

**To: Guilderland Planning Board**  
**From: Guilderland Conservation Advisory Council**  
**Date: August 30, 2010**  
**Re.: Johnston Road, LLC – 6247 Johnston Road, Albany, NY 12203**

**APPLICATION**

**Applicant(s): Johnston Road, LLC, 302 Washington Ave. Ext, Albany, NY 12203**

**Proposed Subdivision: A proposed five lot subdivision of 12 acres.**

**Location: Property is located in the southeast sector of the Town approximately ¼ mile south west of the intersection of Western Ave. (Route 20) and Johnston Road (Route 203).**

**Zoning: RO40.**

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**Site Inspection Summary:**

**Site Inspection Date: August 21, 2010; also on Thursday August 19, 2010.**

**Meeting Attendees: (August 16, 2010) Joseph Bianchine, P.E. (Presenter); GCAC Members Stephen Albert, David Heller, Herbert Hennings, Gordon McClelland, Steven Wickham and John Wemple, Chair.**

**Inspected by: Thursday, August 18, 2010 – Tom Andress (partner of Presenter); GCAC Members Albert, Heller, McClelland, Wickham and Stuart Reese.  
Saturday, August 21, 2010 – Joseph Bianchine (Presenter); GCAC Members Hennings and Wemple.**

**Conclusions: While the lot sizes for each lot as shown on the site plan do appear to be of the required square footage, GCAC does have some concern regarding the size of the residences which may be built on these lots. If care is not taken in their placement and the maintenance of a tree buffer between the planned structures and the neighboring lots they may pose a problem to the existing neighborhood. Proposed Lot # 5 is a major concern since so much of it is either wetlands, lowlands immediately adjacent to wetlands or on the south west side of the wetlands which is not very easily accessible. Although, as noted in the Topography section, there may be an area to the north east of the watercourse and wetlands that could possible accommodate a residence. To the east of this higher area, there is a small low area, which was not walked, but would appear to be too close in elevation to the wetlands to be a prudent place for a dwelling. Related to proposed Lot # 5, GCAC has further concern regarding the safety of the residents since, in case of woodland fire, there would be only one way out due to the wetlands, watercourse and very steep embankment on the Oxford Heights side of the property.**

**Other than what has already been noted, GCAC does not have any other major concerns regarding the other four lots so long as the final plan notes the need to minimize tree cutting not only for the purpose of maintaining privacy for the residents as well as the**

**neighborhood but also for the purpose of erosion and flood control. The removal of trees for building lots just above the wetland area could very easily result in unwanted erosion and in turn cause unnecessary flooding. As noted in the soil section, there will be a need for developers to pay special attention to the limitations of the various types of soil on the property related to buildings and roads.**

**Submitted by: \_\_\_\_\_  
John G. Wemple, Jr. - Chair**

## INSPECTION DETAILS

Applicant(s): Johnston Road, LLC

Address: 6247 Johnston Rd., Albany, NY 12203

### Background:

The TaxLookup.net website accessed via the Town Receiver of Taxes website shows the property as 12.06 acres in size, the same acreage as shown on the 2008 Town Tax map. It was understood that the original plan of the previous owner, A. Quadrini, was to clear the property for a development of townhouses. Subsequently, after this project did not materialize, the property stood idle with the older trees getting larger and a new crop of trees and heavy vegetation and undergrowth taking the place of whatever had been taken down. As sometimes happens, as a result of the lands sitting idle, the property has been used, possibly by neighbors, as a dump although this appeared to be limited to some trash including a refrigerator and some household items. Within the past couple years, it is further understood that an eight acre portion of the property was deeded over to the Town as park land tied to an agreement related to the Mill Hill property. On proposed Lot # 3, the existing house has posted sign on it and is apparently vacant. Town website indicates it has 1,680 sq.ft. and was built in 1939. On that lot near the south west property line there is a shed in need of repair (has a hole in the roof). Plan is to subdivide the existing twelve acres into five lots and then sell these lots the development of which would be up to whomever becomes the new owner. While the site plan shows the proposed cul-de-sac adjacent to the last two parcels on Homes Terrace, the Presenter noted that the site of this cul-de-sac will be further southwest nearer the end of the Homes Terrace properties. Unless proposed lot lines are changed, this relocation of the cul-de-sac would in turn slightly increase the size of Lot # 2 and likewise decrease the size of Lot # 4. The end result of this modification would be better access to the Town land and a shorter drive to Lot # 5. Presenter further noted that the property line along the rear of the Brandon Quadrini's Wendom Road lot may be adjusted to make Brandon's property a little larger and to possibly include at least some of the land adjacent to it in this lot line adjustment. Just where the driveway to Lot # 1 will be remains a question. It could possibly be off of Johnston Road or follow a possibly safer path from Wendom Road at the end of Ardsley Road.

