

**Town of Clifton Park Planning Board**  
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PLANNING BOARD

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(alternate) Teresa LaSalle

**Planning Board Minutes**  
**June 11<sup>th</sup>, 2019**

Those present at the June 11<sup>th</sup>, 2019 Planning Board meeting were:

Planning Board: E. Andarawis, D. Bagramian, J. Jones, A. Neubauer, E. Ophardt, G. Szczesny  
T. LaSalle – Alternate Member

Those absent were: R. Ferraro, A. Morelli

Those also present were: J. Scavo, Director of Planning  
W. Lippmann, M J Engineering and Land Surveying, P.C.  
R. Wilcox, Counsel  
P. Cooper, Secretary

Mr. Ophardt, Chairman Pro Tem, called the meeting to order at 7:00 p.m. All in attendance stood for recitation of the Pledge of Allegiance. Mr. Ophardt noted Mrs. LaSalle would be a full voting member this evening in the absence of R. Ferraro. Mr. Ophardt noted he would be acting as Chairman Pro Tem this evening in absence of Chairman Ferraro.

**Public Hearings:**

None

**Old Business:**

**2019-022 Anyaegbunam Route 146 Medical Office**

*Applicant proposes development of a 2 story 3,000 sf base foot print medical office building (approximately 6,000+/- total building sf) with approximately 40 parking stalls. Access to the facility is a proposed curb cut on Route 146. The site will be serviced by an existing waterline along Route 146 through CPWA and sewer will be managed on site via a private septic system with future provisions to connect to a future public sewer main within the Edison Club*

*Development Plan, Rt 146, Zoned: HM, Status: PB - Revised Conceptual review*

SBL: 269.-3-3

To be reviewed by: MJE    Consultant: Lansing    Applicant: Anyaegbunam    **Last Seen on:**  
5/14/19

### **Consultant/Applicant Presentation:**

Scott Lansing – Lansing Engineering – Property is north of the post office; it is a 6,000 s/f two story building with a driveway adjacent from the property across the street. There is a 15 foot easement for trails, a dumpster space in the rear of the property. A Full SWPPP is not needed as the property developed if less than one acre. There are 41 parking spaces moved more toward the side of the building instead of the front, and sidewalks around the building. Previous Planning Board setback request for pushing the building forward is not being followed through. The ZBA was not willing to approve a variance to push the building more towards the road front and create a situation to violate the code where the project could otherwise conform to the zoning requirements. However the applicant did push the building setback closer to Route 146, putting it at about 130 feet from the roadway centerline. The signage has been moved to the front of the property near the driveway. The applicant also stated that the landscaping has been shifted back as requested previously from the Planning Board. An erosion and sediment control plan will be provided.

### **Staff Comments:**

**Steve Myers, Director of Building and Development issued a memo dated 05/29/2019 stating:**

- No further comments.

**Sheryl Reed, Chief of the Bureau of Fire Prevention:**

- No comments

**Scott Reese, Stormwater Management Technician issued a memo dated 06/10/19 with the following comments:**

When applicant submits the Basic SWPPP provide erosion and sediment controls to minimize the discharge of pollutants and prevent a violation of the water quality standards

**The Environmental Conservation Commission held a meeting on 06/04/2019 and issued a memo recommending:**

1. The 1.52-acre parcel justifies an office use of 6,000 gross square feet. If the office gross square footage will exceed this amount it should be subject to a density bonus per 208-43.5.
2. The ECC recommends that the applicant provide additional handicap parking for its patients.
3. Given the high volume and high-speed traffic conditions on NYS Route 146 in this area, the ECC recommends relocation of the sidewalk to the area adjacent to the driveway access to increase the visibility of the pedestrians by the vehicles.

