

**TOWN OF NISKAYUNA
Conservation Advisory Council**

A G E N D A

March 1, 2023

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. February 1, 2023

IV. PRIVILEGE OF THE FLOOR

V. ENVIRONMENTAL ASSESSMENT FORM REFERRALS

1. EAF 2023-04: 2635 Balltown Road – Trinity Baptist Church
2. EAF 2022-08: 1851 Union St – Mohawk Golf Club Townhomes
3. EAF 2023-01: 3900 State Street – Site Plan Review

VI. DISCUSSION ITEMS

1. 2837 Aqueduct Road – Phase 2 Rivers Ledge Senior Center
2. 2209 Nott St. – The Broken Inn

VII. REPORTS

1. Bethlehem Conservation Easement Program
2. Natural Resource Inventory
3. Pesticide Outreach Update
4. Low Mow / Biodiversity Initiatives Update
5. Climate Smart Communities Program Update

VIII. ADJOURNMENT

**Next Meeting: May 3, 2023
7pm, Town Board Room, Hybrid Format**

TOWN OF NISKAYUNA
CONSERVATION ADVISORY COUNCIL
Meeting Minutes
February 1, 2023

Members Present: Dart Strayer, Chairperson
 Ashok Ramasubramanian
 Ellen Daviero
 Vicki Michaela (Virtual)
 Georgia Murray- Bonton
 Steven Burkholder

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

I. CALL TO ORDER

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

II. ROLL CALL

Ms. Rattner, Ms. Vysohlid and Ms. Uttukar were excused for tonight.

III. APPROVAL OF MINUTES

Chairperson Strayer made a motion to approve the minutes for November 15, 2022. Seconded by Ms. Daviero. The minutes were approved unanimously.

Chairperson Strayer made a motion to approve the minutes for December 7, 2022. Seconded by Ms. Daviero. The minutes were approved unanimously.

Chairperson Strayer made a motion to approve the minutes for January 4, 2023. Seconded by Ms. Daviero. The minutes were approved unanimously.

IV. PRIVILEGE OF THE FLOOR

Mr. Mike McCarthy of 1237 Ruffner Rd. spoke virtually to inform the CAC that at last week's Planning Board meeting there were a large number of people who spoke up against the Mohawk Golf Club Townhomes project. Mr. McCarthy also spoke on a petition that was handed to the Planning Department with close to 100 signatures that were against the proposal. Mr. McCarthy said the general sentiment for the neighborhood is against the project, specifically the increase in traffic that Ruffner Rd. would receive.

Mr. Ramasubramanian asked about the nature of the petition that was submitted. Mr. McCarthy stated that it was neighbors canvassing primarily Ruffner Rd. to gather signatures of those who oppose the project. Mr. McCarthy also cited concerns over the Town infrastructure's ability to handle the increased load of new houses, specifically involved with sewer capacity and schools.

The aforementioned issues along with the environmental impacts were the greatest concerns listed in the petition.

Ms. Robertson read aloud portions of the petition for the Council, and said she would share a copy to all members.

V. ENVIRONMENTAL ASSESSMENT FORM REFERRALS

1. EAF 2023-02: 31 East St – Use Variance

Chairperson Strayer introduced the East St. project briefly describing where the project is and what the applicants would like to do. The project entails a potential buyer wanting to make modifications to the property that is a preexisting non-conforming use in the R-R zone. Chairperson Strayer stated for the record that most of the houses in that area are already non-conforming. Ms. Robertson clarified this point saying they are non-conforming in regards to area and bulk zoning, but single family homes is a permitted principle use. Chairperson Strayer also stated the area does not have any sewers.

Ms. Janet Konis spoke virtually as one of the potential buyers of the property. Ms. Konis stated that the variance that is being pursued is not to alter the outside of the building, but is to put a small office as well as a bathroom on the inside of the building. Ms. Konis said the only substantial change occurring on the outside of the building would be to put more green area between the property and the adjacent lot.

Ms. Konis went on to describe that the office would not be for the public to walk into, just as an on-site workspace for a salesman. An estimator would also work in the building to answer calls. Outside of those two staff members, Ms. Konis said in the future there would likely be a part time worker to help out on-site as well as occasionally crew members who would utilize the site only to pick up materials.

Ms. Konis emphasized the priority placed on cleaning up the property as well as adding green space.

Chairperson Strayer asked if the outside of the building would be fixed up at all. Ms. Konis stated that that would not be the first priority. As the building currently does not have water, that would come first, along with fixing the back of the building which had been damaged. Furthermore, an engineer would be coming to design a septic system as the property does not have sewer access.

Chairperson Strayer asked about fabrication within the building, as in the crew putting together any materials. Ms. Konis confirmed that would not take place.

Chairperson Strayer then asked about any hazardous chemicals or materials on-site. Again, Ms. Konis confirmed there would not be any.

Ms. Daviero inquired about the amount of trucks regularly parked on-site, as well as the details of the crew that was previously mentioned. Ms. Konis replied saying there would be one truck and trailer that would be the spray foam crew, as well as an underlayment crew with the same amount of vehicles. Both crews would only be on-site to pick up materials and leave. On the property, there would be one car there all day, for the estimator, one car for the salesman who would be there sporadically, and possibly another car in the future for half the day when a part-time

77 employee was hired. Overnight, there would be one truck and one trailer but those would not be
78 on-site during the day. Ms. Konis confirmed the spray foam crew consists of two individuals,
79 while the underlayment crew is generally four people. Ms. Konis clarified that the trucks are
80 comparable to Ford F-350s and the trailers attach to the gooseneck.

81 Chairperson Strayer confirmed with Ms. Konis that a perc test would have to be conducted for the
82 septic system. Chairperson Strayer stated that with the probably low usage of the septic there
83 would be little concern that other residents would be affected.

84 Ms. Robertson stated, in regards to concerns over traffic and the narrow streets of the area, that
85 there is a bigger truck than the one Ms. Konis is speaking on that regularly comes and goes,
86 leading to a discussion that Ms. Konis's usage would be less intense.

87 Ms. Robertson noted that the current owners of the property in question, who own the
88 aforementioned truck, already participate in non-conforming uses on the property.

89 Ms. Robertson said that the Town owned the property at one point and the property has had a long
90 history of being used for dry storage, as Ms. Konis would like to do in the portions that are not
91 used as office space.

92 Due to Ms. Konis pursuing permitting on her non-conforming use, the fact that the proposed use
93 would be less than the current use, and the dedication of Ms. Konis to clean up and beautify the
94 area both Ms. Daviero and Chairperson Strayer expressed a willingness to encourage this project.

95 Ms. Robertson confirmed that the parcel is listed at 0.6 acres.

96 In response to some of Ms. Daviero's further concerns, Ms. Konis stated there is no intention to
97 expand to other properties across the neighborhood.

98 Mr. Ramasubramanian encouraged Ms. Konis not to use toxic lawn pesticides. Mr.
99 Ramasubramanian also encouraged the planting of local species when the applicants added
100 greenery to the property, as well as diversity in the trees being added.

101 Ms. Robertson pulled up Part 1 of the EAF questions on the screen, and read some of the responses
102 out loud. She read that the reason for the use variance was to convert a small portion of the inside
103 of the building to open an office and a bathroom. The applicant stated that yes, the proposal is
104 consistent with predominant natural landscapes, and the property was not in a critical
105 environmental area. While the applicant marked that the usage would substantially increase traffic
106 in the area, Ms. Robertson stated that compared with current conditions it probably would not. As
107 the property is close to the Mohawk-Hudson Bike-Hike Trail, it was marked yes that it is near
108 walking or bike trails. The applicant is proposing connecting to an existing public or private water
109 supply, and that waste water would be designed by an engineer. The site is not on a lot that is
110 historic, and consists of no wetlands.

111 Ms. Daviero asked how busy the parking area for the bike trail was adjacent to the property.
112 Chairperson Strayer said he has seen it filled a few times but there are other access/parking points
113 close by.

114 The CAC reviewed part 2 of the EAF:

1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?

Yes, the land use is rural residential and does not contemplate additional commercial. However, the CAC said that since this is already a non-conforming use and the applicant is trying to make it less impactful to the neighborhood, the conflict is small.

2. Will the proposed action result in a change in the use or intensity of use of land?

No. The intensity of the use will be less than is currently operating at the site. It was noted though that the currently operating business at the site wasn't reviewed or approved by the Town.

3. Will the proposed action impair the character or quality of the existing community?

No. Furthermore, the CAC noted that the agreement to cleaning up the lot and adding green spaces along the neighboring lot lines would benefit the existing community. It was also noted that less large trucks coming and going would also be a benefits.

4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?

No. There is no CEA in the area.

5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?

No. There will be little traffic implications for this project. Although the proposal is near access to the bike path, there will be no changes to that specific area. The CAC requested that a current wildflower field between the bike path access point and the property in question be left untouched.

6. Will the proposed action cause an increase in the use of energy and/or does it fail to incorporate reasonably available energy conservation or renewable energy opportunities?

No. The business is proposing to insulate the building and add a proposed heat pump.

7. Will the proposed action impact existing: (a) public / private water supplies?(b) public / private wastewater treatment utilities?

Yes, a small use. With the addition of a bathroom tapping into the public water supplies there will be some impact however very minimal and better than no bathroom onsite.

8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?

No to small impairment on historic, archaeological, architectural or aesthetic resources. The CAC noted the increased landscaping is important here.

9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?

No. Furthermore, with additional landscaping the above items may be enhanced.

10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?

No – there are no changes to impervious surfaces and additional landscaping will help.

11. Will the proposed action create a hazard to environmental resources or human health?

No. The CAC did not identify any hazards to environmental resources or human health but requested data sheets of storage of chemicals in the building .

PART 3

The Council discussed allowing this space to be partially used as an office space would be a new non- conforming use in the R-R zone, however, given that the current use of the property is non- conforming and the new proposal is less intensive, the use would not be burdensome to the community. With only a handful of people working there during the day, and the bigger crews only stopping by to pick up supplies, it was determined that there would not be many people coming and going as there has been.

The CAC noted concerns about an aesthetic change to the community. While the building will have to have some external modifications, most of the changes will occur inside the building, and the external updates will keep with the character of the current building. Furthermore, the applicants have committed to keeping green space on site and plan to add further trees, flowers and other plants to the site to buffer the neighboring residences.

The CAC discussed the addition of a septic system to the property, however due to the low usage projected on site this should have little impact on the neighbors.

The CAC discussed whether traffic would worsen on the narrow streets of the area, however, it was found that the largest trucks that would enter the site are already smaller than the ones currently used on the property, and would drive through with less frequency. Additionally, there would be no customers driving into the office space added.

The CAC discussed the proximity of the site to the Mohawk-Hudson Bike-Hike Trail. Given the fact that the applicants have committed to increased landscape to buffer by the trail and protection of the existing wildflower field, this was not deemed an issue.

Chairperson Strayer made a motion for proposing a negative declaration for the project. Ms. Daviero seconded. The Council voted unanimously for the negative declaration.

2. EAF 2023-03: Polsinelli 2 Lot Subdivision

Mr. Polsinelli, brother of the applicant Fred Polsinelli, was present to discuss the development in person, while Fred Polsinelli was available over the phone if specific questions arose for him. Mr. Polsinelli gave a brief background on the proposal. In detailing the property, Chairperson Strayer asked where the sewer lines that were added by the Town were located, to which Ms. Robertson informed they were just outside the back end of the property lines. Mr. Polsinelli detailed the current proposal to make the property two building lots with the back piece of the property line to be adjusted with the adjacent land owner. The two building lots would each be 3 acres.

Chairperson Strayer asked about any wetlands on the property. Mr. Polsinelli stated that the land had been surveyed and no wetlands were determined to be impacted. Ms. Robertson clarified this by saying the proposed site of disturbance where houses would be located on the subdivision was surveyed and they were stating they would not disturb wetlands, however there are wetlands present on the property.

Ms. Michaela raised the concern about the dense woods that would be impacted by developing these lots. This concern was expanded upon by Ms. Murray-Bonton who asked if the back parcel would be developed, to which Mr. Polsinelli said there were no plans to do so.

Mr. Polsinelli emphasized that they would not actually be the ones developing the land, they were just looking for subdivision approval to sell the land as is. Ms. Robertson said that there were no restrictions in place to restrict future development on the area as it is private property.

Ms. Robertson stated that there have been a variety of proposals given for this lot in the past, and the two houses currently proposed is the least intensive by far. That being said, Ms. Robertson reiterated Ms. Michaela's point that clearing should be limited as much as possible.

Mr. Ramasubramanian asked whether it would be possible for the applicant to set aside undisturbed land as forever wild and have it deed restricted. Mr. Fred Polsinelli answered this question over the phone stating that the neighbor who would be purchasing the back parcel already has restrictions in place and would need to come before the CAC and Planning Board if he wished to develop that in the future. Mr. Fred Polsinelli went on to say that restricting the remainder of the land on the two buildable parcels would not be beneficial for himself or his family.

Ms. Robertson stated that the parcel to the south of the lots in question is deed restricted for no further subdivision. The restriction is in perpetuity. Mr. Fred Polsinelli stated he is okay deed restricting the two buildable lots so they cannot be further subdivided.

Ms. Murray-Bonton asked whether any development would be subject to the current storm water runoff management protocol. Ms. Robertson said that the Planning Board would have to look at the project and determine the best actions dependent on the size of each lot. Ms. Robertson said

that due to the grading of the area – treatments such as a rain garden may be appropriate for the property, and that determination will be made based off of the contours that the applicant is currently working on providing.

Mr. Henry asked Mr. Fred Polsinelli if the disruption would be to the limits of clearing with a 25 foot buffer from the wetlands. Mr. Fred Polsinelli said the disruption would only encompass the two houses and driveways, which he restated are not located on any wetlands. Ms. Robertson stated that there would need to be at least a 25 foot buffer between disruption and the beginning of the wetlands, to which Mr. Fred Polsinelli stated that would not be a problem.

Mr. Ramasubramanian again emphasized his priority of keeping the wetlands on the parcel secure. Mr. Fred Polsinelli restated that thorough wetlands delineations had been conducted on the areas of disturbance and it was found that those areas had no wetlands. He went on to say that for reasons concerning cost he did not have intentions at this time to delineate the undisturbed portions of the property where the wetlands are known to be.

Mr. Fred Polsinelli again stated that he is willing to deed restrict the undisturbed portions of the property to restrict future development, and reminded the Council that any future action would have to be taken before them before proceeding.

Ms. Robertson told Mr. Fred Polsinelli that she could provide him with wetlands delineations that occurred on the property a few years prior, and that it may be best to overlay those delineations to ensure that there is in fact no crossover between those wetlands and the area of disturbance or the 25 foot buffer.

Mr. Fred Polsinelli responded to Ms. Robertson by saying due to the length of time since the previous delineations were made he would have to survey the entirety of the lot which he is trying to avoid. Chairperson Strayer and Ms. Robertson agreed that overlaying surveys of the previously recorded wetland areas would be sufficient in their eyes to show there were wetlands on the property.

Chairperson Strayer detailed that the low intensity usage of the proposed area paired with the promise of no further subdivision is key as it leads to preservation of open space and space that can readily absorb storm water.

Mr. Burkholder sympathized with Mr. Ramasubramanian's concerns about the wetlands, however, said that due to current protections of wetlands in the Town as well as the permitting process that would need to occur to develop on them he does not feel they are in significant danger.

Ms. Murray-Bonton echoed previous concerns raised about potential clear-cutting as well as Chairperson Strayer and Mr. Burkholder's views on the protection status of the wetlands. Ms. Murray-Bonton also wanted to ensure that the no further subdivision agreement minimizes threats of clear-cutting.

Ms. Robertson informed the Council that following the closeout of a subdivision, any time a future property owner plans to clear more than 10,000 sq. feet in Niskayuna a building permit is required. However, it is difficult to restrict the amount of clearing on private property – the building permit addresses things like stormwater and erosion control and doesn't necessarily restrict clearing, except in wetlands.

Ms. Daviero raised concerns about the third lot which is involved in the lot line adjustment. Ms. Daviero cited previous actions by those new property owners and said those actions, especially regarding the amount of clear cutting, were not to the benefit of the neighborhood.

Ms. Robertson reminded the Council that due to previous zoning in place for this parcel there could have been upwards of 26 lots in the area, which would have required more clearing.

In response to Ms. Robertson saying she had received calls from neighbors upset with clearing already in the area already, Mr. Fred Polsinelli spoke up to state that the understory was previously so dense that vines and other underbrush were killing trees. Mr. Fred Polsinelli took out a building permit and made clear that the only clearing that took place was the removal of underbrush and a few trees right at the front of the property.

Mr. Henry stated that he believes the wetlands should be shown on the site drawings for proper visualization. The reason being the lack of wetlands on the drawings may indicate that there are no wetlands anywhere on the property, when in fact there are. Ms. Robertson echoed these sentiments and stated that at least historic wetlands should be on the drawings, accompanied by the appropriate dates of delineation.

The CAC reviewed part 2 of the EAF:

Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?

No to small. The CAC noted that only two lots where significantly more could be potentially considered is more acceptable within that area that has a history of drainage issues.

Will the proposed action result in a change in the use or intensity of use of land?

Yes, small. There will be a small change as one parcel is being subdivided into two lots and there will be some open space lost.

Will the proposed action impair the character or quality of the existing community?

Yes, small. The limits of clearing are very important and should be strictly adhered to. Deed restricting for no further subdivision is also incredibly important for the quality of the community. Protecting the wetlands and providing an adequate 25 foot buffer is also essential.

Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?

328 No. There is no CEA in the area.

329 **Will the proposed action result in an adverse change in the existing level of traffic or affect**
330 **existing infrastructure for mass transit, biking or walkway?**

331 No. With only two lots there will be minimal impact in this regard.

332 **Will the proposed action cause an increase in the use of energy and it fails to incorporate**
333 **reasonably available energy conservation or renewable energy opportunities?**

334 The CAC noted that use of energy efficient practices within the new homes as well as a lack of
335 pesticides in future lawns would be greatly helpful to the environment. This was noted even
336 though Mr. Polsinelli has no intention on developing the homes, it was asked to be passed on to
337 buyers.

338 **Will the proposed action impact existing: (a) public / private water supplies?(b) public /**
339 **private wastewater treatment utilities?**

340 Yes, small impact. Water and sewer connections are nearby and the addition of two units usually
341 has minimal impact on the current systems.

342 **Will the proposed action impair the character or quality of important historic,**
343 **archaeological, architectural or aesthetic resources?**

344 Yes, small. The CAC noted less clearing is better for aesthetic resources and it's important to
345 retain forest here.

346 **Will the proposed action result in an adverse change to natural resources (e.g., wetlands,**
347 **waterbodies, groundwater, air quality, flora and fauna)?**

348 Yes, small. It is important to overlay the historic wetlands on the current surveys to indicate there
349 are wet areas throughout the parcel. Minimal clearing is important and protection of the wetlands
350 is essential for flora and fauna on the property. Having historic wetlands indicated on the survey
351 helps with this.

352 **Will the proposed action result in an increase in the potential for erosion, flooding or**
353 **drainage problems?**

354 Yes. Drainage is a documented issue in this neighborhood, and therefore the Planning Board is
355 advised to look at this very closely. There may be potential for rain gardens or other mitigating
356 factors to be added to the site to help with rainwater.

357 **Will the proposed action create a hazard to environmental resources or human health?**

358 No. The CAC did not identify any hazards to environmental resources or human health.

PART 3

The Council was concerned with the wetlands on the property. While the applicant stated that there were no wetlands on the area of disturbance, and the area of disturbance had been examined, there was no detail of historic wetlands on the surveys and the rest of the property had not been delineated to show where they may be. The Council recommended at least providing details on historic wetlands on future surveys because protection of wetlands was essential to mitigating the environmental impacts of this subdivision.

The CAC discussed the concern of loss of green spaces and trees in the area. While the applicant stated he would not commit to fully preserving the land for economic reasons, he did state willingness to deed restrict the back portions of the properties for no further subdivision. It was also noted that the original zoning of the area allowed for up to 26 units, so the 2 planned homes would be a substantial improvement to maintaining open space.

The CAC discussed concerns over storm water management. It was determined that suitable plans could not be made until full contours of the area were produced, but mitigation techniques such as rain gardens may have to be employed.

The CAC noted that the least amount of tree clearing possible would be beneficial for the community.

The CAC stated that clean energy, LED lights, minimal area lighting, solar panels, landscaping and landscape screening, and pesticide-free practices would be important to mitigate the environmental impacts of any additional buildings to the site.

Chairperson Strayer made a motion that the subdivision, with the conditions as written, receives a negative declaration. It was seconded by Ms. Daviero. The motion carried unanimously for a recommendation to the Planning Board on a negative declaration with the condition that:

1. The limits of clearing were very small
2. Drainage was looked into closely
3. Wetlands or historic wetlands were added to the subdivision map
4. No further subdivision restrictions were added to all parcels.

3. EAF 2023-01: 3900 State Street – Site Plan Review

Mr. Vincent Salvagni, with Matthew's Auto Group was present on behalf of the applicant. The project in question revolves around the properties of 17, 25 and 33 S Fagan Ave. which consists of two existing homes and a vacant lot. The applicant is pursuing approval to purchase these lots and turn them into parking for Matthew's Kia located on 3900 State St.

Mr. Devin Dickinson of CHA Consulting was also present. Mr. Dickinson noted that his group is new to this project but he will do his best to answer questions that may pertain to him.

Ms. Robertson went over a few key points that occurred in the previous meeting, as multiple people were not present for that meeting. Some of these points included; concerns that the project would be detrimental to the residential nature of the neighborhood, concerns that there would be only one residential home remaining between the new parking lot and the Colonie border, concerns over loss of green space, concerns about the negative impacts increased asphalt would have on neighboring lots, the fact that there is a lot on the other side of S Fagan that appears underutilized and could be used as parking instead, and concerns that the proposal goes against Niskayuna's comprehensive plan.

Ms. Daviero asked Mr. Salvagni why so many spaces were needed. Mr. Salvagni responded saying that even though this proposal would bring many spaces to Matthew's it was still not enough. Mr. Salvagni detailed the current storage site, which is about a mile and a half away on Morris St. in Colonie. That lot is not owned by Matthew's and has multiple uses. The agreement between Matthew's and the Morris St. location is tentative, and as inventories continue to increase Matthew's is looking for a long term solution to their parking needs.

Mr. Salvagni also cited the increase in service work that happens on site, as opposed to how the previous owner conducted business which also increases the need for parking.

Mr. Salvagni confirmed that the proposed lot would be dedicated for new vehicle inventory. Chairperson Strayer asked if it would be anticipated that customers would move through the proposed lot. Mr. Salvagni said it is a possibility but that lot would primarily be used for duplicates and overflow that was not in the main lots on State St, which would minimize the need for customers to go there.

Chairperson Strayer asked about other requirements the lot may need, such as lighting. Mr. Salvagni said that the dealership closes at 7pm most of the week, with Friday closing at 6pm and Saturday at 5pm. Therefore, lighting would not be needed for nighttime shopping but instead for security reasons. Mr. Salvagni said there would be shielding from light pollution for neighbors on Amherst Ave.

Ms. Murray-Bonton asked to the possibility of parking cars in underground storage. Mr. Dickinson said that there would be physical restraints to that idea, such as groundwater intrusion. Furthermore, a long ramp would be needed to get into a facility such as that so the physical constraints would be the most significant deterrents.

Ms. Murray-Bonton wondered whether the applicant would be open to using materials that allow for more permeability to use in conjunction with asphalt with trees interspersed within the lot. Mr. Dickinson said that there is still flexibility in the plan that would allow for tweaking to meet green space and environmental needs.

Chairperson Strayer asked if the applicants had considered other nearby sites for their parking needs. Mr. Salvagni said that other locations had absolutely been considered. That being said, Mr. Salvagni detailed that even before Matthew's purchased their location on State St. the owner of 17 S Fagan had had discussions with the previous owner of 3900 State St for them to purchase 17 S

441 Fagan. These talks proceeded when Matthew's took over the location and Matthew's put together
442 an offer to purchase the property, contingent on approvals. At this time Mr. Salvagni was informed
443 by the owner of 17 S Fagan that the adjacent owner was interested as well. A contingent contract
444 was also agreed to with the second property owner.

445
446 Chairperson Strayer appreciated that this was a great opportunity for Matthew's, however,
447 reminded the Council that it is important to consider the other factors, such as the residents living
448 in that area. Chairperson Strayer feared that a parking lot of this size would have serious negative
449 repercussions on the viability of the neighborhood. Chairperson Strayer encouraged Mr. Salvagni
450 to look for further locations on State St. which would have better frontage for showing the cars and
451 not impact existing neighborhoods.

452
453 Mr. Salvagni reminded the Council that there are two homeowners willing and ready to sell their
454 property and that the location is in a Commercial-Highway zoned area. Mr. Salvagni went on to
455 say that he is well aware of the community that will be impacted and is willing to work with them
456 to continue to have the integrity of the neighborhood protected.

457
458 In response to a question raised by Ms. Daviero, Mr. Salvagni showed how, if their proposal went
459 through, there would be one remaining house on the west side of S Fagan which would be
460 followed by two commercial buildings. There would additionally be one other residential house on
461 the east side of the street.

462
463 Ms. Murray-Bonton asked if this neighborhood, as it stands, would be suitable for moderate to low
464 income residents. While Mr. Salvagni did not know the proper answer to this question Ms.
465 Robertson said this is generally one of the most affordable housing regions in Niskayuna. Given
466 the general makeup of Niskayuna it would be unlikely that the area would qualify under State or
467 Federal definitions of affordable housing, however in comparison to the rest of the Town it is
468 amongst the most affordable. Ms. Robertson also noted it is one of the only neighborhoods in the
469 Town that is within walking distance to bus stops.

470
471 Mr. Dickinson said that, having a background in construction, it is his opinion that there is
472 considerable work that needs to be done to the houses in question to make them livable.

473
474 Chairperson Strayer said regardless of their condition it is a mission of the comprehensive plan to
475 encourage a diversity of housing options. Given the expensive nature of housing in Niskayuna,
476 Chairperson Strayer believes this project would go against that mission.

477
478 Mr. Salvagni reminded the Council that 17 S Fagan is currently vacant.

479
480 Ms. Daviero inquired as to how many spaces the applicants were looking to add, and how many
481 employees work there every day. Mr. Salvagni said he wanted 114 spaces in total and there are 45
482 employees

Ms. Daviero asked how long vehicles were typically held in the reconditioning center. Mr. Salvagni said generally as short a time as possible but in some cases up to a month or two if they are waiting on a specific part.

Mr. Salvagni spoke about Kia's plans to supply Matthew's with upwards of 200 new vehicles, which went to his point that the current proposal would not solve all of their parking needs.

Chairperson Strayer asked about drainage plans for the site. Mr. Dickinson said that at this point any drainage system may still be on the table, and that will be finalized in some of the later stages to come. One thing noted by Mr. Dickinson, in response to Chairperson Strayer speaking on the high water table in the area, was that it may be beneficial to have water flow to multiple points as opposed to one location.

Ms. Daviero noted that she would like to see more organization around the plans for the reconditioning area across the street. Mr. Salvagni agreed that the reconditioning area needs to be cleaned up and redone, and that this is already a priority for Matthew's.

Ms. Daviero asked if moving the reconditioning to another site had been considered. Mr. Salvagni said that had not been explored. Mr. Salvagni clarified that the reconditioning that happens at these centers is refurbishing used cars to look new, and there are very few places that have standalone reconditioning sites.

Ms. Robertson brought up a note from the previous Planning Board meeting where Mr. Salvagni detailed the future plans to revamp the entire property as part of a larger plan brought down by Kia. Ms. Robertson asked if as part of that plan the reconditioning site could be moved to S Fagan Ave and the parking lot could be moved to the old reconditioning site. Ms. Robertson brought up the possibility of removing just 17 S Fagan for the new reconditioning site and keeping the remaining properties as they are. Ms. Robertson believed that removing just 17 S Fagan Ave would not have as detrimental an affect as putting a parking lot over the proposed three properties. Mr. Dickinson said that is something that could be looked into, he did mention that noise production will occur at the reconditioning site, and placement on S Fagan could negatively impact neighbors. Mr. Salvagni said this would make his letter that he sent to the neighbors on Amherst Dr. earlier untruthful, when he promised that the only use of the site would be a quiet lot.

