

Jeffery Schmitt, Planning Board Chair
Michael Harris, Vice Chairman
Chris Parslow, Town Planner
Coryn VanDeusen, Clerk
Terresa Bakner, Board Attorney



Elizabeth Novak, Board Member
Joshua Houghton, Board Member
Matthew Hoffman, Board Member
Michael Walpole, Board Member

RECEIVED

JAN 22 2024

TOWN OF DUANESBURG
SCHENECTADY COUNTY

TOWN OF DUANESBURG
TOWN CLERK

Town of Duanesburg
Planning Board Minutes
December 21, 2023
Final Copy

MEMBERS PRESENT:

Jeffery Schmitt- Chairperson, Joshua Houghton, Matt Hoffman, Michael Walpole, Michael Harris- Vice Chairman, Elizabeth Novak, Terresa Bakner- Town Attorney, Chris Parslow- Town Planner and Coryn VanDeusen-Clerk.

INTRODUCTION:

Chairperson Jeffery Schmitt opened the meeting and welcomed everyone to the December 21, 2023, Planning Board meeting and stated the agenda for the night's meeting.

OPEN FORUM:

Schmitt/Harris made a motion to open the open forum at 7:03 pm.

Schmitt yes, Harris yes, Houghton yes, Hoffman yes, Walpole yes, Novak yes. **Approved.**

Harris/Hoffman made a motion to close the open forum at 7:04 pm.

Harris yes, Hoffman yes, Houghton yes, Schmitt yes, Walpole yes, Novak yes. **Approved.**

SKETCH PLAN REVIEW:

PUBLIC HEARINGS:

OLD BUSINESS:

#23-12 C-TEC Solar LLC: SBL#64.00-2-8, (R-2) is seeking a special use permit and site plan approval for a 1.875-megawatt community solar energy generating facility under Local Law #1 of 2023 of the Town of Duanesburg Zoning Ordinance.

Sonja Torpey with Tetra Tech Inc., a consulting firm representing C-Tec Solar is proposing a solar facility in the Town of Duanesburg. She stated that the proposed facility would be located at 10516 Western Turnpike on the property of Martin & Donna Hebert. Ms. Torpey detailed:

1.- The facility would be in the Northwest corner of the 90+- acre property.

Town Hall • 5853 Western Turnpike • Duanesburg, NY 12056 • (518) 895-8920

Over➡

- 2.- It would be a community solar facility as it is under 5 megawatts at 1.875 MW.
- 3.- A 200 ft setback is implemented in the plans which is required under the new solar law.
- 4.- The facility would be on approximately 8.91 acres out of the 90 acres.
- 5.- The project went from fixed tilt modules to single axis trackers because there are slopes between 1% and 15% in terms of erosion and sediment.
- 6.- The company had also done a wetland delineation and there are wetlands in the Northwest corner, but the facility will not be impacted by them. It is not a NYS regulated wetlands.
- 7.- The access road is from Western Turnpike. It will wind through the property, be a geo-tech style covered by a couple of inches of gravel/ crusher run and solely be used for transporting equipment. Minimal grading will need to be done around the access road.
- 8.- The facility would be surrounded by a 7-foot fence and vegetation.
- 9.- There would be an equipment pad for inverters.
- 10- Any cabling for the collection system would be underground, as well as the transmission line to the point of connection at the road.
- 11- Stormwater prevention measures including a temporary washout area, a temporary stockpile area and temporary lay down areas are implanted into the plan as well as a potential rainwater basin.
- 12- After construction is complete all temporary measures would be removed, and reseeding would be done.
- 13- A habitat survey was done, and the only protected animal is the bat. Minimal tree removal would take place during the months of November to March so no impact would be created for the endangered species.
- 14- The Mohawk Heritage Corridor, Avery Farmhouse, and William farmhouse are in the surrounding areas and the applicant received approval from SHPPPO that visual impacts will be limited. If there was bare Earth it would be 75% visibility without any structures or vegetative barriers, but the company does plan to plant 8 ft trees.

The board questioned the noise analysis due to the shift West and previous design of fixed panels and the applicant stated that they need to update it to a new configuration. Board member Novak asked about the glare analysis as that was also based off fixed panels and the applicant advised that the single axis trackers move all day, but they can update the analysis. Board member Hoffman questioned the access road being limited porous stone which has been an issue for DEC. Penetrometer testing shows what the existing capacity of the soil is and the whole intent is that it's supposed to percolate in this heavy clay soil here. Board member Hoffman also stated that you cannot put fill in the access road. The applicant stated that the company will review the access road. Board member Harris stated that the snowmobile trail goes right through the property and the applicant stated that she was unaware of this and will review it as well. The board questioned visual receptors and the applicant stated that the requirement is that it just needed to be demonstrated as to what the visual impact will be. The town attorney stated that the neighbors within 1000 ft need to be notified as well as the farm operators and other involved agencies due to the application being SEQRA Type 1. The applicant stated that there is no intent for battery storage with this project; the inverters are what would be causing any noise, and they are located on the pad. Board member Hoffman asked if a turn around is necessary on the access road and Chris Parslow, town planner, stated that it doesn't apply because of the width of the access road. The board questioned where the closest water location is for

firefighting. Adam Fink, Delanson Fire 1797 Main St, stated that this project is under fire protection district 2.

Novak/Hoffman made a motion to declare intent to be lead agency for the application to be a SEQRA Type 1 action and proposals to be sent to town engineers for review, and letters to be sent out to neighbors within 1,000 ft for review.

Novak yes, Hoffman yes, Houghton yes, Schmitt yes, Walpole yes, Harris yes. **Approved.**

Hoffman/Novak made a motion to table the application for C-Tec Solar.

Hoffman yes, Novak yes, Houghton yes, Schmitt yes, Walpole yes, Harris yes. **Approved.**

#23-25 Serth, Joseph: SBL# 35.05-1-19.2, (R-1) is seeking an amendment to current special use permit to include on site cooking.

Mr. Serth stated that his specific request is to remove the restriction on food prep. Mr. Serth provided a new operational plan for food prep. Caterers who will prepare food off site will bring it to the site and serve it at any location on the site as they have been able to do so in the past. Mr. Serth states that has normally been on either the North side or the South side of the barn. He also stated food trucks will either prepare food offsite or onsite and no food truck will be allowed to park in the Lake District or allowed to cook within 20 feet of the property line. The targeted area for food truck set up is on the paved area in front of the boat house. Mr. Serth stated there is a food prep kitchen set up inside the boathouse with a three bay sink that he spoke with Schenectady County Health Department regarding. The board advised Mr. Serth that he would need a public water supply to get a full license/permit. Mr. Serth stated he has a hand wash station that you pump with your feet in the plan. Board member Hoffman states the health dept. says to be a venue site you don't need a water permit, but you cannot sell food to the public without having a public water supply. Mr. Serth stated that he will not be selling food to the public. Mr. Serth stated that if he were to cook the food, he will need to get a permit if he goes over 14 days. Mr. Serth stated that the County Health Department has confirmed that no public water supply is required for venues which operate less than 60 days a calendar year. Mr. Serth also stated that a food prep sink cannot be hooked directly into the sewer. Mr. Parslow advised that the applicant needs to have a grease trap as well. The board questioned if the church would be open to the public if it would affect needing a full permit. Mr. Serth stated that would be if the church was open to non-members. He advised the board that he does not allow his events to be bring your own beverage.

