

Bill and Terri Lorensen

14 Hearthside Drive, Ballston Lake, NY 12019
877-5070

Steven Bulger, Chairman
Clifton Park Town Planning Board
One Town Hall Plaza
Clifton Park, NY 12065

11/29/05

Subject: Wetland Concerns - Kain Development Group, LLC Proposed (18) lot subdivision, Longkill Road, Town of Clifton Park

Dear Mr. Bulger,

This is a follow up to our letter dated October 3, 2005, *Subject: Kain Development Group, LLC Proposed (18) lot subdivision, Longkill Road, Town of Clifton Park*. In that letter we expressed our concerns about water, privacy, subdivision layout and the impact on nature. This letter focuses on the wetlands issues with respect to the proposed subdivision.

We are concerned that Kain Development is underestimating the extent of the wetlands and their impact on current and future homeowners. We request that the Planning Board, acting on behalf of current and future homeowners adjacent to and within the proposed subdivision:

1. Require Kain Development to **provide a full Environmental Impact Statement**. This site needs an objective assessment of the extent of wetlands and the hydrology of the area. Figures 7-9 show the extent of the wetlands. Figures 7 and 8 show the USGS wetland polygons (<http://wetlandsfws.er.usgs.gov/>). According to the USGS, this is the largest contiguous wetland that exists within Clifton Park (including the adjacent Ballston wetlands). Figure 9 shows the USGS wetlands overlaid (approximately) on the proposed subdivision. We realize that the US Army Corps of Engineers has jurisdiction on these wetlands, but we are concerned about the USGS assessment of the area. The USGS description of the area matches our understanding of the wetland situation in the proposed subdivision. A full, objective Environmental Impact Statement will resolve the discrepancy between the builder's Site Plan and the USGS assessment.
2. Require Kain Development to **provide a conservation easement** for those portions of the subdivision that contain wetlands. Several of the lots in the Kain Development site

plan (lots 10, 11, 12, 13 and 17) include wetlands. These areas need to be isolated and protected via permanent conservation easements. The Town has little recourse against homeowners once they are established.

3. Require Kain Development to **reduce the number of homes** in the subdivision. The Planning Board has asked the builder to consider alternative lot layouts and he has refused to present any alternatives. A plan with fewer homes could protect the existing wetlands.
4. Require Kain Development to **post a long term bond** that will reimburse any homeowners with adjacent land and future homeowners of the subdivision, for any and all water damage to their property and homes. Many of the adjacent homes have recurring water problems. The proposed subdivision, as described in the builder's plans, is insensitive to existing problems and will cause more severe problems in the future.
5. Require Kain Development to **provide a reasonable buffer zone** between current and future properties. This buffer zone should include a berm and plantings that will provide privacy for current and new homeowners. The berm would also protect existing homes from water run-off due to site grading. The Hearthside Drive neighborhood is 35 years old. Many of the families (lots 4, 8, 10, 12, 14, 16, 20 and 22) have resided on this street for over 30 years.
6. **Perform a field walk** of the site in the Spring, when the wetlands are most evident. Photos do not convey the number, extent and depth of the wetlands that exist in the proposed subdivision. We have attached several photos that illustrate the severity of the wetlands issues in the proposed subdivision. Figures 1-6 were all taken in November 2005. They show the variety and extent of the wetlands in the proposed subdivision. There are many more wet areas each Spring and the illustrated wetlands are much more extensive in the Spring. The Board should see the extent of this situation in person.

The Planning Board provides review on land use issues for the Town Board, residents, and applicants and promotes the safe and orderly development of the community. The Board balances property rights, community values and environmental preservation. The Planning Board is our only venue to provide objective and fair recommendations for responsible development in Clifton Park. Please help us protect and preserve our neighborhood.

Sincerely

Cc: Planning Board Members
Jason Kemper, Town Planner
Mike O'Brien, Environmental Specialist
Environmental Conservation Committee
Phil Barrett, Town Supervisor
Julia Stokes, Saratoga P.L.A.N.



Figure 1: Longkill forest wetlands looking towards Hearthside Drive. Hearthside home are visible.



Figure 2: Additional Longkill wetlands looking towards Hearthside Drive. Hearthside homes are visible.



Figure 3: Large, deep wetland within the Longkill forest.



Figure 4: Another wetland in the proposed subdivision.



Figure 5: Wetlands and Hearthside houses.



Figure 6: More wetlands.



Figure 9: USGS Wetland Polygon overlaid on the proposed subdivision.