Ms. Murray-Bonton said that if more trees or a noise wall were put up along the reconditioning site then noise levels could be mitigated for the neighbors. Mr. Salvagni said that as the current proposal already does not meet their maximum parking needs, moving the storage parking to a smaller lot would not be wise from a business standpoint.

Chairperson Strayer asked since the current parking needs are not going to be met by this proposal is it possible that Mr. Salvagni comes back in the future to further expand that lot. Mr. Salvagni stated that Matthew's has approached the first house after their proposed lot (41 S Fagan) to see if they as well would be interested. Mr. Salvagni has not yet heard back from that homeowner.

Ms. Robertson noted that 41 S Fagan is split in its zoning, being half in a commercial zone and half in a residential zone.

Mr. Salvagni also reiterated that a letter had been sent out to all neighbors on Amherst with details of the plan as well as Mr. Salvagni's contact information, however he has not heard back from any of them.

Ms. Robertson confirmed that this item will be on the agenda for the Planning Board meeting on 2/13 and a public hearing will occur that day as well.

4. EAF 2022-08: 1851 Union St – Mohawk Golf Club Townhomes

No one was present on behalf of the Mohawk Club this evening.

Ms. Robertson said that there had been many public comments expressed at previous meetings, and she would relay those messages to the Council. Ms. Robertson then discussed some updates that had occurred since the last CAC meeting. First, the developer has agreed to look into deed restrictions of wooded area adjacent to Jaffrey St, although maps had not yet been submitted.

Ms. Robertson stated that the Planning Board was not thrilled with the idea of taking down a home on Ruffner Rd to make an entrance way, and therefore the applicants had discussed the possibility of alternative entry ways. Emergency access points were also created. The emergency path would go directly to one of the cu-de-sacs and utilize existing paths located on the golf course. This path would connect via Rowe Rd. The Planning Board has expressed interest in looking towards using this emergency path as a full entrance to the subdivision, as it would not require the demolition of a house to complete. The Planning Board also asked the applicants to explore entry via existing golf course property as opposed to Ruffner Rd, if the Rowe Rd point is deemed unsuitable.

The applicants also made a design drawing of the multi-use path connection between E Country Club Dr. and Ruffner Rd. The multi-use path is shown as a 5 ft asphalt path.

Mr. Henry noted that, in regards to a future EAF, the Town is examining the handling of water supply as well as wastewater supply.

Chairperson Strayer asked about the long-term plan for the golf club after this meeting. Ms. Robertson said that she had brought it up at the previous Planning Board meeting but there are no definitive plans outside of the one in question.

Ms. Robertson noted that Mr. Henry had been working on figuring out facilities details for the subdivision, such as the feasibility of having a public road on the private golf course which is something the Police Department had concerns with.

Mr. Henry also said that the Town is looking into town-designated engineers to alleviate the myriad of challenges that have arisen in past iterations of this project, specifically in regards to water and waste water.

One of the comments the engineers had was concerns that the layout of the proposal does not fit

575 very well with the neighborhood.

576
577 Ms. Daviero commented on not being in favor of a potential entrance way via Rowe Rd, and Ms.
578 Robertson said while there would be some problems with Rowe, the advantage would be there
579 would be no home taken down.

580 **DISCUSSION ITEMS**

581 **1. 2837 Aqueduct Road – Phase 2 Rivers Ledge Senior Center**

582
583
584 Mr. Chuck Pafundi was present virtually to discuss this item. Mr. Pafundi came forward to present
585 a new design revision, as the previous iteration went over budget. Mr. Pafundi stated that a section
586 of the building was clipped off and the underground parking was removed. The aesthetics of the
587 building have not substantially changed, outside of the reduction in size. The commercial
588 components as well as the architectural integrity remain the same as before.

589
590 Mr. Pafundi noted that this may be one of several meetings before the Council, as his team is still
591 compiling specific numbers on objectives that need to be done. Among them is pricing on covered
592 garages which are shown on the site plans, or potentially solar panel car ports which would require
593 a study for sunlight exposure.

594
595 Mr. Pafundi emphasized that green space and impervious surfaces have not changed since the last
596 update before the Council.

597
598 Despite the reduction in size, there is still a plan for 60+ units, as was detailed previously. As for
599 the commercial area, Mr. Pafundi is proposing possibly a coffee shop or restaurant. This would be
600 in addition to the centralized clubhouse and leasing office.

601
602 Mr. Pafundi confirmed that the height of the building remained the same and the site was still
603 within all variances previously granted by the ZBA.

604
605 Ms. Daviero asked for further confirmation that all plans regarding multi-use paths that connected
606 to the Mohawk-Hudson Hike-Bike Trail remained intact. Mr. Pafundi said that the connectivity
607 remains as previously stated.

608
609 Ms. Robertson reminded Mr. Pafundi that it is important to remain as true as possible to the rural
610 character of Aqueduct Rd. To further this, Ms. Robertson requested renderings of the covered
611 garages when available and a report on how that impacted the landscaping. Ms. Robertson stated
612 that due to the number of dead trees in the area the Tree Council did not have major issues with
613 allowing some clear-cutting in the area.

614
615 Ms. Robertson asked if since there was no underground parking the building height could in turn
616 be lowered. Mr. Pafundi stated that the underground parking did not impact the building height one
617 way or the other. Mr. Pafundi offered to provide cut sections updated with garages or solar panels,
618 to which Ms. Robertson was receptive.

619
620 Mr. Pafundi also stated that he can provide a 3D rendering of the covered parking garages, at Ms.
621 Robertson's request.

Ms. Robertson also noted that the new parking structures may look undesirable from the bike trail perspective, and Mr. Pafundi said that he can compile the full current green space of the area as well as a plan of what shielding can be done for the garages.

Mr. Pafundi outlined how the coffee shop would have optimal frontage to advertise their business but would keep consistent with the architecture of the rest of the site.

Ms. Daviero raised the concern that there may be noise issues for the residents living directly adjacent to the proposed coffee shop. Mr. Pafundi said there were a multitude of construction techniques being considered to mitigate that effect. Mr. Pafundi went on to further state that the idea of a coffee shop, or perhaps a breakfast diner, would be something that would be received well by the seniors of the residence.

Hearing no further comments, Chairman Strayer thanked the applicant and stated they looked forward to working with them on this project.

VII. REPORTS

No reports today

VIII. ADJOURNMENT

Chairperson Strayer made a motion to adjourn and it was seconded by Mr. Daviero. The meeting was adjourned at approximately 9:52 PM.



TOWN OF NISKAYUNA

CONSERVATION ADVISORY COUNCIL

AGENDA STATEMENT

AGENDA ITEM NO. V. 1

MEETING DATE: 2/13/2023

ITEM TITLE: EAF 2023-04: 2635 Balltown Rd. – Trinity Baptist Church -- site plan approval for clearing and construction of recreational fields.

PROJECT LEAD: Patrick McPartlon

APPLICANT: Tess Healey & Larry Noyes, applicant for the owner

SUBMITTED BY: Laura Robertson, Town Planner

REVIEWED BY:

☒ Planning Board (PB) ☐ Zoning Board of Appeals (ZBA) ☐ Town Board
☐ OTHER:

ATTACHMENTS:

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

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 Residential zoning district. The back half of the property is within the R-3 High Density Residential 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.

The applicant, Planning Board (PB), and Tree Council (TC) have rigorously reviewed and refined the proposed project resulting in the inclusion of critical details in the site plan drawing. The next step for the project is for the Conservation Advisory Council to review the EAF form and make a SEQR declaration.

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 ☒

3/14/22 Planning Board (PB) meeting – Mr. Noyes updated the PB on the progress of the project. He noted that he last appeared before the PB on 8/9/21. An extensive discussion ensued during which the PB and Mr. Noyes reviewed the changes that had been made to the site plan drawing. Highlights of the discussion are as follows.

- The PB like the location of the proposed pavilion – relatively tucked away
- LR noted the Tree Council will be reviewing the site and making a recommendation
- KW noted that the 1/10 of an acre that is proposed to be reduced is not marked as wetland
 - Applicant agreed to fix this ☒
- PB also noted that the area around the broken pipe should be marked as wetland ☒
- The PB discussed the possible need for a grading plan & an engineering review ☒
- The PB wants to know how much area, in sq. ft. or acres, etc., will be cleared ☒
- Discussed adding limits of clearing to the site plan & a numerical value of area cleared ☒
- The PB noted that when stumps are removed fill soil will be needed ☒
- The PB asked PO to see if an easement exists around the pipe shown on the site plan dwg.
- LR asked the applicant to determine where they could add trees on the property ☒
 - to offset some of trees that will be removed during clearing
- Discussed timeline for a response from Army Corps of Engineers ☒
 - 45 days from application submission
- PO agreed to organize a site walk ☒
- PO requested a revised site plan drawing with the information noted above included ☒

The following action items were established.

1. Applicant – update the site plan drawing to include
 - a. Add wetland symbol to the 1/10th of an acre area ☒
 - b. Add wetland symbol to the land along the broken pipe ☒
 - c. Add limits of clearing to the site plan ☒
 - d. Determine and label the square footage of land being cleared ☒
 - e. Determine if a grading plan is needed – provide if needed
 - f. Identify approximate location of trees to be removed on the drawing and show where trees will be added to offset or partially offset ☒
 - g. Determine and label where fill soil will be needed. ☒
2. Planning Office
 - a. Organize a site walk with PB and Tree Council ☒
 - b. Research potential easement near the broken pipe ☒

Mr. Noyes provided the Planning Office with an updated revision of the site plan drawing dated 8/15/22. Many of the action items listed above were addressed and are identified with a ☒. Identifying which trees will be removed and where replacement trees will be added on the site remains an open item.

10/3/22 Planning Board (PB) meeting – Mr. Noyes attended the meeting and presented the Rev 8/15/22 site plan drawing to the Board. He stepped through the open action items and a general review of the project status ensued. During the course of the discussion the PB requested the following.

- a. Add grading lines in the vicinity of the berm – *a 362' contour on either side of the berm note has been added*
- b. Add the requirement of a fence at the 25' wetland buffer – *a split rail fence along the wetland buffer has **NOT** been added to the plan set*

- c. Add a note that the 3 large oak & 7 or 8 large white pine trees will be preserved –
see below

Buffer note currently states: "Tree Preservation – Per Tree Council 3 large oaks in vicinity of pavilion to remain and 7 to 8 white pines further north may be in the buffer, these trees are 20" plus in diameter versus all other trees which are less than 10" in diameter."

The Planning Department feels this language is confusing and proposes the following from Code and Subdivision plats: "Per Planning Board approval, 3 large oaks in the vicinity of the pavilion and 7 to 8 large white pines noted within the limits of clearing shall be retained and protected during and after construction and grading. Additionally,

Section 201-11 (D), (E) & (F) states:

(D) The developer shall mark trees to be preserved with flagging and safeguard them by such high visibility barriers or other protective measures as shall effectively prevent injury to the tree and its root system during construction, due to such causes as soil compaction, grade change, root severance, drainage change, soil chemistry change and trunk and limb impact change.

(E) The developer shall provide, at his/her cost, that trees to be preserved are inspected for tree condition and tree protection adequacy at four stages, as applicable, in the course of development: prior to site disturbance, prior to subdivision plat plan final approval, prior to the issuance of a building permit and prior to certificate of occupancy issuance. The inspection shall be conducted by a member of the American Society of Consulting Arborists or by a qualified professional trained and experienced in tree preservation as approved by the Tree Council. The inspector shall provide directly to the Town Enforcement Officer a copy of the inspection report. The report shall contain such information as determined by the Tree Council as sufficient to evaluate the condition of trees designated for preservation and shall be certified as true and accurate by the inspector. No appropriation or authorization for action shall occur until the Town Enforcement Officer certifies that the inspection report is satisfactory or that the recovery of value terms outlined in Subsection F are met.

(F) Prior to continued development or the issuance of a certificate of occupancy, the developer shall provide to the Town moneys equal to the value of any tree designated for preservation that is removed or injured or that died as a result of construction.

- d. Include this in the final Resolution as well

In addition to a note about the split rail fence and updating the tree clearing language - the only other thing remaining for the previous checklists appears to be that the applicant has not submitted a planting plan to offset the tree clearing. This was originally discussed with the Tree Council as a line of trees from Balltown Road along the property line with the adjacent southern neighbor. This can be included as a condition in the proposed resolution.

1/9/23 Planning Board (PB) meeting – The applicant appeared at the PB meeting and presented the revised site plan drawing. The split rail fence located at the 25' buffer from all wetlands had been added. The Planning Office noted the additional information that the Tree Council requested be placed on the drawing had not been included. After a short discussion the applicant agreed to revise the drawing and include the additional information.

An updated site plan drawing was provided that includes the information the Tree Council requested. The last step for the project is to have the CAC review the EAF form and make a SEQR declaration. The CAC should be prepared to review and make a recommendation to the Planning Board on SEQR at this meeting.



SCALE: NONE

- PLANTING PLAN:
A LINE OF TREES FROM
BALLTOWN ROAD ALONG
THE PROPERTY LINE WITH
THE ADJACENT SOUTHERN
NEIGHBOR WILL BE
PLANTED TO OFFSET
CLEARING.

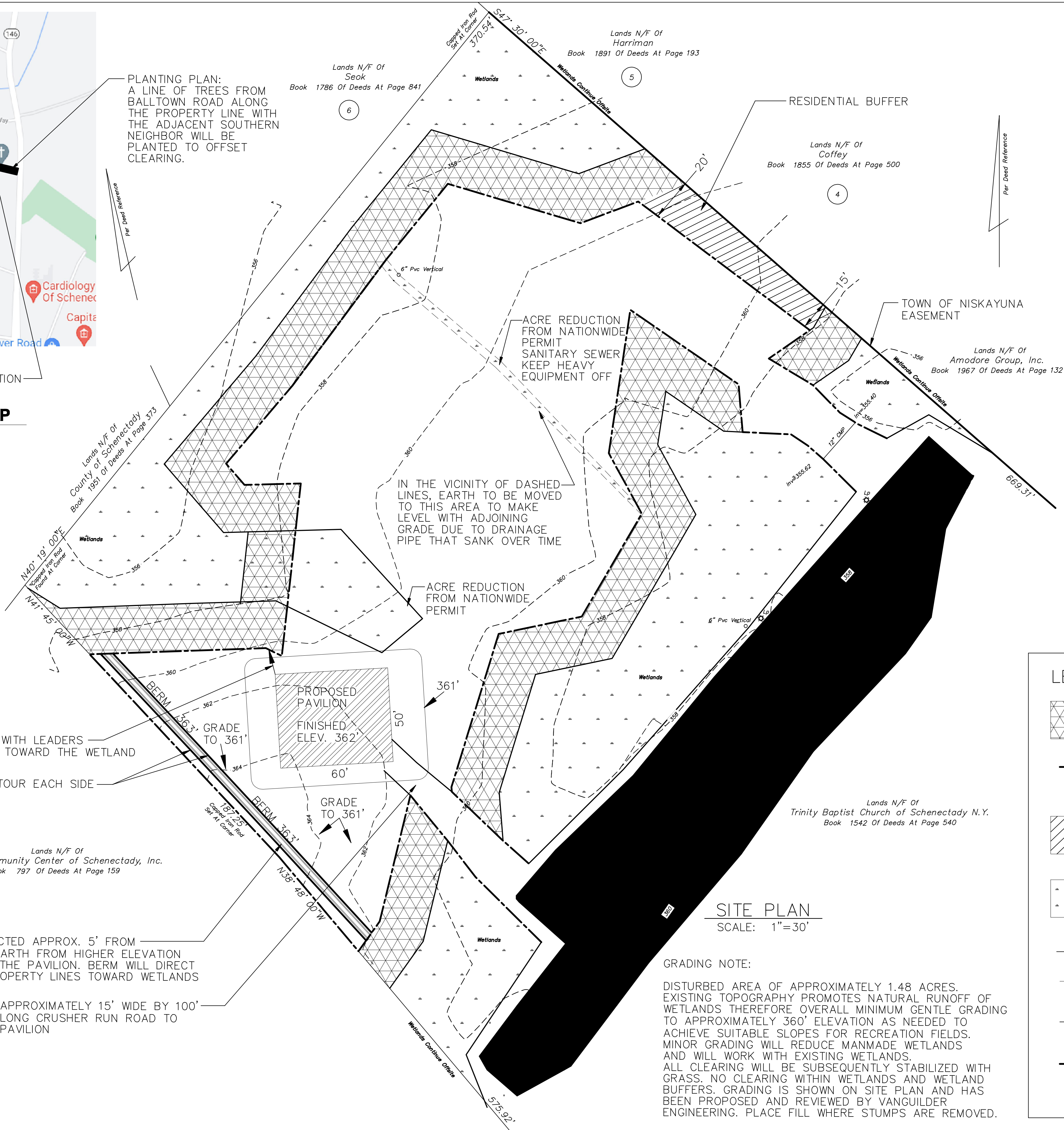
GUTTERS WITH LEADERS —
DIRECTED TOWARD THE WETLAND

362' CONTOUR EACH SIDE
OF BERM

Lands N/F Of
Jewish Community Center of Schenectady, Inc.
Book 797 Of Deeds At Page 159

BERM TO BE CONSTRUCTED APPROX. 5' FROM _____
PROPERTY LINE WITH EARTH FROM HIGHER ELEVATION
AREAS IN VICINITY OF THE PAVILION. BERM WILL DIRECT
WATER AWAY FROM PROPERTY LINES TOWARD WETLANDS

APPROXIMATELY 15' WIDE BY 100'
LONG CRUSHER RUN ROAD TO
PAVILION



.....25' WETLAND BUFFER

----- SPLIT RAIL FENCE ALONG
..... WETLAND BUFFER. ALL TREES
..... WITHIN THIS AREA WILL BE
..... CLEARED. ASIDE FROM THOSE
..... SELECTED FOR PRESERVATION

.....RESIDENTIAL BUFFER

..... WETLAND

12" CMP12" DIAMETER CORRUGATED
METAL PIPE

.....PROPOSED TOPOGRAPHY
CONTOUR

.....CURRENT TOPOGRAPHY
CONTOUR

.....TOWN OF NISKAYUNA EASEMENT
THIS IS THE ONLY EASEMENT PER
TOWN ENGINEER

TREE PRESERVATION NOTE:

3. LARGE OAKS IN THE VICINITY OF THE PAVILION AND 7 TO 8 LARGE WHITE PINES NOTED WITHIN THE LIMITS OF CLEARING SHALL BE RETAINED AND PROTECTED DURING AND AFTER CONSTRUCTION AND GRADING. ADDITIONALLY, DEVELOPER SHALL MARK TREES TO BE PRESERVED WITH FLAGGING AND SAFEGUARD THEM BY SUCH HIGH VISIBILITY BARRIERS OR OTHER PROTECTIVE MEASURES AS SHALL EFFECTIVELY PREVENT INJURY TO THE TREE AND ITS ROOT SYSTEM DURING CONSTRUCTION, DUE TO SUCH CAUSES AS SOIL COMPACTION, GRADE CHANGE, ROOT SEVERANCE, DRAINAGE CHANGE, SOIL CHEMISTRY CHANGE AND TRUNK AND LIMB IMPACT CHANGE. THE DEVELOPER SHALL PROVIDE, THAT TREES TO BE PRESERVED ARE INSPECTED FOR TREE CONDITION AND TREE PROTECTION ADEQUACY AT FOUR STAGES, AS APPLICABLE, IN THE COURSE OF DEVELOPMENT: PRIOR TO SITE DISTURBANCE, PRIOR TO SUBDIVISION PLOT PLAN FINAL APPROVAL, PRIOR TO THE ISSUANCE OF A BUILDING PERMIT AND PRIOR TO CERTIFICATE OF OCCUPANCY ISSUANCE. THE INSPECTION SHALL BE CONDUCTED BY A MEMBER OF THE AMERICAN SOCIETY OF CONSULTING ARBORISTS OR BY QUALIFIED PROFESSIONAL TRAINED AND EXPERIENCED IN TREE PRESERVATION AS APPROVED BY THE TREE COUNCIL. THE INSPECTOR SHALL PROVIDE DIRECTLY TO THE TOWN ENFORCEMENT OFFICER A COPY OF THE INSPECTION REPORT. THE REPORT SHALL CONTAIN SUCH INFORMATION AS DETERMINED BY THE TREE COUNCIL AS SUFFICIENT TO EVALUATE THE CONDITION OF TREES DESIGNATED FOR PRESERVATION AND SHALL BE CERTIFIED AS TRUE AND ACCURATE BY THE INSPECTOR. NO APPROPRIATION OR AUTHORIZATION FOR ACTION SHALL OCCUR UNTIL THE TOWN ENFORCEMENT OFFICER CERTIFIES THAT THE INSPECTION REPORT IS SATISFACTORY. PRIOR TO CONTINUED DEVELOPMENT OR THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY, THE DEVELOPER SHALL PROVIDE TO THE TOWN MONEYS EQUAL TO THE VALUE OF ANY TREE DESIGNATED FOR PRESERVATION THAT IS REMOVED OR INJURED OR THAT DIED AS A RESULT OF CONSTRUCTION.

PLANTING PLAN NOTE:

A LINE OF TREES FROM BALLTOWN ROAD ALONG THE PROPERTY LINE WITH THE ADJACENT SOUTHERN NEIGHBOR WILL BE PLANTED TO OFFSET CLEARING. SEE LOCATION MAP AS THIS AREA IS NOT SHOWN ON SITE PLAN.

GRADING NOTE:

DISTURBED AREA OF APPROXIMATELY 1.48 ACRES. EXISTING TOPOGRAPHY PROMOTES NATURAL RUNOFF OF WETLANDS THEREFORE OVERALL MINIMUM GENTLE GRADING TO APPROXIMATELY 360' ELEVATION AS NEEDED TO ACHIEVE SUITABLE SLOPES FOR RECREATION FIELDS. MINOR GRADING WILL REDUCE MANMADE WETLANDS AND WILL WORK WITH EXISTING WETLANDS. ALL CLEARING WILL BE SUBSEQUENTLY STABILIZED WITH GRASS. NO CLEARING WITHIN WETLANDS AND WETLAND BUFFERS. GRADING IS SHOWN ON SITE PLAN AND HAS BEEN PROPOSED AND REVIEWED BY VANGUARDER ENGINEERING. PLACE FILL WHERE STUMPS ARE REMOVED.

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

RECORD OF WORK:		BY:
DATE:	DESCRIPTION:	PJB
8/15/22	WETLANDS, BERM, GRADES, CALLOUTS	
11/12/22	NOTE PER TREES, BERM CONTOURS, CONTOUR EDITS, LEGEND UPDATE	
	TITLE BLOCK INFO.	
1/27/23	NOTES - TREE PRESERVATION, PLANT PAINT AND GRADING LEGEND, LOCATION MAP, TITLE BLOCK	

TRINITY BAPTIST CHURCH
CHURCH REPRESENTATIVE,
LARRY NOYES 518-378-3465

START DATE:	
STAMP:	
DATE: 01/27/2023	
FILE:	
PAGE CONTENT:	
SITE PLAN, NOTES LOCATION MAP, LEGEND	
DRAFTER: PJB	ENGINEER: CLIFTON VANGUILDER
PAPER SIZE: 22X34	SCALE: AS NOTED
SHEET: 1 OF 1	

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.

Part 1 – Project and Sponsor Information				
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: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): </div> <div style="margin-top: 5px;"><input type="checkbox"/> Parkland</div>				

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"/>	



TOWN OF NISKAYUNA

CONSERVATION ADVISORY COUNCIL

AGENDA STATEMENT

AGENDA ITEM NO. V. 2

MEETING DATE: 3/1/2023

ITEM TITLE: EAF 2022-08: 1851 Union St. – Mohawk Club – major subdivision of an existing 14 acre portion of the property to construct twenty-two (22) new single-family townhomes.

PROJECT LEAD: Genghis Khan

APPLICANT: Matthew Moberg, agent for the owner

SUBMITTED BY: Laura Robertson, Town Planner

REVIEWED BY:

☐ Planning Board (PB) ☐ Zoning Board of Appeals (ZBA) ☐ Town Board
☐ OTHER:

ATTACHMENTS:

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

SUMMARY STATEMENT:

Matthew Moberg, agent for the owner of the Mohawk Golf Club, submitted a Sketch Plan Application for a Major Subdivision of a 14 acre portion of the existing property including the construction of twenty-two (22) single-family townhomes at 1851 Union St.

A significant amount of new supporting material is provided for this project as noted in pages 6 & 7 of this Agenda Statement. However, an approved plan for the provision of utilities (primarily water and sewer) has been identified by the Town as a critical path item for this project. An approved plan is not included with the new material that was provided. The Planning Office has documented the new materials that were provided but an approved utility plan is required for further action.

BACKGROUND INFORMATION

The property is located within the R-1 Low Density Residential zoning district.

The following drawings were initially provided with the application.

1. A 1-page drawing entitled "Sketch 22-lot Townhouse Layout Residential Subdivision Mohawk Golf Club 1851 Union St. and 1245 Ruffner Rd." by ABD Engineers, LLP 411 Union St. Schenectady, NY dated October 20, 2022 and labeled Dwg. "5429A-S4 Townhouse" with no subsequent revisions.
2. A 2-page drawing set entitled "Unit – A" by Pigliavento Builders

The sketch plan includes the removal of a single family home on Ruffner Road in order to construct access to the greater Mohawk Golf Club parcel. The road is proposed as a boulevard with a strip of greenspace between traffic lanes.

ZONING CODE ANALYSIS

Niskayuna Zoning Code Article IV: Use Regulations

Section 220-10 District Regulations: includes “single-family dwellings” as Permitted principal uses in the R-1 zoning district.

Section 220-4 Definitions: includes “dwelling, single family – A detached building designed for or occupied exclusively by one family. See “dwelling.”

Dwelling: – A building designed or used exclusively as the living quarters for one or more families. This shall not be deemed to include mobile home, motel, hotel or tourist home. See “single-family dwelling”, “multi-family dwelling” and “dwelling unit.”

Dwelling, multi-family: - A detached building containing separate living units for two or more families which may have joint services or facilities or both. Such dwellings may include, among others, garden apartments, cooperatives or condominiums.

Dwelling unit: – A building or portion thereof providing complete housekeeping facilities for one family. For the purposes of this chapter, a single-family dwelling shall consist of one “dwelling unit.”

Townhouse: - A single-family dwelling which is one of a series of noncommunicating dwelling units having a common wall between each adjacent unit, each with private outside entrance, having individual yard areas and having open space or ancillary buildings and parking areas which may be shared in common.

Based on the definitions above, the Planning Department finds that Townhomes, as single family dwellings, are a permitted principal use in the R-1 zoning district but, with their contiguous sidewall, do not comply with the side setback requirement of the R-1 district and therefore require area variances from the Zoning Board of Appeals (ZBA). The aforementioned sketch plan drawing provided with the application included a requirement for 67 required area variances, since withdrawn.

Additional Utility Concerns

The Town of Niskayuna maintains a 6 inch water main on Ruffner Road, which is in the High Pressure Zone. This Zone may not have the capacity to handle the addition of 22 single family units. An independent engineering analysis of the water system capacity for this area will be required.

The sewer line to the Niskayuna Waste Water treatment plant is near or at capacity. An independent engineering analysis of the sewer system capacity for this development may be required.

There are known drainage issues in the area. Depending on where the storm water management pond is discharged to – an independent downstream drainage analysis may be required.

A wetland delineation will be required.

Emergency Access

Section 189-17 (J) (1) states: "Where cul-de-sacs are designed to be permanent, they should, in general, not exceed 500 feet in length and shall terminate in a circular turnaround having a minimum right-of-way radius of 60 feet and pavement radius of 45 feet." As these cul-de-sacs appear to be longer than 500 feet, the Planning Board should discuss a proposed secondary means of access for emergencies.

General Planning

It is important to keep in mind the long term gains to the Mohawk Golf Club that come from integrating potential residential development into the golf course campus while preserving the natural and scenic quality of open space and ensuring the subdivision is in harmony with the development pattern of the neighboring residential properties.

