

**PRESENT:** Chairman Thimble, Members Blair, Gervais, Perry, Shamlian, Counsel Spath, and Senior Planner Lyons

**ABSENT:** None

\* The minutes of March 20, 2013 were read and unanimously adopted as revised on a motion by Member Perry, seconded by Member Shamlian.

\* Mr. Mark Frost, PE, of Siena College and Mr. Dan Farnan, PE, of Foit Albert Engineering, presented an application to construct an earthen berm along the westerly side of Francis Drive to increase stormwater retention within a protected watercourse buffer area of the Kromma Kill. The project is known as the **Siena College Retention Basin W13-004** and is located at **515 Loudon Road**. The notice of public hearing was read aloud by Counsel Spath at 7:05 PM. Mr. Farnan provided an overview of the entire campus drainage system and the project which includes the placement of 305 cubic yards of select fill on the west side of Francis Drive as depicted on the plans and cross sectional detail. The northern portion of the campus, including the main parking lot drains to this area. The purpose is to create an earthen berm to elevation 294 ft. to attenuate a 25 year storm event on site. To prevent water from seeping through the berm during heavy storm events, select fill in 6" lifts will be compacted to 95% proctor with geo-textile material used. When asked by the Board, Mr. Farnan noted the steepness of the berm is necessary to keep the Federal wetland disturbance to below 0.10 acre and the cross section of the berm will be corrected to reflect a 2 horizontal to 1 vertical slope on the pond side and 2.5 horizontal to 1 vertical slope on the pavement side. The Board also asked about flooding (impounded pond limits) at elevation 294.0. Mr. Frost responded that no flooding of the parking areas will occur due to the proposed work and that they are aware and confident that no adverse flooding (impounded pond limits) will occur to their facilities at elevation 294.0. As recommended by the ACOE, willow stakes will be used to ensure proper erosion control of the embankment.

The Board reviewed the plans, the Environmental Assessment form, the Town Attorney's Office SEQRA recommendation, and the application package. The Board concurred the project is an unlisted SEQRA action and unanimously determined that the proposal will not have a significant effect on the environment on a motion by Member Perry, seconded by Member Gervais.

The following factual findings were made:

- The Kromma Kill has significant environmental value.
- By detaining stormwater runoff from impervious areas, such as roof tops and paved areas on campus where there currently is no retention, the downstream conditions of the watercourse will improve.
- The proposal is consistent with the Siena College Campus-Wide Stormwater Management Plan as reviewed by the Town Stormwater Management Office.

The Board granted the variance on a motion by Member Perry subject to the following:

1. All erosion and sedimentation controls will be properly installed along the construction limit prior to the start of any work. Said controls will also be maintained throughout the entire construction phases and until vegetation has been fully established.

The motion was seconded by Member Gervais and approved by a vote of 5-0.

\* Mr. Carl Roser, property owner, presented revised plans to construct an in-ground pool and concrete patio within a protected watercourse buffer area to an unnamed tributary of the Salt Kill. The project is known as the **Roser Property W13-001** and is located at **16 Delta Boulevard** and is a continuation of the March 20, 2013 public hearing. The application consists of the installation of a 718 sq. ft. lagoon shaped pool, 226 sq. ft. of a 2 ft surround concrete patio and 339 sq. ft. of a porous paver patio, the installation of an 18” high retaining wall and landscaped gardens within a protected watercourse area. Mr. Roser submitted a revised narrative and plans addressing concerns raised at the March 20 meeting which include:

- Turning the pool 90 degrees,
- Increasing the setback from the protected watercourse for both the pool and patio,
- Limiting the concrete patio around the pool to only 2 ft. or 226 sq. ft.,
- The use of porous pavers for the balance of the patio area totaling 339 sq. ft.,
- A revised landscape plan that more closely reflects the site plan layout,
- The addition of a second rain garden to provide quality to the stormwater runoff.

The Board reviewed the plans, the Environmental Assessment form, the Town Attorney’s Office SEQRA recommendation, and the application package. The Board concurred the project is an unlisted SEQRA action and determined that the proposal will not have a significant effect on the environment on a motion by Member Shamlian, seconded by Member Gervais and a vote of 3-2 with Chairman Thimble and Member Perry in disagreement.

The following factual findings were made:

- The unnamed tributary to the Slat Kill and its designated NY State DEC wetlands have significant environmental value.
- The Board and the applicant reviewed the various alternatives to the placement of the pool, patio areas and retaining wall.
- The entire property is located within the protected watercourse buffer area.
- This is the second SEAMAB variance granted for this property.

The Board granted the variance on a motion by Member Shamlian subject to the following:

1. All erosion and sedimentation controls will be properly installed along the construction limit prior to the start of any work. Said controls will also be maintained throughout the entire construction phases and until vegetation has been fully established.

The motion was seconded by Member Gervais and approved by a vote of 4-1 with Chairman Thimble opposed noting he did not wish to set precedence to allow multiple SEAMAB variances for significant development within the protected watercourse area.

\* Chairman Thimble adjourned the meeting at 8:16 PM.

MJL

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\_\_\_\_\_ (Chairman) \_\_\_\_\_

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