Topography: Other than the area on either side of the watercourse and wetlands on Lot # 5, the property can be considered fairly flat with a gentle fall in elevation to the south. As noted below under drainage, the contour lines on the site drawing indicate a slight drop in elevation toward Wendom Rd. on the two small connector areas. The elevation drops from approximately 290 ft. AMSL on the north sides of Lots # 1 and # 2 to approx. 275 ft. AMSL on the south side of Lot # 4 and 278 ft AMSL at the south corner of Lot # 3. On Lot # 5 the low point if elevation in the middle of the wetlands is at an elevation of 272 ft. AMSL. On upper portion of Lot # 5 adjacent to its northeast boundary line, the site drawing shows a hill which is approx. 284 ft. AMSL at the top and tapers off to 278 ft. AMSL covering an area about 120 ft. X 75 ft. within the building envelope which may end up being the area on which a dwelling would possibly be located. Presenter was receptive to the idea of a 35 foot setback wetland buffer area although none is required of these Federal wetlands. On the

southwest side of Lot # 5 there is a very steep drop off from the adjoining Oxford Heights property with the elevation decreasing from 286 ft AMSL near the mid point of that boundary line and likewise 290 + ft. AMSL at the west corner to 278 ft. AMSL within a distance of only 33 ft. and 10 ft. to the northeast respectively.

**Vegetation/Trees:** Other than the cleared area of Lot # 3, the vegetation is very thick with a heavy growth of vines and bramble bushes covering much of Lots # 1 through # 4 and the entry area to Lot # 5. On the property there is a mix of small trees and rather large trees of which most of the trees are deciduous including locust and a few birch trees, and a smaller percentage being pine although some of these pine trees are very large. On the area adjacent to the end of Homes Terrace a large oak was noted. The presenter did not feel that too many of the trees would have to be cut down to make way for the proposed development of the subdivision.

**Soil:** A review of the soil map from the USDA Natural Resources Conservation Service website along with a review of Sheet Number 19 in the “Soil Survey of Albany County, New York” by James H. Brown (1992) shows that The property has five different types of soil as well as a watercourse, noted in the following section, which crosses one of the proposed lots. Lot # 1 has primarily CoC soil except for a strip of Gr soil about 50 to 75 feet wide which runs along the southwest side of the lot. Similarly Lot # 2 has CoC soil on about sixty percent of the lot with a strip about 75 to 93 feet wide of Gr soil along the southwest side of the lot. If a diagonal is drawn from the northwest corner to the northeast corner of Lot # 3, north half of the lot has mostly Gr soil with this soil also extending about half way down along the southwest boundary of the lot. There is an area of EnA soil about 90 + to 110+ feet wide extending about 35 feet beyond the midpoint of the lot. On Lot # 3 there is a curved strip of CoC soil along the Johnston Road border which starts about 60 feet from the south corner of the lot and extends back about 80 feet to the midsection diagonal line and then curves back to about 50 feet of Johnston Road. Lot # 4 has Gr soil on it as does most of the area marked paved cul-de-sac. Most of the north portion of Lot # 5, including most of the wetland area, has Ud soil. To the southwest of the wetland area there is an area about 50 to 110 feet wide which runs along the southwest side and up about 350 feet along the southeast side with a narrow strip of Ut about 200 feet long and another narrow strip of CoC about 90 feet long on the southwest boundary, as well as a small area about 20 ft. X 50 ft. of EnA soil near the east corner of the main area of Lot # 5. As to the existing structures on Lot # 3, the house, except for the south east corner, which is on CoC soil, the garage and the smaller building to the rear are on EnA soil. About 80 % of the large rear building is on Gr soil with the front portion being on EnA.