Some thoughts to consider that may help with some of the above goals include:

1. A more organic shaped road which follows the contours of the land and has vistas which open out onto the golf course, which would add value both to the golf course and the proposed homes.
2. A walking connection from the proposed subdivision to the golf course.
3. Quality open spaces such as a gathering pavilion or picnic area which overlook the golf course and provide amenities to the home owners, which would continually connect them to the land and to the golf course.
4. Discussion on parkland, preservation of natural features and trees, and conformance with the Comprehensive Plan are important to the ultimate layout of any proposed subdivision in the area.

Complete Streets

The Complete Streets Committee identified a critical multi-use path connection along the Mohawk Golf Club property – between Rosendale Heights (Country Club Estates) neighborhood and Ruffner Road, along the boundary with 1218 S Country Club Drive. A walking/biking connection here would be critical to connecting neighborhoods and promoting alternative transportation methods that reduce greenhouse gas emissions. This connection should be a part of any development discussion to offset traffic impacts.

11/14/22 Planning Board (PB) meeting --- Mr. Dave Kimmer of ABD Engineering and Mr. Bill Sweet of the Mohawk Club presented the project to the PB. They noted that the proposed project would disturb approximately 10 acres of the property. The Board noted the number of variances that will be required particularly those related to the size of the proposed lots. The Planning Office stated that cul-de-sacs have emergency access challenges. The developers indicated that they believe the boulevard entrance with wide access roads should address this concern. The PB expressed concerns regarding the mass and scale of the garage doors that dominate the front facades of the townhomes. The PB asked that Mr. Kimmer and Mr. Sweet provide additional information on the items listed below.

1. Explore and present alternate site plan layouts that eliminate the need for cul-de-sacs. This may include ring roads or a road looping through the property.

2. Reduce the number of required variances by adjusting the lot sizes to be more zoning code compliant. This may require impeding on the currently proposed 50' buffer between the existing homes on Ruffner Rd. and the proposed townhomes.
3. Investigate widening the boulevard roads to facilitate emergency access.
4. Explore ways to decrease the visual impact of the aligned front facing garages, including working with the Niskayuna ARB.

11/15/22 Conservation Advisory Council (CAC) meeting – Dave Kimmer and Bill Sweet repeated the presentation they made to the PB on 11/14/22. During the discussion Mr. Sweet added that the Mohawk Club would maintain the storm water management areas. The CAC was concerned with the loss of greenspace with the proposal and asked for greenspace to be offset somewhere else on the Club parcel. The developer did not want to offset greenspace within the Mohawk Golf Club. The CAC requested the developer maximize the undevelopable greenspace within the subdivision by reducing some of the oversize lots at the ends and adding this area to the community greenspace. The CAC agreed with the additional detail the PB requested and added that they would like the developer to explore quantifying and mitigating the increased traffic on Ruffner Road and the surrounding area.

The Planning Office spoke with Mr. Kimmer about the Thanksgiving holiday shortened turnaround between the 11/14 and 11/28 PB meetings. Mr. Kimmer stated that they would not be able to address the action items in time for the 11/28 meeting and would target the 12/12/22 PB meeting, instead.

11/16/22 Architectural Review Board (ARB) meeting – the ARB reviewed the site plan and elevation images of the project very briefly at their 11/16/22 meeting. The Planning Office made them aware of the PB's concern regarding the size and proportion of the garage doors. The ARB will review the project in more detail during their December meeting.

11/28/22 Planning Board (PB) meeting – Mr. Kimmer attended the meeting and represented the applicant. The PB had a general discussion of the site plan that was presented at the 11/14/22 PB meeting. Ms. Robertson noted that the project is at the sketch plan phase of the review process. She reminded the PB that to approve the sketch plan they need to be generally in support of the design – 22 units, overall layout, etc. Mr. Kimmer explained how the proposed boulevard entrance to the subdivision complies with NYS Emergency Access Fire Code. He also presented a “loop layout” site plan design that disturbs approximately 25% - 30% more land and would include several “thru lots”.

The Board noted that demolishing an existing home and using the lot to create a boulevard entrance to the subdivision is a significant change to the two immediately adjacent properties and the neighborhood. They noted that this should be considered very carefully during the sketch plan review process. They asked the applicant to thoroughly explore all possible access points to the land for alternate entrance and emergency access options. Ms. Robertson reminded Mr. Kimmer that the Niskayuna code is more stringent regarding the allowed length of cul-de-sac roads than the NYS Fire Code. Mr. Kimmer acknowledged that he has some additional CAD work to complete and committed to provide the materials requested in the 11/14/22 and 11/28/22 meetings.

12/6/22 -- The applicant provided the Planning Office with a significantly revised site plan design and documentation set on 12/6/22. The following documents were stamped “Received Dec 06 2022 Planning Office Niskayuna, NY”.

1. A summary letter authored by Joseph J. Bianchine, P.E. addressed to Laura Robertson, Town Planner dated 12/6/22 that describes the new Average Density Development design proposal.
2. An Application for Special Use Permit

3. A 2-page (containing two options for page 1) site plan drawing entitled "Sketch 22-Lot Subdivision Average Density Development Mohawk Golf Club 1851 Union St. and 1245 Ruffner Rd." dated December 6, 2022 with no subsequent revisions.
4. A 1-page exhibit entitled "Alternate Access Exhibit Average Density Development Mohawk Golf Club" dated December 6, 2022 with no subsequent revisions.
5. A Full Environmental Assessment Form (EAF) dated 12/6/22.

The project summary letter describes the revised design as an Average Density Development subdivision consisting of a mix of 12 townhomes and 10 single family homes. The letter also includes the following description of the changes.

1. A secondary access to the subdivision is now shown in the plans. A 12' wide grass paver access road will connect to the existing golf course maintenance / cart path via a full width 60' Town R.O.W. stub off of the northern cul-de-sac.
2. There are two "Sheet 1s" included in the plan set. The second Sheet 1 demonstrates that it is possible, although less desirable, to meet the open space requirements for an ADD project set forth in Niskayuna zoning code Section 220-28 F (4) (a).
3. A separate color exhibit is included which demonstrates why building roads from either of the existing access points to the north or south along Ruffner Road would not be possible without steep slopes or excessive disturbance to existing golf course features and / or neighboring properties.

12/7/22 Conservation Advisory Commission (CAC) – The CAC reviewed the 12/6/22 site plan drawings. Mr. Kimmer of ABD Engineers and Mr. Sweet of the Mohawk Club attended the meeting and explained why the design has shifted back to an Average Density Design (ADD). They noted that a secondary emergency access road off of the north end of the property is included in the revised design. They explained that the project now includes 10 single-family homes and 12 townhomes and complies with all of the requirements of an ADD subdivision.

The CAC discussed with the applicant their concern for the reduction of quality wildlife habitat and open space from this proposal and asked if there is a consideration for offsetting the loss elsewhere on the golf course. The applicants agreed to explore a development restriction near the Schenectady Water reservoir that wouldn't the ability of the club to use the land for the golf course needs.

The CAC discussed with the applicant the long term plans for the development and protection of the golf club, including where future development could go along Balltown Road. They requested the applicant consider a long range plan for the golf club that would protect the golf club operations and outline anywhere there could be future changes and development.

The CAC felt there would be traffic impacts and wanted the applicant to explore traffic mitigation in the area, including a critical complete streets connection between Country Club Estates and Ruffner Road. The applicants agreed to see if they could fit a walking path connection from the corner of South and East Country Club Drive to Ruffner Road.

The Planning Office noted that the applicants should review the plan with the Town Water & Sewer Department and complete a traffic count analysis.

12/9/2022 Complete Streets Committee – the Complete Streets committee recommended the following Complete Streets priorities:

1. Public connection from E Country Club Drive with a walking path to Ruffner
2. Public connection from new development to Rowe Road

3. Support traffic calming measures. Explore mini roundabout at Ruffner and Mountainview or in front of the new driveway (to reduce impacts to lawns within ROW).
4. Explore a street tree planting plan to help with loss of trees and traffic calming in the long term.

1/9/23 Planning Board (PB) meeting – Dave Kimmer, of ABD Engineers, and Bill Sweet of the Mohawk Club attended the meeting and described the revised site plan. Mr. Kimmer explained that the project is back to being an Average Density Development (ADD). This eliminates the need for 67 area variances tabulated, above. He noted that ten (10) single-family detached homes are included and that an emergency access path was added. After a general discussion the Board stated they would prefer to provide access to the proposed development via. an existing easement or the extension of an existing road. They asked the applicants to explore providing access from East Country Club Drive. Dave Kimmer agreed to explore this option. The Board also reviewed and discussed the open space requirement of an ADD project.

1/9/23/23 Planning Board (PB) meeting – The project was not on the agenda for the 1/9/23 meeting.

1/23/2023 UPDATE: Dave Kimmer provided the Planning Office with the following documents in response to the action items noted in the 12/12/23 PB meeting.

- A modified site plan that now includes a roundabout at the intersection with Ruffner Rd to calm the existing traffic on Ruffer Rd and help mitigate impacts caused by the ADD project.
- An exhibit showing a proposed walking path connection between East Country Club Drive and Ruffner Rd.
- A typical townhome image with a side-load garage
 - Floor plans and elevation view images are included
- A 3-sheet traffic exhibit and document with supporting calculations (using ITE Trip Generation, 9th Edition)
 - The documents compare the estimated traffic (trip) impact of the ADD “as proposed” to the traffic impact that could be expected if alternative access points to the south and north are used thereby creating a “thru connection”.

Traffic Direction	Peak Period	As Proposed (trips)	Thru Connection (trips)
Southbound	AM	6.4	71.6
	PM	8.1	95.1
Northbound	AM	6.4	60.8
	PM	8.1	80.6

Example -- the ITE Trip Generation analysis is estimating that “As Proposed”, with a single entrance off of Rufner Rd., 6.4 trips of southbound traffic will be added during the AM peak and 8.1 trips of southbound traffic will be added during the evening peak.

Mr. Moberg and Mr. Sweet of the Mohawk Club led a project site walk on their property so that members of the Planning Board and Planning Office could see and assess the location first hand. The attendees included: Mr. Khan and Mr. D’Arpino of the Planning Board, Mr. Kimmer of ABD Engineers (engineer for the Mohawk Club) and Planning Office staff.

The Planning Office has initiated the process of securing a Town Designated Engineer (TDE) to review the traffic exhibit and other technical materials on behalf of the Town.

1/23/23 Planning Board (PB) meeting – Dave Kimmer, of ABD Engineers, and Bill Sweet of the Mohawk Club attended the meeting and presented their updated site drawings and traffic exhibit. A general discussion of the overall project followed that included topics of concern that were raised by neighboring residents during Privilege of The Floor earlier in the meeting. Ms. Robertson provided a top level summary of the project and briefly described the numerous steps that remain, including several public hearings, before the project could be acted on by the Planning Board. The Board requested that the applicant provide additional information on the following items.

- Demonstrate that they have taken a hard look at all options to provide access to the 14 acre site by creating fully documented design drawings for access from other points including: Rowe Rd., East Country Club Drive and the existing easement connecting to Ruffner Rd.
- Continue to formalize the proposed deed restrictions that have been discussed.
- Provide the Town Planning Office with a long term strategic plan for the Mohawk Club or initiate a process to work with the Town to develop one.

2/6/23 Meeting to discuss utilities – Dave Kimmer and Joe Bianchine of ABD Engineers and Bill Sweet of The Mohawk Club attended a meeting at Town Hall with staff from the Planning, Engineering and Legal Departments to discuss utility (water and sewer) related service to the proposed project site. The Town presented existing DEC capacity concerns in the gravity sewer trunk line along River Road to the wastewater treatment plant. They stated that a documented and approved water and wastewater plan for the project is a required next step. Without an approved plan for water and wastewater there is no way to know the true feasibility of the project.

2/22/23 Architectural Review Board (ARB) meeting – The ARB reviewed the most recent site plan documents for the project at their 2/22/23 meeting (rescheduled from 2/15/23). The Board commented that the existing plan, including the positioning & renderings of the proposed homes, neither capitalized on the potential for beautiful views of the golf course nor did it blend well with the neighboring homes. They commented that it appeared to be a “densified” design that located as many dwelling units as possible on the land. Their suggestion was to consider a smaller number of more upscale units on larger lots contiguous to the fairway with more picturesque views of the golf course. They noted that they would be happy to work with all involved parties as appropriate.

The Planning Office received an updated documentation package for the project on 2/17/23 consisting of the following.

1. **DENSITY EXHIBIT:** A “Density Exhibit” that depicts the number of lots (homes) on (10) ten, 14-acre areas of land contiguous to the proposed project site to the north, south and east.

	Project Site	1	2	3	4	5	6	7	8	9	10
Acres	14	14	14	14	14	14	14	14	14	14	14
Lots	22	28	25	28	25	25	20	19	23	48	46

2. **HISTORICAL EXHIBIT:** An 8-page “Historical Exhibit” that consists of aerial images of the proposed project site, including the surrounding lands, for the time span of 1940 thru 2021. The images provide a time stamped sequential progression of the development of this portion of Niskayuna.
3. **OVERALL GOLF COURSE MAP:** A 1-page image of the layout of the golf course and the overall club grounds including the driving range, 9-hole course and undeveloped land.

4. **OVERALL STORM WATER:** A 1-page map of the project area that includes existing storm water retention areas, the general direction of storm water flow on the land and proposed storm water management areas.
5. **SUBDIVISION PLAN:** A revised 3-page subdivision plan with a revision date of 2/16/23.
 - a. The plan indicates a connection to the sewer main on Ruffner Road
 - b. The traffic circle that was included in the previous drawing revision is removed.
6. **TRAFFIC STATISTICS:** A table of proposed traffic statistics using the ITE Trip Generation, 9th Edition manual.
7. **ALTERNATE LAYOUTS:** A 12-page document set of (9) nine alternate methods of providing primary and emergency access to the proposed 14 acre site including advantages and concerns for each method.
8. **ALTERNATE LAYOUTS TABLE:** A 4-page document that summarizes the (9) alternate layouts from the Alternate Layout exhibit including the advantages and concerns for each in a tabular format.
9. **COVER LETTER:** A 2-paged cover letter addressed to Ms. Laura Robertson, Town Planner dated 2/17/23 that lists the documents that were provided with the letter and a request to be placed on the agenda for the 2/27/23 Planning Board meeting.

As previously mentioned, it is the Town's policy to utilize a consulting engineering firm to act as a Town Designated Engineer (TDE) to review technical materials including but not limited to: water, sewer, drainage, traffic, roadways, etc. The Planning Office is securing quotations for this service and will initiate a technical review in the next few weeks.

As noted above during the 2/6/23 Utilities Meeting, it is the opinion of the Town Planning, Legal and Engineering Offices that an approved plan for the provision of water and sewer service is a required next step for this project.

The CAC may review and comment on the additional materials provided with the applicant's letter dated 2/17/23, especially concerning direction to the applicant about possible alternative entrances, but no further action should be taken without preliminary water and sewer service plans submitted to the Town that address the issues detailed in the 2/6/2023 meeting.

This project is before the CAC for review and further discussion with the applicant. The CAC will have to make a SEQR determination to the Town Board on the Special Use permit application in the near future.

PARTNERS
JOSEPH J. BIANCHINE, P.E.
LUIGI A. PALLESCHI, P.E.
ROBERT D. DAVIS, JR., P.L.S.

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Schenectady, NY 12305
518-377-0315 Fax 518-377-0379
www.abdeng.com

DEDICATED
RESPONSIVE
PROFESSIONAL

February 17, 2023

**Re: Mohawk Golf Club Subdivision
1849 Union St & 1245 Ruffner Rd
Town of Niskayuna
Project #5429A**

Ms. Laura Robertson, Town Planner
Town of Niskayuna
One Niskayuna Circle
Niskayuna, NY 12309-4381

Dear Laura:

In response to the feedback received to date from the Town Planning Board, Planning Department, and from neighbors of the proposed Mohawk Golf Club Subdivision, we have made the following revisions to the plans, as noted below:

1. The subdivision plan has been modified to remove the roundabout at the intersection with Ruffner Road. A standard T intersection is proposed instead.
2. A twelve-sheet exhibit is enclosed, showing the proposed layout (Scheme #1) compared to eleven other fully detailed alternate schemes. The scheme number, along with advantages and concerns for each scheme are shown in yellow on each sheet.
3. A supplemental document is also enclosed to accompany the alternate scheme exhibit listed above, with each scheme, description, advantages, and concerns in a table format.
4. An overall course map is enclosed, showing the entire golf course property in the context of the surrounding roads and neighborhoods. Each area of the property is outlined and labeled.
5. A second overall course map is enclosed, showing the existing and proposed drainage patterns and how they flow through the golf course to the Town's stormwater system.
6. A neighborhood density map is enclosed, demonstrating that the density of the proposed subdivision is in character with the density of the surrounding neighborhood.

7. An eight-sheet historical exhibit is enclosed, showing the property boundary of the Mohawk Golf Course superimposed over historical aerial imagery from 1942 to 2021. This exhibit demonstrates that for at least 80 years (A) the layout of the golf course has remained the same, and (B) the surrounding woods and farmland have been developed over time, in many stages, to make way for new housing.
8. An updated traffic table is enclosed, showing only the additional traffic that is anticipated from the proposed subdivision.

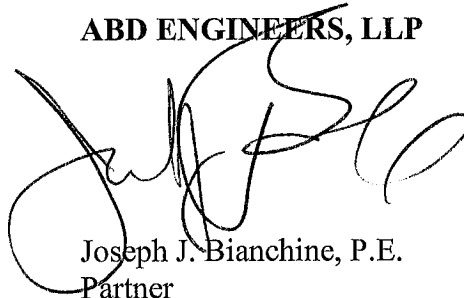
Enclosed for further review of the proposed Mohawk Golf Club subdivision are the following revised materials:

1. Three (3) copies of the revised Subdivision Plans
2. Three (3) copies of the Alternate Layout Exhibits
3. Three (3) copies of the Alternate Layout Table
4. Three (3) copies of the Overall Course Map
5. Three (3) copies of the Overall Stormwater Map
6. Three (3) copies of the Neighborhood Density Map
7. Three (3) copies of the Historical Exhibits
8. Three (3) copies of the revised Traffic Table

We greatly appreciate you scheduling this project for review at the February 27, 2023 Planning Board meeting. Should you have any questions or need anything further, please do not hesitate to contact me.

Very truly yours,

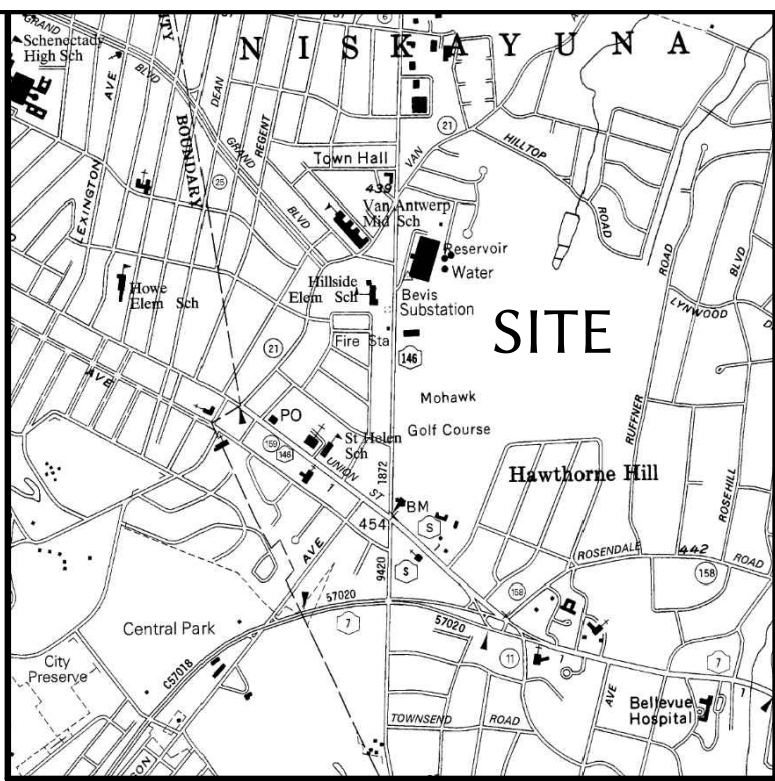
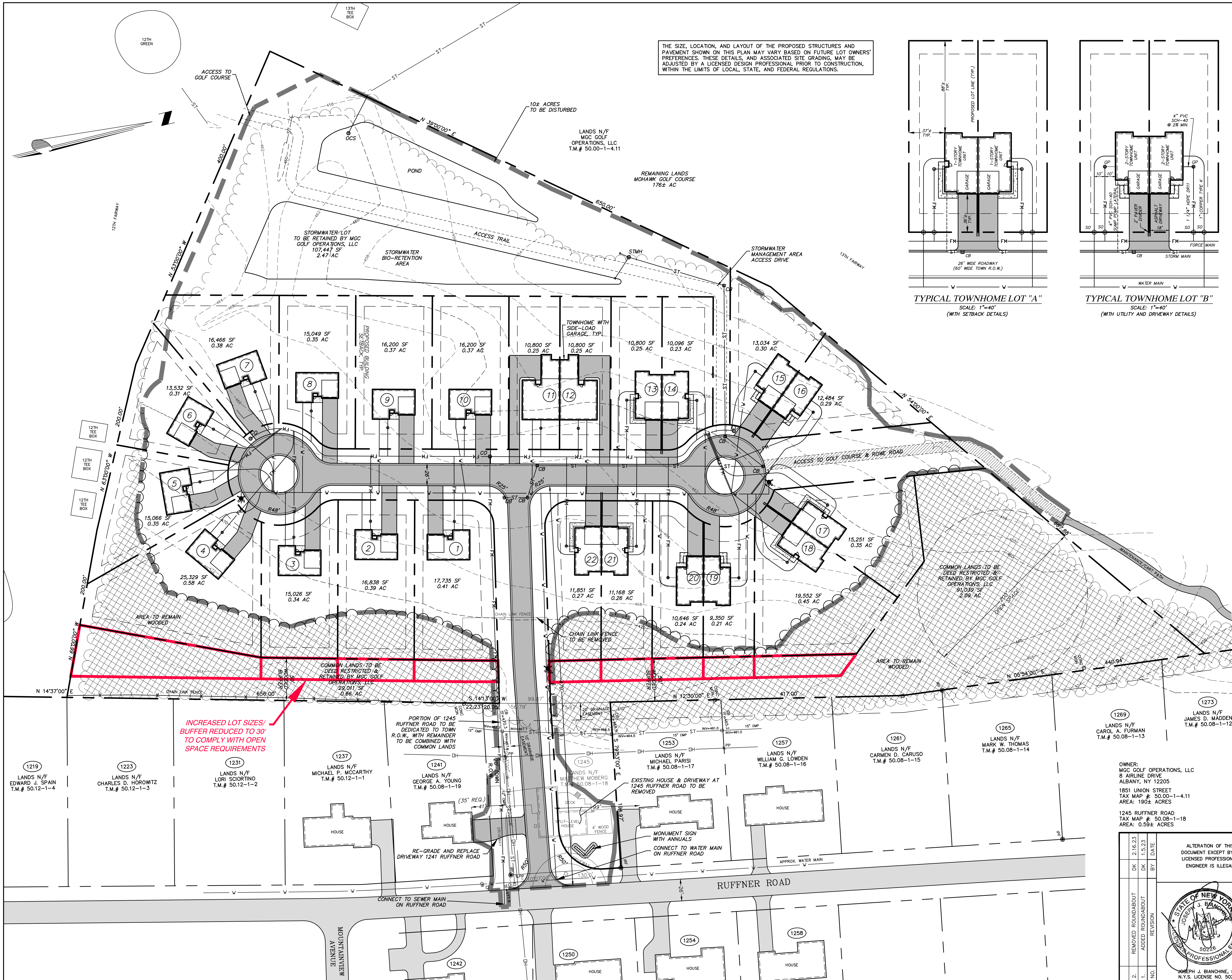
ABD ENGINEERS, LLP



Joseph J. Bianchine, P.E.
Partner

JJB:dmk
encl.

cc: Matt Moberg w/encl (via email)
Bill Sweet w/encl (via email)
5429A-2023-02-17



SITE LOCATION

- GENERAL NOTES:
- BASE MAPPING PREPARED BY ABD ENGINEERS, LLP FROM A FIELD SURVEY COMPLETED IN JUNE 2021, AND GIS INFORMATION.
 - THE PLANS SHOW SOME KNOWN SUBSURFACE STRUCTURES, ABOVEGROUND STRUCTURES AND/OR UTILITIES BELIEVED TO EXIST WITHIN THE WORKING AREA. EXACT LOCATION OF WHICH MAY VARY FROM THE LOCATIONS INDICATED. IN PARTICULAR, THE CONTRACTOR IS WARNED THAT THE EXACT OR EVEN APPROXIMATE LOCATION OF SUCH PIPE LINES, SUBSURFACE STRUCTURES AND/OR UTILITIES IN THE AREA MAY BE DIFFERENT FROM THAT SHOWN OR MAY NOT BE SHOWN AND IT SHALL BE HIS OR HER RESPONSIBILITY TO PROCEED WITH GREAT CARE IN EXECUTING ANY WORK. PROVIDE (48) HOURS BEFORE YOU DIG, DRILL OR BLAST, CALL U.F.P.O. (1-800-962-7962).
 - EXISTING AND PROPOSED GAS, ELECTRIC, AND TELECOMMUNICATIONS SERVICE LAYOUTS ARE SCHEMATIC ONLY. ALL REMOVALS, FINAL LOCATIONS, AND INSTALLATION REQUIREMENTS SHALL BE COORDINATED WITH ALL UTILITY COMPANIES.

ZONING:	R-1 (LOW DENSITY RESIDENTIAL) - SINGLE FAMILY DWELLINGS	
	REQUIRED (CONVENTIONAL ZONING)	REQUIRED (AVG. DENSITY DEVELOPMENT)
LOT AREA:	18,000 SF MIN.	9,000 SF MIN.
LOT WIDTH:	100' MIN.	50' MIN.
LOT DEPTH:	125' MIN.	62.5' MIN.
LOT COVERAGE:	25% MAX.	25% MAX.
YARD DIMENSIONS:		
FRONT:	35' MIN.	17.5' MIN.
SIDE:	20' MIN.	10' MIN.
REAR:	25' MIN.	12.5' MIN.

