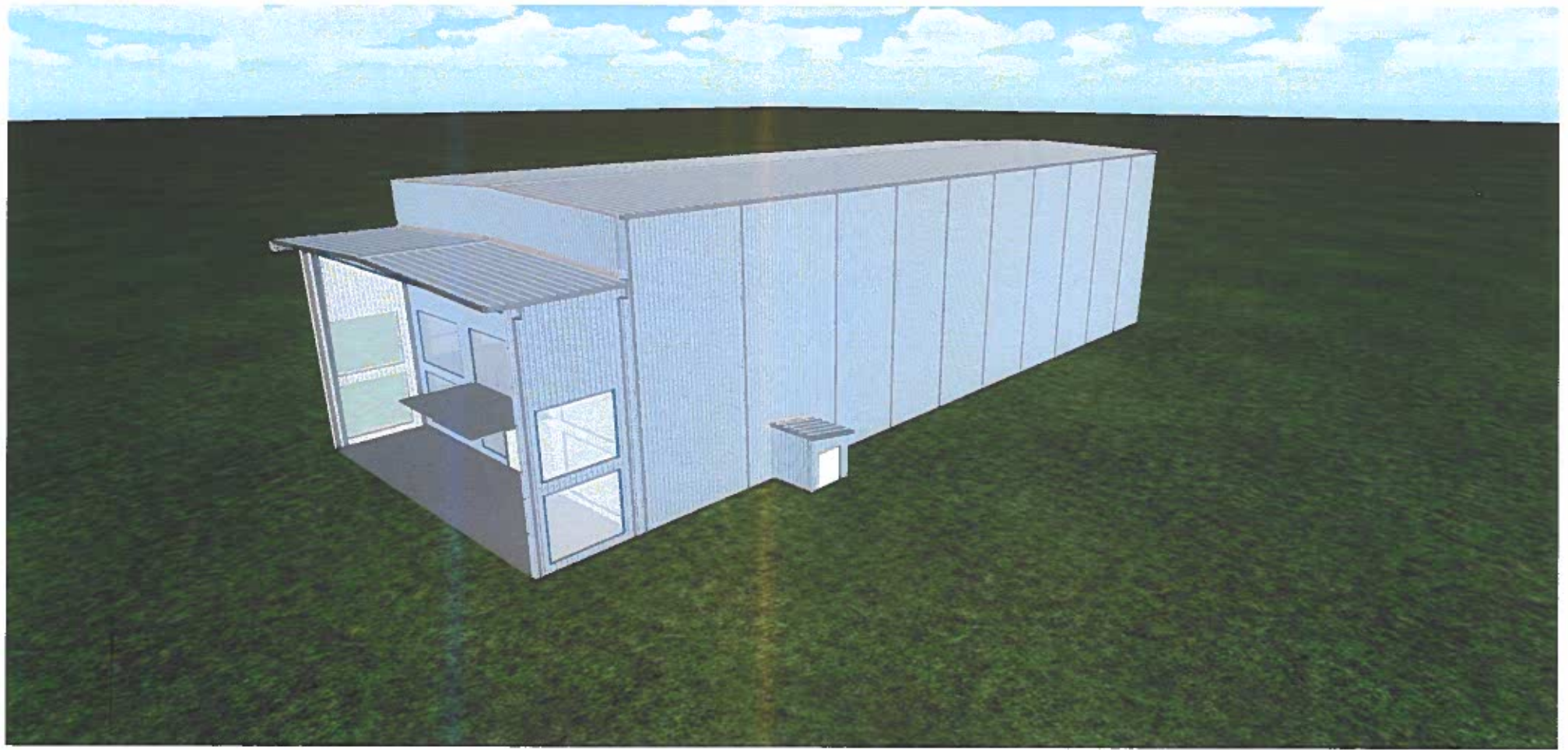


Tree line obscures view of existing K West Building











# TOWN OF NISKAYUNA

## CONSERVATION ADVISORY COUNCIL

### AGENDA STATEMENT

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AGENDA ITEM NO. VI. 1

MEETING DATE: 4/6/2022

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**ITEM TITLE:** DISCUSSION ITEM: 2635 Balltown Rd. – site plan application for clearing and construction of recreation fields.