**Roy Casper of the Trails Subcommittee submitted the following comments for the Planning Board to consider in its decision making:**

- The conceptual site plan layout shows an important 15 ft. Easement along the NYS Route 146 property boundary that is to be dedicated to the Town of Clifton Park for a Future Trail/Roadway and Utility Upgrades.  
**Note:** The Trails Subcommittee supports the 15 ft. Trail Easement shown on the site plan in this location. In locations where it is possible, the Subcommittee also stresses the importance of building “Trail Segments” in commercial/office developments since these trail segments provide the “building blocks” for future continuous connections to the Town of Clifton Park bicycle and pedestrian trail network. Existing multi-use paths and sidewalk segments constructed in many locations across the Town are vital pieces in the present and future trail network and enhance the overall development of a sustainable community with strong alternative transportation options.
- The conceptual layout plan shows a good direct pedestrian connection/walkway from the proposed medical office building front entrance to the property line along the NYS Route 146 road frontage. In order to fill the gap between the property line and the roadway shoulder, continuation of the walkway to the NYS Route 146 shoulder should be considered with an agreement with NYSDOT.
- A Pedestrian Access/Floating Easement on the eastern side of the property for a future pedestrian connection to the proposed Edison Club Bundled Community of single family homes, duplexes and condominiums should be noted on the final site plan.
- A bicycle rack in close proximity to the proposed medical office building front entrance is shown on the updated layout plan.

**John Scavo, Director of Planning issued a letter dated 06/07/2019 with recommendations he made:**

- no additional comments beyond the comments I previously offered at the May 14th Planning Board Meeting

**Professional Comments:**

**Walter Lippmann, P.E. of MJ Engineering in a letter dated 06/07/2019 had the following comments:**

**State Environmental Quality Review**

1. Based upon our review of Part 617 of NYS Environmental Conservation Law, the project appears to be an “Unlisted” action. If the Planning Board is to request Lead Agency status under SEQRA, the need to undergo a coordinated review is optional. Under a coordinated review, involved / interested agencies to be engaged may include, but is not necessarily limited to the following:

- a. Saratoga County Planning Board: 239m referral due to the project's proximity to NYS Route 146 (Balltown Road)
- b. Clifton Park Water Authority: water service connection
- c. New York State Department of Transportation: proposed curb cut along NYS Route 146

Additional involved/interested agencies may be identified by the Town during its review of the project.

**Short Environmental Assessment Form**

2. An updated environmental assessment form was provided based upon the current proposal. No additional comments.

### **General Comments**

3. The applicant proposes to service the lot with an on-site septic system. The proposed septic system shall be designed by a New York State licensed professional engineer and conform to the requirements of the New York State Department of Health (Section 208-91) for review and approval by the Town Building Department.

4. The project proposes to provide potable water to the buildings from the Clifton Park Water Authority's (CPWA). The applicant shall provide the Town documentation indicating CPWA's ability and willingness to provide potable water to the project. Any approvals offered by the Planning Board should be conditioned on receipt of CPWA's review and approval

5. The project proposes access onto NYS Route 146, which includes construction of a new curb cut. This proposed work is subject to the review and approval of the NYSDOT. The applicant shall coordinate with the regional office of the NYSDOT and obtain permitting in advance of construction.

### **Site Plans**

6. It is recommended that at a minimum the number of peak hour vehicle trips, including truck trips, be provided.

7. Indicate whether the proposed buildings will be equipped with automatic sprinklers. This will dictate whether on-site fire hydrants are necessary (per Appendix C, Section C102 and C103 of the IFC) and/or if two approved fire access roads are required (per Appendix D, Section D107 of the IFC). Should on-site hydrants be warranted, the site access roads shall comply with Appendix D, Section D103 of the IFC.

8. Determine if a Knox Box is required based upon the building arrangements, occupancy and materials of construction. If one is required, its location is subject to the review and approval of the Fire Chief.

9. Subsequent plans should include architectural elevations of the building with a listing of the materials of construction for review by the Planning Board.

10. Considering the plan submitted is conceptual in nature, we will reserve further comments until more detailed plans and reports are submitted. Subsequent submissions shall include information as outlined in Section 208115 of the Town zoning specific to site grading, lighting, sewage disposal system, erosion control and storm water management to fully assess the design and its compliance to the applicable standards.

### **Public Comments:**

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche stated he liked the proposal and clarified the setback was pushed back as far as possible as to leave room for trails and a possible road expansion. Mr. Lansing stated that the setback is within guidelines and as far back as it can go and be in compliance with the Town's Zoning Requirements.

### **Planning Board Review:**

Mr. Jones asked for clarification on the ZBA findings and where they stand with the building setbacks and easements. Mr. Scavo explained that the code stands as written and it is the Town Board's sole authority to amend the code requirement if it is felt the requirements are not in sync with the Town's Comprehensive Plan, the building falls within the code so the ZBA will no grant a variance.