APPROXIMATE SITE STATISTICS			PROPOSED
BUILDINGS:		38,000± SF	6.2%
PAVEMENT:		75,000± SF	12.1%
GREEN SPACE:		505,200± SF	81.7%
TOTAL		628,472± SF (14.43± AC)	100.0%

OPEN SPACE STATISTICS	
STANDARD TOTAL LOT AREA (18,000 SF X 22):	396,000 SF
PROPOSED TOTAL LOT AREA:	336,323 SF
PERCENT REDUCTION:	15.1%
TOTAL PROJECT AREA:	628,472 SF
PROPOSED OPEN SPACE:	95,530 SF
PERCENT OPEN SPACE:	15.2%
(SHALL BE GREATER THAN OR EQUAL TO PERCENT REDUCTION)	

COMPLIANT OPEN SPACE PERCENTAGE

OWNER:
MGC GOLF OPERATIONS, LLC
8 AIRLINE DRIVE
ALBANY, NY 12205
1851 UNION STREET
TAX MAP # 50.08-1-4.11
AREA: 190± ACRES
1245 RUFFNER ROAD
TAX MAP # 50.08-1-18
AREA: 0.59± ACRES

2	REMOVED ROUNDABOUT	DK	2.16.23	BY	DATE
1	ADDED ROUNDABOUT	DK	1.5.23	BY	DATE
NO.	REVISION				

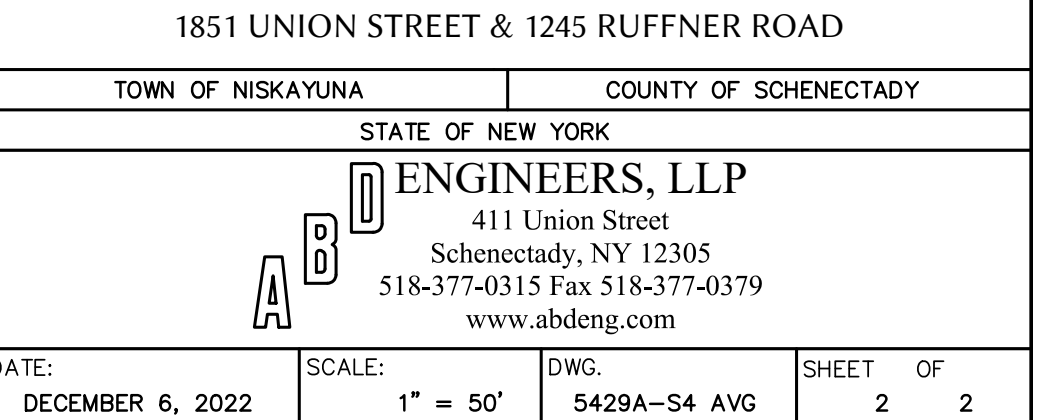


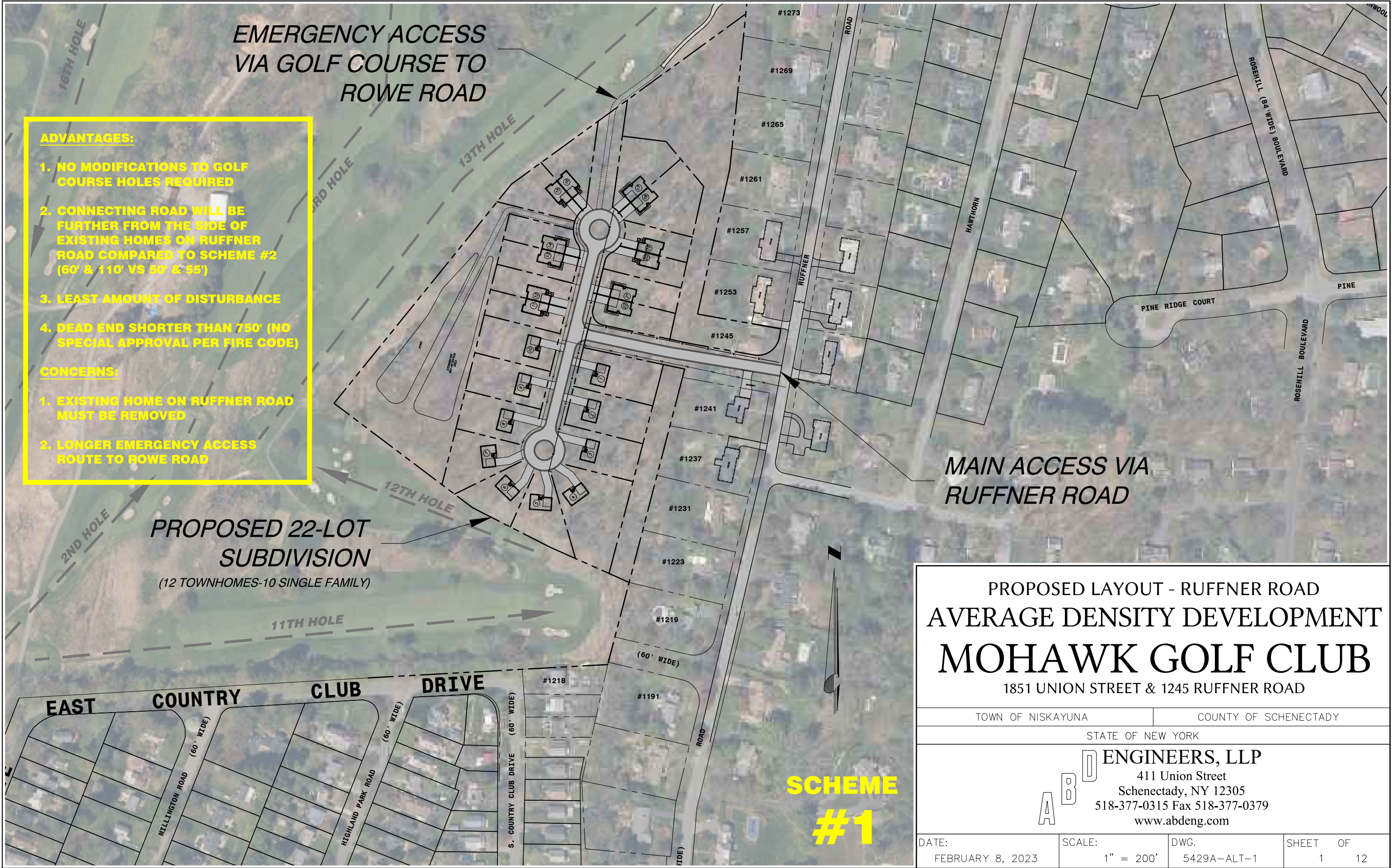
SKETCH 22-LOT SUBDIVISION
AVERAGE DENSITY DEVELOPMENT
MOHAWK GOLF CLUB
1851 UNION STREET & 1245 RUFFNER ROAD

TOWN OF NISKAYUNA COUNTY OF SCHENECTADY

STATE OF NEW YORK
ABD ENGINEERS, LLP
411 Union Street
Schenectady, NY 12305
518-377-0315 Fax 518-377-0379
www.abdeng.com

DATE: DECEMBER 6, 2022 SCALE: 1" = 50' DWG. 5429A-S4 AVG SHEET 1 OF 2





**PROPOSED 22-LOT
SUBDIVISION**
(12 TOWNHOMES-10 SINGLE FAMILY)

ADVANTAGES:

**1. EXISTING HOME ON RUFFNER ROAD
REMAINS**

CONCERNS:

**1. 11TH HOLE OF GOLF COURSE MUST
BE MODIFIED**

**2. CONNECTING ROAD WILL BE
CLOSER TO THE SIDE OF EXISTING
HOMES ON RUFFNER ROAD
COMPARED TO SCHEME #1
(50' & 55' VS 60' & 110')**

**3. 0.5± ACRE ADDITIONAL
DISTURBANCE**

4. 75± LF ADDITIONAL NEW ROADWAY

**5. DEAD END LONGER THAN 750' MAY
REQUIRE SPECIAL APPROVAL PER
FIRE CODE**

**MAIN ACCESS VIA
RUFFNER ROAD**

**EMERGENCY ACCESS
VIA EX. EASEMENT TO
RUFFNER ROAD**

**SCHEME
#2**

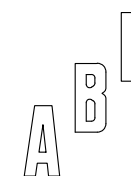
**ALTERNATE LAYOUT - RUFFNER ROAD STUB
AVERAGE DENSITY DEVELOPMENT
MOHAWK GOLF CLUB**

1851 UNION STREET & 1245 RUFFNER ROAD

TOWN OF NISKAYUNA

COUNTY OF SCHENECTADY

STATE OF NEW YORK



ENGINEERS, LLP

411 Union Street
Schenectady, NY 12305
518-377-0315 Fax 518-377-0379
www.abdeng.com

DATE:
FEBRUARY 8, 2023

SCALE:
1" = 200'

DWG.
5429A-ALT-2

SHEET OF
2 12

**PROPOSED 22-LOT
SUBDIVISION**
(12 TOWNHOMES-10 SINGLE FAMILY)

ADVANTAGES:

**1. EXISTING HOME ON RUFFNER ROAD
REMAINS**

CONCERNS:

**1. 11TH HOLE OF GOLF COURSE MUST
BE MODIFIED**

**2. CONNECTS TO OLDER, NARROWER
EXISTING STREET (24'W VS 26'W)**

**3. MORE HOMES DIRECTLY AFFECTED
BY ADDITIONAL TRAFFIC TO
ROSENDALE ROAD (48 VS 26)**

**4. NORTHBOUND AND SOUTHBOUND
TRAFFIC CONCENTRATED TO ONE
DIRECTION**

**5. NEW ROADWAY IN CLOSER
PROXIMITY TO BACK YARDS ON
RUFFNER ROAD**

6. 1± ACRE ADDITIONAL DISTURBANCE

7. 15± LF ADDITIONAL NEW ROADWAY

**8. DEAD END LONGER THAN 750' MAY
REQUIRE SPECIAL APPROVAL PER
FIRE CODE**

**EMERGENCY ACCESS
VIA EX. EASEMENT TO
RUFFNER ROAD**

**MAIN ACCESS VIA
EAST COUNTRY
CLUB DRIVE**

**ALTERNATE LAYOUT - COUNTRY CLUB DRIVE (A)
AVERAGE DENSITY DEVELOPMENT
MOHAWK GOLF CLUB**

1851 UNION STREET & 1245 RUFFNER ROAD

TOWN OF NISKAYUNA

COUNTY OF SCHENECTADY

STATE OF NEW YORK

ABD ENGINEERS, LLP
411 Union Street
Schenectady, NY 12305
518-377-0315 Fax 518-377-0379
www.abdeng.com

DATE:
FEBRUARY 8, 2023

SCALE:
1" = 200'

DWG.
5429A-ALT-3A

SHEET OF
3 12

**SCHEME
#3A**

**PROPOSED 22-LOT
SUBDIVISION**
(12 TOWNHOMES-10 SINGLE FAMILY)

ADVANTAGES:

**1. EXISTING HOME ON RUFFNER ROAD
REMAINS**

CONCERNS:

**1. 11TH HOLE OF GOLF COURSE MUST
BE MODIFIED**

**2. 12TH HOLE OF GOLF COURSE MUST
BE MODIFIED**

**3. CONNECTS TO OLDER, NARROWER
EXISTING STREET (24'W VS 26'W)**

**4. MORE HOMES DIRECTLY AFFECTED
BY ADDITIONAL TRAFFIC TO
ROSENDALE ROAD (48 VS 26)**

**5. NORTHBOUND AND SOUTHBOUND
TRAFFIC CONCENTRATED TO ONE
DIRECTION**

**6. 0.5± ACRE ADDITIONAL
DISTURBANCE**

**7. DEAD END LONGER THAN 750' MAY
REQUIRE SPECIAL APPROVAL PER
FIRE CODE**

**EMERGENCY ACCESS
VIA EX. EASEMENT TO
RUFFNER ROAD**

**MAIN ACCESS VIA
EAST COUNTRY
CLUB DRIVE**

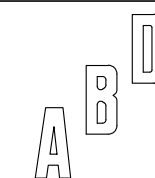
**ALTERNATE LAYOUT - COUNTRY CLUB DRIVE (B)
AVERAGE DENSITY DEVELOPMENT
MOHAWK GOLF CLUB**

1851 UNION STREET & 1245 RUFFNER ROAD

TOWN OF NISKAYUNA

COUNTY OF SCHENECTADY

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SHEET OF
4 12

**SCHEME
#3B**

ADVANTAGES:

1. EXISTING HOME ON RUFFNER ROAD REMAINS

CONCERNS:

1. 13TH HOLE OF GOLF COURSE MUST BE MODIFIED

2. 14TH HOLE OF GOLF COURSE MUST BE MODIFIED

3. 1± ACRE OF GOLF COURSE BECOMES ISOLATED AND UN-USABLE

4. EXISTING STORMWATER MANAGEMENT AREA MUST BE MODIFIED

5. NORTHBOUND AND SOUTHBOUND TRAFFIC CONCENTRATED TO ONE DIRECTION

6. NEW ROADWAY IN CLOSER PROXIMITY TO BACK YARDS ON RUFFNER ROAD

7. 1.8± ACRES ADDITIONAL DISTURBANCE

8. 500± LF ADDITIONAL NEW ROADWAY

9. DEAD END LONGER THAN 750' MAY REQUIRE SPECIAL APPROVAL PER FIRE CODE

MAIN ACCESS VIA
ROWE ROAD

EMERGENCY ACCESS
VIA EX. EASEMENT TO
RUFFNER ROAD

PROPOSED 22-LOT
SUBDIVISION

(12 TOWNHOMES-10 SINGLE FAMILY)

**SCHEME
#4A**

ALTERNATE LAYOUT - ROWE ROAD (A)
AVERAGE DENSITY DEVELOPMENT
MOHAWK GOLF CLUB

1851 UNION STREET & 1245 RUFFNER ROAD

TOWN OF NISKAYUNA

COUNTY OF SCHENECTADY

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FEBRUARY 8, 2023	1" = 200'	5429A-ALT-4A	5	12

ADVANTAGES:

1. EXISTING HOME ON RUFFNER ROAD REMAINS

CONCERNS:

1. 13TH HOLE OF GOLF COURSE MUST BE MODIFIED

2. 14TH HOLE OF GOLF COURSE MUST BE MODIFIED

3. 2± ACRES OF GOLF COURSE BECOMES ISOLATED AND UN-USABLE

4. EXISTING STORMWATER MANAGEMENT AREA MUST BE MODIFIED

5. NORTHBOUND AND SOUTHBOUND TRAFFIC CONCENTRATED TO ONE DIRECTION

6. 1.7± ACRES ADDITIONAL DISTURBANCE

7. 420± LF ADDITIONAL NEW ROADWAY

8. DEAD END LONGER THAN 750' MAY REQUIRE SPECIAL APPROVAL PER FIRE CODE

MAIN ACCESS VIA
ROWE ROAD

EMERGENCY ACCESS
VIA EX. EASEMENT TO
RUFFNER ROAD

PROPOSED 22-LOT
SUBDIVISION

(12 TOWNHOMES-10 SINGLE FAMILY)

**SCHEME
#4B**

ALTERNATE LAYOUT - ROWE ROAD (B)
AVERAGE DENSITY DEVELOPMENT
MOHAWK GOLF CLUB

1851 UNION STREET & 1245 RUFFNER ROAD

TOWN OF NISKAYUNA

COUNTY OF SCHENECTADY

STATE OF NEW YORK

ABD

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SCALE:
1" = 200'

DWG.
5429A-ALT-4B

SHEET OF
6 12

ADVANTAGES:

1. EXISTING HOME ON RUFFNER ROAD REMAINS

CONCERNS:

1. 13TH HOLE OF GOLF COURSE MUST BE MODIFIED

2. 14TH HOLE OF GOLF COURSE MUST BE MODIFIED

3. 0.3± ACRES OF GOLF COURSE BECOMES ISOLATED AND UN-USABLE

4. EXISTING STORMWATER MANAGEMENT AREA MUST BE MODIFIED

5. NEW ROADWAY IN CLOSER PROXIMITY TO BACK YARDS ON RUFFNER ROAD

6. NEW ROADWAY WILL HAVE 10%± SLOPE

7. NEW INTERSECTION WILL HAVE LIMITED SIGHT DISTANCE

8. NEW INTERSECTION WILL NOT ALIGN WITH LYNWOOD DRIVE

9. 2.0± ACRES ADDITIONAL DISTURBANCE

10. 400± LF ADDITIONAL NEW ROADWAY

11. DEAD END LONGER THAN 750' MAY REQUIRE SPECIAL APPROVAL PER FIRE CODE

MAIN ACCESS VIA
RUFFNER ROAD
@LYNWOOD DRIVE

EMERGENCY ACCESS
VIA EX. EASEMENT TO
RUFFNER ROAD

PROPOSED 22-LOT
SUBDIVISION
(12 TOWNHOMES-10 SINGLE FAMILY)

SCHEME
#5A

ALTERNATE LAYOUT - RUFFNER/LYNWOOD (A)
AVERAGE DENSITY DEVELOPMENT
MOHAWK GOLF CLUB

1851 UNION STREET & 1245 RUFFNER ROAD

TOWN OF NISKAYUNA

COUNTY OF SCHENECTADY

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FEBRUARY 8, 2023

SCALE:
1" = 200'

DWG.
5429A-ALT-5A

SHEET OF
7 12

ADVANTAGES:

1. EXISTING HOME ON RUFFNER ROAD REMAINS

CONCERNS:

1. 13TH HOLE OF GOLF COURSE MUST BE MODIFIED

2. 14TH HOLE OF GOLF COURSE MUST BE MODIFIED

3. 0.7± ACRES OF GOLF COURSE BECOMES ISOLATED AND UN-USABLE

4. EXISTING STORMWATER MANAGEMENT AREA MUST BE MODIFIED

5. NEW ROADWAY IN CLOSER PROXIMITY TO BACK YARDS ON RUFFNER ROAD

6. NEW ROADWAY WILL HAVE 10%± SLOPE

7. NEW INTERSECTION WILL HAVE LIMITED SIGHT DISTANCE

8. NEW INTERSECTION WILL NOT ALIGN WITH LYNWOOD DRIVE

9. 1.9± ACRES ADDITIONAL DISTURBANCE

10. 370± LF ADDITIONAL NEW ROADWAY

11. DEAD END LONGER THAN 750' MAY REQUIRE SPECIAL APPROVAL PER FIRE CODE

MAIN ACCESS VIA
RUFFNER ROAD
@LYNWOOD DRIVE

EMERGENCY ACCESS
VIA EX. EASEMENT TO
RUFFNER ROAD

PROPOSED 22-LOT
SUBDIVISION
(12 TOWNHOMES-10 SINGLE FAMILY)

SCHEME
#5B

ALTERNATE LAYOUT - RUFFNER/LYNWOOD (B)
AVERAGE DENSITY DEVELOPMENT
MOHAWK GOLF CLUB

1851 UNION STREET & 1245 RUFFNER ROAD

TOWN OF NISKAYUNA

COUNTY OF SCHENECTADY

STATE OF NEW YORK

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FEBRUARY 8, 2023

SCALE:
1" = 200'

DWG.
5429A-ALT-5B

SHEET OF
8 12

ADVANTAGES:

1. EXISTING HOME ON RUFFNER ROAD REMAINS

CONCERNS:

1. 13TH HOLE OF GOLF COURSE MUST BE MODIFIED

2. 14TH HOLE OF GOLF COURSE MUST BE MODIFIED

3. 1.1± ACRES OF GOLF COURSE BECOMES ISOLATED AND UN-USABLE

4. EXISTING STORMWATER MANAGEMENT AREA WOULD BE DISPLACED

5. NEW ROADWAY IN CLOSER PROXIMITY TO BACKYARDS ON RUFFNER ROAD

6. NEW ROADWAY TO RUFFNER ROAD WILL HAVE 10%± SLOPE

7. NEW INTERSECTION AT RUFFNER ROAD WILL HAVE LIMITED SIGHT DISTANCE

8. NEW INTERSECTION WILL NOT ALIGN WITH LYNNWOOD DRIVE

9. 2.5± ACRES ADDITIONAL DISTURBANCE

10. 770± LF ADDITIONAL NEW ROADWAY

11. DEAD END LONGER THAN 750' MAY REQUIRE SPECIAL APPROVAL PER FIRE CODE

MAIN ACCESS VIA
RUFFNER ROAD &
ROWE ROAD

EMERGENCY ACCESS
VIA EX. EASEMENT TO
RUFFNER ROAD

PROPOSED 22-LOT
SUBDIVISION

(12 TOWNHOMES-10 SINGLE FAMILY)

SCHEME
#6

ALTERNATE LAYOUT - RUFFNER & ROWE
AVERAGE DENSITY DEVELOPMENT
MOHAWK GOLF CLUB

1851 UNION STREET & 1245 RUFFNER ROAD

TOWN OF NISKAYUNA

COUNTY OF SCHENECTADY

STATE OF NEW YORK

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DATE:
FEBRUARY 8, 2023

SCALE:
1" = 200'

DWG.
5429A-ALT-6

SHEET OF
9 12

ADVANTAGES:

1. EXISTING HOME ON RUFFNER ROAD REMAINS

CONCERNS:

1. 2ND HOLE OF GOLF COURSE MUST BE MODIFIED
2. 10TH HOLE OF GOLF COURSE MUST BE MODIFIED
3. 11TH HOLE OF GOLF COURSE MUST BE MODIFIED
4. 11TH HOLE OF GOLF COURSE WILL BE ISOLATED BY NEW ROADWAY
5. CLUBHOUSE PARKING WILL BE LOST
6. NORTHBOUND AND SOUTHBOUND TRAFFIC CONCENTRATED TO ONE DIRECTION
7. 4.0± ACRES ADDITIONAL DISTURBANCE
8. 2,500± LF ADDITIONAL NEW ROADWAY
9. NEED FOR ADDITIONAL STORMWATER MANAGEMENT
10. DEAD END LONGER THAN 750' MAY REQUIRE SPECIAL APPROVAL PER FIRE CODE

PROPOSED 22-LOT SUBDIVISION

(12 TOWNHOMES-10 SINGLE FAMILY)

EMERGENCY ACCESS VIA EX. EASEMENT TO RUFFNER ROAD

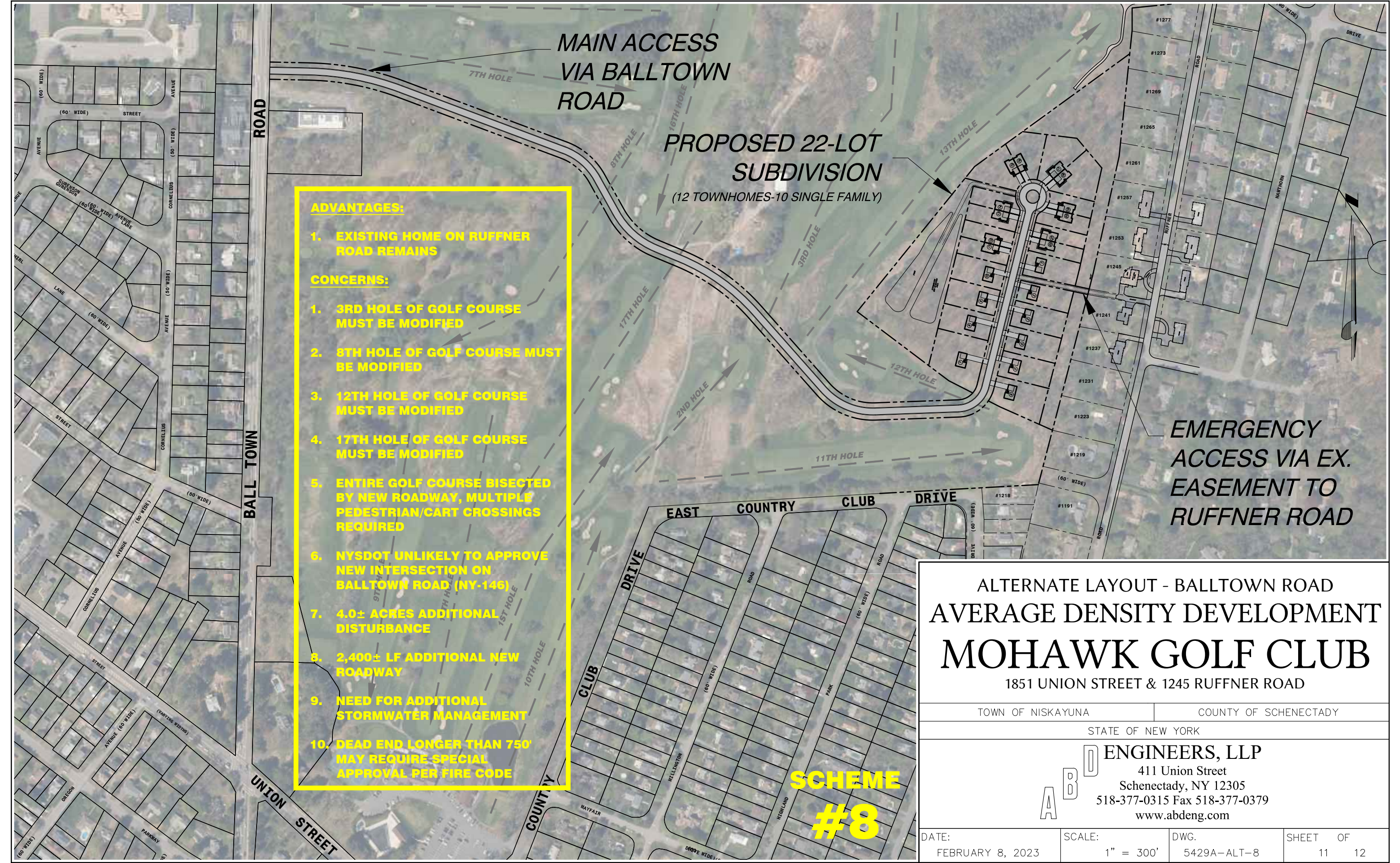
MAIN ACCESS VIA UNION STREET

SCHEME #7

ALTERNATE LAYOUT - UNION STREET
AVERAGE DENSITY DEVELOPMENT
MOHAWK GOLF CLUB
1851 UNION STREET & 1245 RUFFNER ROAD

TOWN OF NISKAYUNA		COUNTY OF SCHENECTADY	
STATE OF NEW YORK			
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DATE: FEBRUARY 8, 2023	SCALE: 1" = 300'	DWG. 5429A-ALT-7	SHEET OF 10 12
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PROPOSED 22-LOT
SUBDIVISION
(22 SINGLE FAMILY HOMES)

ADVANTAGES:

1. NO SPECIAL USE PERMIT REQUIRED
2. NO MODIFICATIONS TO GOLF COURSE HOLES REQUIRED
3. CONNECTING ROAD WILL BE FURTHER FROM THE SIDE OF EXISTING HOMES ON RUFFNER ROAD COMPARED TO SCHEME #2
4. DEAD END SHORTER THAN 750' (NO SPECIAL APPROVAL PER FIRE CODE)

CONCERNS:

1. EXISTING HOME ON RUFFNER ROAD MUST BE REMOVED
2. NO REAR YARD BUFFER TO NEIGHBORS ON RUFFNER ROAD
3. NO CONSERVATION AREA
4. 300± LF ADDITIONAL NEW ROADWAY
5. MORE TRAFFIC FROM ALL SINGLE FAMILY HOMES
6. GREATER BURDEN ON SCHOOLS FROM ALL SINGLE FAMILY HOMES

MAIN ACCESS VIA
RUFFNER ROAD

SCHEME
#9

ALTERNATE LAYOUT - RUFFNER ROAD
CONVENTIONAL DEVELOPMENT
MOHAWK GOLF CLUB

1851 UNION STREET & 1245 RUFFNER ROAD

TOWN OF NISKAYUNA

COUNTY OF SCHENECTADY

STATE OF NEW YORK

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DATE:
FEBRUARY 8, 2023

SCALE:
1" = 200'

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5429A-ALT-9

SHEET OF
12 12

Mohawk Golf Club - Average Density Development

February 16, 2023

1851 Union Street & 1245 Ruffner Road

ABD Project #5429A

Layout Scheme Evaluation

SCHEME #	DESCRIPTION	ADVANTAGES	CONCERNS
1	Proposed Layout to Ruffner Road between #1241 & #1253	1 No modifications to golf course holes required	1 Existing home on Ruffner Road must be removed
		2 Connecting road will be further from the side of existing homes on Ruffner Road compared to scheme #2 (60' & 110' vs 50' & 55')	2 Longer emergency access route to Rowe Road
		3 Least amount of disturbance	
		4 Dead end shorter than 750' (no special approval per fire code)	

SCHEME #	DESCRIPTION	ADVANTAGES	CONCERNS
2	Alternate Layout to Ruffner Road Stub between #1191 & #1219	1 Existing home on Ruffner Road remains	1 11th hole of golf course must be modified
			2 Connecting road will be closer to the side of existing homes on Ruffner Road compared to scheme #1 (50' & 55' vs 60' & 110')
			3 0.5± acre additional disturbance
			4 75± LF additional new roadway
			5 Dead end longer than 750' may require special approval per fire code

SCHEME #	DESCRIPTION	ADVANTAGES	CONCERNS
3A	Alternate Layout to Country Club Drive (A) at S. Country Club Dr.	1 Existing home on Ruffner Road remains	1 11th hole of golf course must be modified
			2 Connects to older, narrower existing street (24'w vs 26'w)
			3 More homes directly affected by additional traffic to Rosendale Road (48 vs 26)
			4 Northbound and southbound traffic concentrated to one direction
			5 New roadway in closer proximity to back yards on Ruffner Road
			6 1± acre additional disturbance
			7 15± LF additional new roadway
			8 Dead end longer than 750' may require special approval per fire code

