

To: Guilderland Planning Board

From: Guilderland Conservation Advisory Council

Date: December 30, 2015

Re.: Pine Bush Senior Living Center, 20 New Karner Road, Guilderland, NY 12184

APPLICATION

Applicant(s): Pine Bush Senior Living LLC, 823 West Park Ave., #256, Ocean, NJ 07712

Proposed Project: A proposed development on a 50.9 acre site in need of rezoning.

Location: The property is located on the west side of New Karner Road (Route 155) about 2/10 mile northeast of Western Avenue (Route 20) at the southeast end of the Hamlet of Guilderland.

Zoning: Request to rezone from BN-RP (Business Non-Retail Professional) to MR (multiple Residence) on the part of the property to be developed.

Site Inspection Summary: \_\_\_\_\_ Site Inspection Date:  
December 19, 2015

Meeting Attendees: (December 14, 2015) Presenter Daniel Hershberg accompanied by developer John Keller, Jr.; GCAC Members Kevin Connolly, Gordon McClelland, Stuart Reese, Gustavo Santos, Steve Wacksman and John Wemple (Chair).

Inspected by: Representative of the Applicant John Keller, Jr.; GCAC Members Kevin Connolly, Gordon McClelland, Stuart Reese, Gustavo Santos, Steve Wacksman and John Wemple (Chair).

**Conclusions:** As noted above, the address has been changed to #20 in conformity with numbering already established for that portion of New Karner Road. Presenter also noted that the business to the southwest will be given permission to use the curb cut being designed for the project, thus eliminating the need for the existing one. He also noted that the plan will include extending the sidewalk along the west side of New Karner Road to the area of the upper driveway which leads to the independent living building. At time of site visit, it was observed by GCAC that in the area of the north driveway there was been some logging activity, apparently having been done by the current owners' son. That area has also had noticeable amount of excavation since it is at a higher elevation than the terrain adjacent to its right as one moves inward on the property. Due to the size of the area of planned development, this relatively small area will make little difference to the overall plan since there will undoubtedly be a major amount of excavation and earth movement in the construction of the structures, driveways and parking areas. Having reviewed the plans for development and walked and observed a good portion of the area for this project, GCAC does not envision this senior living center as having much, if any, significant negative environmental impact on the property or the neighboring community so long as the many positive guidelines as outlined in the multi-sectioned volume of the plan that the Applicant has submitted are followed.

Submitted by: \_\_\_\_\_

John G. Wemple, Jr. - Chair

INSPECTION DETAILS

Applicant(s): Pine Bush Senior Living LLC

Address: 823 West Park Ave., #256, Ocean, NJ 07712

**Background:** While this is not a subdivision, input by GCAC has been requested due to the potential environmental impact of this development. GCAC first became aware of the project in May 2014. At that time, GCAC Chair reviewed the site plan proposal and emailed the Town Planner and an inspector from Town Zoning GCAC's concern

regarding the placement of the buildings close to the possible angle of repose on the Kaikout Kill as well as the required set back. Based on GCAC's preliminary calculations, since under Town Code (Sec. 247) there is a required thirty foot setback reserve, it appeared that the two buildings would need to be relocated approximately thirty feet to the east in order to be in compliance with the Code. A review of the current revised proposal indicates the developer has taken the angle of repose into consideration and has moved the proposed buildings to the east whereby a setback reserve now exists.

In his presentation to GCAC, presenter Hershberg outlined the need for beds which the Center proposes to provide. The Center would have various levels of care as well as serving the community, availing part of the independent living building as a life long learning center. Presenter made note of the new address for the site which is now number 20 rather than number 145. The following sections of this report are based on a combination of Mr. Hershberg's presentation, the September 25, 2015 multi-sectioned bound document submitted by Phillips Lytle related to the zoning issues and from observations made by GCAC. Other areas of interest noted by the Presenter included the following, Over 39 acres, to the rear of the proposed development will be dedicated to the Pine Bush. While it had been thought that the site had been a dump area, it was found that it was not a major dump area, and had an average two foot fill. Due to the nature of the Colonie soil, the Applicant found that stormwater should not be discharged too close to the angle of repose. Thus, the infiltration basin is near the front of the site. The parking lot will have porous pavement and half the parking area for the north building will not be paved. Likewise the plan is to cut down on the amount of asphalt used in the project. Furthermore, courtyards and planters will be part of the plan for stormwater management. Presenter also noted that they want to preserve a cluster of trees in back of the independent living facility and have a nature trail in back of the NiMo property.