Ms. Bagramian asked if the Planning Board can overrule the code. Mr. Scavo stated that the Planning Board is prohibited for supplementing its interpretation on what the code should be rather than what the code as written says. The Town Board through adoption of a local law to amend the zoning code is the only body who can replace the current zoning requirements. The ZBA is authorized to grant relief from the code if an applicant can demonstrate that the benefit sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue, other than an area variance.

Mr. Andarawis asked if more parking can be added to the side of the building and eliminated from the front of the building. Mr. Lansing stated that if the parking were to be moved the entrance to the building would be moved to the side and the entrance will be facing the woods instead of the road front.

Ms. LaSalle asked if any peak hour traffic studies have been done. Mr. Lansing stated that they can be provided before the next time this applicant is before the board.

Ms. Bagramian inquired about the external look of the building. Mr. Lansing stated that the building will remain the same as last proposed but the applicant is still looking at what materials will be used.

### **Old Business:**

#### **2019-001 Paulsen Development Office Building**

*Applicant proposes construction of a 2 story, 40,000 sf medical office building at 1785 Route 9. The total project area is 4.48 acres with road frontage on Route 9 and site access on a private roadway adjacent to the parcel. The proposed site includes parking for approximately 220 vehicles, a patient drop off area and on-site stormwater management, 1785 Rt 9, Zoned: B-3, Status: PB Prelim Review w/possible determination SBL: 266.3-2-18*

To be reviewed by: MJE Consultant: EDP Applicant: Paulsen Development **Last Seen on: 4/23/19**

### **Consultant/Applicant Presentation:**

Gavin Vuillaume – EDP – Building is adjacent to the current Community Care building. The applicant would like to develop 2 access driveways, lined up with the private road and share it with the current building and the apartment building. Parking is mainly to the rear and the side of the building. 220 parking spaces are being proposed. To address the questions at the last meeting, the applicant has made crosswalks from the sidewalks at the entry and added more sidewalks as requested by the board. There has been a maintenance road added near the catch basin for storm water, and the applicant is keeping as much vegetation as possible surrounding the property, considering moving the retaining wall to be able to do so. Porous pavement will be used in certain areas of the parking lot. Traffic data has been submitted.

### **Staff Comments:**

**Steve Myers, Director of Building and Development issued a memo dated 05/29/2019 stating:**

- Setback variance for parking granted.
- No further comments.

**Sheryl Reed, Chief of the Bureau of Fire Prevention:**

- No comments

**Scott Reese, Stormwater Management Technician issued a memo dated 06/10/19 with the following comments:**

1. An additional sheet may be warranted to show how the stormwater will be handled from the existing 60,000 square foot medical building. The adjacent existing site uses the existing stormwater management areas, conveyance piping and outfalls that are planned for modifications and expansion for this project. In the SWPPP Section I, Part III.A.3. Sequence of Major Activities should be expanded on how the existing runoff will be controlled during construction for this site.
2. The location of the porous pavement along the northern parking lot requires fill and is above an existing slope greater than 15%. With 26,000 square feet of impervious runoff being directed to the porous pavement, the concern is the runoff will flow through the pavement and run down the existing slope ( $\pm 27\%$ ) of the ravine. The Porous Pavement Detail on Sheet 12 of 13 shows the subgrade shall be level. The proposed porous pavement area should be relocated to a better suited area.
3. The proposed Sugar Maple located along western property line should be moved so it is not above the storm piping (e.g. Drainage Manhole #4).

**The Environmental Conservation Commission held a meeting on 06/04/2019 and issued a memo recommending:**

1. The applicant shall verify that the proposed porous pavement is not built upon existing slopes greater than 15%.
2. The ECC is concerned with the location of the porous pavement adjacent to the steep slope and the potential for erosion issues.
3. The ECC is very concerned with the proposed construction of the steep ravine. Future plans shall demonstrate the protection, stabilization, and erosion prevention of any work on the steep slopes. For example, a detail sequence of construction of how the existing runoff from the existing 60,000 square foot medical office will be managed during the reconstruction of the infiltration basin is required.
4. The ECC requests additional slope protection along the parking lot adjacent to the ravine.
5. The ECC requests the applicant to address the oil and grease from the high volume of vehicular parking and how it will be addressed.