**CoC - Colonie loamy fine sand, rolling** - is a rolling soil which is very deep and well drained to somewhat excessively drained. Slopes range from 8 to 15 percent. The seasonal high water table in this Colonie soil is at a depth of more than six feet, but it may fluctuate to within 3 ½ feet of the surface for very brief periods in early spring. Depth to bedrock is more than 60 inches. Permeability is moderately rapid or rapid. The available water capacity is low, and surface runoff is medium. The main limitation of this soil on sites for

dwelling with basements is the excessive slope on rolling topography. Designing dwellings to conform to the natural slope or landscaping helps overcome this limitation. The main limitation of this soil for local roads and streets is the slope. Grading and excavation costs are higher than in lesser areas of Colonie soils. Constructing roads on the contour wherever possible or landscaping and grading help overcome the slope limitation. The main limitation affecting the use of this soil as a site for septic tank absorption fields is a poor filtering capacity. The soil has moderately rapid or rapid permeability and so is a poor filter of effluent. Consequently, ground-water contamination is a hazard. A specially designed septic tank absorption field or an alternative system will properly filter the effluent. Other soils that have a moderate permeability rate are better suited to this use.

**EnA – Elnora loamy fine sand, 0 to 3 percent slopes** This nearly level soil is very deep and moderately well drained. Seasonal high water table is at a depth of 1 ½ to 2 feet from February to May. Depth to bedrock is more than 60 inches. The main limitation of this soil on sites for dwellings with basements is the seasonal high water table. Installing foundation drains, applying protective coatings to basement walls, and diverting surface water away from dwellings help prevent wet basements. Main limitations for local roads and streets are moderate frost action potential and seasonal high water table. Adequate drainage of surface water and constructing the road on a coarse textured subgrade or base material help overcome these limitations. The main limitations of this soil on sites for septic tank absorption fields are the seasonal high water table and a poor filtering capacity. The soil is rapidly permeable and a poor filter for effluent. Consequently, ground-water contamination is a hazard. The author notes that a specially designed septic tank absorption field or an alternative system will adequately filter the effluent. Other less sandy soils in the higher landscape positions are better suited to this use.

**Gr – Granby loamy fine sand.** This nearly level soil is very deep and poorly drained to very poorly drained. The seasonal high water table is at a depth less than one foot from November to June. Bedrock is more than 60 inches deep. Permeability is rapid. The available water capacity is moderate, and surface runoff is very slow or ponded. The surface layer and subsoil are moderately acid to neutral. The seasonal high water table causes shallow root development, which results in seedling mortality and windthrow hazard. Main limitations on sites for dwellings with basements are the seasonal high water table and ponding. Similar limitation for local roads and streets due to the high water table and ponding. Installing drainage will lower the water table near road sites. Constructing roads on raised fill material will also reduce wetness. The main limitations affecting the use of this soil as a site for septic tank absorption fields are the seasonal high water table, ponding, and poor filtering capacity. Other nearby soils are better suited to this site.

**Ud - Udipsamments, smoothed** - This map unit consists of nearly level to very steep areas of disturbed, sandy soils. These soils are moderately well drained to somewhat excessively drained. The seasonal high water table in Udipsamments is generally at a depth of more than 6 feet but in some areas is at a depth of 4 feet. Depth to bedrock is more than 6 feet.

