



Town of East Greenbush Conservation Advisory Council

**Land Development Application Review Recommendation to the Town of East Greenbush
Planning Board for the**

**CARVER COURT
UPPER MANNIX ROAD
MAJOR 110-LOT CLUSTER SUBDIVISION
(PB File No. 20-11)**

October 25, 2021

MOTION to ADOPT REPORT AND FORWARD TO THE PLANNING BOARD

A Motion was made by Chairperson Dean as follows:

The Town of East Greenbush Conservation Advisory Council (CAC), having reviewed the proposed Carver Court major cluster subdivision preliminary plat, and in accordance with its powers and duties under local law 2 of 2021, hereby adopts the attached report, dated October 25, 2021, and forwards the same to the Town of East Greenbush Planning Board.

Seconded by Adam Tobey & roll called as follows:

J. Hixon-YES; F. Henson-YES; V. Manieri-YES; A. Tobey-YES; J. Dean-YES

Motion carried by a 5-0 vote.

(considered draft until approval of this meeting's minutes)



Natural Resource Recommendations for Carver Court Subdivision

October 25, 2021

Background:

The Conservation Advisory Council (CAC) reviewed the site plans and satellite imagery for [Carver Court Major 110 Lot Cluster Subdivision](#) at the September meeting, and asked to participate in a site visit. The site visit was held October 7 with some members of the Planning Board and CAC, the town director of planning and zoning, and led by the engineer for the developers (Brett Steenburgh).

After the site visit, the CAC prepared a list of recommendations from a conservation perspective, focusing on wetlands, streams, and trees, and also providing some open space use ideas. A special meeting for the CAC was held on October 21 to discuss these recommendations with the Carver Court developers to workshop ideas that could be feasible to implement and have a positive conservation impact. Notes were added to the initial recommendations to provide more details, and can be [found here](#). The following recommendations come from items discussed at this meeting and the notes from Brett Steenburgh:

Wetlands

- Install temporary silt fencing to prevent runoff during construction from flowing into the wetlands
- For the units close to Wetlands A and B, plant a hedgerow of native wetland-tolerant shrubs to provide a buffer between the yards and wetland edge. The CAC will provide a suggested plant list.
- Provide signage at intervals along the wetland edge indicating this is a sensitive ecological area.
- Write into the HOA agreement that lawn chemicals should not be used in the yards adjacent to any wetland.

Streams

- As planned by the developers, use at least 42" culverts with one-third embedded to provide a natural stream bottom for all stream crossings.
- Have applicants provide a site plan with the streams and the 50' buffer mapped, as per the Watercourse Management Overlay (WMO) District part of the town's zoning law (Section 2.8).



Trees

- After the initial road clearing and grading, encourage developers to assess which trees can be reasonably preserved across the site, especially in the yards in the front or rear of units. Trees to be preserved need to be protected from disturbance and soil compaction at least out to the drip line of the crown of the tree.
- At least one tree (established or new planting) should be provided for each unit.
- The CAC will provide a list of tree species for new plantings.

Open Space

- Create a trail along the east boundary of the site, connecting the northeast cul-de-sac to the proposed open space and an additional loop trail.
- Clear a small, flat, well-drained area to be seeded as grass for active recreation.



Initial Recommendations:

Notes on Carver Court Subdivision from Site visit (Oct 7th) notes, plus follow-up meeting (Oct 21st) notes

The site visit of the proposed Carver Court development (October 7, 2021) revealed the most significant natural resources are the **wetland complexes, streams, and areas with large oak and maple trees** (several over 100 years old). The eastern area currently proposed for open space is quite weedy with very few healthy trees in the north portion. We did not see the southern half of this section.

From a conservation perspective, the Conservation Advisory Council makes the following recommendations:

- 1) Increase the buffer around the large wetland (Wetland E)
 - Push the units and disturbance line away from the largest wetland. Currently, the disturbance line is planned to be 25 feet from the wetland edge. While this is in line with the 25' vegetative buffer required between disturbed areas and protected federal wetlands by the Town's Comprehensive Zoning Law (2008), wetland condition is strongly correlated with intact upland forest buffer (~130 feet is recommended by NYNHP 2018 for good condition wetlands; <http://www.nynhp.org/epa-adjacent-areas>).
 - Possible accommodations could be reducing the amount of grass lawn for units adjacent to wetland E (these would have a forested backyard, which would likely reduce the use of lawn chemicals which would run down into the wetland)
 - Or development could be pushed eastward and into the area currently proposed as open space.