**Roy Casper of the Trails Subcommittee submitted the following comments for the Planning Board to consider in its decision making:**

- As previously recommended by the Trails Subcommittee, a sidewalk connection should be considered for pedestrian access to the proposed medical office building for residents



As-Built Certification: At completion of the project, prior to the issuance of the Certificate of Occupancy, an as-built certification, signed and sealed by a professional engineer shall be provided certifying:

- a. The Porous Concrete Pavement was built in accordance with the details, dimensions, and materials as approved by the Town of Clifton Park Planning Board.
- b. The Porous Concrete Pavement was installed by a qualified contractor and has satisfied all applicable quality control and performance tests.
- c. The Porous Concrete Pavement installation was witnessed periodically by the certifying engineer or a representative under their direct supervision.

**Professional Comments:**

**Joel Biancchi, P.E. of MJ Engineering in a letter dated 06/07/2019 had the following comments:**

**State Environmental Quality Review**

1. As noted in Comment 2 of our January 18, 2019 review, the proposed medical office building and land use code (LUC) may result in more than 100 peak hour vehicle trips, which may be compounded when considering the development of the southern parcel also as a medical office building. Refer to comments provided on the Traffic Evaluation.

**Site Plans**

2. Provide Pedestrian Crossing signs, MUTCD W11-2A along the existing access road prior to the proposed crosswalk. The placement shall follow MUTCD/NYS DOT standards.
3. Provide notation on the porous pavement detail or on the plans elsewhere regarding the need to perform post installation testing of the pavement's performance to infiltrate.
4. Confirm the applicant has permission to perform work on the adjacent parcel, Lands N/F of 1789 Route 9 LLC.

**Stormwater Pollution Prevention Plan**

5. No additional comments.

**Stormwater Management Narrative**

6. No additional comments.

**Traffic Evaluation**

7. The ATR data referenced is from October 2011. Why was new data not collected as part of this project? If you use the K Factors to calculate the AADT from the peak hour turning movement volumes collected, the AADT is over 17,000. This 2011 data is not an accurate representation of 2019 existing conditions.

8. Figure 1 illustrating the existing volumes, proposed volumes, trip distribution and assignment is referenced on pages 4 and 6 but was not included in the report. Provide Figure 1 so we can complete the review.

9. The trip distribution was determined to be 70% and 30% to and from the South and North respectively and these are consistent with the evaluation for the existing medical office building. What were the distributions for the existing building's analysis? Was CDTC consulted regarding the trip distributions?

10. Oakwood Commons resident currently use the proposed access for this development. The evaluation mentions the main access driveway 1,500 feet to the north that will help to disperse traffic accessing US Route 9. How much traffic is anticipated to be re-routed to the main access as a result of this project and what is the anticipated impact on the LOS at the main access driveway?

### **Public Comments:**

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche stated he appreciates the sidewalks. Mr. LaFleche asked if NY State will take over the future sidewalks that may be in place. Mr. Scavo stated they would, Mr. Vuillaume stated they would give 20 feet in front for easement.

### **Planning Board Review:**

Mr. Jones asked about the parking and why there are 220 spots while average peak is 138. Mr. Scavo stated that is the highest peak hour for trips, not including people there for longer, or staff parking for the day.

Mr. Ophardt asked about if more tenants come into the building, if the 220 parking spots don't account for them. Mr. Vuillaume stated that the new tenants will have to accept the parking that is existence. Mr. Ophardt asked if the demand for parking should change what they can do in the future. Mr. Vuillaume state that there is a small parcel in the front of the property that can developed for parking if needed in the future, although it is not practical since a stormwater infiltrator unit would have to be placed under the expanded asphalt area which is very costly.

Mr. Vuillaume stated that if parking is troublesome the applicant can reach out to adjacent building owner to see if parking can be shared.

Mr. Ophardt asked where the porous pavement areas would be. Mr. Vuillaume stated they would be in the rear of the parking lot in areas that would not get as much traffic. Mr. Andarawis stated he would like to see notification on salt only in the areas of the porous pavement.

Mr. Jones moved, second by Ms. Bagramian, to establish the Planning Board as Lead Agency for this application, a medical office building Site Plan action, and to issue a negative declaration pursuant to SEQRA. The motion was unanimously carried.

