

AGENDA ITEM #3

To: Peter Barber, Town Supervisor

From: John Wemple, GCAC Chair

Date: December 23, 2022

Subject: GCAC Annual Report for 2022



Attached is copy of the annual report of the activities of the Town of Guilderland Conservation Advisory Council as is required under the General Municipal Law. It is for you to share with other members of the Town Board and if there are any questions related to the report, please let me know. After reviewing the report, it is my understanding that a copy should be sent to the NYS DEC Commissioner.

Thank you.

Guilderland Conservation Advisory Council

ANNUAL REPORT FOR THE YEAR 2022

As required under Article 12-F, Section 239-x, 1.f. of the General Municipal Law, the following is a report of the activities of the Guilderland Conservation Advisory Council (GCAC) for the calendar year 2022.

A major responsibility of GCAC, which now stands at nine members, continues to be the review of applications for subdivisions. GCAC's part in the overall approval process for subdivisions has been and continues as follows. After initial review of an Application by the Town Planner, the name of the applicant is placed on the calendar for the monthly meeting of GCAC as designated by Schedule B (a schedule determined and approved at the annual organizational meeting of the Town Board). Prior to each GCAC meeting, the GCAC chair reviews the application and related documents, and meets with the rest of the Council at which time the Council notes various aspects of the proposal that may be of concern related to the environment. Before the start of the meeting, the GCAC chair introduces himself to the Applicant and/or representative and gives them an outline of what topics GCAC will expect the Applicant to include in his/her presentation. Due to the restrictions related to the current virus, meetings have been in the large Town Board Room and also televised. Thus, the GCAC Chair has routinely contacts the Applicant or Representative via email and sends them an outline of what topics will be covered at the meeting. At the meeting itself, the Applicant(s) and/or representative makes a presentation of the proposal including a concept plan showing how they wish to divide the property along with building envelopes within which structures would be developed. At a minimum, the information covered either in the Applicant's presentation or through questions and answers by GCAC, includes background information such as how long the Applicant has owned the property and what the plan is to do with the property, the topography, vegetation and trees on the property, type(s) of soil on the property, watercourses, drainage and possible wetlands, proposed water and sewer systems, visual impact of the development, any known endangered species on the property such as Karner Blue butterflies and Indiana bats, and input regarding historical considerations in the development on the property such as Native American relics or old barns and cemeteries. Before the meeting and presentation is finished, arrangements are made with the Applicant for GCAC to conduct an on-site inspection of the property usually on the following Saturday at which time the Applicant or

representative is expected to be available to accompany GCAC as they do the site inspection. GCAC walks the property and makes observations of what effect the proposed plan may have on the existing environment. Along with the site inspection, GCAC reviews the soil survey map of the property as shown in the “Soil Survey of Albany County New York” by James H. Brown and/or from the online information provided on the soil map website of USDA Natural Resources Conservation Service and/or information from the County of Albany Interactive Mapping online resource. GCAC has become more dependent upon the information provided by the County mapping site since that site provides overlay environmental information on individual parcels identified by tax map number. The soil information gathered is included in the GCAC reports on each property to show what limitations the particular soil has related to the planned development, as well as how well the soil drains and its suitability related to septic systems and roadways. Usually it is found that a particular lot has more than one type of soil; in some cases as many as ten or more types which in turn helps dictate what areas on the property are more suited than others when development is being considered. Upon completion of the Applicant's presentation and the site inspection, a written report is directed to the Town Planning Board containing the pertinent information and observations related to the concept plan along with the conclusions and recommendations of GCAC. The original and one copy of the report is given to the Town Planner for the Chair of the Planning Board. Copies are also provided to the Town Supervisor and the Town Clerk for official filing and a copy is kept on file by the Chair of GCAC. Copies of the Council's reports are also on the Town website, as well as sent to the Town Board Member who have been designated as the liaison to GCAC. Starting in early social distancing has been observed at meetings and site visit attendance was restricted to ten individuals.

Compared to the previous year, GCAC had fewer applications for review. In 2021, there were a total of seven subdivision applications which GCAC reviewed. By the end of 2022, with the exception of two, all reports related to the applications referred to GCAC were completed. One exception was due to a cease-and-desist order on one large site, related to unauthorized tree cutting. The other was due to the Applicant or representative not appearing at the December GCAC Meeting.

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Of the subdivision sites noted above, two could be termed as a major subdivision since they were for five lots or more. Of these two sites, one was for 66 lots and the other for 41 lots. Of the other sites, one was for two lots, two was for three lots and the other was for four lots. Total acreage of these seven applications was approximately 642 acres, about 430 acres more than the previous year. It should also be noted that 37 acres are not included in the total since one site was subsequently included as part of a larger subdivision. Zoning of the properties reviewed were as follows – three were RA3, one was RA3/RA5, one was R15 and one was RO40. The latter includes a parcel that had recently been subdivided. Also. Of the two larger planned subdivisions, at least half of the acreage on those properties are planned to be undeveloped.

As part of GCAC review process, the Council considers what effect the proposed subdivision may have of historical significance on the property. On one property there is a historic marker which states it was the farm of Frederick Crouse an officer in the Albany Co. Militia in the Revolution. Residence dates back to the 1700's and has a cemetery to the rear. There are other structures considered of historical significance near but not actually on tother sites inspected by GCAC.

Similar to the 2021 annual report, it should be noted that at one of the site visits in 2022, GCAC members witnessed a large area on the site where there was evidence of apparent dumping. Last year GCAC noted a site near where they were inspecting; but this time the dumping, which included many tires as well as boats and motor vehicles, was actually on the property we being inspected. This has been brought to the attention of the Planning Board for appropriate action. The problem of dumping is not an isolated problem. In a heavily populated residential area of Town, earlier in 2022 at the time of GCAC's inspection, it was noted that the property had been used as a dumping ground for probably more than twenty years based on the trash that was identified there. The trash was dispersed throughout the lot and included old rusted cans, roofing shingles, concrete blocks, carpet, plastic bags and containers. While dumping might not be noticed when driving by, it is an environmental problem. The U S Environmental Protection Agency (EPA) has pointed out that vacant lots are an issue of concern because they tend to attract or be subjected to illegal dumping of litter and other solid wastes, and are often contaminated with hazardous wastes which result in unsafe conditions for children and adults. It seems advisable for the Town to explore the dumping problem and to attempt to find a solution to this problem.

While completing this annual report, the attendance of GCAC Members at GCAC Meetings was also reviewed and it was found that all nine Members were in compliance with Section 62-8 of Article II of the Town Code.

In an effort to continue to gain additional knowledge related to conservation practices and the environment, GCAC members attended webinars conducted by NYS DEC on the following topics: Understanding conserved lands in your community using NY protected area database; and wetland and watercourse protection lessons from three Hudson Valley towns and an update on changes to State wetland policy.

It is well to note that a former member of GCAC who received training last year to become a Master Gardener is now on the Town Planning Board but has voluntarily joined GCAC on their site visits and has contributed to its reports, especially in the identification of plants and trees on the sites visited.

Of further note is the added responsibility assigned to GCAC this year whereby they have been designated the Town Conservation Easement Review Board. As such, one site was inspected resulting in a favorable report that approximately 56+ acres be considered for the easement.

Respectfully submitted:

 12/23/22
John G. Wemple, Jr. - GCAC Chair