**PROJECT LEAD:** TBD

**APPLICANT:** Tess Healey, applicant for the owner

**SUBMITTED BY:** Laura Robertson, Town Planner

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**REVIEWED BY:**

☒ Planning Board & Zoning Commission ☐ Zoning Board of Appeals (ZBA) ☐ Town Board  
☐ OTHER

**ATTACHMENTS:**

☐ Resolution ☒ Site Plan ☐ Map ☐ Report ☐ Other:

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**SUMMARY STATEMENT:**

Tess Healey, agent for the owner, submitted an Application for Site Plan Review for the construction of recreation fields at Trinity Baptist Church located at 2635 Balltown Road. The front half of the property, fronting Balltown Rd, is within the R-2 Medium Density zoning district. The back half of the property is within the R-3 High Density zoning district. The proposed project would be limited to the portion of the property zoned R-3. Places of worship and religious education facilities are special principal uses in both the R-2 and R-3 zoning districts.

**BACKGROUND INFORMATION**

The lot at 2635 Balltown Road includes 7 acres of land, 3.6 acres of which are undeveloped. A survey was performed on 5/24/21 and a wetland delineation map of the property was created. The map entitled "Wetland Delineation Map A Portion of TMP #31.-1-55" by Gilbert VanGuilder Land Surveyor, PLLC dated May 24, 2021 and a model indicating the area of wetland elimination pending Army Corp of Engineers approval was provided with the Application for Site Plan Review.

Within the surveyed area 2.4 acres are uplands and 1.2 acres are wetlands. Trinity Baptist Church is seeking site plan approval to clear 1.8 acres of the uplands. Trinity Baptist Church is applying for a Nationwide Permit from the Army Corps of Engineers to eliminate 10% of the wetlands, 0.12 acres (see site plan). Around the remaining wetlands a 25' vegetative buffer will be left and a 15' offset will remain un-cleared along property lines. The clearing will include chopping and removing stumps from trees and grading as needed. Disturbed area will be restored as natural-appearing landforms and shall blend in with the terrain of adjacent undisturbed land. Grass seed and topsoil, if needed, will be used to stabilize the cleared area.

To divide the cost of the project into manageable portions, the project will be divided into phases. Phase 1 activities will include the clearing and restoration of the 1.8 acres of land. Subsequent phases will include the construction of a proposed picnic pavilion and 15' wide crush run gravel access road to the pavilion.

Phase 1: Construction phasing plan (estimated exposure of 1 week to finish)

1. Silt fence will be installed around the construction perimeter
2. Wetland area will be taped off
3. Clearing of area specified in site plan -- estimated exposure of 1 week to finish entire clearing
4. Grading to level / runoff towards wetlands. Disturbed areas will be restored as natural-appearing landforms and will blend in with the terrain of adjacent undisturbed land.
5. Grass seed and topsoil, as needed, will be distributed over the cleared area

8/9/21 Planning Board (PB) meeting – The applicant explained the project to the PB and a general discussion ensued. The applicant explained a broken drainage pipe bisects the proposed area to be cleared and runs from the small white square (storm water drain) on the wetland delineation drawing towards the back of the property. It was reported that the pipe has been repaired. The town noted that a TDE may be required to review and evaluate the impact the project may have on drainage.

The following action items were determined.

1. Planning Office – check wetland buffer requirements for residential & commercial lots
2. Applicant – prepare a site drawing that includes elevations
3. Applicant – add the proposed location of the proposed pavilion on the drawing.