Novak/Walpole made a motion to set a public hearing for the Joseph Serth application.

Novak yes, Walpole yes, Houghton yes, Schmitt yes, Hoffman yes, Harris yes. **Approved.**

#23-26 Serth, Joseph: SBL#35.05-1-19.2, (R-1) is seeking a site plan approval for a religious institution for use of bible studies, weddings, and other religious ceremonies under Section 6.3(17) of the Town of Duanesburg Zoning Ordinance.

The board asked how many uses can be designated on one property and town planner Chris Parslow responded he must investigate it. Terresa Bakner, town attorney, stated that religious institutions need to be ADA compliant. Board member Hoffman states that churches are A3 in the building code and currently it is A2. The board stated that they would like the building reviewed by an architect to complete a code scrub as well as all the surrounding outbuildings. Ms. Bakner advised that the town does not regulate religion. Ms. Bakner also advised the applicant that the Town of Duanesburg made expansive efforts regarding religious institutions and that they are allowed in every zone. The applicant was advised that designating this property as a church would make him exempt and it would void out the current special use permit. Mr. Serth advised the board that it would be a church with rectories eliminating the bed and breakfast as well as the rental house. The board suggested that the applicant have the plan reviewed by a licensed design team to include an architect. Mr. Serth asked the code enforcement officer when he received a complete application. Board member Novak stated that she doesn't believe it's a complete application and that there have been multiple changes. Town attorney, Terresa Bakner advised the applicant that it is up to the planning board to decide what is complete. Further documentation is being requested by the board. Chris Parslow, town planner, stated that a site plan is needed for the proposed use based on the Zoning Ordinance. The board advised the applicant that if the building is designated a church and is open to the public, he would need a public water supply. Mr. Serth advised the board that the church wouldn't be open to the public and could be members only. Ms. Bakner advised the board that they can send the application to the ZBA for an interpretation to explain what would be required to have a religious institution at the site if they would like to go that route. The board members advised Mr. Serth that there are a lot of moving parts to what he's proposing, and they just want to make sure that they address everything that needs to be addressed. Ms. Novak advised the applicant that they're not just talking about using the barn as a church; it's all 6.7 acres that becomes the religious institution. Board member Hoffman advised Mr. Serth that to move forward with this they would expect an application and documents from an architect or a full design team that looked at this property and did a code scrub with submitted plans and architectural documents on what has to happen for all three of the buildings and tell them what's acceptable, what's not, and what has to change if Mr. Serth wants to call the site a religious institution. Mr. Serth asked what the property was rated at when the occupancy of 99 people was put into effect to which town planner Chris Parslow responded I don't know that was Dale Warner, but I did complete the fire inspection. Terresa Bakner advised the board that you can have members only churches. The board advised Mr. Serth that in his application he needs to submit additional information 10 days prior so that they can have time to review before a meeting.

Walpole/Houghton made a motion to table the application for Joseph Serth until further information is received.

Walpole yes, Houghton yes, Novak yes, Schmitt yes, Hoffman yes, Harris yes. **Approved.**

NEW BUSINESS:

#23-29 Thomas, Ralph: SBL#67.05-1-8.1, (H), located at 5140 Western Turnpike is seeking a special use permit to operate a flea/farmers market under section 9.4(17) of the Town of Duanesburg Zoning Ordinance.

Mr. Thomas advised the board that he plans on putting in a farmers market and flea market next door to the Duanesburg Diner. Mr. Thomas proposed each spot for each vendor would be a 10 ft spot. Mr. Thomas advised the board that he will have a fire lane through the middle and each business will have its own parking area. The board asked the applicant if it is going to be a permanent set up. Mr. Thomas advised the board that it will be a seasonal operation from April to October that will operate once weekly, and everything can be torn down. The board asked the applicant about the parking situation and Mr. Thomas advised the board that they plan on removing some trees, but not enough to be a disturbance. The board advised the applicant that if they remove enough trees then it would require a SWPPP and other necessities so to be sure to clear less than an acre. Chris Parslow, town planner, advised the board that the parking lots/land for all businesses including the diner, proposed flea market, and proposed farmers market are all owned by the same person. The board advised the applicant that they need a formal site plan with all parking, food trucks, dumpsters, and other accessories on that plan for each business. The board also informed the applicant that when cutting trees, it should take place between October and March to protect endangered species of animals. Mr. Thomas advised the board that he would have a person there early in the morning directing traffic and parking. The board advised Mr. Thomas that they would like to see a drafted business plan including open and closed times with as much detail as possible. The board advised the applicant to include how often trash would be removed and asked him to include his source of power in the plans. Terresa Bakner, town attorney, advised the applicant that he may want to reach out for guidance to Schenectady County Ag & Markets. The board also recommended reaching out to Bob Chandler.

Hoffman/Novak made a motion to table the application for Ralph Thomas.
Hoffman yes, Novak yes, Houghton yes, Schmitt yes, Walpole yes, Harris yes. **Approved.**

#23-30 Stealey, Tricia: SBL#68.00-1-9.12, (C-1), located at 3215 Western Turnpike is seeking a special use permit to temporarily have 2 dwellings on one lot under section 11.4(11) Town of Duanesburg Zoning Ordinance.

Ms. Stealey advised the board that she got an approved variance from the Zoning Board of Appeals and is looking to replace her current dwelling with a new one. Ms. Stealey stated that she plans to demolish the old dwelling once she obtains approval to live in the new one. Ms. Stealey also advised the board that she got approval for her septic and well from Schenectady County because it is replacing like for like. Ms. Stealey stated that her new dwelling is a double wide. The board advised the applicant that it is a SEQRA Type 2 action, and no further review is required.

Novak/Walpole made a motion to set a public hearing for the Tricia Stealey application. Novak yes, Walpole yes, Houghton yes, Schmitt yes, Hoffman yes, Harris yes. **Approved.**

OTHER:

Adam Fink, Delanson Fire 1797 Main St, stated that the C-Tec Solar project is under fire protection district 2. Mr. Fink stated to the board that he came to help ensure where the borders are for the fire districts in the town. The board asked if there is a map available and Mr. Fink along with Terresa Bakner confirmed there is a map at the Town Hall with the Town Clerk, Jennifer Howe. Mr. Fink drew concerns that a new map should be made available as the coverage and districts have changed. Ms. Bakner advised Mr. Fink that the fire companies can make a recommendation to the Town Board.

Chairman Schmitt addressed a letter from Doug Cole regarding the Ultimate Wishy Wash project that had been previously approved as well as a letter from Joe Bianchine regarding the same application. Mr. Cole wanted to know if the board wanted any construction supervision over the project and submitted a proposal. Mr. Bianchine advised the board in the letter that Mr. Kagas will not be doing certain things that were already voted on. Ms. Bakner advised that the board get in contact with Doug Cole and make sure what the town wants done is clear.