SCHEME #	DESCRIPTION	ADVANTAGES	CONCERNS
3B	Alternate Layout to Country Club Drive (B) at S. Country Club Dr.	1 Existing home on Ruffner Road remains	1 11th hole of golf course must be modified
			2 12th hole of golf course must be modified
			3 Connects to older, narrower existing street (24'w vs 26'w)
			4 More homes directly affected by additional traffic to Rosendale Road (48 vs 26)
			5 Northbound and southbound traffic concentrated to one direction
			6 0.5± acre additional disturbance
			7 Dead end longer than 750' may require special approval per fire code

SCHEME #	DESCRIPTION	ADVANTAGES	CONCERNS
4A	Alternate Layout to Rowe Road (A) between #2540 & #1302	1 Existing home on Ruffner Road remains	1 13th hole of golf course must be modified
			2 14th hole of golf course must be modified
			3 1± acre of golf course becomes isolated and unusable
			4 Existing stormwater management area must be modified
			5 Northbound and southbound traffic concentrated to one direction
			6 New roadway in closer proximity to back yards on Ruffner Road
			7 1.8± acres additional disturbance
			8 500± LF additional new roadway
			9 Dead end longer than 750' may require special approval per fire code

SCHEME #	DESCRIPTION	ADVANTAGES	CONCERNS
4B	Alternate Layout to Rowe Road (B) between #2540 & #1302	1 Existing home on Ruffner Road remains	1 13th hole of golf course must be modified
			2 14th hole of golf course must be modified
			3 2± acres of golf course becomes isolated and unusable
			4 Existing stormwater management area must be modified
			5 Northbound and southbound traffic concentrated to one direction
			6 1.7± acres additional disturbance
			7 420± LF additional new roadway
			8 Dead end longer than 750' may require special approval per fire code

SCHEME #	DESCRIPTION	ADVANTAGES	CONCERNS
5A	Alternate Layout to Ruffner/Lynwood (A) between #1277 & #1301	1 Existing home on Ruffner Road remains	1 13th hole of golf course must be modified
			2 14th hole of golf course must be modified
			3 0.3± acres of golf course becomes isolated and un-usable
			4 Existing stormwater management area must be modified
			5 New roadway in closer proximity to back yards on Ruffner road
			6 New roadway will have 10%± slope
			7 New intersection will have limited sight distance
			8 New intersection will not align with Lynwood Drive
			9 2.0± acres additional disturbance
			10 400± LF additional new roadway
			11 Dead end longer than 750' may require special approval per fire code

SCHEME #	DESCRIPTION	ADVANTAGES	CONCERNS
5B	Alternate Layout to Ruffner/Lynwood (B) between #1277 & #1301	1 Existing home on Ruffner Road remains	1 13th hole of golf course must be modified
			2 14th hole of golf course must be modified
			3 0.7± acres of golf course becomes isolated and un-usable
			4 Existing stormwater management area must be modified
			5 New roadway in closer proximity to back yards on Ruffner road
			6 New roadway will have 10%± slope
			7 New intersection will have limited sight distance
			8 New intersection will not align with Lynwood Drive
			9 1.9± acres additional disturbance
			10 370± LF additional new roadway
			11 Dead end longer than 750' may require special approval per fire code

SCHEME #	DESCRIPTION	ADVANTAGES	CONCERNS
6	Alternate Layout to Ruffner & Rowe between #1277 & #1301 and #2540 & #1302	1 Existing home on Ruffner Road remains	1 13th hole of golf course must be modified
			2 14th hole of golf course must be modified
			3 1.1± acres of golf course becomes isolated and un-usable
			4 Existing stormwater management area would be displaced
			5 New roadway in closer proximity to back yards on Ruffner road
			6 New roadway will have 10%± slope
			7 New intersection at Ruffner Road will have limited sight distance
			8 New intersection will not align with Lynwood Drive
			9 2.5± acres additional disturbance
			10 770± LF additional new roadway
			11 Dead end longer than 750' may require special approval per fire code

SCHEME #	DESCRIPTION	ADVANTAGES	CONCERNS
7	Alternate Layout to Union Street	1 Existing home on Ruffner Road remains	1 2nd hole of golf course must be modified
			2 10th hole of golf course must be modified
			3 11th hole of golf course must be modified
			4 11th hole of golf course will be isolated by new roadway
			5 Clubhouse parking will be lost
			6 Northbound and southbound traffic concentrated to one direction
			7 4.0± acres additional disturbance
			8 2,500± LF additional new roadway
			9 Need for additional stormwater management
			10 Dead end longer than 750' may require special approval per fire code

SCHEME #	DESCRIPTION	ADVANTAGES	CONCERNS
8	Alternate Layout to Balltown Road	1 Existing home on Ruffner Road remains	1 3rd hole of golf course must be modified
			2 8th hole of golf course must be modified
			3 12th hole of golf course must be modified
			4 17th hole of golf course must be modified
			5 Entire golf course bisected by new roadway, multiple pedestrian/cart crossings required
			6 NYSDOT unlikely to approve new intersection on Balltown Road (NY-146)
			7 4.0± acres additional disturbance
			8 2,400± LF additional new roadway
			9 Need for additional stormwater management
			10 Dead end longer than 750' may require special approval per fire code

SCHEME #	DESCRIPTION	ADVANTAGES	CONCERNS
9	Alternate Layout to Ruffner Road (Conventional Subdivision)	1 No special use permit required	1 Existing home on Ruffner Road must be removed
		2 No modifications to golf course holes required	2 No rear yard buffer to neighbors on Ruffner Road
		3 Connecting road will be further from the side of existing homes on Ruffner Road compared to scheme #2 (60' & 110' vs 50' & 55')	3 No conservation area
		4 Dead end shorter than 750' (no special approval per fire code)	4 300± LF additional new roadway
			5 More traffic from all single family homes
			6 Greater burden on schools from all single family homes

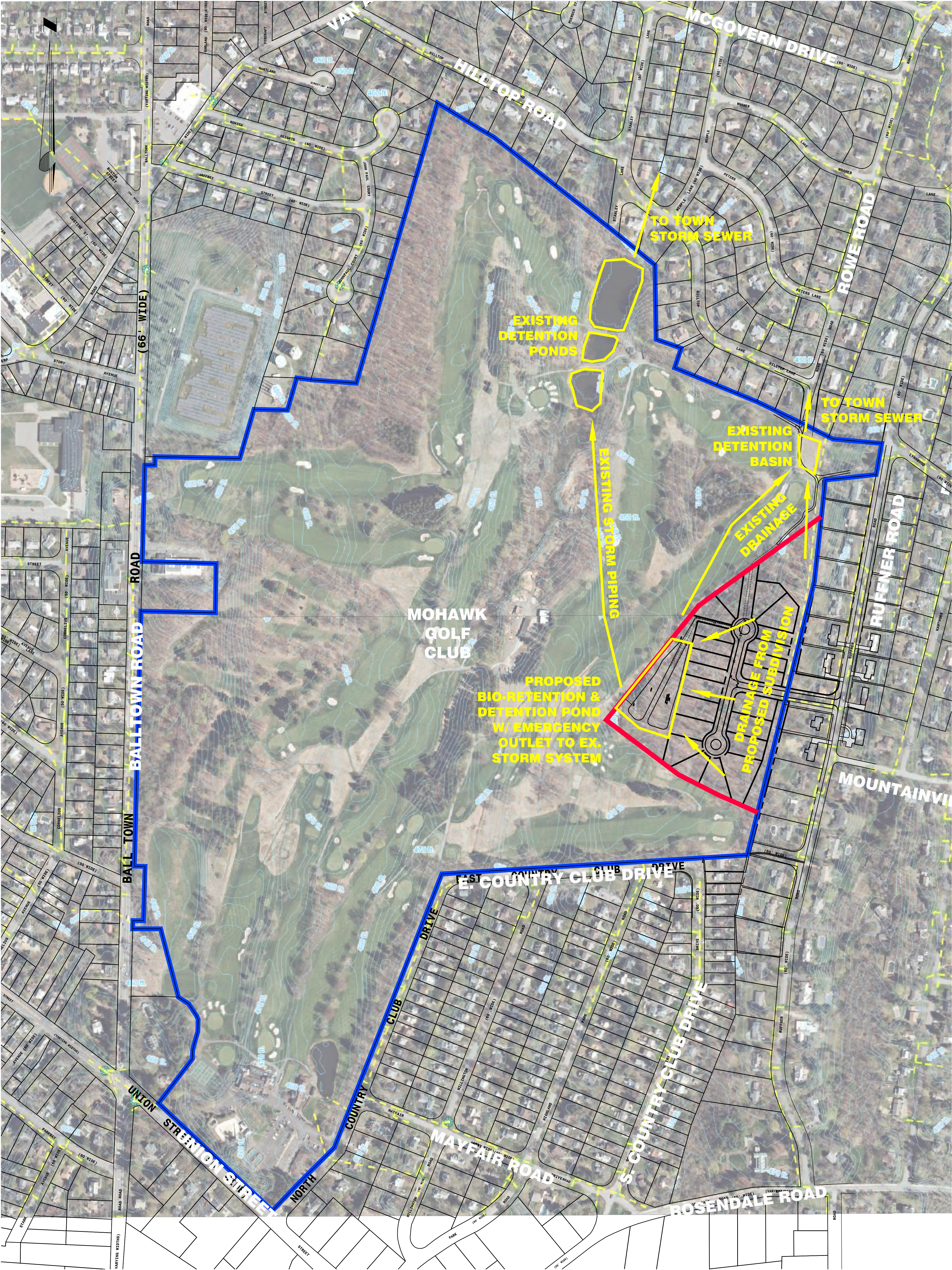


OVERALL COURSE MAP
AVERAGE DENSITY DEVELOPMENT
MOHAWK GOLF CLUB
1851 UNION STREET & 1245 RUFFNER ROAD

TOWN OF NISKAYUNA COUNTY OF SCHENECTADY

STATE OF NEW YORK
ENGINEERS, LLP
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Schenectady, NY 12305
518-377-0315 Fax 518-377-0379
www.abdeng.com

DATE: JANUARY 24, 2023 SCALE: 1" = 300' DWG. 5429A-S4 AVG SHEET 1 OF 1



OVERALL STORMWATER MAP
AVERAGE DENSITY DEVELOPMENT
MOHAWK GOLF CLUB
1851 UNION STREET & 1245 RUFFNER ROAD

TOWN OF NISKAYUNA		COUNTY OF SCHENECTADY	
STATE OF NEW YORK			
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**VAN ANTWERP
ROAD**

BALLTOWN ROAD

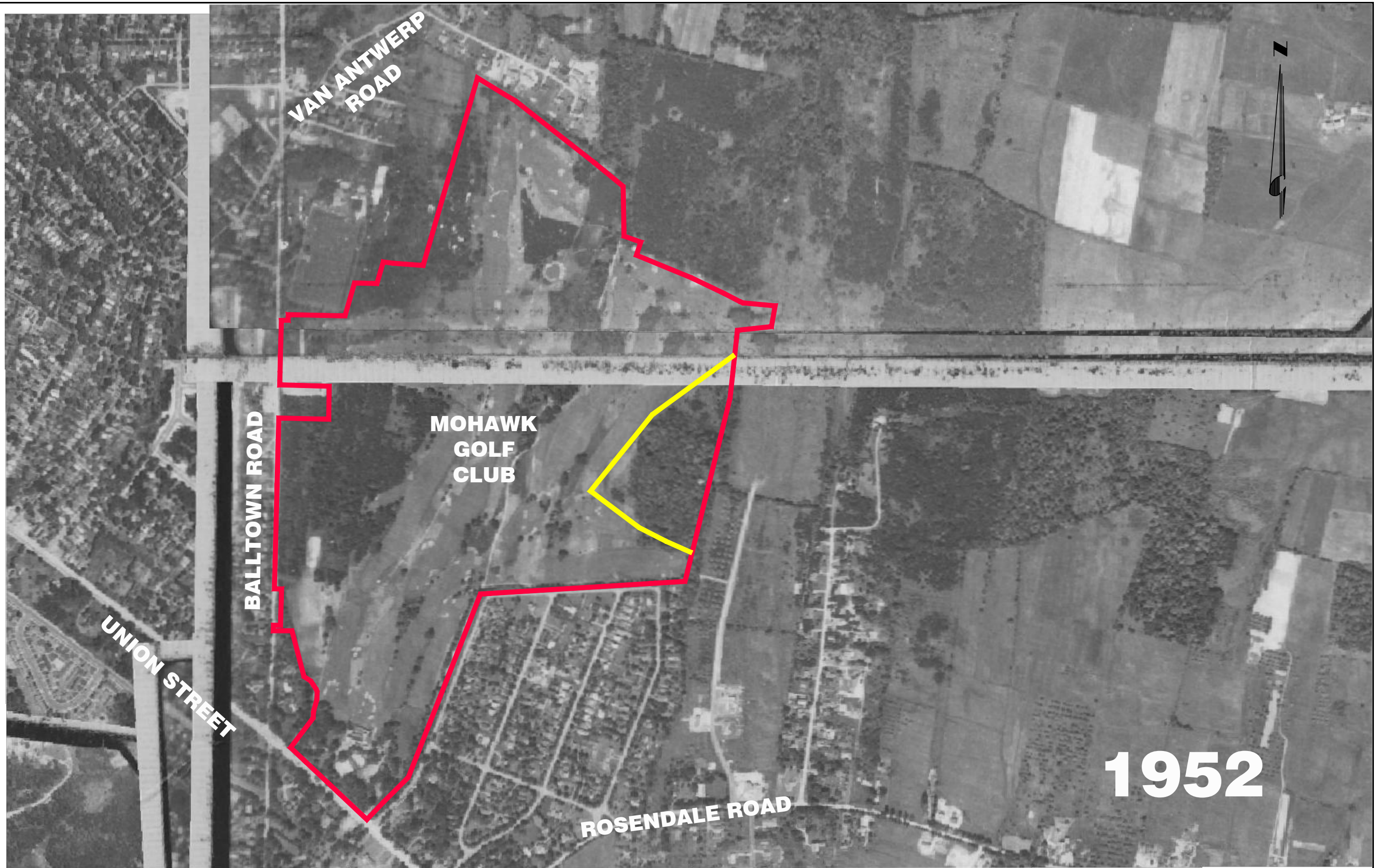
**MOHAWK
GOLF
CLUB**

UNION STREET

ROSENDALE ROAD

1942





**VAN ANTWERP
ROAD**

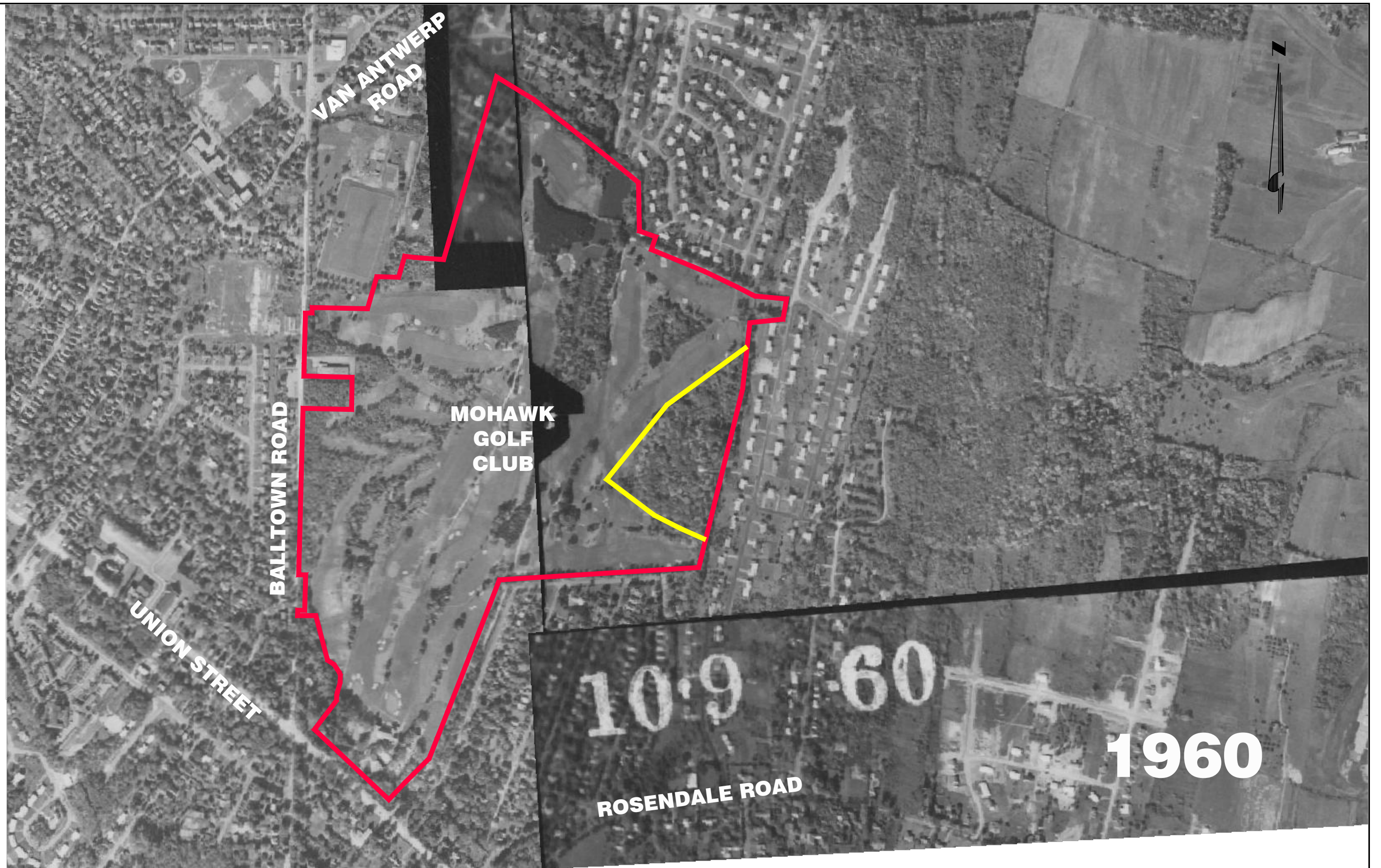
BALLTOWN ROAD

UNION STREET

**MOHAWK
GOLF
CLUB**

ROSENDALE ROAD

1952



VAN ANTWERP
ROAD

BALLTOWN ROAD

MOHAWK
GOLF
CLUB

UNION STREET

10-9 60

ROSENDALE ROAD

1960



1730

VAN ANTWERP
ROAD

DPZ-1JJ-

7

L-7

BALLTOWN ROAD

MOHAWK
GOLF
CLUB

UNION STREET

ROSENDALE ROAD

1968





VAN ANTWERP
ROAD

BALLTOWN ROAD

UNION STREET

MOHAWK
GOLF
CLUB

ROSENDALE ROAD

1974





VAN ANTWERP
ROAD

BALLTOWN ROAD

UNION STREET

MOHAWK
GOLF
CLUB

ROSENDALE ROAD

1982





2004



2021

Mohawk Golf Club - Average Density Development

1851 Union Street & 1245 Ruffner Road

ABD Project #5429A

Traffic Statistics - Weekdays

Per ITE Trip Generation, 9th Edition

February 16, 2023

ADDITIONAL TRAFFIC FROM PROPOSED SUBDIVISION**Southbound**

(Assumes 50/50 north/south split based on 2014 traffic counts on NY-146)

Single Family Homes

	Rate (per Unit)	Units	Direction Factor	Total
Daily Average	9.52	9	50%	42.8
AM Peak	0.75	9	50%	3.4
PM Peak	1.00	9	50%	4.5

Townhomes

	Rate (per Unit)	Units	Direction Factor	Total
Daily Average	5.81	12	50%	34.9
AM Peak	0.44	12	50%	2.6
PM Peak	0.52	12	50%	3.1

TOTAL ADDITIONAL TRAFFIC - SOUTHBOUND

Daily Average	77.7
AM Peak	6.0
PM Peak	7.6

Northbound

(Assumes 50/50 north/south split based on 2014 traffic counts on NY-146)

Single Family Homes

	Rate (per Unit)	Units	Direction Factor	Total
Daily Average	9.52	9	50%	42.8
AM Peak	0.75	9	50%	3.4
PM Peak	1.00	9	50%	4.5

Townhomes

	Rate (per Unit)	Units	Direction Factor	Total
Daily Average	5.81	12	50%	34.9
AM Peak	0.44	12	50%	2.6
PM Peak	0.52	12	50%	3.1

TOTAL ADDITIONAL TRAFFIC - NORTHBOUND

Daily Average	77.7
AM Peak	6.0
PM Peak	7.6

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Mohawk Golf Club Subdivision - Ruffner Road		
Project Location (describe, and attach a general location map): 1851 Union Street/1245 Ruffner Road		
Brief Description of Proposed Action (include purpose or need): Subdivide 14± acres from existing Mohawk Golf Course, adjacent to Ruffner Road. A new boulevard entrance will be built through 1245 Ruffner Road to access two new cul-de-sac streets, on which twelve (12) new single-family townhouse lots and ten (10) single family conventional lots are proposed as an Average Density Development, with roads to be dedicated to the Town, and common lands to remain with MGC.		
Name of Applicant/Sponsor: Matthew Moberg (MGC Golf Operations, LLC)	Telephone: 814-571-4414	
	E-Mail: mmoberg@homesteadfunding.com	
Address: 8 Airline Drive		
City/PO: Albany	State: NY	Zip Code: 12205
Project Contact (if not same as sponsor; give name and title/role): Joseph J. Bianchine, P.E. (ABD Engineers, LLP)	Telephone: 518-377-0315	
	E-Mail: joe@abdeng.com	
Address: 411 Union Street		
City/PO: Schenectady	State: NY	Zip Code: 12305
Property Owner (if not same as sponsor):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Town of Niskayuna Town Board, approval for Average Density Development	To be submitted
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Niskayuna Planning Board, Subdivision Approval	To be submitted
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Schenectady County Planning Board, referral	To be submitted
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Army Corps of Engineers, Wetland Determination	To be submitted
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☒ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☒ Yes ☐ No

If Yes, identify the plan(s):

NYS Heritage Areas: Mohawk Valley Heritage Corridor

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

R1 (Low Density Residential)

b. Is the use permitted or allowed by a special or conditional use permit? ☒ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☒ No

If Yes,

i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Niskayuna CSD

b. What police or other public protection forces serve the project site?

Niskayuna PD

c. Which fire protection and emergency medical services serve the project site?

Niskayuna FD #1

d. What parks serve the project site?

River Road Park, Blatnick Park, Niskayuna Soccer Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Residential

b. a. Total acreage of the site of the proposed action? 14± acres

b. Total acreage to be physically disturbed? 10± acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 190± acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☒ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☒ Yes ☐ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
Residential

ii. Is a cluster/conservation layout proposed? ☒ Yes ☐ No

iii. Number of lots proposed? 22 residential + 1 Storm + 2 Conservation + Remaining Lands

iv. Minimum and maximum proposed lot sizes? Minimum 0.21± Maximum 0.58±

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☒ No

i. If No, anticipated period of construction: 24 months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	22			
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes,	
i. Total number of structures _____ ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes,	
i. Purpose of the impoundment: <u>Temporary stormwater</u> ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input checked="" type="checkbox"/> Other specify: <u>Stormwater runoff</u> iii. If other than water, identify the type of impounded/contained liquids and their source. _____ iv. Approximate size of the proposed impoundment. Volume: _____ TBD million gallons; surface area: _____ acres v. Dimensions of the proposed dam or impounding structure: _____ TBD height; _____ length vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): <u>TBD</u>	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes:	
i. What is the purpose of the excavation or dredging? _____ ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____ _____ iv. Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, describe. _____ _____ _____ v. What is the total area to be dredged or excavated? _____ acres vi. What is the maximum area to be worked at any one time? _____ acres vii. What would be the maximum depth of excavation or dredging? _____ feet viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> No ix. Summarize site reclamation goals and plan: _____ _____ _____ _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): <u>Freshwater Forested/Shrub Wetland (isolated)</u> _____ _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:
Wetlands will be channeled using culverts to further direct them to the existing municipal storm system.