Follow-up from meeting (Oct 21st):

Several wetlands are present on the site. For the largest, Wetland E, according to the developers and the site plan, the disturbance line will actually be 40' (as opposed to 25'), with the nearest building over 100' ft the wetland limits. A swale will be constructed at the disturbance edge to divert runoff from homes away from the wetland and into the storm water management system (and silt fencing during construction). This is an acceptable scenario, especially given the late stage into the planning.

For the smaller wetlands A and B, the disturbance and units are much closer to the wetland edge. We agreed that a hedgerow of native wetland-tolerant shrubs to provide a buffer between the yards and wetland edge is warranted. The CAC will provide a suggested plant list.



- 2) Provide adequate protection to the many flowing streams
 - Map the streams and classes throughout the property
 - The NRI shows streams running north-south and east-west along the southern portion of the parcel
 - Provide a plan for areas where streams and development / clearing overlap
 - Ensure adequate culverts for wildlife passage and storm surge from increasingly common large rainfall events

Follow-up from meeting (Oct 21st):

The developers were aware of the streams and plan to use 42" culverts with one-third embedded to provide a natural stream bottom, and are designed to the current 100-year flood scenario. This was determined to be sufficient for wildlife passage.

The streams were not mapped out on the site plans, According to the town's zoning law:

The Town of East Greenbush Zoning Law of 2008 Section 2.8 establishes a Watercourse Management Overlay (WMO) District relating to NYSDEC's classified streams in order to protect natural and cultural resources in the stream corridor, enhance surface water quality, control non-point source pollution sources such as erosion and sedimentation, and protect people and structures from flood hazards. Protected areas are established "for a horizontal distance 50 feet from the high-water mark of ponds and lakes and from the nearest bank of streams and rivers... The water bodies covered by the Watercourse Management District have been classified by [NYSDEC] as designated water classes 'AA' through 'D'" (Section 2.8.3). Planning Board approval is required before any improvements are made on public or private property within the WMO district. Applicants are responsible for indicating any water bodies and their 50-foot overlay boundary on proposed site plans.

- 3) Preserve some of the large trees to add character to the development, and to provide the belowground root connections that promote survival and growth of new tree plantings

Follow-up from meeting (Oct 21st):

After the initial road clearing (plus 10' on each side) and grading, developers will evaluate trees in each lot to see if some can be saved as yard trees. These could be in front or rear of units.

The developers are asking the CAC to provide a list of tree species as suggested yard plantings.



4) Encourage enjoyment and appreciation of natural resources by residents in the open space areas

- Provide connected walking trails through the natural areas that are set aside as open space.
 - Loop path through woods west of Wetland A, then along emergency road, across Road 2, across Wetland B with a pedestrian boardwalk (or along perimeter of wetland B), connect to Road 1. Sidewalks will connect to the active recreation area and path loop on the east end (see map below)
 - Walking paths should have trash receptacles to discourage littering in sensitive areas.
 - Walking path should have a permeable surface
 - To accommodate extra cost, sidewalks along west cul-de-sac (road 2) could be removed
- Provide a small field of well-drained, mowable grass for active recreation (ball field, kite flying, etc).
 - The north end of the eastern site identified as active or passive open space could be a good location for this.
 - A small playground and some benches would help encourage use.

Follow-up from meeting (Oct 21st):

The developers explained the constraints and needing to avoid any foot traffic close to Thompson Hill Rd, so a trail cannot be placed on the west side of the site. A trail is proposed along the units on the east side, and connecting down to the proposed open space where a trail loop will be placed, in addition to a cleared field for active recreation.

The new site plans from the developers proposes about 1.75 cleared field.

5) Provide native tree plantings / landscaping that will last, and be suited to our changing environment

- Use native species adapted to local conditions and that will thrive in the projected plant hardiness zone for this area (currently 5B, projected zone 6 as temperatures increase).
- Plant a diversity of species so that new tree pests cannot take out all plantings at once.
- Look for local sources of native trees, preferably from local nurseries
- At least one tree per unit (more is preferable, one in front, one in back), in addition to disturbed areas set aside for open space.

Follow-up from meeting (Oct 21st):

The CAC will provide suggested lists of tree species for the site.



Proposed connected walking paths through open spaces (teal).

Follow-up from meeting (Oct 21st):

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