A couple of the guidelines, noted in Section L , Page 3 of the Applicant's Report, which should be implemented are as follow: Surface runoff should not be directed to slopes. Vegetation and trees should not be removed from slopes. It was also of interest that in the Report a special note is made that diverse strategies can be applied during building design, construction, operation, and maintenance to prevent significant amounts of mold from growing on indoor surfaces. . Of further note are pages 8 and 9 in Section I of the report which notes steps that will be considered to conserve natural areas and to reduce impervious cover. (such as utilizing porous pavement wherever possible, sidewalk reduction, driveway reduction, parking reduction and building footprint reduction).

Topography: The forward portion of the 50.9 acre site is relatively flat until on approaches the Kaikout Kill which runs across the site in a southwest direction. A review of the contour lines on the plan show that the rear portion of area of proposed development is at about 280 feet Above Mean Seal Level (AMSL). Beyond that point, there is a marked drop in elevation down to the creek and then beyond which the terrain slopes upward toward the west. A review of the contour lines on the map in Section C of the Applicant's proposal shows the elevation of much of the parcel to the west of the creek being between 270 ft. and 300 ft. AMSL and rising to over 300 ft. AMSL at the west end portion. GCAC limited its site visit to the front area east of the creek and

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thus avoided unnecessary disturbing the rear area which will be dedicated to the Pine Bush. The Applicant's representative noted that the terrain was firm along the edge of the ravine. GCAC had very little difficulty walking the forward portion of the property and saw no need to go down into the ravine to observe the creek. While walking near the edge, GCAC did note that along the edge of the ravine near the midpoint of the rear of the area to be developed the upper edge of the ravine has a deep cut apparently caused by erosion.

Vegetation/Trees: Most of the acreage is treed including oak, white pine, possibly hemlock, scotch pine, and at least one pitch pine. Development of the plan will necessitate cutting many of the trees on the front portion of the property. Plan includes planting of trees and shrubs along the front border of the portion of the project where the assisted living buildings will be located and also scrubs along some of the front portion along the road in front of the area where there will be a sediment basin and infiltration basin. From what GCAC observed, it appears that the largest trees are along the front boundary near the rear of the Karner Road restaurant property.

Soil: Soil on which much of the development will take place is Colonie sand as indicated by the presenter. A review of the soil map on Sheets Number 12 and 19 found in "Soil Survey of Albany County, New York" (1992) by James H. Brown and the soil map from the USDA Natural Resources Conservation website indicates that the most of the buildings on the development will be located on CoC soil with the front portion of the Independent Living building possibly being on EnA soil. Likewise the front portion of the assisted living buildings will be on Uf soil and the east corner of the middle building being on Uf as well as EnA soil. The parking areas and driveways will be on soils similar to those of the buildings. The sediment basin and the infiltration basin will be on primarily EnA soil with the possibility that a very small area at the south corner of that area may have Uf soil. To the rear (northwest) of the area of development the soil in the ravine where the creek is located the soil is HuE. About a quarter of the west area

along much of the north side is HuE soil. The remainder three quarters is CoA, CoC and CoD. Based on data in the Soil Survey a brief description of the above soils and some of their limitations is as follows.

CoC – Colonie loamy fine sand, rolling – This 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 dwellings 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

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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. This soil is rapidly permeable and is 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.

Uf – Udipsamments-Urban land complex. - This map unit consists of nearly level to gently sloping, very deep, well drained to somewhat excessively drained cuts and fills in sandy soils and areas of Urban land. Udipsamments are generally soils that have been disturbed as a result of manmade cuts or fills. Slopes range from 0 to 8 percent. Typically, the surface layer is brown loamy fine sand or fine sand and as much as 10 percent gravel. The seasonal high water table in this soil 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 six feet. Udipsamments are suitable for most building uses. In some places, excavations deeper than 48 inches reach finer textured materials or the seasonal high water table. If the soils are exposed, soil blowing is a hazard. Steep cuts should be avoided because cutbacks tend to cave or slump. Areas of these soils are difficult to stabilize because of droughtiness, and irrigation will help establish vegetative cover. Onsite investigation is needed to determine the potential or limitations of these soils for any proposed land use.