Board member Houghton advised town planner, Chris Parslow, that Mr. Serth has to report events to the town every year and five days prior to any event per the conditions in the special use permit.

MINUTE APPROVAL:

Harris/Hoffman made a motion to approve the November 16, 2023, Planning Board minutes.

Harris yes, Hoffman yes, Houghton yes, Walpole yes, Schmitt yes, Novak abstain. **Approved.**

ADJOURNMENT:

Novak/Houghton made a motion to adjourn.

Novak yes, Houghton yes, Schmitt yes, Harris yes, Walpole yes, Hoffman yes. **Approved.**

Jeffery Schmitt, Planning Board Chair
Michael Harris, Vice Chairperson
Teresa Bakner, Board Attorney
Chris Parslow, Town Planner
Coryn VanDeusen, Clerk



Elizabeth Novak, Board Member
Joshua Houghton, Board Member
Matthew Hoffman, Board Member
Michael Walpole, Board Member

**Town of Duanesburg
Planning Board Agenda
December 21, 2023**

AGENDA ITEMS MAY BE ADDED, DELETED, OR ORDER CHANGED WITHOUT NOTICE

The Town of Duanesburg offers Planning Board Meetings via zoom if you are unable to attend the meeting in person:

Town of Duanesburg is inviting you to a scheduled Zoom meeting.

Topic: Town of Duanesburg's Planning Board Zoom Meeting

Time: This is a recurring meeting Meet anytime

Join Zoom Meeting

Meeting ID: 858 7403 2498

Passcode: 848175

Dial in by Phone: 1-646-558-8656

Meeting ID: 858 7403 2498

Passcode: 848175

INTRODUCTION BY CHAIRPERSON JEFFERY SCHMITT

OPEN FORUM

SKETCH PLAN REVIEW:

PUBLIC HEARINGS:

#23-27 Northern Clearing Inc.: SBL#67.00-3-19.21, (C-2), located at 3851 Western Turnpike is seeking a site plan approval and special use permit for the expansion of existing building and site uses currently occurring at the property; special use permit required for storage / light industrial under section 12.4(20) and 12.4(33) of the Town of Duanesburg Zoning Ordinance.

Comments: _____

OLD BUSINESS:

#23-12 C-TEC Solar LLC: SBL#64.00-2-8, (R-2) is seeking a special use permit and site plan approval for a 1.875-megawatt community solar energy generating facility under Local Law #1 of 2023 of the Town of Duanesburg Zoning Ordinance.

Comments: _____

Jeffery Schmitt, Planning Board Chair
Michael Harris, Vice Chairperson
Teresa Bakner, Board Attorney
Chris Parslow, Town Planner
Coryn VanDeusen, Clerk



Elizabeth Novak, Board Member
Joshua Houghton, Board Member
Matthew Hoffman, Board Member
Michael Walpole, Board Member

#23-23 Putnam, Edward: SBL#67.00-2-6.11, (C-1/R-2), located at 4136 Western Turnpike is seeking a major subdivision of one lot into 5 smaller lots under section 3.5 of the town of Duanesburg subdivision ordinance.

Comments: _____

#23-25 Serth, Joseph: SBL# 35.05-1-19.2, (R-1), located at 216-218 Batter St is seeking an amendment to current special use permit to include on site cooking.

Comments: _____

#23-26 Serth, Joseph: SBL#65.00-2-29, (R-2), located at 216-218 Batter St is seeking a site plan approval for a religious institution for use of bible studies, weddings, and other religious ceremonies under Section 6.3(17) of the Town of Duanesburg Zoning Ordinance.

Comments: _____

NEW BUSINESS:

#23-28 Biggs, Susan: SBL#74.00-3-16.3, (R-2), located at 13388 Duanesburg Rd is seeking a lot line adjustment to make one parcel of two bigger and one smaller under Local Law #2 of 2016 of the Town of Duanesburg Subdivision Ordinance.

Comments: _____

#23-29 Thomas, Ralph: SBL#67.05-1-8.1, (H), located at 5140 Western Turnpike is seeking a special use permit to operate a flea/farmers market under section 9.4(17) of the Town of Duanesburg Zoning Ordinance.

Comments: _____

#23-30 Stealey, Tricia: SBL#68.00-1-9.12, (C-1), located at 3215 Western Turnpike is seeking a special use permit to temporarily have 2 dwellings on one lot under section 11.4(11) Town of Duanesburg Zoning Ordinance.

Comments: _____

Other:

Minute Approval:

Jeffery Schmitt, Planning Board Chair
Michael Harris, Vice Chairperson
Teresa Bakner, Board Attorney
Chris Parslow, Town Planner
Coryn VanDeusen, Clerk



Elizabeth Novak, Board Member
Joshua Houghton, Board Member
Matthew Hoffman, Board Member
Michael Walpole, Board Member

November 16, 2023 PLANNING BOARD MEETING MINUTES:

Approved: Yes _____ No: _____

ADJOURNMENT

Jeffrey Schmitt, Planning Board Chair
Chris Parslow, Town Planner
Coryn VanDeusen, Clerk
Teresa Bakner, Board Attorney



Michael Harris, Vice Chairperson
Elizabeth Novak, Board Member
Matthew Hoffman, Board Member
Michael Walpole, Board Member
Joshua Houghton, Board Member

TOWN OF DUANESBURG
SCHENECTADY COUNTY

NOTICE OF PUBLIC HEARING

LEGAL NOTICE NOTICE OF PUBLIC HEARING PLANNING BOARD TOWN OF DUANESBURG

PLEASE TAKE NOTICE, THAT THE PLANNING BOARD OF THE TOWN OF
DUANESBURG, NEW YORK, WILL MEET AT THE TOWN HALL IN THE TOWN
OF DUANESBURG, 5853 WESTERN TURNPIKE, ON **December 21, 2023 AT
7:00 PM** FOR THE PURPOSE OF HEARING ALL PERSONS INTERESTED IN THE
APPLICATION OF:

#23-27 Northern Clearing Inc.: SBL#67.00-3-19.21, (C-2) is seeking a site plan approval and special use permit for the expansion of existing building and site uses currently occurring at the property; special use permit required for storage / light industrial under section 12.4(20) and 12.4(33) of the Town of Duanesburg Zoning Ordinance.

APPLICATION INFORMATION IS AVAILABLE DURING BUSINESS HOURS

BY ORDER OF THE CHAIRPERSON
PLANNING BOARD
TOWN OF DUANESBURG
CHAIRPERSON

Join Zoom Meeting <https://us02web.zoom.us/j/86499746075> Meeting ID: 864 9974 6075
Passcode: 130214 Dial in by Phone: 1-646-558-8656 Meeting ID: 864 9974 6075
Passcode: 13021

Town Hall • 5853 Western Turnpike • Duanesburg, NY 12056 • (518) 895-8920

NOTICE OF DETERMINATION
of the Town of Duanesburg

Date of Determination 11/7/23

Application of NORTHERN CLEARING INC. under section
12.4(20) AND 12.4(33) of the (Village of Delanson) Town of Duanesburg
ZONING Ordinance.