Ms. LaSalle moved, second by Ms. Bagramian, to waive the final hearing for this application for the site plan review of medical office building, and to grant preliminary and final site plan approval conditioned upon satisfaction of all comments provided by the Planning Department, Town Designated Engineer, and all items listened in the final comment letter issued by the Planning Department.

Ayes: 7      Noes: 0      The motion is carried.

Conditions:

Address outstanding technical comments from Scott Reese as related specifically to his SWPPP comments. Applicant also to evaluate the need for parking proposed with possible cutback.

**Old Business:**

**2018-041 Masseria/Santoro 5 Lot Subdivision**

*Applicant proposes to subdivide 25.31 acres of vacant land into 5 new lots for construction of single family homes. The smallest lot being 1.75 acres and largest is 5.04 acres in size. Each Lot will have on site septic systems designed by NYS Licensed Engineer and wells. There will be a common driveway for access to Hubbs Road with a small amount of wetland disturbance to construct the driveway. Remaining lands (9.06 acres) to be dedicated to the Town of Clifton Park. Hubbs Road, Zoned: CR, Status: PB Preliminary Review w/possible determination SBL: 258.-1-44.111 To be reviewed by: MJE Consultant: GVG Applicant: Masseria*

**Last Seen on: 5-14-19**

Mr. Andarawis is recusing himself from the hearing as he is a resident within 500 feet of the proposal.

**Consultant/Applicant Presentation:**

Dwayne Rabideau – VanGelder and Assoc. – Concerns of board have been addressed; separation of wells and septic, septic and wetlands, and storm runoff effect. Meeting was held with town staff and this was discussed; the run off is 1/16 of an inch and board members found it acceptable. The trail and lot line has been moved to run along the town donated property with additional uplands and split rail fencing has been added to denote protected areas. Only comment that has not been addressed to date is the final 911 addresses still need to be provided but will be added to the plan once received from the Town.

**Staff Comments:**

**Steve Myers, Director of Building and Development issued a memo dated 05/29/2019 stating:**

- A plan sheet with lot layout submitted. No other documents provided.
- Most of my previous comments are still applicable. Due to lack of full agreement of field conditions, each site will be evaluated for well and septic placement as well as foundations. I have been informed that the houses will be built on slabs, no basements.

John Scavo stated the test pits have already been completed, however field testing will be done, and ground water will be checked as the project moves forward.

**Sheryl Reed, Chief of the Bureau of Fire Prevention:**

- Specify on the subdivision map that the driveway will be 20 feet wide and have a loading requirement of 75,000 lbs. per 511.2.6 2017 New York Supplement IFC
- Place 911 addresses on final plan.

**Scott Reese, Stormwater Management Technician issued a memo dated 06/10/19 with the following comments:**

Applicant to submit the Basic SWPPP with the required SWPPP components outlined in the SPDES General Permit GP-0-15-002 Part III.B.1(a.-1.). Applicant shall also submit a Notice of Intent (NOI) for review.

**The Environmental Conservation Commission held a meeting on 06/04/2019 and issued a memo recommending:**

1. The ECC has no further comment.

**Roy Casper of the Trails Subcommittee submitted the following comments for the Planning Board to consider in its decision making:**

As previously recommended by the Trails Subcommittee, an eastward line adjustment/shift in the southeast corner of the 9.06 acres to be conveyed to the Town of Clifton Park is shown on the updated site plan which will allow for the establishment of a future nature trail on the upland area.

**John Scavo, Director of Planning issued a letter dated 06/06/2019 with recommendations he made:**

1. Add locations for the installation of identifying signage and/or split rail fencing along strategic points of the Permanently Protected Open Space Boundary within Lot #1. An example of potential signage is shown below:



2. A draft deed of permanent conservation easement between the landowner of Lot #1 and the Town of Clifton Park shall be provided to the Town Attorney for review and approval prior to stamping the final subdivision plat. The Conservation Easement will restrict future land use and/or development on the property "in perpetuity" (permanently) to only those allowed pursuant to §208-16(2) of the Clifton Park Town Code.
3. Show the potential future multi-use path location on the plan (as parallel dotted lines and label the feature) and add a note that states, "Future Multi-Use Path to be located on the Property identified for conveyance to the Town of Clifton Park. This multi-use path may be sited along the property boundary with Lot #1 of this subdivision."
4. Final 911 Addresses to be added to the plan prior to stamping.