A site plan drawing entitled “Trinity Baptist Church 2635 Balltown RD. Niskayuna, NY 12306” by VanGuilder Engineering dated 12/5/2021 with no subsequent revisions was provided to the Planning Office on 3/1/22 and stamped “Received Mar 01 2022 Planning Office Niskayuna, NY”. The drawing includes the following.

1. A 25 ft. wetland buffer along the boundaries of all wetland areas
2. Elevation / contour lines
3. The proposed location of a 50 ft. x 60 ft. pavilion that includes gutters with leaders directed towards the wetland area
4. Identification of a wetland area of approximately 1/10 TH of an acre that will be removed pending approval from a nationwide permit that has been submitted to the Army Corps. of Engineers.
5. An approximately 15 ft. wide x 100 ft. long crusher run road leading to the pavilion
6. A proposed berm to be constructed 5 ft. from the southwest property line to direct water away from property lines and towards wetlands
7. Identification of an area that will be graded to correct a drainage pipe that sank over time

The applicant has been discussing the project with the Planning Board and is trying to schedule a site walk with the Planning Board and Tree Council to discuss clearing / replanting / and next steps.

# *Short Environmental Assessment Form*

## *Part 1 - Project Information*

### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

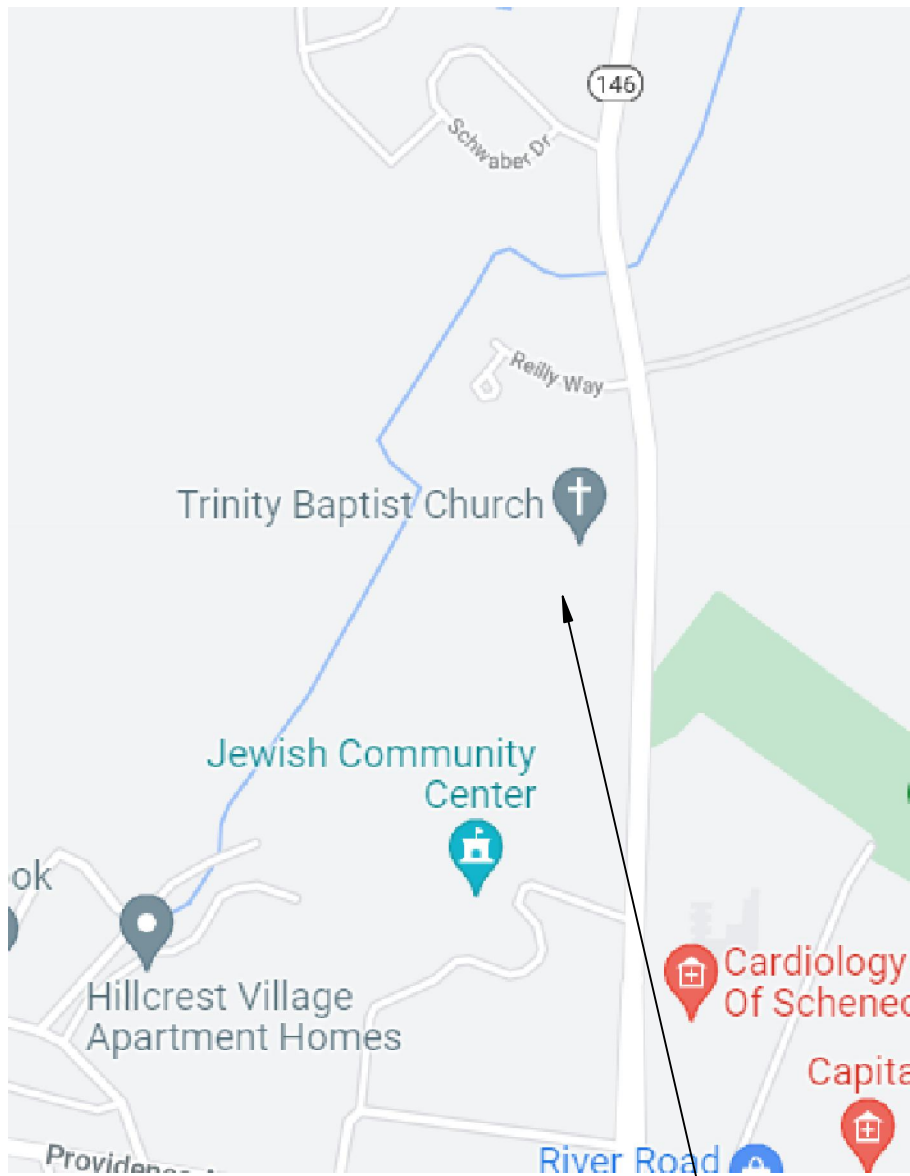
<b>Part 1 – Project and Sponsor Information</b>				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:			Telephone:	
			E-Mail:	
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<input type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO	YES
If Yes, list agency(s) name and permit or approval:			<input type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
4. Check all land uses that occur on, are adjoining or near the proposed action:				
<input type="checkbox"/> Urban	<input type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input type="checkbox"/> Commercial	<input type="checkbox"/> Residential (suburban)
<input type="checkbox"/> Forest	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	Other(Specify):	
Parkland				