Applicant NORTHERN CLEARING INC.
Address 3851 WESTERN AVE
DUANESBURG NY 12058

Phone _____ Zoning District C-2 SBL# 67.00-3-19.21

Description of

Project: EXPANSION OF EXISTING BUILDING AND SITE USES CURRENTLY
OCCURRING AT THE PROPERTY. TREE CLEARING COMPANY

Determination:

SPECIAL USE PERMIT REQUIRED FOR STORAGE/LIGHT INDUSTRIAL

Reason supporting determination:

TOWN OF DUANESBURG ZONING ORDINANCES ADOPTED 6/11/15 SECTION
12.4(20) AND 12.4(33); SPECIAL USE PERMIT REQUIRED FOR
LIGHT INDUSTRIAL AND STORAGE FACILITY

Action: Refer to <u>PLANNING BOARD</u> for the purpose of <u>SPECIAL USE</u>
--

Code Enforcement Officer: Christy P. [Signature]

ZONING COORDINATION REFERRAL

SCHENECTADY COUNTY DEPT. OF ECONOMIC DEVELOPMENT & PLANNING
Recommendations shall be made within 30 days after receipt of a full statement of the proposed action.

For Use By SCDEDP

Received 11-28-23
Case No. D-26-23
Returned 12-6-23

FROM: ☐ Legislative Body
☐ Zoning Board of Appeals
☒ Planning Board

Municipality:
Town of Duanesburg

TO: Schenectady County Department of Economic Development and Planning
Schaffer Heights, 107 Nott Terrace, Suite 303
Schenectady, NY 12308

(tel.) 386-2225
(fax) 382-5661
Schenectady County

ACTION: ☐ Zoning Code/Law Amendment
☐ Zoning Map Amendment
☐ Subdivision Review
☒ Site Plan Review

☒ Special Permit
☐ Use Variance
☐ Area Variance
☐ Other (specify) _____

NOV 28 2023

Economic Development
and Planning Dept.

PUBLIC HEARING OR MEETING DATE: December 21 2023

SUBJECT: #23-27 Northern Clearing Inc.: SBL#87.00-3-19.21, (C-2) is seeking a site plan approval and special use permit for the expansion of existing building and site uses currently occurring at the property; special use permit required for storage / light industrial under section 12.4(20) and 12.4(33) of the Town of Duanesburg Zoning Ordinance.

REQUIRED 1. Public hearing notice & copy of the application.

ENCLOSURES: 2. Map of property affected. (Including Tax Map I.D. number if available)
3. Completed environmental assessment form and all other materials required by the referring body in order to make its determination of significance pursuant to the state environmental quality review act.

1. This zoning case is forwarded to your office for review in compliance with Sections 239-l, 239-m and 239-n of Article 12-B of the General Municipal Law, New York State.

2. This material is sent to you for review and recommendation because the property affected by the proposed action is located within 500 feet of the following:

- ☐ the boundary of any city, village or town;
- ☐ the boundary of any existing or proposed County or State park or other recreation area;
- ☒ the right-of-way of any existing or proposed County or State parkway, thruway, expressway, road or highway;
- ☐ the existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines;
- ☐ the existing or proposed boundary of any County or State-owned land on which a public building or institution is situated;
- ☐ the boundary of a farm operation located in an agricultural district, as defined by Article 25-AA of the agriculture and markets law. The referral requirement of this subparagraph shall not apply to the granting of area variances.

SUBMITTED BY:

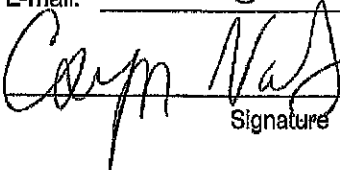
Name: Coryn VanDeusen

Title: Planning/Zoning/Building Clerk

Address: 5853 Western Turnpike Duanesburg, NY 12056

E-mail: cvandeusen@duanesburg.net

Phone: (518) 895-2040


Signature

Date: 11/21/23



PLANNING & ZONING COORDINATION REFERRAL

Case No. D-26-23

Applicant Northern Clearing, Inc.

Referring Officer Coryn VanDeusen

Municipality Duanesburg

Considerations: Regarding an existing commercial use on 15 acres requesting site plan approval and a special use permit to expand the outdoor material storage and vehicle/equipment laydown area. Located on the south side of Western Turnpike approximately 1,000' east of the I-88 access ramp.

RECOMMENDATION

Receipt of zoning referral is acknowledged on November 28, 2023. Please be advised that the undersigned Commissioner of Economic Development and Planning of the County of Schenectady (having under the Schenectady County Charter the powers and duties of a County Planning Board) has reviewed the proposed action stated on the opposite side of this form and makes the following recommendations:

- ☐ *Approve of the proposal.
- ☒ Defer to local consideration (No significant county-wide or inter-community impact)
- ☐ Modify/Conditionally Approve. Conditions:

☒ **Advisory Note:**

Due to the area of disturbance a SWPPP needs to be prepared and reviewed by the Town's engineer. The town may wish to have the applicant better define the limits of the new outdoor material storage and vehicle/equipment laydown area.

☐ Disapprove. Reason:

*A recommendation of approval should not be interpreted that the County has reviewed all local concerns and/or endorses the project; rather the proposed action has met certain County considerations.

Section 239-m of the general Municipal Law requires that within 30 days after final action, the referring body shall file a report of the final action it has taken with the Schenectady County Department of Economic Development and Planning. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

12/4/23
Date

Ray Gillen / sfg
Ray Gillen, Commissioner
Economic Development and Planning

RECEIVED

DEC 8 2023

TOWN OF DUANESBURG
TOWN CLERK

Instructions: Per § 305-a of the New York State Agriculture and Markets Law, any application for a special use permit, site plan approval, use variance or a subdivision approval requiring municipal review and approval would occur on property within a New York State Certified Agricultural District containing a farm operation or property with boundaries within 500 feet of a farm operation located in an Agricultural District shall include an Agricultural Data Statement.

Applicant	Owner if Different from Applicant
Name <u>NORTHEAST CLEARING INC.</u>	Name <u>HOWARD DAIGLE</u>
Address <u>3851 WESTERN TURNPIKE</u>	<u>229 VISHAY FERRY RD.</u>
<u>DUNESBORO, NY 12056</u>	<u>REXFORD, NY 12158</u>

1. Type of Application: Special Use Permit Site Plan Approval Use Variance;
Area Variance Subdivision Approval (circle one or more)
2. Description of proposed project:
EXPANSION OF EXISTING BUILDING AND SITE USES
CURRENTLY OCCURRING AT THE PROPERTY BY APPLICANT.