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☒ No
 If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☒ Yes ☐ No
 If Yes:

- acres of aquatic vegetation proposed to be removed: TBD
- expected acreage of aquatic vegetation remaining after project completion: TBD
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
Site preparation
- proposed method of plant removal: Excavation
- if chemical/herbicide treatment will be used, specify product(s): N/A

v. Describe any proposed reclamation/mitigation following disturbance: _____
N/A

c. Will the proposed action use, or create a new demand for water? ☒ Yes ☐ No
 If Yes:

i. Total anticipated water usage/demand per day: _____ 6,000± gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☒ Yes ☐ No
 If Yes:

- Name of district or service area: Niskayuna Water District #3
- Does the existing public water supply have capacity to serve the proposal? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No
- Do existing lines serve the project site? ☐ Yes ☒ No

iii. Will line extension within an existing district be necessary to supply the project? ☒ Yes ☐ No
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
1,100± feet of new water main
- Source(s) of supply for the district: Schenectady-Niskayuna SSA

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☒ No
 If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____
N/A

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: 3,000± gallons/minute.

d. Will the proposed action generate liquid wastes? ☒ Yes ☐ No
 If Yes:

i. Total anticipated liquid waste generation per day: _____ 5,400± gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____
Sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities? ☒ Yes ☐ No
 If Yes:

- Name of wastewater treatment plant to be used: Niskayuna Wastewater Treatment Plant
- Name of district: Niskayuna Sewer District #6
- Does the existing wastewater treatment plant have capacity to serve the project? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? • Will a line extension within an existing district be necessary to serve the project? 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes: <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ 		
1,100± feet of new LPSS with grinder pumps. _____		
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes: <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ 		
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____ N/A		
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ N/A		
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes: <ul style="list-style-type: none"> i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or <u>2.5±</u> acres (impervious surface) _____ Square feet or <u>14±</u> acres (parcel size) ii. Describe types of new point sources. <u>Roof drains, foundation drains, pavement wing-edges</u> 		
iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? <u>On-site bio-retention area</u>		
• If to surface waters, identify receiving water bodies or wetlands: _____ _____		
• Will stormwater runoff flow to adjacent properties?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify: <ul style="list-style-type: none"> i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____ ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____ iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____ 		
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) 		<input type="checkbox"/> Yes <input type="checkbox"/> No
ii. In addition to emissions as calculated in the application, the project will generate: <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 		

<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>			
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>			
<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input checked="" type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____.</p> <p>ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____ <div style="text-align: center;">N/A</div></p> <p>iii. Parking spaces: Existing <u>0</u> Proposed <u>N/A</u> Net increase/decrease <u>N/A</u></p> <p>iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: <u>New private roads with access to existing Town road are proposed to serve the 22 townhome lots.</u></p> <p>vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade, to an existing substation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 7am-5pm • Saturday: _____ 7am-5pm • Sunday: _____ 7am-5pm • Holidays: _____ 7am-5pm </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ Residential (24/7) • Saturday: _____ Residential (24/7) • Sunday: _____ Residential (24/7) • Holidays: _____ Residential (24/7) </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 7am-5pm • Saturday: _____ 7am-5pm • Sunday: _____ 7am-5pm • Holidays: _____ 7am-5pm 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ Residential (24/7) • Saturday: _____ Residential (24/7) • Sunday: _____ Residential (24/7) • Holidays: _____ Residential (24/7)
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<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p style="margin-left: 20px;">Noise from construction equipment _____</p>	
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="margin-left: 20px;">Describe: <u>Tree clearing for development</u></p>	
<p>n. Will the proposed action have outdoor lighting? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p style="margin-left: 20px;"><u>Residential building lighting, 75+ feet from nearest residential property line.</u></p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="margin-left: 20px;">Describe: <u>Tree clearing for development</u></p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p style="margin-left: 20px;">If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s): _____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ 	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☒ Other (specify): Golf Course

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	2.5	+2.5
• Forested	14.0	2.6	-11.4
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	0
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal) (Isolated)	TBD	TBD	TBD
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: <u>Landscaped</u>	0	8.9	+8.9

c. Is the project site presently used by members of the community for public recreation? i. If Yes: explain: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? If Yes, i. Identify Facilities: Hillside Elementary School, Van Antwerp Middle School _____	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
e. Does the project site contain an existing dam? If Yes: i. Dimensions of the dam and impoundment: <ul style="list-style-type: none"> • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet ii. Dam's existing hazard classification: _____ iii. Provide date and summarize results of last inspection: _____ _____ _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? If Yes: i. Has the facility been formally closed? <ul style="list-style-type: none"> • If yes, cite sources/documentation: _____ ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____ _____ iii. Describe any development constraints due to the prior solid waste activities: _____ _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? If Yes: i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____ _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? If Yes: i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <input type="checkbox"/> Yes – Spills Incidents database <input type="checkbox"/> Yes – Environmental Site Remediation database <input type="checkbox"/> Neither database Provide DEC ID number(s): _____ Provide DEC ID number(s): _____ ii. If site has been subject of RCRA corrective activities, describe control measures: _____ _____ _____ iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? If yes, provide DEC ID number(s): _____ iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____ _____ _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

v. Is the project site subject to an institutional control limiting property uses? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <ul style="list-style-type: none"> If yes, DEC site ID number: _____ Describe the type of institutional control (e.g., deed restriction or easement): _____ Describe any use limitations: _____ Describe any engineering controls: _____ Will the project affect the institutional or engineering controls in place? <input type="checkbox"/> Yes <input type="checkbox"/> No Explain: _____ _____ 																							
E.2. Natural Resources On or Near Project Site																							
a. What is the average depth to bedrock on the project site? _____ 6+ feet																							
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %																							
c. Predominant soil type(s) present on project site: <table style="width: 100%; border: none;"> <tr> <td style="border-bottom: 1px solid black; width: 60%;">Silt Loam</td> <td style="border-bottom: 1px solid black; width: 40%; text-align: right;">100 %</td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black; text-align: right;">%</td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black; text-align: right;">%</td> </tr> </table>		Silt Loam	100 %		%		%																
Silt Loam	100 %																						
	%																						
	%																						
d. What is the average depth to the water table on the project site? Average: _____ 2± feet																							
e. Drainage status of project site soils: <table style="width: 100%; border: none;"> <tr> <td style="width: 30px;"><input type="checkbox"/></td> <td style="width: 100px;">Well Drained:</td> <td style="width: 100px; text-align: right;">_____ % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Moderately Well Drained:</td> <td style="text-align: right;">100 % of site</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Poorly Drained</td> <td style="text-align: right;">_____ % of site</td> </tr> </table>		<input type="checkbox"/>	Well Drained:	_____ % of site	<input checked="" type="checkbox"/>	Moderately Well Drained:	100 % of site	<input type="checkbox"/>	Poorly Drained	_____ % of site													
<input type="checkbox"/>	Well Drained:	_____ % of site																					
<input checked="" type="checkbox"/>	Moderately Well Drained:	100 % of site																					
<input type="checkbox"/>	Poorly Drained	_____ % of site																					
f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border: none;"> <tr> <td style="width: 30px;"><input checked="" type="checkbox"/></td> <td style="width: 100px;">0-10%:</td> <td style="width: 100px; text-align: right;">100 % of site</td> </tr> <tr> <td><input type="checkbox"/></td> <td>10-15%:</td> <td style="text-align: right;">_____ % of site</td> </tr> <tr> <td><input type="checkbox"/></td> <td>15% or greater:</td> <td style="text-align: right;">_____ % of site</td> </tr> </table>		<input checked="" type="checkbox"/>	0-10%:	100 % of site	<input type="checkbox"/>	10-15%:	_____ % of site	<input type="checkbox"/>	15% or greater:	_____ % of site													
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<input type="checkbox"/>	10-15%:	_____ % of site																					
<input type="checkbox"/>	15% or greater:	_____ % of site																					
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe: _____ _____																							
h. Surface water features. <table style="width: 100%; border: none;"> <tr> <td style="width: 80%;">i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?</td> <td style="width: 20%; text-align: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</td> </tr> <tr> <td>ii. Do any wetlands or other waterbodies adjoin the project site?</td> <td style="text-align: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</td> </tr> </table> If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i. <table style="width: 100%; border: none;"> <tr> <td style="width: 80%;">iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?</td> <td style="width: 20%; text-align: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</td> </tr> </table> iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <table style="width: 100%; border: none;"> <tr> <td style="width: 10px;">•</td> <td style="width: 100px;">Streams:</td> <td style="width: 300px;">Name _____</td> <td style="width: 100px;">Classification _____</td> </tr> <tr> <td>•</td> <td>Lakes or Ponds:</td> <td>Name _____</td> <td>Classification _____</td> </tr> <tr> <td>•</td> <td>Wetlands:</td> <td>Name Freshwater Forested/Shrub Wetland (isolated)</td> <td>Approximate Size TBD</td> </tr> <tr> <td>•</td> <td>Wetland No. (if regulated by DEC)</td> <td colspan="2">_____</td> </tr> </table>		i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	ii. Do any wetlands or other waterbodies adjoin the project site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	•	Streams:	Name _____	Classification _____	•	Lakes or Ponds:	Name _____	Classification _____	•	Wetlands:	Name Freshwater Forested/Shrub Wetland (isolated)	Approximate Size TBD	•	Wetland No. (if regulated by DEC)	_____	
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•	Lakes or Ponds:	Name _____	Classification _____																				
•	Wetlands:	Name Freshwater Forested/Shrub Wetland (isolated)	Approximate Size TBD																				
•	Wetland No. (if regulated by DEC)	_____																					
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, name of impaired water body/bodies and basis for listing as impaired: _____ _____																							
i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																							
j. Is the project site in the 100-year Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																							
k. Is the project site in the 500-year Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																							
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes: <table style="width: 100%; border: none;"> <tr> <td style="width: 10px;">i.</td> <td style="width: 100px;">Name of aquifer:</td> <td>Sole Source Aquifer Names: Schenectady-Niskayuna SSA</td> </tr> </table>		i.	Name of aquifer:	Sole Source Aquifer Names: Schenectady-Niskayuna SSA																			
i.	Name of aquifer:	Sole Source Aquifer Names: Schenectady-Niskayuna SSA																					

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____ <u>Typical Suburban</u> _____ _____</p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres</p>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Species and listing (endangered or threatened): _____ _____ _____</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Species and listing: _____ _____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, give a brief description of how the proposed action may affect that use: _____ _____</p>	
<p>E.3. Designated Public Resources On or Near Project Site</p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No i. If Yes: acreage(s) on project site: _____ ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____</p>	



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas: Mohawk Valley Heritage Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Sole Source Aquifer Names: Schenectady-Niskayuna SSA
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No

E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No



TOWN OF NISKAYUNA

CONSERVATION ADVISORY COUNCIL

AGENDA STATEMENT

AGENDA ITEM NO. V. 3

MEETING DATE: 3/1/2023

ITEM TITLE: EAF 2023-01: 3900 State St. – Kia car dealership – site plan app. combining 17, 25 and 33 Fagan Ave. with the existing Kia Automobile lot.

PROJECT LEAD: TBD

APPLICANT: Mitch Cromer, agent for the owner

SUBMITTED BY: Laura Robertson, Town Planner

REVIEWED BY:

☒ Planning Board (PB) ☐ Zoning Board of Appeals (ZBA) ☐ Town Board
☐ OTHER:

ATTACHMENTS:

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

SUMMARY STATEMENT:

Mitch Cromer, agent for the owner of the Kia automobile dealership, submitted an Application for Site Plan Review to combine 17, 25 and 33 Fagan Ave. with the existing dealership. The land associated with the three lots will be used for additional parking spaces for vehicle inventory.

BACKGROUND INFORMATION

The property is located within the C-H Commercial Highway zoning district. Automobile sales and service establishments are special principal uses in the C-H district.

A two site drawings entitled "Kia Schenectady Parking Lot Expansion, Drawing Reference Number C-1" both authored by Griffiths Engineering dated 12/14/22 and 12/22/22 were included with the application. The drawing dated 12/14/22 shows the proposed additional 114 parking space parking lot encompassing the three lots. It also shows the neighboring lots on Fagan Ave., Amherst Ave. and State St. The drawing dated 12/22/22 shows an aerial pictorial image of the proposed future condition of the site including the new 114 parking space lot.

A two page information sheet was prepared by the Planning Office that shows the approximate location of the storm water system for the existing parking lot. An underground storm water pipe runs from a catch basin at the southern-most corner of the existing lot, along Fagan Ave. running away from State St. for approximately 4 lots. The pipe then crosses under Fagan Ave. and runs the full depth of the lot on the south side of Fagan Ave. and eventually empties into an open drainage ditch that runs perpendicular to State St.

The initial review from the Planning Department indicates that, should this application proceed, the applicant will need to submit a special use permit to conduct the Automobile sales use upon the three adjacent lots which are currently single family residential or vacant/treed lots. There

are also strict buffering requirements for unenclosed uses adjacent to residential homes, as this proposal would be : 220-21 (B) and 220-16 (A) (3) (a).

This application will require an Environmental Assessment Review. In their initial look at this project, the Conservation Advisory Council had some immediate concerns about the additional impervious space and the impact to the adjacent residential neighborhood. Their preliminary comments are:

1. The proposal would be detrimental to the residential nature of the affected neighborhoods. The Northwest side of S Fagan Ave is currently all residential within the Town of Niskayuna, with the exception of a substantial buffered portion of the existing KIA parking lot on State St. This proposal would leave one residential home sandwiched between the Town of Colonie and the new proposed parking lot and disrupt the resident character on both S Fagan and S Amherst.
2. The CAC had concerns over the loss of green space and the negative impact the additional asphalt could have on the adjacent homes on S Amherst Ave. They were particularly concerned about the negative impacts of increases in temperature due to the large increase in asphalt.
3. The CAC noted KIA already appears to own a lot across the street from its main building, on the Southwest side of S Fagan Ave. This lot appears to be underutilized and not well maintained and should be explored to help mitigate the need for additional land.
4. The CAC was concerned this proposal goes against the Comprehensive Plan.

1/9/23 Planning Board (PB) meeting – Mr. Cromer was present at the meeting. He explained the impetus behind his proposal and stated that he is exploring multiple options for securing dependable secure storage of his automobile inventory. He stated the proposal to combine the three lots into his existing lot is one of the potential solutions he is pursuing. He explained that he currently has approximately 250 automobiles stored at a lot on Morris Road. However, use of this lot is subject to a lease agreement that may be terminated by the lessor with a 30 day notice. Mr. Cromer explained that the merging of the three lots with his existing lot appeared to be a potential solution to him so he chose to present it to the Board.

The PB, Planning Office and Mr. Cromer discussed the potential project in significant detail. Mr. Cromer spoke to the concerns of the CAC and proposed mitigation plans and adjustments to the site plan to minimize its impact on the neighboring properties. He noted that the facility across Fagan Ave. is a reconditioning center and is used to detail cars prior to sale. He noted that the use of the area is not optimized and agreed work on improving that situation. The PB noted their primary concern is the potential negative impact the project could have on the neighborhood. The PB requested the following action items be completed for the 1/23/23 PB meeting.

1. Provide an updated site plan that hopes to address the CAC's concerns regarding screening of the proposed parking lot from neighboring properties.
2. Provide a detailed breakout of all parking spaces on the existing lot identifying which spaces are for customers, employees, automobile storage, etc.

Mr. Cromer provided the Planning Office with an updated site plan that includes a vegetative screening of American Arborvitae trees 6' on center along the north and west edges of the proposed combined lot. A version of the updated site plan was marked to identify how each parking space would be used – for customers, employees, storage, etc.

1/23/23 Planning Board (PB) meeting – Mr. D'Arpino recused himself from this project due to a relationship with the presenting engineer. Mr. Cromer attended the meeting and stated that he has hired the engineering firm Clough Harbor & Associates to help him with the project. An

engineer from their staff was also at the podium with Mr. Cromer. Ms. Robertson projected the site plan stamped 1/13/23 on the screen and Mr. Cromer identified the Arborvitae tree screening and color coded breakout of parking spaces. Mr. Cromer provided the Board with a copy of the letter that was provided to neighboring residents describing the project. The storm water system was very briefly discussed including a discussion of the use of an underground storm water vault. The engineer representing Clough Harbor stated that he is still getting up to speed regarding the project details. The Board agreed on the following next steps.

1. Arrange a site walk of the property
2. Hold a public hearing at the 2/13/23 PB meeting.

1/27/23 Complete Streets Committee (NCSC) meeting – The Complete Streets Committee reviewed the most recent site plan drawing and requested that the project include the addition of a new sidewalk along Fagan Ave from State St. to Albany St.

2/1/23 Conservation Advisory Council (CAC) meeting – Mr. Cromer and Mr. Devan from Clough Harbor & Associates attended the meeting and repeated the presentation at the 1/23/23 PB meeting. The CAC expressed many of the same concerns they had expressed at the previous meeting: that the project may have a negative environmental, human and neighborhood impact. The CAC asked if the size of the proposed parking lot could be reduced to allow for additional green space. Mr. Cromer noted that he is working on a long form EAF.

2/9/23 Tree Council (TC) meeting -- The Tree Council requested that the patch of large trees between 17 S Fagan Ave and 33 S Fagan Ave be retained and the proposed parking spaces to be worked around the existing trees.

2/13/23 Planning Board (PB) meeting – Mr. Cromer and his engineer, Devin Dickinson of Clough Harbor & Associates, attended the meeting and presented the following updated and new materials to the Board.

- A colored rendering of the proposed parking lot
 - The new proposed parking utilizes a single entrance on South Fagan Ave. & is internally connected to the existing parking lot at 3900 State St.
 - This allows the preservation of additional green space
 - This allows vehicles to move between the two lots without going onto public streets
 - Parking spaces have been reduced from 107 to 94
 - Green space and vegetative buffering was added to shield the parking lot from neighbors
 - Ground level storm water management areas were added, replacing the previously proposed underground pipe system
- An updated and fully labeled “Existing Conditions” drawing
 - The new drawing shows all property lines and describes the use of all Kia properties

After a general discussion the Board raised the following questions and created the following action items.

- Is an entrance of South Fagan Ave. to the proposed parking necessary?
- They requested a documented vehicle delivery plan.
 - Board members noted automobile transport trucks often park on State St. or on the side streets to off load vehicles.
- They requested optimized plan for the used car reconditioning center across South Fagan Ave. from the main Kia parking lot.

- They requested exploring ways to preserve the home on 25 S Fagan Ave (via lot line adjustment or other) and exploring ways to further reduce the size of the parking lot to protect the character of the neighborhood.

The CAC should review and discuss the new documents in preparation for making a SEQR determination.

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- SITE COVER FOR 17, 25, 33, S. FAGAN:**
- TOTAL PROPERTY (~1.09 ACRES)
 - BUILDING COVER (~0.07 ACRE)
 - DRIVEWAY COVER (~0.10 ACRE)
 - WOOD COVER (~0.28 ACRE)
 - GRASS COVER (~0.64 ACRE)
 - IMPERVIOUS AREA (~16%)

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MATTHEWS AUTO GROUP,
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Matthews Kia of Schenectady

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT OF LAND, SURVEYOR TO ALTER AN ITEM IN ANY WAY. IF AN ITEM BEARING THE STAMP OF A LICENSED PROFESSIONAL IS ALTERED, THE ALTERING ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT OF LAND, SURVEYOR SHALL STAMP THE DOCUMENT AND INCLUDE THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE, THE DATE OF SUCH ALTERATION, AND A SHORT DESCRIPTION OF THE ALTERATION.

MATTHEWS KIA
PARKING LOT EXTENSION
PROJECT

No.	Submittal / Revision	App'd	By	Date

EXISTING
CONDITIONS

Designed By:	Drawn By:	Checked By:
DD	HB	DD

Issue Date:	Project No:	Scale:
XXXXX	080685	AS SHOWN

Drawing No.:

C-001

File: V:\PROJECTS\ANY\6\080685\00\09_DESIGN\GRAPHICS\2022-02-09\C-100 CONCEPT SITE PLAN.DWG
Saved: 2/9/2023 1:34:40 PM Plotted: 2/9/2023 1:58:25 PM Current User: Handemon, Emily LastSavedBy: 5513



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NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE, THE
DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION
OF THE ALTERATION.

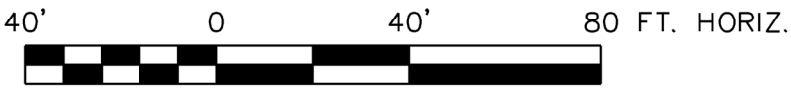
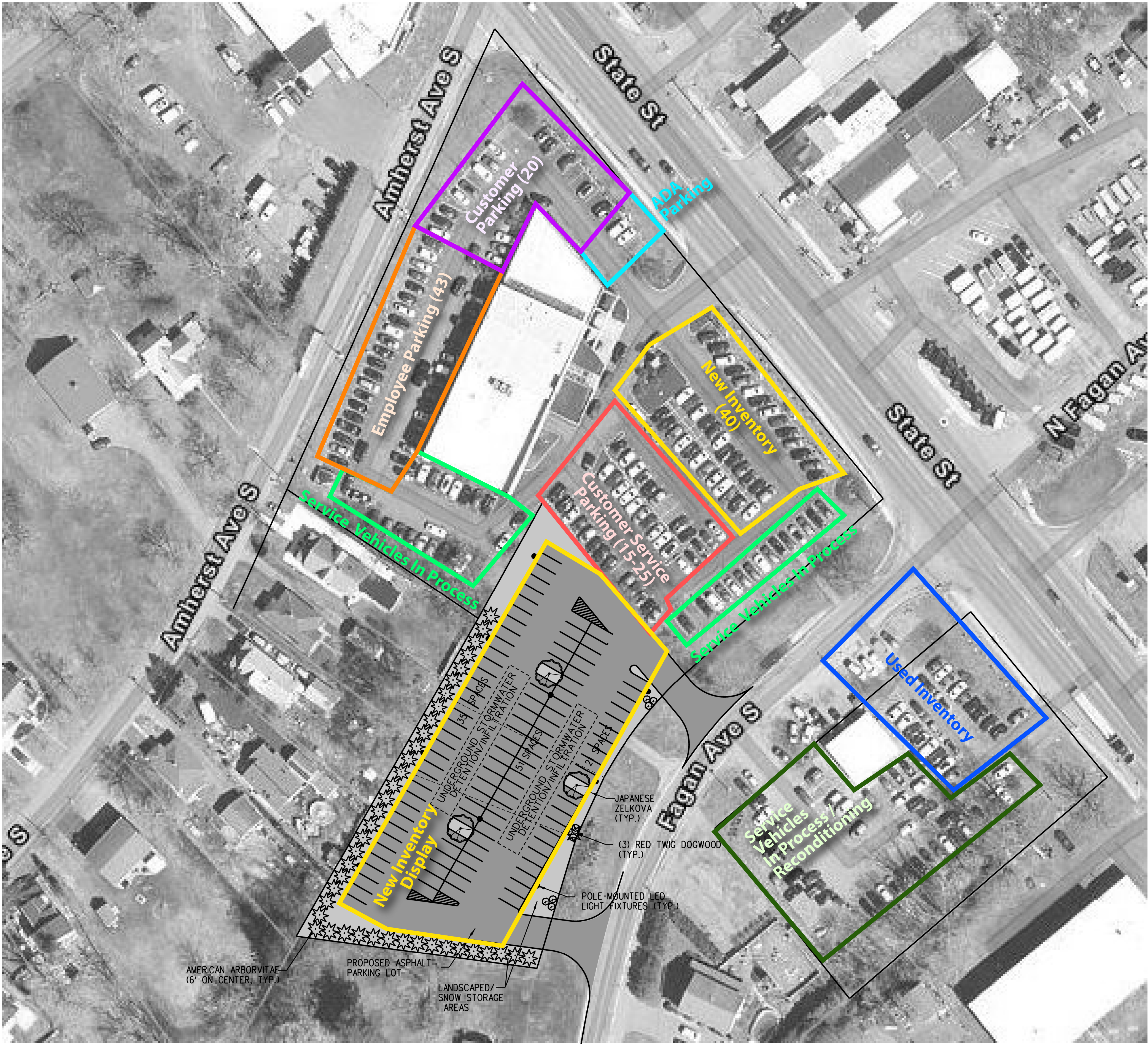
MATTHEWS KIA
PARKING LOT EXTENSION
PROJECT

No.	Submittal / Revision	App'd	By	Date

CONCEPT SITE PLAN

Designed By:	Drawn By:	Checked By:
ECH	ECH	DD
Issue Date:	Project No:	Scale:
XXXXX	080685	AS SHOWN

Drawing No.:
C-100



- NOTES
1. PARKING SPACES ARE 9'X18'. DRIVEWAY AND DRIVE AISLE WIDTHS ARE 24'. DRIVEWAY RADII AT THE STREET INTERSECTIONS ARE 33'. 107 PARKING SPACES ARE PROVIDED.
 2. STORMWATER TREATMENT/STORAGE FACILITIES WILL BE DEVELOPED TO PROCESS RUNOFF FROM EXISTING AND PROPOSED DEALERSHIP PARKING LOTS.
 3. LANDSCAPE AREAS ADJACENT TO RESIDENTIAL USES WILL BE DEVELOPED TO PROVIDE SCREENING. LANDSCAPE AREAS ARE MINIMUM 15' WIDE.
 4. A LIGHTING PLANS WILL BE DEVELOPED TO PROVIDE ADEQUATE SITE LIGHTING. LIGHT FIXTURE WILL BE PROVIDED WITH CUT-OFF SHIELDS, DESIGNED TO PRODUCE LESS THAN 1 FC LIGHT TRESPASS AT ADJACENT RESIDENTIAL PROPERTY LINES.
 5. THE LOTS PROPOSED FOR THE PARKING LOT EXPANSION WILL BE COMBINED ALONG WITH THE EXISTING DEALERSHIP PARCEL INTO A SINGLE PARCEL FOR DEVELOPMENT.



GRIFFITHS ENGINEERING
13 South Washington Street, Suite 1
Binghamton, New York 13903
Telephone (607) 794-2400
Fax (607) 794-2466

FOR REVIEW
Seal

Designed by:	CSS	Date:	1-12-2023	Rev.:	
Drawn by:	CSS	Check by:	DC	Project No.:	2022-167
MAINTAINED ALLOCATION OF THIS PROJECT TO THE TOWN OF NISKAYUNA, NEW YORK STATE EDUCATION LAW, SECTION 7206, SUBDIVISION 2.				Plot Scale:	AS NOTED

Drawing Name: **PROPOSED PARKING LOT**

Project Location: **TOWN OF NISKAYUNA NEW YORK**
Project Name: **KIA SCHENECTADY PARKING LOT EXPANSION**

Drawing Reference Number: **C-1**

TOWN OF NISKAYUNA
Application for Special Use Permit

APPLICANT (Owner or Agent):

Name: MITCH CROMER

Address: 3900 STATE ST.

NISKAYUNA

Telephone: (607) 267-2306 Fax: _____

LOCATION:

Number & Street: 17, 25, 33 S. FAGAN AVE

Section-Block-Lot: _____ - _____ - _____

Zoning District: COMMERCIAL HIGHWAY

Proposal Description:

MATTHEWS KIA OF SCHENECTADY IS LOOKING TO EXPAND OUR INVENTORY PARKING LOT BY PURCHASING 17, 25, 33 S FAGAN AVE PARCELS AND PAVING THEM WITH APPROPRIATE BORDERING BUFFER SPACE AND ZERO LIGHT POLLUTION BETWEEN RESIDENTIAL AREAS.

Each special use permit application shall be accompanied by a site plan for which there are additional fees.

Each application shall be accompanied by twelve (12) site plan maps and six (6) copies of the long Environmental Assessment Form (EAF).

Administration Fees: An application for a special use permit shall be submitted to the Town Board at least ten (10) days prior to a regular meeting of the Town Board. An application shall be submitted in accordance with Article X of the Zoning Ordinance of the Town of Niskayuna. Each petition shall be accompanied by a fee of three hundred dollars (\$300.00), payable to the Town of Niskayuna and presented to the Town Clerk.

Consulting Fees: The cost incurred by the Town for the review of an application by the Town Engineer, consulting engineering firm or other consulting fees, in connection with a Board's review of a proposed application shall be charged to the applicant. The Board to whom the application is made shall obtain an estimate from any designated consultant of the amount sufficient to defray the cost of such services and shall collect from the applicant the estimated charges. Any portion of the estimated charges so collected, which are not expended by the Town, shall be returned to the applicant. Any such costs incurred by the Town beyond the estimated charges initially collected from the applicant, shall be collected from the applicant prior to final action upon the application.

Signature of applicant:  Date: 1/13/2023

Signature of owner (if different from applicant): _____

Date: _____



TOWN OF NISKAYUNA

CONSERVATION ADVISORY COUNCIL

AGENDA STATEMENT

AGENDA ITEM NO. VI. 1

MEETING DATE: 3/1/2023

ITEM TITLE: DISCUSSION: 2837 Aqueduct Rd. (Rivers Ledge) – site plan app for a building containing 60 senior apartments and 2,000 sq. ft. of mixed use commercial space.

PROJECT LEAD: Genghis Khan & Chris LaFlamme

APPLICANT: Chuck Pafundi, agent for the owner

SUBMITTED BY: Laura Robertson, Town Planner

REVIEWED BY:

☒ Planning Board (PB) ☐ Zoning Board of Appeals (ZBA) ☒ Town Board
☐ OTHER:

ATTACHMENTS:

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

SUMMARY STATEMENT:

Chuck Pafundi, Project Manager for the River's Ledge development project, submitted an Application for Site Plan Review for a Rivers Ledge Senior Center building. This third revision of the design includes a building containing 66 senior apartment units and 2,000 sq. ft. of mixed use commercial space near the west end of the River's Ledge Phase I property line and a second 3,000 sq. ft. commercial building located approximately 380' to the east at the River's Ledge site off of Aqueduct Road.

BACKGROUND INFORMATION

The lot at 2837 Aqueduct Road, known as Rivers Ledge of Niskayuna, received approval as a Planned Unit Development with 2 phases – the first phase was the 16 ten-unit apartment buildings and club house (& Rec Center) that is under construction now and the second phase was 100 senior living apartments and commercial space.

Phase 2 – Revision 1

The initial, Rev 1, version of a proposed Senior Center building is included in a drawing entitled "Overall Layout Plan 2837 Aqueduct Road" by Arico Associates dated January 2017 with a most recent revision status of 1 dated 4/14/17. The specific details of the 100 unit proposed building are not included on the above referenced drawing however the water and wastewater impact of the Senior Center were included in relevant design calculations.

Phase 2 – Revision 2

The Rev 2 proposal includes a building containing 60 senior apartment units and 2,000 sq. ft. of mixed use commercial space with 60 below grade garage parking spaces and 65 outdoor parking spaces. A proposed standalone 3,000 sq. ft. commercial building including 11 parking spaces is also included.

The Rev 2 version of the design was reviewed at the 11/3/21 Architectural Review Board (ARB) meeting, the 11/3/21 Conservation Advisory Council (CAC) meeting and the 11/8/21 Planning Board (PB) meeting. A brief summary of salient points from those meetings is included below.

11/3/21 Architectural Review Board (ARB) – The Planning Office presented the initial version of the site plan drawing and elevation drawing for the proposed buildings. A very general overview of the project was provided and it was noted that a more formal review will be held at a future meeting.

11/3/21 Conservation Advisory Council (CAC) – The Planning Office presented the initial version of the site plan drawing and elevation drawing for the proposed buildings. It was noted that the building was proposed as a 100 unit apartment building during the initial approval process for the Planned Utility District (PUD) but the presence of wetlands necessitated the reduction in the size of the building to its current size. Army Corps of Engineers approval will be required. The visibility of this building from Aqueduct Road was acknowledged and the need for appropriate facades and screening is required to keep the rural character of Aqueduct Road.

11/8/22 Planning Board (PB) meeting -- Staff's initial thoughts are the reduction in disturbance to the wetlands is good, and a standalone commercial building could lend itself to a sit down restaurant or something that can complement the Mohawk Hudson bike hike trail's recreational use – but the height of the mixed use building is a problem and the mixed use commercial space could benefit from facing the bike path and having an outdoor seating and tables feature (originally discussed in the PUD concept). Niskayuna zoning code Section 220-17 Height Regulations does not allow buildings over 35 feet high. As proposed, the 3 story apartment building is 44' 4". Therefore a variance of 9' 4" (44' 4" – 35' = 9' 4") would be required from the Zoning Board of Appeals. The rural character of the road is not incorporated into the façade, the public parking has been reduced, and the sidewalk connection is not yet shown.

