

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

**ABSENT:** None

\* The meeting was called to order at 7:00 PM by Chairman Thimble at the Public Operations Center.

\* The minutes of December 3, 2014 were read and unanimously adopted on a motion by Member Perry, seconded by Member Gervais.

\* Chairman Thimble reminded the members to complete and return the Annual Statement of Financial Disclosure form to the Town Attorney's Office, sign the oath book at Town Hall and receive their ID card from the Human Resources Office.

\* Mr. Chris Bette of First Columbia Development simultaneously presented a variance application with Mr. Nezaj to place 8,798 sq. ft. pavement and 7,200 sq. ft. of grading within a protected watercourse buffer area along the headwaters of the Ann Lee Pond and Shaker Creek. The project is known as **First Columbia Office/Hotel W14-008** and is located at **227 Wolf Road / 652 Albany Shaker Road**. The notice of public hearing was read aloud by Counsel Spath. Also present were Kim & Brian Goodrich of 8 Gaylyn Drive and Antonio Boncordo of 9 Gaylyn Drive. Mr. Bette noted the Planning Board, at the concept acceptance meeting of December 16, 2014, issued a Negative Declaration for the Type I SEQR action. The Planning Board also determined, based on recommendations from the Town Designated Engineer (TDE), that internal shared parking and cross access for improved circulation between this site and 650 Albany Shaker Road is necessary. Mr. Bette added the plans have been significantly revised since the first meeting on January 22, 2014 to remove much of the pavement and the entire hotel building to outside the protected watercourse buffer area as suggested.

Mr. Boncordo expressed a concern with regards to the increase in impervious area and the impact it may have on the ground water and his property. Mr. Bette replied the stormwater run-off from the developed site will be redirected away from this tributary and toward the wetland area to the north. The stormwater runoff will eventually discharge under Wolf Road at a different location from the tributary adjacent to his home.

The Board reviewed the plans and the application package. The Planning Board, as Lead Agency, had made a SEQR determination of no significant environmental impact and issued a Negative Declaration on December 16, 2014.

The following factual findings were made by the SEAMAB:

- The headwaters to the Ann Lee Pond and Shaker Creek, in their current state have significant environmental value.
- The Board and the applicant reviewed all possible alternatives to the proposed disturbance in the protected watercourse buffer area that allow for internal cross parking lot connections, improved emergency access and shared parking between this parcel and 650 Albany Shaker Road as requested by the Planning Board and the Emergency Services Department.
- The construction of 8,798 sq. ft. of pavement and 7,200 sq. ft. of grading will result in minimal disturbance within the protected watercourse buffer.

The Board granted the variance on a motion by Chairman Thimble subject to the following:

1. The applicant shall clean-up the stream and the area surrounding it of all debris and litter.
2. No chemicals / pesticides may be stored within 100 ft. of the protected watercourse and so note on the plans.
3. No snow storage within the protected watercourse buffer. All snow removed from the parking lot is to be treated through the on-site stormwater quality and quantity management system.
4. Establish a 50 ft. enhanced landscaped buffer plan adjacent to the protected watercourse. Plantings such as red maple, river birch, hemlock, service berry and those suggested in the Albany County Soil & Water Conservation District handout provided shall be used.
5. All erosion and sedimentation controls will be properly installed along the construction limit prior to the start of any work as identified on the site plan. 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. Afrim Nezaj of Afrim Sports simultaneously presented a variance application with Mr. Bette to place 3,965 sq. ft. of pavement within a protected watercourse buffer area along the headwaters of the Ann Lee Pond and Shaker Creek. The project is known as **Afrim's Parking Expansion W14-008** and is located at **650 Albany Shaker Road**. The notice of public hearing was read aloud by Counsel Spath. Also present were Kim & Brian Goodrich of 8 Gaylyn Drive and Antonio Boncordo of 9 Gaylyn Drive.

Mr. Boncordo expressed a concern with regards to the increase in impervious area and the impact it may have on the ground water and his property. Mr. Bette replied the Afrim property currently does not contain any stormwater management practices but will need to include them into their design with the parking expansion.

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

The following factual findings were made by the SEAMAB:

- The headwaters to the Ann Lee Pond and Shaker Creek, in their current state have significant environmental value.
- The Board and the applicant reviewed all possible alternatives to the proposed disturbance in the protected watercourse buffer area that allow for internal cross parking lot connections, improved emergency access and shared parking between this parcel and 227 Wolf Road / 652 Albany Shaker Road as requested by the Planning Board and the Emergency Services Department.
- The construction of 3,965 sq. ft. of pavement will result in minimal disturbance within the protected watercourse buffer.

The Board granted the variance on a motion by Chairman Thimble subject to the following:

1. The applicant shall clean-up the stream and the area surrounding it of all debris and litter.
2. No chemicals / pesticides may be stored within 100 ft. of the protected watercourse and so note on the plans.

3. No snow storage within the protected watercourse buffer. All snow removed from the parking lot is to be treated through the on-site stormwater quality and quantity management system.
4. Establish a 50 ft. enhanced landscaped buffer plan adjacent to the protected watercourse. Plantings such as red maple, river birch, hemlock, service berry and those suggested in the Albany County Soil & Water Conservation District handout provided shall be used.
5. All erosion and sedimentation controls will be properly installed along the construction limit prior to the start of any work as identified on the site plan. Said controls will also be maintained throughout the entire construction phases and until vegetation has been fully established.
6. Wing wedge curbing shall be used throughout. It shall also be connected and continuous with the adjacent parking area on 227 Wolf Road/652 Albany Shaker Road.

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

\* Chairman Thimble adjourned the meeting at 8:30 PM.

MJL

G:seamab/minutes/2015

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