3. Tax Map Number (TMB) 67.50-3-17.21
4. Is this parcel within an Agricultural District? YES NO (Check with your local
5. If YES, Agricultural District Number _____ assessor if you do not know.)
6. Is this parcel actively farmed? YES NO
7. List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

NAME <u>EDWARD P. TERRY</u>	NAME <u>BRIAN SANDERS</u>
ADDRESS <u>4136 WESTERN TURNPIKE</u>	ADDRESS <u>4136 WESTERN TURNPIKE</u>
<u>DUNESBORO</u>	<u>DUNESBORO</u>
Is this parcel actively farmed? <u>YES</u> NO	Is this parcel actively farmed? <u>YES</u> NO
NAME _____	NAME _____
ADDRESS _____	ADDRESS _____
Is this parcel actively farmed? YES NO	Is this parcel actively farmed? YES NO

Scott Greschner NCI onsite Rep N/A Building going through final purchase with NCI
Signature of Applicant Signature of Owner (if other than applicant)

Reviewed by _____ Date E. Warner _____ Date _____

Revised 4/4/17

FARM NOTE

Prospective residents should be aware that farm operations may generate dust, odor, smoke, noise, vibration and other conditions that may be objectionable to nearby properties. Local governments shall not unreasonably restrict or regulate farm operations within State Certified Agricultural Districts unless it can be shown that the public health or safety is threatened.

NOTE TO REFERRAL AGENCY: County Planning Board review is required. A copy of the Agricultural Data Statement must be submitted along with the referral to the County Planning Department.

FOR OFFICE USE ONLY

CHECKLIST OF REQUIRED INFORMATION:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Title of drawing | <input checked="" type="checkbox"/> Septic system: Soil investigation completed? |
| <input checked="" type="checkbox"/> Tax Map ID # | <input checked="" type="checkbox"/> Sewer System: Which district? |
| <input checked="" type="checkbox"/> Zoning district | <input type="checkbox"/> Basic SWPPP (1a & 4b) |
| <input checked="" type="checkbox"/> Current Original Deed | <input type="checkbox"/> Full Storm Water Control Plan (See notes on more) |
| <input checked="" type="checkbox"/> NYS Survey (L.S. & P.E.) | <input type="checkbox"/> Storm Water Control Plan |
| <input checked="" type="checkbox"/> North Arrow, scale (1"=100') | <input checked="" type="checkbox"/> Short or long E&F www.dec.ny.gov/ef/madep/ |
| <input checked="" type="checkbox"/> Boundaries of the property plotted and labeled (if not scale) | <input type="checkbox"/> Street pattern: Traffic study needed? |
| <input checked="" type="checkbox"/> School District/Fire District | <input type="checkbox"/> All property Mergers REQUIRE both owners' Signatures on the Application |
| <input checked="" type="checkbox"/> Green areas/landscaping | Additional Requirements for Special Use Application: |
| <input checked="" type="checkbox"/> Existing watercourses, wetlands, etc. | <input checked="" type="checkbox"/> New or existing building |
| <input checked="" type="checkbox"/> Contour Lines (increments of 10ft.) | <input checked="" type="checkbox"/> Business Plan, Hours of operation, & number of employees, floor plan, uses, lighting plan/landscaping/signage |
| <input checked="" type="checkbox"/> Easements & Right of ways | <input type="checkbox"/> Parking, Handicap Spaces & lighting plan |
| <input checked="" type="checkbox"/> Abutting Properties Wells/ Sewer Systems within 100' | |
| <input checked="" type="checkbox"/> Well/ Water system | |

Date 11/6/23

Application type: ☐ Major Street ☐ Minor Street ☐ Street for Right of Way ☒ Street for Right of Way ☐ Other ☐ Other

Section _____ of _____ Ordinance

Present Owner Howard DAVOLE (AS APPEARS ON DEED)
 Address 324 VISHA PERRY RD Zip code: 12158
 Phone # (required) 518-285-1771 518-513-7277
 Applicants Name(s) & Address: NCI Phone # (required) 715-209-1577
 Location of Property: 3851 WESTERN TURNPIKE
 Tax Map # 67-00-3-19-24 Zoning District: C-2

Signature of Owner (if different from Applicant) (AS APPEARS ON DEED): _____

LANDS CONVEYED TO (REQUIRED FOR MERGERS): _____

Signature of receiving Property Owner: _____ (AS APPEARS ON DEED)

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. The Applicant hereby certifies that he/she is the owner of the above property or has duly authorized in writing, by the owner of record to make this application. Further, by signing this application, the owner gives permission for a representative of the Town of Dannenburg to walk the property for the purpose of conducting a site review.

Scott Greschner Date: 11/6/23
 Signature of Owner(S) and/or Applicant(S)

ALL APPLICATION FEES ARE NON-REFUNDABLE!

Application fee paid _____ (For office use only)
 Check # _____ Reviewed By _____ Date _____

I Approve: ☐ Disapprove: ☐ Refer to Code Enforcement: ☐ Section _____ of _____ Ordinance

Planning Commission Comments: _____

Planning Chairperson _____ Date: _____ Code Enforcement _____ Date: _____

Short Environmental Assessment Form

Part I - Project Information

Instructions for Completing

Part I - Project Information. The applicant or project sponsor is responsible for the completion of Part I. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part I based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part I. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part I - Project and Sponsor Information			
Name of Action or Project: <u>NORTHERN CLEARING INC. 3851 WESTERN TURNPIKE, DUNESBURG, NY</u>			
Project Location (describe, and attach a location map): <u>3851 WESTERN TURNPIKE, DUNESBURG, NY</u>			
Brief Description of Proposed Action: <u>NORTHERN CLEARING INC. (NCI) OPERATES A COMMERCIAL/ INDUSTRIAL WMA BUSINESS. THIS PROJECT INCLUDES THE EXPANSION OF THE OPERATIONS ON THE CURRENT SITE FOR EXTERIOR MATERIALS STORAGE AND VEHICLE AND EQUIPMENT LAYDOWN AREAS.</u>			
Name of Applicant or Sponsor: <u>NORTHERN CLEARING INC.</u>		Telephone: <u>715-209-1579</u>	
		E-Mail:	
Address: <u>3851 WESTERN TURNPIKE, DUNESBURG, NY</u>			
City/PO: <u>DUNESBURG,</u>		State: <u>NY</u>	Zip Code: <u>12056</u>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		<u>16.05</u> acres	
b. Total acreage to be physically disturbed?		<u>8.05</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>16.05</u> acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Northern Long-eared Bat, Ba...	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan? 	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, <div style="margin-left: 20px;"> a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <u>DISCHARGE TO EXISTING ROADSIDE DITCHES.</u> </div>	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: <u>STORMWATER DETENTION</u>	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>FRANCIS G. PALUMBO, PLA</u> Date: <u>11/6/23</u> Signature: <u>[Signature]</u> Title: <u>PROJECT LANDSCAPE ARCH.</u>		

EAF Mapper Summary Report

Monday, November 6, 2023 8:58 AM

Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archaeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Northern Long-eared Bat, Bald Eagle
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

Warranty Deed

ORIGINAL

THIS INDENTURE, made the 21st day of April, 2003, by and between

KIKI S. GARG-TOTH, residing at 27 Summit Avenue, Latham, New York 12116 and
AJAY P. GARG, residing at 381 Highland Drive, Schenectady, New York 12303,
parties of the first part, and