5. Add a note to the plan that states, “Any utility work or construction within the Town Highway Right-Of-Way requires the property owner to obtain a highway work permit from the Town of Clifton Park Highway Department, whether it is for construction or installation of facilities, or for repairs and maintenance.

**Professional Comments:**

**Joel Bianchi, P.E. of MJ Engineering in a letter dated 06/07/2019 had the following comments:**

**State Environmental Quality Review**

1. As noted in Comment 3.g of our March 25, 2019 review, Part E.3.f of the FEAF indicates the site in within or adjacent to an area designated as sensitive for archeological resources. A “no effect” letter will be required as part of the SEQRA review as well as to demonstrate eligibility for permit coverage under GP 015-002 for stormwater. Since the proposal has been classified as an Unlisted Action, the Planning Board may issue a negative declaration conditioned upon receipt of a “no effect” letter from the NYSOPRHP.

**Subdivision Plan**

2. No additional comments.

**Stormwater Pollution Prevention Plan**

3. As noted in comment 12 of our March 25, 2019 review, the SWPPP shall include documentation that the project is eligible for permit coverage pursuant to Part I.F.8 of GP 0-15-002 with respect to historic properties. The response indicates an archeological study has been completed and they are awaiting a response from the NYSOPRHP. Upon receipt of the “no effect” letter, it shall be included the SWPPP.

**Habitat Suitability Assessment Report**

4. No additional comments.

**Stormwater Analysis**

5. To address concerns raised during the applicant’ last appearance before the Planning Board; a stormwater analysis has been conducted that assessed the pre and post development watershed conditions of the project site. The primary purpose of the assessment was to determine if the project would increase runoff to adjacent properties and if it did, would there be any adverse impacts to adjacent properties or substantial rise in water elevations in the NYSDEC wetlands the bisect the property The analysis demonstrates that there will be an increase in runoff from the site, which directly relates to the change in ground cover type (from wooded to impervious surfaces or maintained lawns). The analysis determined that the resulting increase in runoff in the built condition would raise the water elevation in the 11.7 acres of wetland on-site by no more than 3/16-inch. In our review of the analysis MJ offers the following observations:

- a. The analysis conducted is appropriate and follows sound engineering practices
- b. While there will be an increase in runoff from the site, that increase will have minimal rise in water elevation in the adjacent wetland and in turn will have a negligible impact to adjacent and/or down gradient properties.

**Public Comments:**

Anthony LaFleche – 21 Wheeler Drive – Mr. LaFleche stated he appreciates the gap given from the applicant for the trail. He asked for clarification on if the deed will state the easement given for the conservation area as it will be next to a potential home but not on the property. Mr. Scavo stated that it should be put into the deed to refer to the property map on the location of the potential trail location as shown on the approved subdivision map.

**Planning Board Review:**

Mr. Ophardt stated he liked the applicant moving the trail to the end of the town property as well. Mr. Ophardt asked about the ER Land Development labeled on the map for adjacent lands to the South, Mr. Scavo explained the ER Land Development is the builder for the Rolling Meadows Subdivision and the land will be conveyed to the Town when the subdivision is at 80% build-out.

Mr. Neubauer offered Resolution # 10 of 2019, second by Mr. Szczesny, to waive the final hearing for this application for the 5 lot subdivision of Hubbs Road, and to grant preliminary and final subdivision approval condition upon satisfaction of all comments provided by the Planning Department, Town Designated Engineer, and all items listened in the final comment letter issued by the Planning Department.

Conditions:

Obtain a final sign-off MJ Engineering and include a NYSOPRHP letter of “no effect” within the SWPPP to demonstrate the project is eligible for permit coverage pursuant to Part I.F.8 of GP 0-15-002 with respect to historic properties.

**New Business:**

None

**Discussion Items:**

None

- A. Neubauer moved, seconded by T. LaSalle, adjournment of the meeting at 8:28 p.m. The motion was unanimously carried.

The next meeting of the Planning Board will be held as scheduled on June 25, 2019.

Respectfully submitted,

*Paula Cooper*

Paula Cooper, Secretary