Permeability is moderately rapid or rapid where the soils are relatively undisturbed and uncompacted. The available water capacity is low or very low, and runoff is slow or medium. It is noted in this reference book that these soils are so variable that onsite investigation is needed to determine potential and limitations for any proposed use.

**Ut - Urban land-Udorthents complex** – This map unit consists of nearly level and gently sloping areas of Urban land and areas of clayey and loamy Udorthents. Included with this unit in mapping are areas where the soil material is mixed with wood and coal ashes, cinders, and old rubbish heaps. Also included are small areas of soils that have slopes of more than 8 percent. The natural drainage, permeability, available water capacity, and runoff vary with the soil material. Most areas of this unit are artificially drained with sewer systems, gutters, drainage tiles, and ditches. Few building sites are available, unless old buildings are razed. On site investigation is needed to properly evaluate and plan development of sites for a specific purpose.

**Drainage/Wetlands:** Site plan shows Federal wetlands on much of lot #5.

Soil map shows a watercourse running in a southeast direction across lot #5 from a point about 50 feet southwest of its north corner to a point about 50 feet northeast of its south corner. At the time of the Saturday (8/21/10) morning site visit, the property was mostly dry despite the heavy rain/hail storm on Thursday evening. An area along the southwest property line near the proposed boundary between Lots # 3 and # 4 was noted as being damp. Surprisingly even the wetland area to the east of the watercourse on Lot # 5 was dry and easy to walk on with no fear of getting wet feet. The only area observed where there was ponding was on the concrete slabs which were apparently the floor of what had been the wood frame building located on the site plan off the south corner of the concrete block building on Lot # 3. Using the contour lines on the site plan drawing, the natural drainage, of the central portion of Lots 1 through 4 is to the south with the exception of the two fingers which enter onto Wendom Road where the drainage is to the north. The natural drainage on Lot # 5 would be toward the center of the watercourse which, according to the soil survey map, runs in a south east direction. There is a long culvert pipe along this watercourse, which appeared to be larger in diameter than the 12” indicated on the site drawing. It did not appear that the pipe served any purpose other than assisting the direction of the waterflow. Wetland flags 2-12, 2-17 and 2-18 were noted on Lot # 5 by the Presenter and GCAC but their location could not be oriented to the site map due to the lack of a wetland map. The storm inlet, as noted on the site plan, is on the Oxford Heights property at the top of a very steep drop-off. Runoff from this inlet is directed toward the Applicant’s property (Lot # 5) which in turn could lead to a possible growth in the size of the existing wetland area. It is understood that the flow of the watercourse is southward toward Johnston Road.

**Septic/Wells:** Plan is to hookup to existing Town water and sewer. Presenter noted that there are lines for all the lots and they may have a long lateral line for water for Lot # 5. While there is a well and a well pump house on Lot # 5, the presenter noted that they are

not functioning. This pump house was located by the Presenter and seen at time of August 21<sup>st</sup> site visit. The well was not located.

**Visual Impact:** While the Presenter did not envision the development of the lots as having much of any visual impact on the neighboring properties due to the buffer of trees, the planned development may very well pose some problem to the neighbors if many of the trees along the perimeter of the lots are cut down combined with dwellings which may be large in size. If sufficient buffer of trees is not maintained, the existing neighbors may not like having new dwellings which may give the appearance of being in their own backyards.

**Endangered Species:** Presenter noted that he does not know of any Karner blue butterflies or Indiana bats and based this on the State website which indicates there is nothing other than some plants on the site and no blue lupine. At the time of the site visits, GCAC did not observe any such butterflies, blue lupine and bats. Only animals observed were some cats, rabbits and squirrels.

**Historical Considerations:** Presenter showed GCAC a map obtained from State website showing that the property is just north of the archeo sensitive area in that part of the Town along Johnston Road. No cemeteries, old buildings or things of historical significance were observed by GCAC at time of site visits.

Submitted by: \_\_\_\_\_  
John G. Wemple, Jr. - Chair