HOWARD E. DAIGLE, residing at 229 Vischock Ferry Road, Rensselaer, New York 12148,
party of the second part,

WITNESSETH that the parties of the first part, in consideration of ONE and
no/100 Dollars, (\$1.00), lawful money of the United States, and other good and valuable
consideration paid by the party of the second part, do hereby grant and release unto the
party of the second part, his heirs and assigns forever,

ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND, in the Town of
Duniesburg, County of Schenectady, State of New York, lying along the Southerly line
of U.S. Route 20, being further bounded and described as follows:

BEGINNING at the point of intersection of the common line of Lands of Cadwell &
Dinuzzo as conveyed in Book 1386 of Deeds at Page 3 to the West and Lands of Garg-
Toth as conveyed in Book 1442 of Deeds at Page 194 to the East, with the Southerly line
of U.S. Route 20, thence from said point of beginning along said Southerly line, North
83° 42' 20" East, 18.84 feet to the point of intersection of said Southerly line with the
Westerly line of Lands of Pellos as conveyed in Book 1068 of Deeds at Page 647, thence
along the Westerly, Southerly, and Easterly lines of Lands of Pellos the following three
(3) courses: 1.) South 03° 43' 40" East 241.67 feet to a point, thence 2.) North 86°
16' 50" East, 150.00 feet to a point, thence 3.) North 03° 43' 40" West, 301.88 feet to
the point of intersection of said Easterly line with the Southerly line of U.S. Route 20,
thence along said Southerly line the following four (4) courses: 1.) North 85° 45' 40"
East, 191.80 feet to a point, thence 2.) North 86° 12' 40" East, 307.14 feet to a point,
thence 3.) South 04° 01' 40" East, 99.18 feet to a point, thence 4.) North 87° 27' 40"
East, 412.00 feet to a point, thence through Lands of Garg-Toth, South 02° 32' 20"
East, 596.78 feet to a point in the Northerly line of Lands of Sanders as conveyed in
Book 1034 of Deeds at Page 316, thence along said Northerly line, South 83° 10' 10"
West, 1008.38 feet to the point of intersection of said Northerly line with the Easterly line
of Lands of said Cadwell & Dinuzzo, thence along said Easterly line, North 03° 48' 20"
West, 736.41 feet to the point of beginning and containing 15.00 +/- acres of land.

The above described property is also shown as Lot No. 1 on a map entitled "Final
Plan, Subdivision of Lands of Kiki S. Garg-Toth," dated September 20, 2001, prepared by
Gilbert VanGukler & Associates, and filed in the Schenectady County Clerk's Office on
November 29, 2001 in Sleeve 32 of Map Cabinet K (Map K-32).

BEING a portion of the premises as conveyed to KIKI S. GARG-TOTH by deed dated
November 23, 1994 and recorded in the Schenectady County Clerk's Office in Book
1442 of Deeds at Page 194.

ALSO BEING a portion of the premises as conveyed to AJAY P. GARG and KIKI S.
GARG by deed from JAGADISH GARG, dated July 8, 1992 and filed in the
Schenectady County Clerk's Office on July 20, 1992 in Book 1344 of Deeds at Page 234.

THIS CONVEYANCE is made and accepted subject to any and all existing and
enforceable conditions, covenants, easements, restrictions and agreements of record
affecting said premises.

TOGETHER with the appurtenances and all the estate and rights of the parties of the
first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the
second part, his heirs and assigns forever.

AND said parties of the first part covenant as follows:

FIRST, that the party of the second part shall quietly enjoy the said premises;

D
RECEIVED
TAX MAP DEPT
SEC. 67/2003
LOT 1921

ORIGINAL

SECOND, that said parties of the first part will forever WARRANT the title to said premises.

THIRD, that, in compliance with Sec. 13 of the Lien Law, the grantors will receive the consideration for this conveyance and will hold the right to resolve such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Kiki S. Garg-Loth

Ajay P. Garg

State of New York
County of ALBANY SS.

On the 19th day of April the year 2003, before me, the undersigned a notary public in and for said state, personally appeared Kiki S. Garg-Loth, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to within the instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) acted, executed the instrument.

GIVEN UNDER MY HAND AND SEAL OF OFFICE
this 19th day of April, 2003
Notary Public, State of New York
Qualified in Albany County
Commission Expires 7/31/2006

NOTARY PUBLIC, State of New York

State of New York
County of ALBANY SS.

On the 21st day of April the year 2003, before me, the undersigned a notary public in and for said state, personally appeared Ajay P. Garg, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to within the instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s) acted, executed the instrument.

GIVEN UNDER MY HAND AND SEAL OF OFFICE
this 21st day of April, 2003
Notary Public, State of New York
Qualified in Albany County
My Commission Expires 07/31/2006

NOTARY PUBLIC, State of New York

Record and Return to:

Nell Wolner, Esq.
646 Plank Road, Suite 200
Clifton Park, New York 12065

Note:

- 1.) Parcel Boundary is from tax par and in not a complete boundary/su
- 2.) Total Site Acreage: 16.05 acres
- 3.) Topographic information is base 2019 FEMA Lidar Information from Clearinghouse.
- 4.) Tax ID# 67-00-3-19-21

Existing Operations Use, Material Storage, Vehicle and Equipment Laydown Area 2.70 acres

Existing location of Permitted Above Ground Petroleum Bulk Storage Tank

Proposed Future Operations Use, Material Storage, Vehicle and Equipment Laydown Area 7.23 acres

4' High Hedge Row

Existing Parking Area ~35 spaces in Lot

Existing Septic Field

Existing Garage and Office Building

Parking Area / Driveway

Existing Container Storage

Existing Stormwater Management Area

Proposed Stormwater Management Area

Existing Water Pond

9 Trees Spaced 20' O.C. Acer Campestre or equal

Proposed 6' High Solid Fencing



Map Note: The locations and features depicted on this map are approximate and do not represent a legal survey.
 Project Number: 22-3179
 Data Source: 195-012 Clearinghouse
 Date: November 02, 2022
 Date: November 02, 2022
 Date: November 02, 2022
 Date: November 02, 2022

Northern Clearing Inc.
 3851 Western Turnpike
 Proposed Site Plan

Town of Olean, Seneca County, NY

C.T. MALE ASSOCIATES
 Engineering, Surveying, Architecture, Landscape Architecture & Planning, P.C.
 11534 140th Ave, Suite 200, Olean, NY 14753
 Tel: 716.843.1400 Fax: 716.843.2291

Zoning Use Table: Commercial (C-1)									
Minimum Lot Size (sq ft)	Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Minimum Building Setback (feet)	Minimum Setback (feet)		Maximum Building Height (feet)	Maximum Building Size (Total Floor Area)	Maximum Lot Coverage (%)	Maximum Density (Units per Acre)
				Front	Side				
100,000	250	200	20	10	10	35	10,000 sq ft	50%	3 Units/Acre

TOWN OF DUANESBURG

APPLICATION FOR SITE/ SKETCH DEVELOPMENT PLAN APPROVAL

Preliminary ☒ Date: 6/1/2023 Final ☐ Date: _____
(Check appropriate box)