5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO  <input type="checkbox"/>  <input type="checkbox"/>	YES  <input type="checkbox"/>  <input type="checkbox"/>	N/A  <input type="checkbox"/>  <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO  <input type="checkbox"/>	YES  <input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO  <input type="checkbox"/>	YES  <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	YES  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO  <input type="checkbox"/>	YES  <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO  <input type="checkbox"/>	YES  <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO  <input type="checkbox"/>	YES  <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO  <input type="checkbox"/>  <input type="checkbox"/>	YES  <input type="checkbox"/>  <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO  <input type="checkbox"/>  <input type="checkbox"/>	YES  <input type="checkbox"/>  <input type="checkbox"/>	

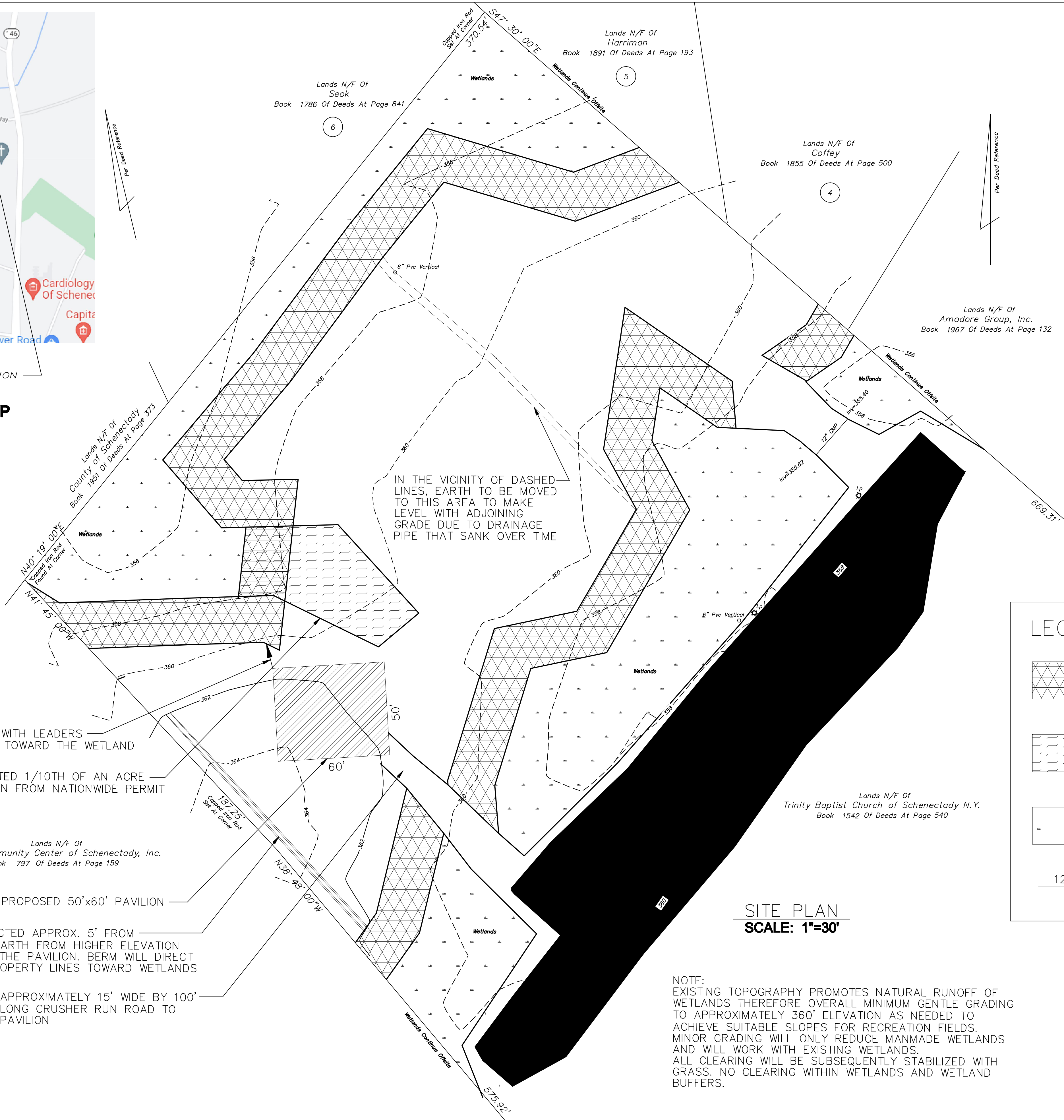


14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest    Agricultural/grasslands    Early mid-successional Wetland <input type="checkbox"/> Urban    Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: _____ Date: _____  Signature: _____ Title: _____		



PROJECT LOCATION

**LOCATION MAP**  
SCALE: NONE



VanGulder Engineering  
333 Kingsley Rd Burnt Hills, NY 12027  
(518)491-3287  
vanguldereng@gmail.com