Phase 2 – Revision 3

A Rev 3 version of a proposed Rivers Ledge Senior Center was submitted to the Planning Office on 5/19/22. This version includes a building containing 66 senior apartments and 2,000 sq. ft. of mixed use commercial space. The plan includes 66 below grade and 78 grade level parking spaces. A small parking area containing 7 parking spaces is also included to provide access to nearby Aqueduct Park. A second building consisting of 3,000 sq. ft. of commercial space with 11 nearby parking spaces is also included.

The following documents were provided as part of the Rev 3 proposal.

1. A 12-page drawing set entitled "Overall Plan – Phase 2" by Brett L. Steenburgh, P.E., PLLC dated 5/11/22 with no further revisions.
2. A 24-page drawing set intended for the Niskayuna Architectural Review Board (ARB) with the first page entitled "Exterior Perspective – View from Aqueduct Road" by HCP Architects dated 5/3/22 with no subsequent revisions.
3. A 1-page drawing entitled "First Floor Plan – East Wing" by HCP Architects dated 5/11/22 with no subsequent revisions.

4. A 144 page "Sewer Report" entitled "Addendum to the Project Narrative for Sanitary Sewer District #1 Extension #123" by Brett L. Steenburgh, P.E. PLLC dated February 3, 2020 with no subsequent revisions.
5. A 706-page "SWPPP Report" entitled Storm water Pollution Prevention Plan for the Development of Rivers Ledge of Niskayuna" by Arico Associates Engineers, Land Planners & Consultants dated April 2017 with a most recent revision of January 2018.
6. A 59-page "Water Report" entitled "Addendum to the Engineers Report Sanitary Water District #1 Extension #168" by Brett L. Steenburgh, P.E. PLLC dated December 11, 2020 with no subsequent revisions.

SUMMARY FROM THE PLANNED UNIT DEVELOPMENT SITE PLAN APPROVAL

Condition 3 of the Rivers Ledge Planned Unit Development Site Plan Approval (last amended 9/27/2021 via PB Resolution 2021-31) required the following:

The following general site plan improvements and requirements shall be addressed for Phase II of Rivers Ledge of Niskayuna.

- a) *The Developer shall work to preserve and protect the rural character of Aqueduct Road through the facades and landscaping of the properties along Aqueduct Road. The building designs shall remain the same height and character as those renderings presented to the Conservation Advisory Council on May 3, 2017.*
- b) *A landscaping design should be established to mitigate the loss of any wetlands and forests, with special attention to the Aqueduct Road corridor. The Tree Council shall survey the trees to be removed and approve the replanting plan. The developer shall work with the Town to preserve the Northern Long-Eared Bat habitat trees wherever possible, and replace and replant similar species if they must be removed.*
- c) *Where applicable, the Developer shall work with the Planning Board to reduce impacts to wetlands wherever possible. Mitigation for the wetlands shall be local first, in place and in kind and the Developer shall go to great lengths in a good faith effort to mitigate any wetland impacts within the local watershed area.*
- d) *The applicant shall be responsible for the construction of a public parking area between Aqueduct road and the Mohawk Hudson Hike Bike Trail. Prior to final PUD approval, all access easements necessary for the public parking shall be granted to the Town of Niskayuna.*
- e) *Phase II includes the construction of senior living apartments. Transit has not been addressed in the previous site plans. The Developer shall contact CDTA and explore the possibility of extending service to Phase II of the Rivers Ledge PUD.*
- f) *The Developer shall be responsible for the parkland, sewer trunk and water trunk fees as outlined on a per unit cost in Town Board Resolution #2016-218.*
- g) *The applicant shall strive to meet the objectives of the Planned Unit Development Code, Section 220-34 and all multi-family dwelling regulations outlined in Chapter 220-26 of the Town of Niskayuna Zoning Code.*
- h) *The applicant shall install a sidewalk from the edge of the Rivers Ledge of Niskayuna property line down Aqueduct Road to the entrance to the Aqueduct Park on Aqueduct Road.*

5/23/22 Planning Board (PB) meeting – Mr. Pafundi attended the meeting and presented the Rev 3 version of the proposed Senior Center. He noted that since they last appeared before the

PB (11/8/21) their design team completely redesigned their approach. One of their primary goals was to break up the long length of the building with the use of a row house look and a variety of façade depths, colors, etc. He noted that they were able to maintain the requirement of 1 parking space for each apartment unit in the building. PB members noticed and commented on the height of the building being 41' (35' is max. allowed per zoning code) and would therefore still require a variance. The PB suggested that Mr. Pafundi utilize a mixture of roof lines – dormers, gable, mansard roof, etc. to soften the building appearance.

Mr. Pafundi stated that he can have his architects and civil engineers work together to create a rendering of how the building will appear with the existing trees and vegetation around it. Mr. Pafundi noted that he is working with the Army Corps of Engineers regarding wetlands.

The PB established the following action items.

- Applicant – work with design team regarding the PB's façade comments
 - Create a rendering showing proposed building with exiting trees around it to help w/scale
 - Explore ways to shorten the height of the building and also make it appear shorter
- PO – schedule a review with the ARB
- PO – provide pictures of Notts Landing to Mr. Pafundi

On Monday June 6, 2022 Mr. Pafundi emailed the Planning Office stating that he and his design team evaluated the following 3 design options.

1. Reduce the height of the building to comply with the 35' maximum zoning code height.
2. Employ design features such as dormers, gable roofs, mansard roofs, etc. to reduce the visual impact of a building that is taller than 35'. (Make the building appear <= 35').
3. Proceed with the design as it was presented at the 5/23/22 PB meeting and request a variance for building height from the Zoning Board of Appeals (ZBA).

In the email Mr. Pafundi stated that they would like to proceed with option 3. A scaled rendering of the 41' high building and the surrounding trees was also provided.

6/8/22 Conservation Advisory Council (CAC) meeting – the Planning Office described the details of the Rev 3 version of the proposed Senior Center Building to the CAC. After an engaged discussion the CAC members concurred on offering the following suggestions.

- They would like to see what a 2 story rendition would like that complies with the 35' height requirement because they are concerned about the height.
- They asked for green energy practices to be utilized – solar, EV charging stations, etc.
- They asked the Planning Board to require pesticide free maintenance of the building grounds, especially with all the wetland around
- They asked for a path or walkway to connect all of the buildings, including the small commercial building, to the bike path.
- They requested outdoor seating and outdoor recreation space for the senior center building and outdoor seating for the commercial building.
- They appreciated the reduction in wetland impacts.

6/13/22 Planning Board (PB) meeting – Mr. Pafundi attended the meeting and explained that the developer would like to pursue approval of the 41' high building as shown in the "Rev 3" design. He noted that their design team believes the extra 6' ($41 - 35 = 6$) of building height allows for a more residential looking pitched roof design. He requested that the Planning Board proceed with the "Rev 3" design and make a recommendation either for or against the design so that he could pursue an area variance for 6 additional feet of building height with the ZBA. Ms. Robertson displayed the colored rendering that was included in the PB meeting packet that showed a scaled side elevation view of the building including the nearby trees. After discussion the PB requested the following additional detail for the 7/11/22 PB meeting and agreed to make a recommendation on the ZBA application at that meeting.

6/15/22 Architectural Review Board (ARB) meeting – the ARB reviewed the most recent images of the building and discussed the upcoming ZBA meeting.

7/6/22 Conservation Advisory Council (CAC) meeting – Mr. Pafundi attended the meeting and repeated the presentation he made to the Planning Board at their 6/13/22 meeting. He responded to each of the CAC's requests from their 6/8/22 meeting and explained why some could be implemented and why others could not. Mr. Pafundi and the CAC discussed several potential additions to the site plan including the following.

- Add a sidewalk and cross walk that connects the small commercial building that is part of the Senior Center site plan to the bike path.
- Add an outdoor seating and potentially dining area between the Senior Center and River Run Drive.
- Add more landscape screening between the Senior Center building and Aqueduct Road
 - Utilize a mixture of evergreen and deciduous trees
 - Retain as many existing trees as possible
- Utilize pesticide free landscaping practices

Mr. Pafundi noted that he is working with his team to produce architectural renderings of the Senior Center as viewed from the Rexford side of the Mohawk River. The Planning Board previously asked for renderings that show where the air conditioning units will be located on the buildings.

7/11/22 Planning Board (PB) meeting – Mr. Pafundi attended the meeting and addressed the questions that were raised at the 6/13/22 PB meeting. He confirmed that the HVAC units will not be visible from the sidewalks, streets or anywhere outside and around the building. He noted that the design team is still working on preparing renderings of how the proposed Senior Center building will appear when viewed from the Alplaus side of the Mohawk River. He expected to have the renderings in time for the 8/24/22 ZBA meeting. He also noted that the final package has been submitted to the Army Corps of Engineers and that the first comments from the Town's TDE were received on 7/7/22. The PB inquired about how the "barbell" ends of the building connect with the main building roofline. Mr. D'Arpino requested an aerial roof plan. Mr. Pafundi agreed to provide the plan. The PB discussed the effect on the comprehensive plan, the suitability of use and then recommended with a vote of 7-0 that the ZBA grant the requested area variance for building height.

8/3/22 Schenectady County Planning and Zoning Coordination Referral – The Commissioner of Economic Development and Planning received the Town's referral and approved the proposal on 8/3/22.

8/17/22 Architectural Review Board (ARB) – The ARB reviewed the most recent documents and renderings of the proposed Senior Center at their 8/17/22 meeting. The Planning Office had prepared a Power Point presentation of several existing “row house” type buildings in the Capital District for reference. The presentation includes buildings in Ballston Spa, Saratoga, Green Island as well as generic “row house images” that were obtained with a simple Goggle search. The ARB still has concerns regarding the mass and scaling of the buildings. They agreed that a roofline plan is necessary to assess how the building would be constructed and how it would appear from various viewing angles. The ARB agreed to schedule a follow up working session with Mr. Pafundi and HCP Architects.

8/24/22 ZBA meeting – The Zoning Board of Appeals reviewed the application for an area variance for 6 additional feet of building height and granted the variance at their 8/24/22 meeting. They requested that the applicant work with the Planning Board to remove white siding from the proposed new building (per Alplaus resident request at meeting).

8/29/22 Planning Board (PB) meeting – Mr. Pafundi was not able to attend the 8/29/22 PB meeting. Chairman Walsh and Ms. Robertson updated the Board regarding the ZBA’s granting of the area variance for building height. The PO and PB discussed the next steps for the project and the outstanding action items from the 7/11/22 PB meeting.

Mr. Pafundi and his engineer Mr. Steenburgh submitted a “site section view” drawing to the Planning Office on 9/8/22. The drawing shows a cross section view of an elevation view of the Alplaus side of the Mohawk River, the Mohawk River, and the Niskayuna side of the Mohawk River. The drawing shows the general elevation differences between the homes on the Alplaus side of the river and the Rivers Ledge site. The Planning Office reviewed their notes from previous meetings and compiled the following list of open action items for review at the 9/12/22 meeting.

1. Add a sidewalk and cross walk that connects the small commercial building to the existing bike path.
2. Add outdoor seating / dining area between the Sr. Center and River Run Drive.
3. Add more landscape screening between the Sr. Center building and Aqueduct Rd.
 - a. Utilize a mixture of evergreen and deciduous trees.
 - b. Retain as many existing trees as possible.
4. Per resolution 2021-31 Condition 3 (h) install a sidewalk from the edge of the Rivers Ledge of Niskayuna property line down Aqueduct Road to the entrance to the Aqueduct Park on Aqueduct Road.
5. Remove white siding from the proposed buildings.
6. Provide a roof plan for the Sr. Center building.
7. Meet with the ARB to continue to refine the façade design of the building.

9/12/22 Planning Board (PB) meeting – Mr. Steenburgh attended the meeting on behalf of the applicant. Ms. Robertson informed the PB that the area variance for a building height of 41’ (6’ variance) was approved by the ZBA at their 8/24/22 meeting. Ms. Robertson noted that nearby residents had requested that white siding not be used on the Senior Center building due to the high level of reflectiveness and brightness. Mr. Steenburgh agreed. He also noted that a roof plan will be provided for the 10/3/22 meeting.

A roof plan drawing was received and is included in the meeting packet.

10/3/22 Planning Board (PB) meeting – There were no representatives on behalf of the applicant at the meeting. The PB briefly discussed the roof plan. Mr. D'Arpino explained how the HVAC system will be stored and concealed. The Planning Office noted that the Weston and Sampson engineering firm has been selected as the TDE for the project. The PB requested additional information and details for the smaller 3,000 sq. ft. building.

On 1/10/23 Mr. Steenburgh emailed the Planning Office stating that construction costs associated with the underground parking have made the project cost prohibitive. The email includes a revised sketch plan that includes 55 car port parking spaces to meet the one covered space per unit as required in the Town zoning code. The revision status of the drawing was not changed but a hard copy version is stamped "Received Jan 10 2023 Planning Office Niskayuna, NY" and saved in the paper folder archives. The sketch plan now includes 55 covered parking spaces and 69 uncovered parking spaces.

A new 23-page design package entitled "Exterior Perspective – View from Aqueduct Road, Rivers Ledge Development Senior Building, Aqueduct Road, Niskayuna, NY 12309 by HCP Architects dated 12/12/22 was also included with the email. The design package includes renderings of the exterior of the revised building, window and siding specifications, interior floor plans and manufacturer's spec. sheets for several other key components of the proposed design.

While the Planning Office does not object to changing the parking to above ground, the Board should explore the visual change/impact to the Mohawk Hudson Bike Hike Trail, what the materials for the proposed garages would be, whether the main building height can be lowered as a result of the loss of the underground parking, what the impact is to landscaping and screening. The PO notes the conditions for Phase 2 of the PUD includes:

1. Preserving and protected the rural character of Aqueduct Road
2. Mitigate the loss of wetlands with landscaping and protect northern long-eared bat trees
3. Reduce impacts to wetlands (as proposed one building reduces impacts)
4. Construct a public parking (shown in proposed plan)
5. Explore transit opportunities / bus stop on premises
6. Meet multi-family dwelling regulations wherever possible
7. Install a sidewalk from the edge of Rivers Ledge property line down Aqueduct road to the entrance to Aqueduct Park on Aqueduct Road (not shown)

2/23/2023 Planning Board (PB) meeting -- At the 2/13/2023 Planning Board meeting, the Board expressed dismay that the underground parking was not proposed as part of the senior center building and asked the applicant to look into several alternative designs to keep the feel of the PUD. Some of the considerations were:

1. Look at underground parking again
2. Look at moving underground parking adjacent to building
3. Look at breaking up the sea of asphalt around this building
4. Consider less covered parking – only covered parking to one side of building
5. Consider inside of building – entrances and exits are not conducive to walking to covered parking – consider covered entry or walkway to parking

The applicant provided an updated site plan drawing and requested to come before the Board at their 2/27/23 meeting to discuss some of their findings following the last Planning Board meeting and discuss options to pursue for approval.

The CAC should review and discuss the new material.

SITE STATISTICS

OWNER: RIVERS LEDGE OF NISKAYUNA
APPLICANT: RIVERS LEDGE OF NISKAYUNA
49 RAILROAD AVENUE
ALBANY, NY 12205

AREA = 5.25± ACRES
USE: SENIOR APARTMENTS AND MIXED USE COMMERCIAL
MAIN BUILDING: 55 SENIOR APARTMENTS + 2,000 S.F. COMMERCIAL
PARKING PROVIDED = 117 SPACES
GARAGE SPACES = 41 SPACES
OUTDOOR SPACES = 76 SPACES

BUILDING HEIGHT - 41'
STAND ALONE COMMERCIAL BLDG = 3,000 S.F.
PARKING PROVIDED = 11 SPACES
BUILDING HEIGHT - 16'

LEGEND

- 1

2

3

4

5

6

7

8

9
- HANDICAP RAMP PER ADA STANDARDS

CONCRETE SIDEWALK

BEGIN CURB

END CURB

HANDICAP PARKING SIGN (MUTCD R7-8 W. R7-8P)

STOP SIGN (MUTCD R1-1 MIN. 30" X 30")

NO PARKING ANYTIME SIGN (MUTCD R7-1)

BEGIN RETAINING WALL

END RETAINING WALL
- 10

11

12

13

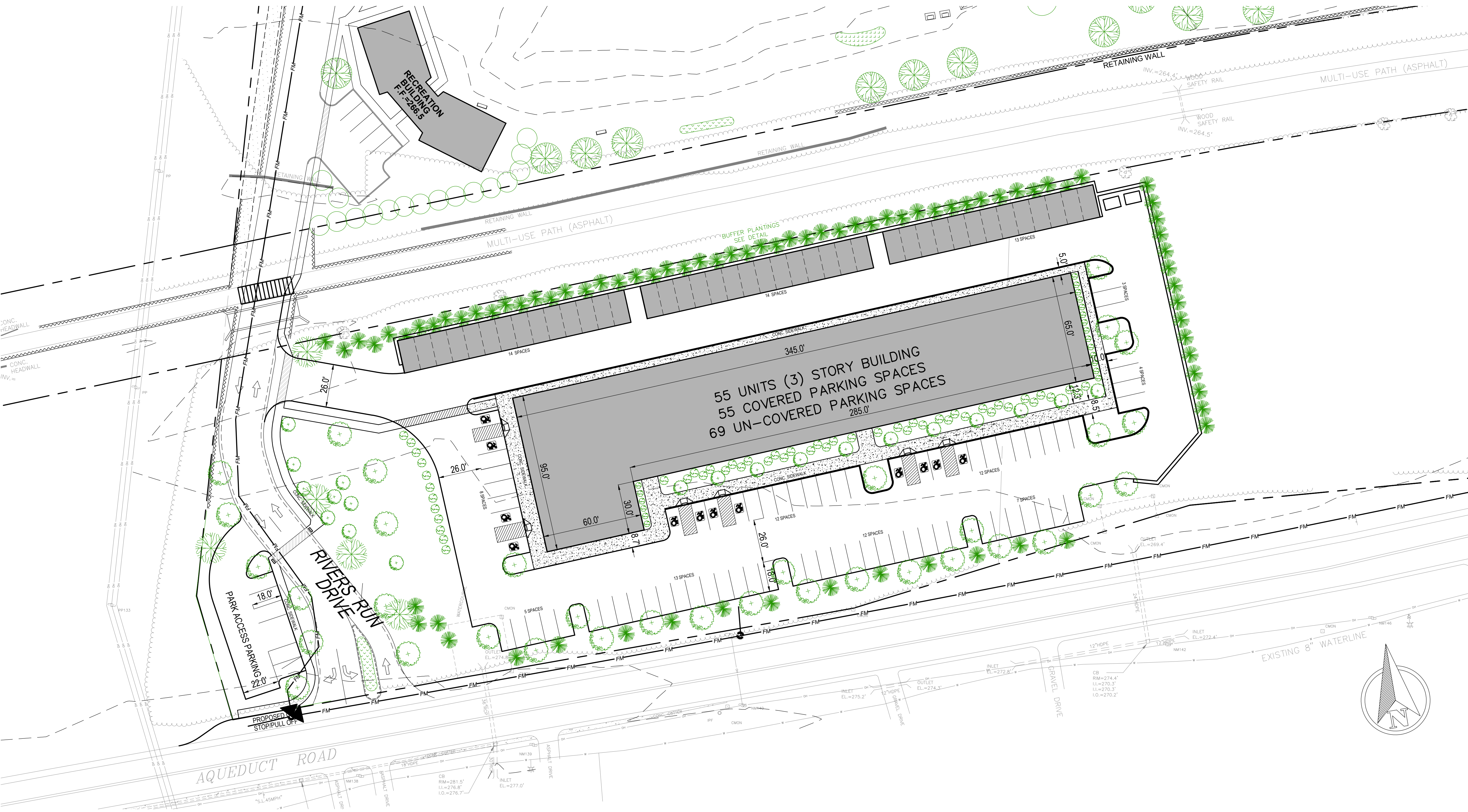
14
- BEGIN GUIDE RAIL

END GUIDE RAIL

CROSSWALK

CONNECT TO EX. SIDEWALK

DUMPSTER ENCLOSURE



BRETT L. STEENBURGH MAP REFERENCE:
PLAN SET ENTITLED "RIVERS LEDGE NISKAYUNA" AS PREPARED BY
ARICO ASSOCIATES, ENGINEERS, LAND PLANNERS & CONSULTANTS
DATED MARCH 7, 2016 AND LAST REVISED FEBRUARY 2017.

SKETCH PLAN

PHASE 2 - RIVERS LEDGE OF NISKAYUNA

2837 AQUEDUCT ROAD

COUNTY OF SCHENECTADY

TOWN OF NISKAYUNA

STATE OF NEW YORK

DRAWN BY: [blank]

CHECKED BY: [blank]

DATE: [blank]

SCALE: 1" = 30'

SHEET S-1

BRETT L. STEENBURGH, P.E. PLLC

2832 Rosendale Road

Niskayuna, NY 12309

(518) 365-0875

bsteenburgpe@gmail.com

ENGINEERING THAT TRANSFORMS

IMAGINATION INTO REALITY



Scaling off these drawings shall be done only for review and approval purposes. Contractors shall not scale drawings for construction. No scaling shall be done for layout and construction.

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BRETT L. STEENBURGH, P.E.
NYS LIC. NO. 075458

NO.	DATE	REVISIONS	BY:
1	8/9/22	REVISED AS PER THE COMMENTS	

OWNER: RIVERS LEDGE OF NISKAYUNA
APPLICANT: RIVERS LEDGE OF NISKAYUNA
49 RAILROAD AVENUE
ALBANY, NY 12205
AREA = 5.25± ACRES
USE: SENIOR APARTMENTS AND MIXED USE COMMERCIAL
MAIN BUILDING: 55 SENIOR APARTMENTS + 2,000 S.F. COMMERCIAL
PARKING PROVIDED = 124 SPACES
GARAGE SPACES = 55 SPACES
OUTDOOR SPACES = 69 SPACES
BUILDING HEIGHT = 41'
STAND ALONE COMMERCIAL BLDG = 3,000 S.F.
PARKING PROVIDED = 11 SPACES
BUILDING HEIGHT = 16'

1	HANDICAP RAMP PER ADA STANDARDS
2	CONCRETE SIDEWALK
3	BEGIN CURB
4	END CURB
5	HANDICAP PARKING SIGN (MUTCD R7-8 W. R7-8P)
6	STOP SIGN (MUTCD R1-1 MIN. 30" X 30")
7	NO PARKING ANYTIME SIGN (MUTCD R7-1)
8	BEGIN RETAINING WALL
9	END RETAINING WALL

-

BRETT L. STEENBURGH MAP REFERENCE:
PLAN SET ENTITLED "RIVERS LEDGE NISKAYUNA" AS PREPARED BY
ARICO ASSOCIATES, ENGINEERS, LAND PLANNERS & CONSULTANTS
DATED MARCH 7, 2016 AND LAST REVISED FEBRUARY 2017.

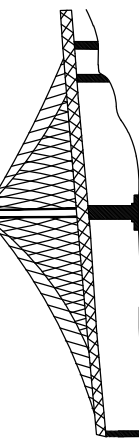


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NYS LIC. NO. 075458

BRIEL L. STEENBURGH, F.E. FLEC

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Niskayuna, NY 12309
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ENGINEERING THAT TRANSFORMS IMAGINATION INTO REALITY

SKETCH PLAN
PHASE 2 - RIVERS LEDGE OF NISKAYUNA
2837 AQUEDUCT ROAD

COUNTY OF SCHENECTADY
TOWN OF NISKAYUNA
STATE OF NEW YORK

DRAWN BY: ADD FILE:	CHECKED BY: JOB NO.	SCALE: 1" = 30'
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SHEET S-1

SHEET S-1

DATE: MAY 11, 2022



TOWN OF NISKAYUNA

CONSERVATION ADVISORY COUNCIL

AGENDA STATEMENT

AGENDA ITEM NO. VI. 2

MEETING DATE: 3/1/2023

ITEM TITLE: DISCUSSION: 2209 Nott St. – The Broken Inn – A site plan app. for a new permanent seasonal outdoor picnic table area on Town property including additional

PROJECT LEAD: David D’Arpino

APPLICANT: Thomas Nicchi, agent for the owner

SUBMITTED BY: Laura Robertson, Town Planner

REVIEWED BY:

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

ATTACHMENTS:

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

SUMMARY STATEMENT:

Thomas Nicchi, of Stand Up Global, proprietor of The Broken Inn, and agent for the property owner, submitted an Application for Site Plan Review for a permanent seasonal outdoor picnic table area on Town property including additional and reconfigured parking. Mr. Nicchi proposes to purchase and provide the tables, chairs, umbrellas, bike racks and parking barriers referenced in the project application.

BACKGROUND INFORMATION

2207 2209 Nott Street is located within the C-N Commercial Neighborhood Zoning district and Town Center Overlay District. Section 220-10 District regulations E C-N Neighborhood Commercial District (3) Special principal uses (d) Restaurants, sit-down or take-out (no vehicle pickup and ordering facilities) allows a restaurant to be located in the C-N district upon granting of a special permit by the Town Board. The Town Board granted a special use permit on December 22, 2020 to allow a restaurant with bar, sit-down or take-out (no vehicle pickup and ordering facilities) by Resolution No. 2020-327.

Temporary outdoor seating (on private & Town property) and reconfigured parking

- **5/27/22** – A site plan application, signed by the property owner, for temporary outdoor seating was approved with a memo. from the Planning Office to safely allow public assembly and queuing at and around the ice cream window.

Proposed outdoor dining (on private & Town property), expansion of hours & reconfigured parking

- **10/19/22** – A proposal, not supported by the property owner, to expand the hours of operation of The Broken Inn, expand the public assembly and queuing area to add a Broken Inn outdoor dining area on private and Town owned property and reconfigure parking is denied by the Planning Office via email for not having the required approval of the property owner.

Proposed outdoor dining (on Town property), expansion of hours & reconfigured parking

- **12/14/22** – A site plan application, not supported by and independent of the property owner, to expand the hours of operation of The Broken Inn, expand the public assembly and queuing area to add a Broken Inn outdoor dining area on Town owned property and reconfigure parking is denied by the Planning Office via a letter for the following reasons.
 - The application did not have the approval of the legal owner of the property – modification of hours and expansion of use are tied to the special use permit amendment of which requires the property owner's approval.
 - NYS Covid-19 related legislation allowing restaurants to use sidewalks & streets for outdoor dining has expired and Niskayuna Town Code only allows outdoor dining on private property.

Proposed exterior seating (dining?) - (on private & Town property) and reconfigured parking

- **2/14/23** -- A site plan application, signed by the property owner, to expand the public assembly and queuing areas to add a public picnic table area on private and Town owned property and reconfigured parking is received by the Planning Office.

The Planning Office placed the proposal described in the Application for Site Plan Review dated and received on 2/14/23 on the meeting agenda this evening to allow the applicant to present the project to the Board and answer questions from the Planning Board and Planning Office. The application is supported by the private property owner but questions still persist regarding the potential expansion of use relative to the special use permit and the appropriateness of use of public property.

Inconsistencies also exist in the documents provided with the application regarding the proposed use of the land for only general outdoor seating or for outdoor dining.

- Page 1 of the narrative document includes the statement “request permission to place an exterior seating, dining and bicycle parking area”
- The remainder of the document, including the portion entitled “Seating Area” refers only to seating and does not make any reference to dining.
- The 3 site plan drawings provided with the application all include an area identified as “proposed outdoor dining area”.

The Planning Board should use this meeting to seek clarification of the most recent proposal to understand whether the tables are proposed to be public or private (who they serve) and whether any outdoor dining is proposed or if it is seating only. Once the proposal is clarified the Town Planning Office and Legal Department will be properly informed so that they can define a next step for the project. If the project is allowed to move forward the Planning Board and Planning Office will review the comments from other Town councils and committees that were made during the aforementioned previous projects relative to this new proposal. The Town is also exploring its own ideas for improvements to the area with Metroplex, which will also need to be considered.