Name of proposed development MarDon Community Solar

Applicant:

Name C-TEC Solar, LLC
Address 1 Griffin Road South Suite 200
Bloomfield, CT 06002
Telephone 585-734-0945 (Mike Lewis)

Plans Prepared by:

Name Tetra Tech, Inc.
Address 3136 S. Winton Road, Ste 303
Rochester, NY 14623
Telephone 585-749-3949 (Sonja Torpey)

Owner (if different):

Name Martin & Donna Hebert
Address 10516 Western Turnpike
Delanson, NY 12053
Telephone 518-424-3048

(if more than one owner, provide information for each)

Ownership intentions, i.e., purchase options

C-TEC Solar has entered into a lease agreement with Martin and Donna Hebert for siting of a solar energy generation facility

Location of site

10516 Western Turnpike, Delanson, NY 12053

Section 64.00 Block 2 Lot 8

Current zoning classification Part of property is Commercial-1 and part is Agricultural & Residential (R-2)

State and federal permits needed (list type and appropriate department)

State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity, as required by the New York State (NYS) Dept of Environmental Conservation.
Commercial Driveway/Access Permit, as required by the NYS Dept of Transportation. No other required permits have been identified at this time.

Proposed use(s) of site

Community-scale (2.11 MW AC) solar energy generation facility

Total site area (square feet or acres) Site Area = ~90 acres; Total Project Area of Disturbance = 10.9 acres

Anticipated construction time October 2023

Will development be phased? No, development will not be phased.

Over →

Current land use of site (agricultural, commercial, underdeveloped, etc.)

Agricultural

Current condition of site (buildings, brush, etc.) Actively maintained agricultural land with forested tracts bordering the Site

Character of surrounding lands (suburban, agricultural, wetlands, etc.) commercial, agricultural, residential, forested

Estimated cost of proposed improvement \$ Approximately \$5MM

Anticipated increase in number of residents, shoppers, employees, etc. (as applicable)

Not applicable.

Describe proposed use, including primary and secondary uses; ground floor area; height; and number of stories for each building:

- for residential buildings include number of dwelling units by size (efficiency, one-bedroom, two-bedroom, three or more bedrooms) and number of parking spaces to be provided.
- For non-residential buildings, include total floor area sales area; number of automobile and truck parking spaces,
- Other proposed structures.

(Use separate sheet if needed)

The MarDon Community Solar energy generation facility will consist of a ground-mounted array with the capacity to generate a total of 2.11 megawatts (MW) alternating current (AC). The racking system for the photovoltaic (PV) panels will be installed on small I-beam posts driven into the ground. Medium voltage collector cabling running from the PV panels to inverters will be buried underground. The facility will also feature fencing around the array, an equipment pad for electrical components (i.e., inverters and switchgear), an access road from the Western Turnpike, and a temporary laydown area (during the construction phase). There will be no building structures.

December 22, 2023

To whom it may concern:

C-Tec Solar has applied for site plan/special use permit approval to the Town of Duanesburg for a 1.875 MW community solar energy generating facility located at 10516 Western Turnpike owned by Martin and Donna Hebert. The entire application can be found at the following link:

https://www.duanesburg.net/sites/g/files/vyhlf4351/f/agendas/december_21_2023_planning_board_agenda_part_2.pdf

If you have any questions please do not hesitate to contact me.

Sincerely,

Coryn VanDeusen

Town of Duanesburg Planning Board Clerk



New York State
Parks, Recreation and
Historic Preservation

KATHY HOCHUL
Governor

ERIK KULLESEID
Commissioner

June 1, 2023

Sonja Torpey
Tetra Tech
3136 South Winton Road, Suite 303
Rochester, NY 14623

Re: SEQRA
MarDon Community Solar Site/2.8 MW/8.49 Acres
Town of Delanson, Schenectady County, NY
23PR04031

Dear Sonja Torpey:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the submitted documents under the State Environmental Quality Review Act (SEQRA) as requested. These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (NY Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR § 617).

We note that the project site is located within the State and National Register listed William R. Wing Farm Complex and is contiguous with the State and National Register listed Avery Farmhouse property. We have reviewed the site plan and Preliminary Civil Design Set for the proposed solar energy installation.

Based on this review, it appears that the solar array is appropriately sited to minimize visual impacts to the National Register listed resources. In addition, there are no archaeological concerns associated with this project.

Please be aware that if this project will involve state or federal permits, funding or licenses it may be subject to a more rigorous review by those agencies and this office for impacts to historic and archaeological resources under Section 106 of the National Historic Preservation Act or Section 14.09 of the NYS Parks, Recreation and Historic Preservation Law.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Weston Davey
Historic Site Restoration Coordinator

518-268-2164 | Weston.Davey@parks.ny.gov

CTEC

SOLAR

CTEC SOLAR
1 GRIFFIN DRIVE
BLOOMFIELD, CT 06002

TETRA TECH

TETRA TECH ENGINEERING CONSULTANTS, P.C.
100 SOUTH WESTERN ROAD, SUITE 200
BLOOMFIELD, CT 06002

NOT FOR
CONSTRUCTION

DUANESBURG
SOLAR PROJECT

10516 WESTERN TURNPIKE
DELANSON, NY 12053

PROJECT NUMBER:
194-1409-0003

SHEET TITLE:
10% CIVIL DESIGN

SHEET SIZE:
24" X 36" (609.6 X 914)

ARCH TO:
6" X 12"