HuE - Hudson silt loam, 25 to 45 percent slopes. This steep soil is very deep and moderately well drained. The seasonal high water table is perched above the clayey subsoil at a depth of 1 ½ to 2 feet between November and April. Depth to bedrock is more than 60 inches. Permeability is moderate or moderately slow in the surface and subsurface layers and slow to very slow below. The available water capacity is high. In many areas along large streams, the soil is susceptible to landslides and slumps. The main limitations on sites for dwellings with basements are the seasonal high water table and the slope. In many places the soil is also susceptible to landslides and slumps. The author notes the included soils in this unit and nearby soils that are less sloping are better suited to this use. Main limitations for local roads and streets are the frost-action potential, low strength, and the slope. Roads should be planned, where possible, to avoid this soil. The main limitations affecting the use of this soil as a site for septic tank absorption fields are the seasonal high water table, the slow percolation, and the slope. Also, effluent moving into the soil from distribution lines can make the hillside more unstable and cause landslipping. Other less sloping soils are better suited to this use.

CoA Colonie loamy fine sand, 0 to 3 percent slopes. This nearly level soil is very deep and well drained to somewhat excessively drained. The seasonal high water table in this Colonie soil is at a depth of more than 6 feet, but it can fluctuate to a depth of 3 ½ feet for very brief periods in early spring. Depth to bedrock is more than 60 inches. Permeability is moderately rapid to rapid. The available water capacity is low, and surface runoff is slow. This soil is well suited to cultivated crops. It is among the best suited in the County for food and fiber production. This soil is also well suited to pasture. The author notes that this soil has no limitations on sites for dwellings and for roads and streets. He further notes that droughtiness is a problem for establishing and maintaining lawns and shrubs. The main limitation affecting the use of this soil as a site for septic tank absorption fields is a poor filtering capacity. Permeability in this is moderately rapid or rapid, so the soil is a poor filter of effluent from septic tank absorption fields. Consequently, ground-water contamination is a hazard. A specially designed septic tank absorption field or an alternative system will properly filter effluent. Other soils that have a moderate permeability rate are better suited to this use.

CoD - Colonie loamy fine sand, hilly This soil is very deep and well drained to somewhat excessively

drained. Slopes range from 15 to 25 percent. Typically the surface layer is dark

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brown loamy fine sand about 7 inches thick. The subsoil is 61 inches thick. The substratum is brown loamy fine sand to a depth of 80 inches or more. The seasonal high water table in this Colonie soil is at a depth of more than six feet, but it may fluctuate to a depth of forty inches for very brief periods in early spring. Depth to bedrock is more than sixty inches. Permeability is moderate rapid to rapid. The available water capacity is low and surface runoff is rapid. The main limitation of this soil on sites for dwellings with basements is the slope. The main limitation for local roads and streets is also the slope. The slope increases the cost of grading and excavating. Constructing roads on the contour whenever possible or land shaping and grading help overcome the slope limitation. In some areas, if the vegetative cover has been removed, wind erosion is a hazard. The main limitation affecting the use of this soil as a site for septic tank absorption fields is the slope. This soil is moderately rapidly or rapidly permeable and is a poor filter for effluent. Consequently, ground-water contamination is a hazard. A specially designed septic tank absorption field or an alternative system will properly filter the effluent. In most areas land shaping is needed to install the distribution lines on the contour. Other soils are less sloping and are moderately permeable and are better suited to this use.

Drainage/Wetlands: . According to the Presenter, and as noted in the there is a small wetland area to the south of the assisted living facility which will be disturbed to allow for construction of access driveway and stormwater management facilities, the disturbance of which is noted as 0.098 acre. The Applicant's report noted the site was evaluated and found that there were no state-regulated wetlands but found a very small federal wetlands as noted. At time of site visit, Mr. Keller showed GCAC where this area is along the southwest corner of the area to be developed. This small area has a relatively deep ditch apparently as the result of stormwater draining across it as it finds its way from the east in the direction of the creek area.

Septic/Wells: Plan is to connect to Public water and sewer.

Visual Impact: Presenter noted that fence, trees and scrubs will be used to minimize the visual impact of this development. Fence would provide safety for patients in the facility.

Endangered Species: Report indicates it is unlikely that any rare species would be impacted by the proposed development and that there were no blue lupine on the site. The report done by Bagdon Environmental states that plant surveys conducted on the site did not reveal any rare or endangered/threatened species. At time of site visit, GCAC did not note any endangered species.

Historical Considerations: Phillips Lytle Report states that a Phase I Archeological Survey Report did not identify any archeological sites and determined that no cultural properties eligible for the National Register of Historic Places were present on the site and no further investigation is warranted. GCAC did not observe anything of historical significance at time of December 19<sup>th</sup> site visit.

Submitted by: \_\_\_\_\_

John G. Wemple, Jr. - Chair