**WARNING:**  
IT IS A VIOLATION OF NEW YORK STATE EDUCATION LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER IN ANY WAY ANY PLANS, SPECIFICATIONS, PLOTS OR REPORTS TO WHICH THE SEAL OF PROFESSIONAL ENGINEER HAS BEEN APPLIED.

RECORD OF WORK:	DATE:	DESCRIPTION:	BY:

TRINITY BAPTIST CHURCH

2635 BALLTOWN RD.  
NISCAYUNA, NY 12306

START DATE:

STAMP:

DATE: 12/05/2021

FILE:

PAGE CONTENT:  
SITE PLAN,  
LOCATION MAP

DRAFTER: PJB	ENGINEER: CLIFTON VANGULDER
PAPER SIZE: 22X34	SCALE: AS NOTED
SHEET: 1	



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- This aerial map shows a property outlined in yellow. A red line, labeled "Limits of Access", runs diagonally across the property. Several areas are shaded in blue with a hatched pattern and labeled "Wetlands". These areas are located in the upper left, center, and lower left portions of the property. A large building with a brown roof and a parking lot are situated in the center-right. A road labeled "BALLTOWN ROAD" runs along the right edge of the map. The surrounding area is mostly wooded with bare trees, suggesting a late autumn or winter setting.

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KEVIN H. WEED, P.L.S. No. 51,005

TOWN OF NISKAYUNA		SCHENECTADY COUNTY, NEW YORK	
MAP NUMBER: 21 - 22 - 101	SCALE: 1" = 50'	DATE: MAY 24, 2021	
<p align="center"> <b>Gilbert VanGuilder</b>  <b>Land Surveyor, PLLC</b>  Professional Land Surveyors  988 Route 146, Clifton Park, New York 12065  Telephone: (518) 383-0634  gvglandsurveyors.com </p>			