The proposed project is on the agenda for the 2/27/23 Planning Board meeting as a Discussion Item.

The proposed project is on the CAC agenda as a Discussion Item to allow the council to familiarize themselves with the project.

TOWN OF NISKAYUNA

Application for Site Plan Review

Applicant (Owner or Agent):

Name Thomas Nicchi
Address 1604 Lexington Pkwy
NISKAYUNA NY 12309
Telephone 518-365-7685 Fax _____

Location:

Number & Street 2209 Nott Street
Section-Block-Lot 40.14 - 5 - 50
Zoning District C-N

Proposal Description:

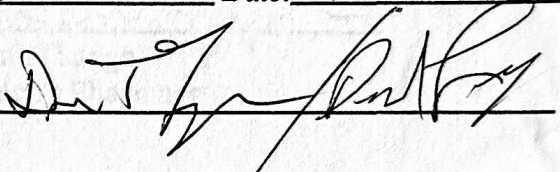
Please see attached.

Each site plan application shall be accompanied by:

1. Twelve (12) site plan maps prepared by a licensed engineer, architect or surveyor.
 - a. The site plan shall include the following: the title of the drawing, including the name(s), address(es), phone and fax numbers of the applicant and the name address, phone and fax number of the person, firm or organization preparing the map.
 - b. The North point, date and scale.
 - c. Boundaries of the property.
 - d. Existing watercourses and direction of existing and proposed drainage flow.
 - e. The location of all proposed site improvements; proposed water and utility facilities; a description of the method of sewage disposal and location of such facilities; the location of all proposed signs; and location of proposed areas of vegetation.
2. A lighting plan showing the lighting distribution of existing or proposed lights, specifications, photometric data, and catalog cuts of the proposed fixture(s) which meet the requirements of Article VIII B of the Zoning Ordinance of the Town of Niskayuna entitled "Guidelines for Lighting of Outdoor Areas under Site Plan Review".
3. Six (6) copies of the short or long Environmental Assessment Form (EAF), as required by 6NYCRR Part 617, "State Environmental Quality Review", and Chapter 95, "Environmental Quality Review", of the Code of the Town of Niskayuna.

4. If the application is being made by someone other than the current property owner, the applicant or the agent for the applicant must provide proof that they are authorized to pursue this site plan approval. Such proof may be in the form of a contract for sale or letter by the current owner that the applicant/agent is authorized to proceed with this application.
5. **Administration Fees:** An application for site plan approval shall be submitted to the Planning Board at least ten (10) business days prior to a regular meeting of the Planning Board. Each petition shall be accompanied by a minimum fee of *two hundred dollars (\$200.00)* plus an additional fee based on the square footage of new building construction. Fees are payable to the Town of Niskayuna.
6. **Consulting Fees:** The cost incurred by the Town for the review of an application by the Town Engineer, consulting engineering firm or other consulting fees, in connection with a Board's review of a proposed application shall be charged to the applicant. The Board to whom the application is made shall obtain an estimate from any designated consultant of the amount sufficient to defray the cost of such services and shall collect from the applicant the estimated charges. Any portion of the estimated charges so collected, which are not expended by the Town, shall be returned to the applicant. Any such costs incurred by the Town beyond the estimated charges initially collected from the applicant, shall be collected from the applicant prior to final action upon the application.

Signature of applicant:  Date: 2/14/23

Signature of owner (if different from applicant): 

Date: 2/14/23

February 14, 2023

Niskayuna Building Department
One Niskayuna Circle
Niskayuna, NY 12309

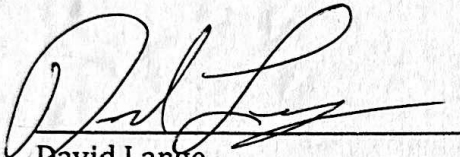
Sir or Madam:

As the owner of 2209 Nott Street, we have reviewed and approve of proposed modification to parking and exterior seating presented by Thomas Nicchi on 2/14/23.

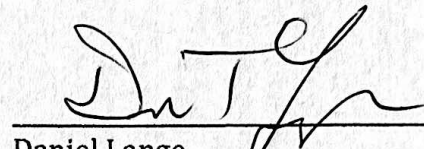
Please note that we reserve the right to revoke our approval should the applicant request to modify the hours of operation in order to open earlier than 4:00pm on Mondays through Fridays

Please note that the applicant is financially responsible for all modifications (including striping, planter barricades and parking bumpers).

Regards,



David Lange
Lange's Pharmacy



Daniel Lange
Lange's Pharmacy

2209 Nott Street (UPDATED - FEBRUARY 2023)

For both safety, increased parking, and community enjoyment we request permission to place an exterior seating, dining and bicycle parking area on the Clifton Park Rd side of 2209 Nott Street. Our layout has been drawn up by MJ Engineering to work in concert with the new Nott Street construction which they designed as well.

Please note - this plan requires no expenditures by the Town of Niskayuna.

SAFETY:

At present there is a temporary barricade area set up along the side of our business (The Broken Inn) so that people can safely walk, sit and eat ice cream. This was previously approved by the Planning Board and has been widely welcomed and used by the community.

At present there are no defined parking spaces (not striped).

At present there is no space for bicycles to be parked. They are laid on the ground or set to lean against a building thus limiting "sidewalk" area (there are no sidewalks).

At present there is no place for visitors to the Plaza to sit outside.

At present there is no defined road area (no lines) at the intersection of Clifton Park Rd and Crescent Rd and this area has become a high speed "cut through" for motorists looking to avoid the stoplight at Balltown Rd when travelling from Nott Street (Eastbound) to Balltown Rd (Northbound).

PARKING:

The proposed layout would increase usable parking spaces in this area from 11 spaces at present to a proposed 15 spaces (net gain of 4 additional parking spaces to the plaza) on the Clifton Park Rd side of the building.

The new parking would be defined by concrete parking bumpers at the front of each spot and striped parking spaces, neither of which exist currently.

SIDEWALK/BARRICADE/ BICYCLES/SEATING:

The proposed layout would allow for a seated area of six tables for guests of the plaza to sit and enjoy.

The proposed layout would allow for an area for people to park their bicycles. No bicycle parking exists currently.

SIDEWALK:

The proposed layout would continue the 8' wide sidewalk area recently built on the Nott Street side of the building. It would run adjacent to the Clifton Park Rd side of the building and would be the same width as the newly placed sidewalk. This would not be raised but rather stamped to match the sidewalks on Nott Street.

PLANTER BARRICADES -

The proposed outdoor area would be delineated by painted/striped lines, parking bumpers, and planter barricades. Per planter barricades - these would be spaced out to allow visitors to the Plaza to easily walk through them for easy access to the building. There would be 9 planter barricades in

total. The planter barricades are each 6' x 2' and are to be constructed by using wood framing around the exterior of a water jersey barricade as we have been using for quite some time and that currently meet traffic safety standards. These will be wood framed with wood fencing material on four sides and would have a flower planter bed placed across the top. This construction allows us to create something that is both safe and visually appealing while also allowing us to move them should that be needed (seasonal, during construction, etc). The Broken Inn will purchase and construct the planter barricades and will maintain them.

BICYCLE AREA – We request to create an area for bicycles/bicycle rack which would increase safety and further encourage people to ride their bicycles to the Plaza. This area would be designed for approx. 10 bicycles to be parked (2 racks – each approx. 8' long x 2' wide). Bicycle racks to be purchased by The Broken Inn. Cleanliness of this area to be maintained by The Broken Inn.

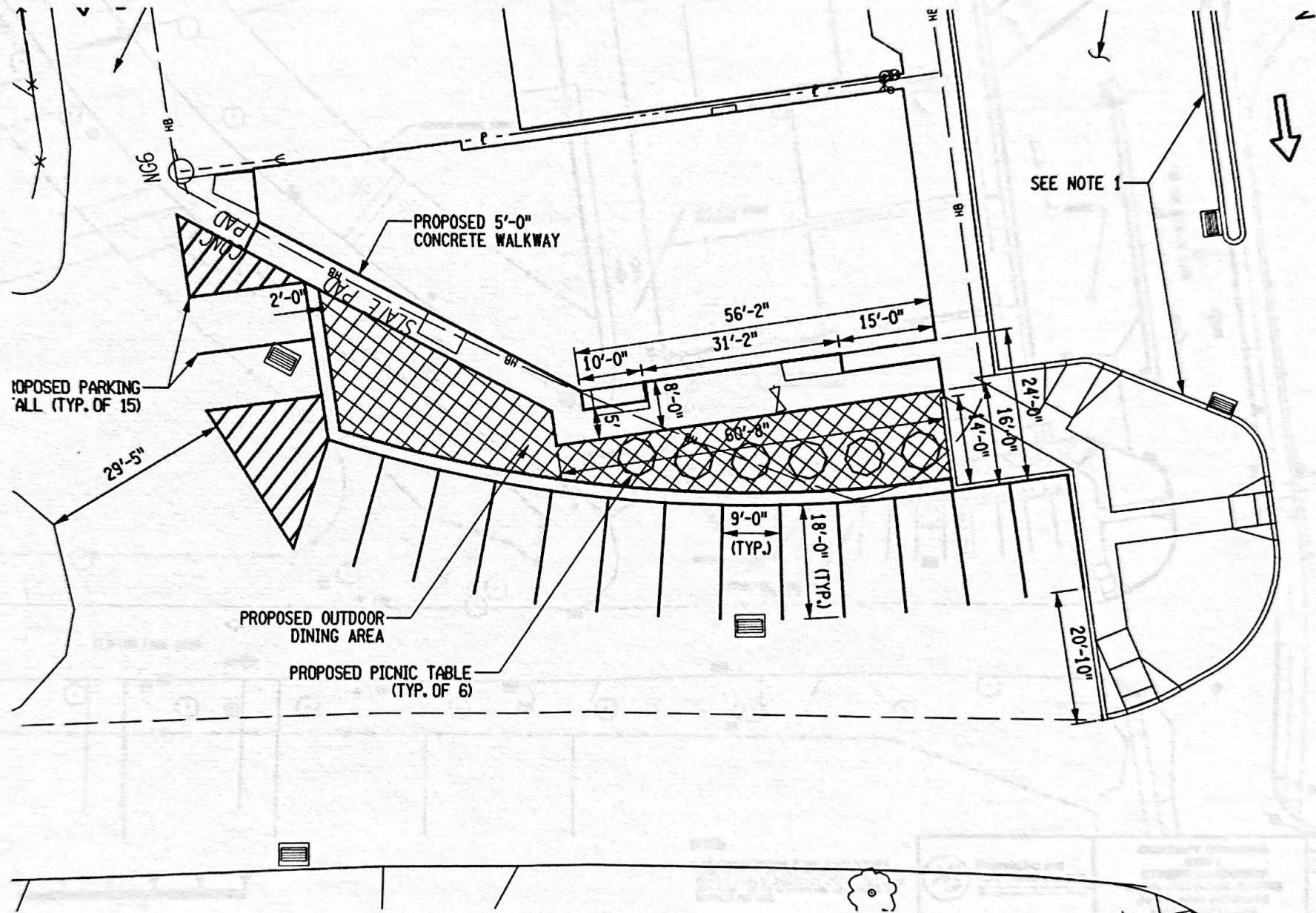
SEATING AREA – We request to create an area for outdoor seating where guests of The Broken Inn's Ice Cream window can sit outside and safely enjoy their ice cream. This area would be safely enclosed from the parking area by planter barricades and would include 6 octagon shaped picnic tables with umbrellas. Each of these tables would seat between 4 and 8 guests (depending on guest size – children vs adult). It would be adjacent to the new sidewalk on the South side and adjacent to an 8' sidewalk area on the East side. The area would have tables with umbrellas for shade, string lights hanging over the area for evening lighting, and would be handicap accessible. Lightbulbs to be incandescent bulbs not to exceed 25w each. This area would not create any lighting that faced towards residences, and would be closed one hour prior to the restaurant closing to ensure no additional evening noise to those residences nearest by. There will be no music (live or recorded) played in this area. Tables, trash cans and any other furnishings to be paid for by The Broken Inn. Cleanliness of this area to be maintained by The Broken Inn.

SEASONAL NOTE:

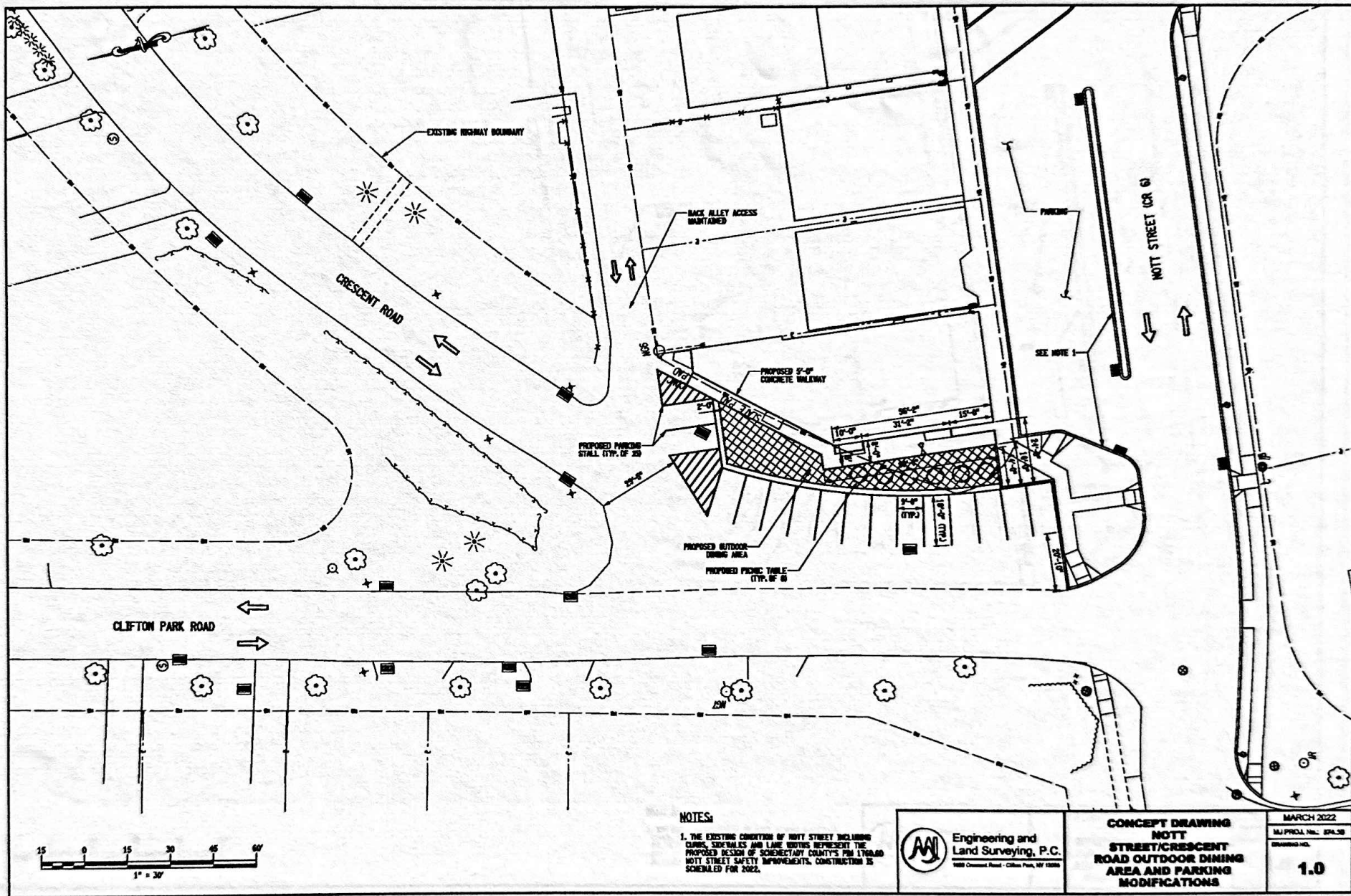
While this seating area would be used on a seasonal basis, the safety benefits related to the parking/motorists area would take remain all year long. The seated areas are likely to be used from approximately April 1st until October 31st (possibly a few weeks on either side depending on weather). Outside of this time frame the picnic tables and umbrellas will be removed and stored at another site at the expense of The Broken Inn

SUMMARY:

Allowing this area to be created improves safety, increases parking and makes the entire plaza more welcoming to guests. It makes great use of an area that is truly a "no mans land", continues the great work that has already started and is clearly wanted by the majority of the community as reflected in the 150+ letters of support already sent in. And again, our plan comes at no expense to the town.



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NOTES

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Engineering and
 Land Surveying, P.C.
 1000 Clifton Road - Clifton Park, NY 12018

CONCEPT DRAWING
NOTT
STREET/CRESCENT
ROAD OUTDOOR DINING
AREA AND PARKING
MODIFICATIONS

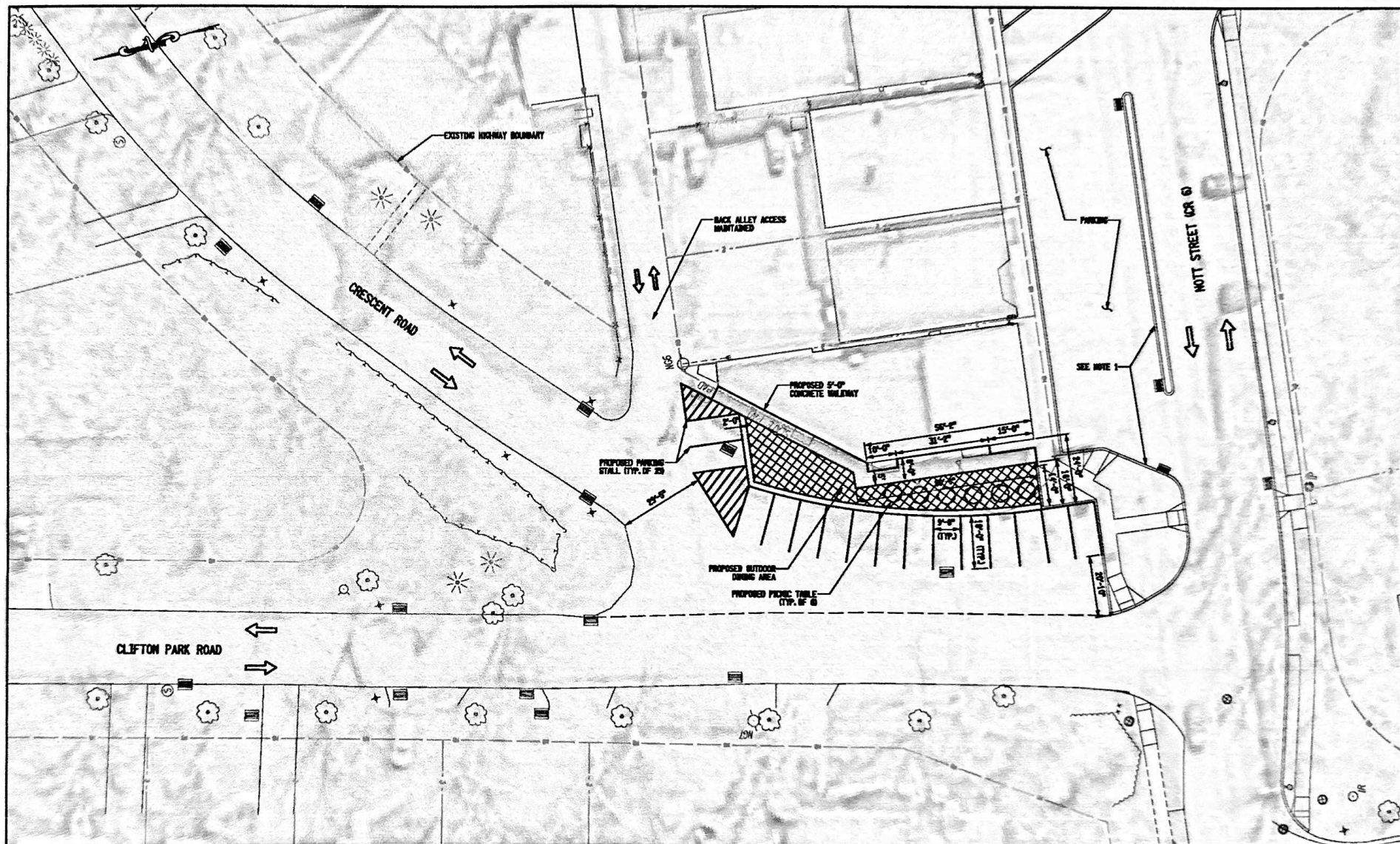
MARCH 2022

SAJ PROJ. NO. 170812

ISSUED FOR

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1. THE EXISTING CONDITION OF NOTT STREET INCLUDING CURBS, SIDEWALKS AND LANE MARKINGS REPRESENT THE PROPOSED DESIGN OF SHERBETOWN COUNTY'S PM 17012/60 NOTT STREET SAFETY IMPROVEMENTS. CONSTRUCTION IS SCHEDULED FOR 2022.



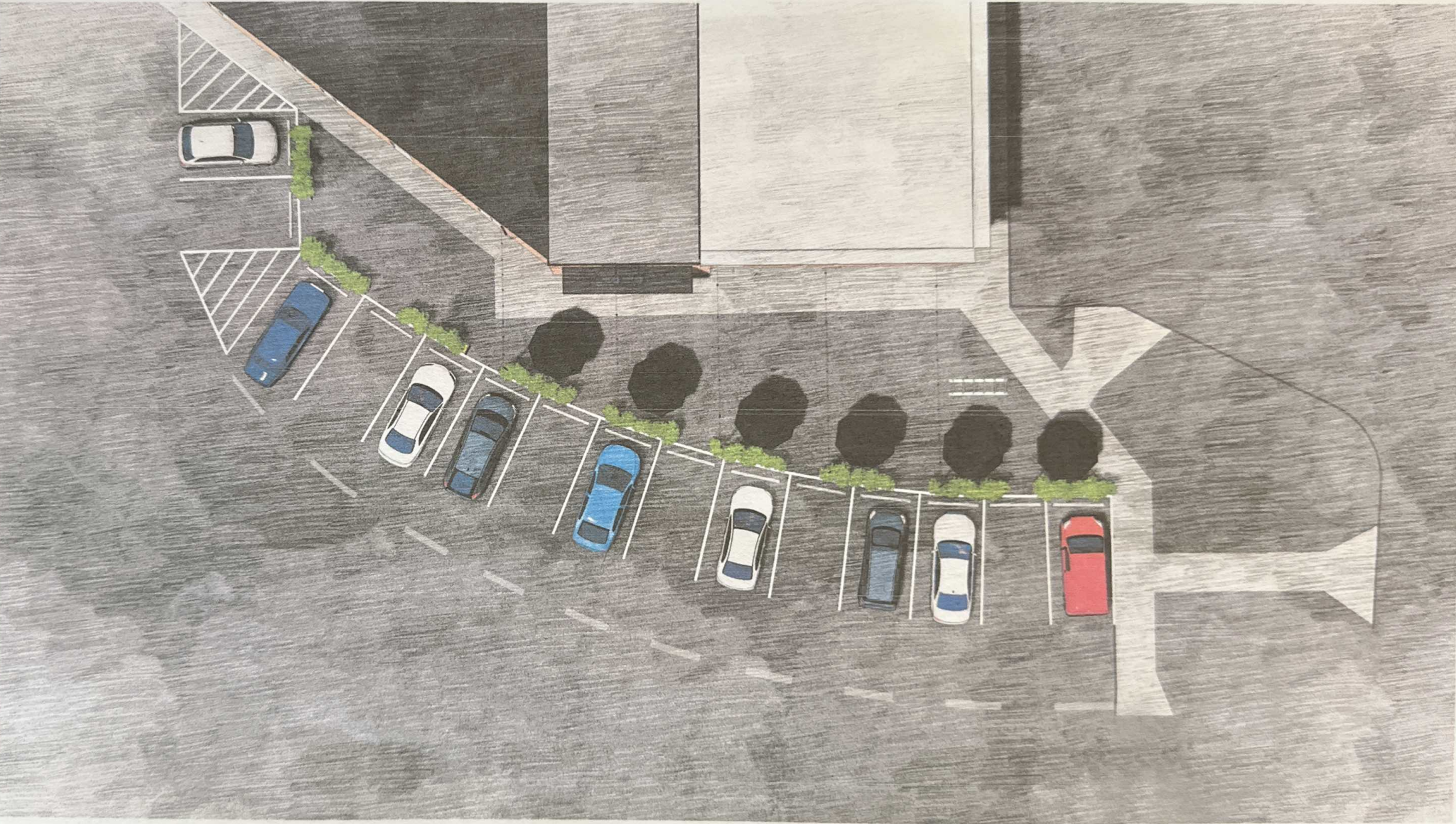
Engineering and
 Land Surveying, P.C.
 1020 Clifton Road - Clifton Park, NY 12018

CONCEPT DRAWING
NOTT
STREET/CRESCENT
ROAD OUTDOOR DINING
AREA AND PARKING
MODIFICATIONS

MARCH 2022
 NJ PROJ. No.: 274-20
 Issued for MO.

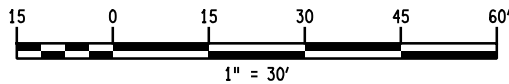
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USER = ngibson



NOTES:

1. THE EXISTING CONDITION OF NOTT STREET INCLUDING CURBS, SIDEWALKS AND LANE WIDTHS REPRESENT THE PROPOSED DESIGN OF SCHENECTADY COUNTY'S PIN 1760.60 NOTT STREET SAFETY IMPROVEMENTS. CONSTRUCTION IS SCHEDULED FOR 2022.



Engineering and
Land Surveying, P.C.
1533 Crescent Road - Clifton Park, NY 12065

**CONCEPT DRAWING
NOTT
STREET/CRESCENT
ROAD OUTDOOR DINING
AREA AND PARKING
MODIFICATIONS**

MARCH 2022

MJ PROJ. No.: 874.30

DRAWING NO.

1.0



TOWN OF NISKAYUNA

PLANNING DEPARTMENT

One Niskayuna Circle
Niskayuna, New York 12309-4381

Laura Robertson
Town Planner, AICP, CFM

Phone: (518) 386-4530
Fax: (518) 386-4592
lrobertson@niskayuna.org

December 14, 2022

VIA EMAIL

Thomas Nicchi
Niskayuna, NY 12309

Re: Site Plan and Special Use Permit Application for the Broken Inn at 2207 / 2209 Nott St

The Town of Niskayuna has received your Special Use Permit application for the modification of the Broken Inn's hours of operation and expansion of restaurant dining within the Town ROW. At this time, the Town has determined this application is not able to proceed without the approval of the legal owner of the property at 2207 / 2209 Nott St. Both the expansion of the hours and the expansion of restaurant dining capacity are inextricably tied to the original Special Use Permit – and modification or expansion of the restaurant requires modification or expansion of the existing Special Use Permit, which is held by the legal owner of the property.

Furthermore, the legislation that New York State enacted in 2021 to allow restaurants to utilize sidewalks and streets for outdoor dining during COVID has expired. There is currently no provision within Niskayuna Town Code that would allow for the expansion of outdoor dining into the public Right Of Way. Outdoor dining is only permitted within Town Code on private property. Therefore, your application is being returned to you and your check will be refunded within the next few weeks by the Planning Department.

During the spring of 2022, a safety issue related to pedestrians queuing outside the ice-cream window storefront was brought to the attention of the Planning Department and emergency authorization was issued to install temporary safety barriers and parking lot striping to protect the patrons. The safety area and barriers were temporary to allow you to pursue a more permanent solution to address the popularity of the ice cream window.

Prior to operation of the ice cream window in the spring of 2023 – a site plan application must be submitted to the Town of Niskayuna that proposes permanent protections to pedestrians queuing along the building. The site plan application shall be constrained by the conditions of the original Special Use Permit and can only provide for parking barriers, striping and benches at a maximum of 8 feet from the wall of the building.

If you have any questions, please feel free to reach out to me at 518-386-4531, thanks.

Sincerely,

Laura Robertson, AICP, CFM
Town Planner