DATE:
04/10/2023

DRAWN BY:
ASAP

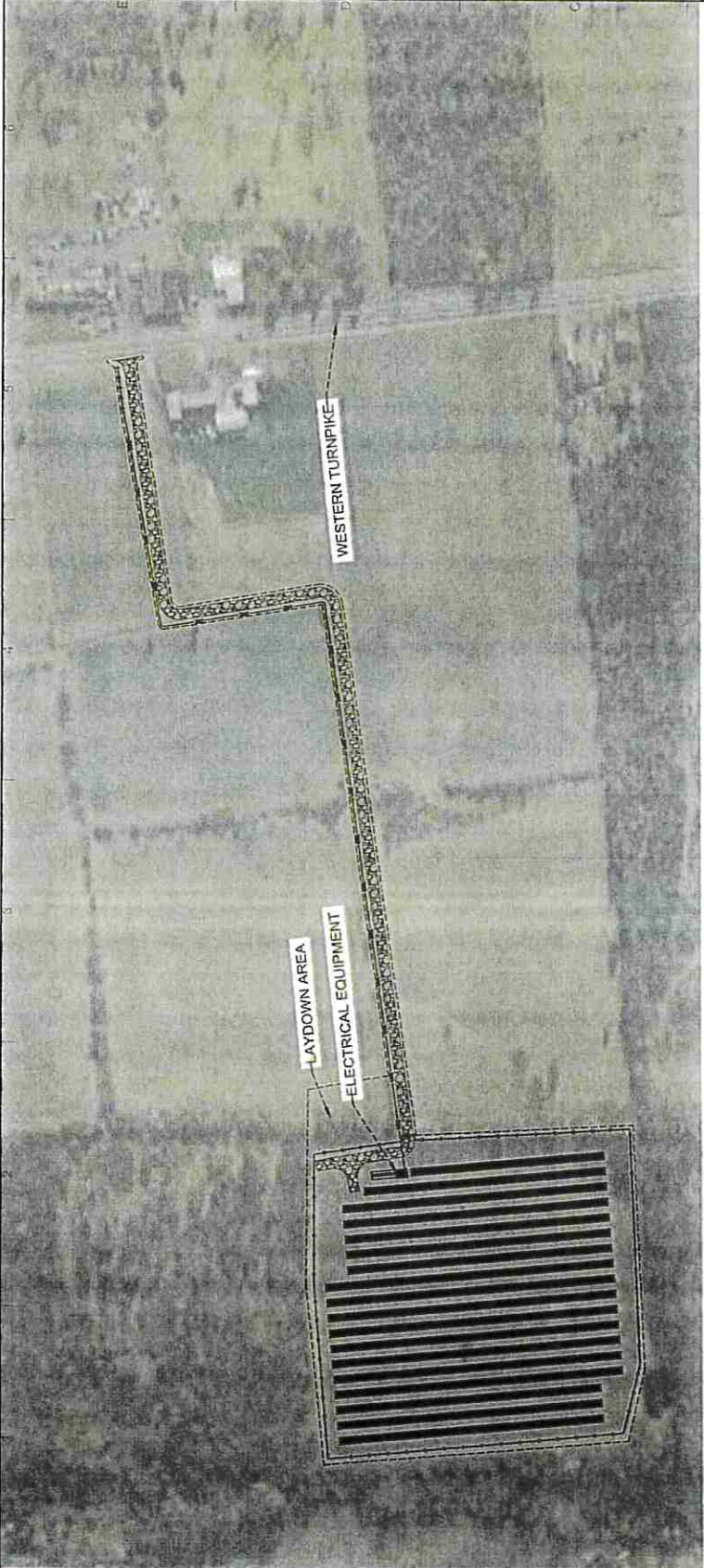
ENGINEER:
PAUL

APPROVED BY:
ASAP

PROJECT PHASE:
10% DESIGN

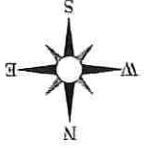
SCALE:

SHEET NO.:



- LEGEND**
- PROPOSED SOLAR PANELS
 - PROPOSED ACCESS ROAD
 - PROPOSED FENCE
 - PROPOSED UNDERGROUND ELECTRIC
 - PROPOSED OVERHEAD ELECTRIC
 - PROPOSED LIMIT OF DISTURANCE

PROJECT DETAILS	
NUMBER OF PANELS	5,330
EACH PANEL	535 W
TOTAL DC WATTAGE	2,85 MW
DC:AC RATIO	1.35:1
TOTAL AC POWER OUTPUT	2.11 MW
TOTAL DISTURBED AREA	10.9 ACRES
TOTAL FENCED AREA	8.2 ACRES
TOTAL PARCEL ACREAGE	90.0 ACRES



C-100 Solar



APPLICATION FOR THE PLANNING BOARD
TOWN OF DUANESBURG

Revised 04/12/2017

*****FOR OFFICE USE ONLY*****



ORIGINAL

CHECKLIST OF REQUIRED INFORMATION:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Title of drawing. | <input checked="" type="checkbox"/> Septic system: Soil investigation completed? |
| <input checked="" type="checkbox"/> Tax Map ID # | <input checked="" type="checkbox"/> Sewer System: Which district? |
| <input checked="" type="checkbox"/> Zoning district | <input type="checkbox"/> Basic SWPPP (1" & 4") |
| <input checked="" type="checkbox"/> Current Original Deed | <input type="checkbox"/> Full Storm Water Control Plan (5 acres or more) |
| <input checked="" type="checkbox"/> NYS Survey (L.S. & P.E.) | <input type="checkbox"/> Storm Water Control Plan |
| <input checked="" type="checkbox"/> North Arrow, scale (1"=100') | <input checked="" type="checkbox"/> Short or long EAF www.dec.ny.gov/eafmapper/ |
| <input checked="" type="checkbox"/> Boundaries of the property plotted and labeled to scale. | <input type="checkbox"/> Street pattern: Traffic study needed? |
| <input checked="" type="checkbox"/> School District/Fire District | <input type="checkbox"/> All property Mergers <u>REQUIRE</u> both owners Signatures on the Application |
| <input checked="" type="checkbox"/> Green area/ landscaping | <u>Additional Requirements for Special Use Application:</u> |
| <input checked="" type="checkbox"/> Existing watercourses, wetlands, etc. | <input checked="" type="checkbox"/> New or existing building |
| <input checked="" type="checkbox"/> Contour Lines (increments of 10ft.) | <input checked="" type="checkbox"/> Business Plan, Hours of operation, & number of employees, |
| <input checked="" type="checkbox"/> Easements & Right of ways | <u>floor plan, uses, lighting plan/ landscaping/signage</u> |
| <input checked="" type="checkbox"/> Abutting Properties Wells/ Sewer Systems within 100ft. | <u>Parking, Handicap Spaces, & lighting plan</u> |
| <input checked="" type="checkbox"/> Well/ Water system | |

Date October 20, 2023

Application type: ☒ Major Subdv ☐ Minor Subdv ☐ Special Use Permit ☐ Site/ Sketch Plan Review ☐ LotLine Adjust
Proposal: 4-lot residential subdivision of portion of parcel R2 zone meeting all zoning requirement.
Plus one commercial lot in the C1 zoning district.

Section _____ of _____ Ordinance.

Present Owner: Edward Putnam (AS APPEARS ON DEED!)
Address: 4136 Western TPKE RD Zip code: 12056
Phone # (required) 518-895-1053

Applicants Name (if different): _____ Phone# (required) _____

Location of Property (if different from owners) _____

Tax Map # 67.00-2-6.11 Zoning District C1 & R2

Edward E. Putnam
Signature of Owner (S) if different from Applicant (AS APPEARS ON DEED!)

LANDS CONVEYED TO (REQUIRED FOR MERGERS) N/A

Signature of receiving Property Owner N/A (AS APPEARS ON DEED!)

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. The Applicant hereby certifies that he/she is the owner of the above property or has duly authorized, in writing, by the owner of record to make this application. Further, by signing this application, the owner gives permission for a representative(s) of the Town of Duaneburg to walk the property for the purposes of conducting a site review.

Edward E. Putnam Date October 23, 2023
Signature of Owner(S) and/or Applicant(S)

ALL APPLICATION FEES ARE NON-REFUNDABLE!

Application fee paid: _____ Check# _____ (For office use only)
Reviewed By _____ Date _____

☐ Approved ☐ Disapproved ☐ Refer to Code Enforcement Section _____ of _____ Ordinance

Planning Commission Comments: _____

Planning Chairperson

Date

Code Enforcement

Date



ORIGINAL

TOWN OF DUANESBURG

Application# 23-23

Agricultural Data Statement

Date: October 20, 2023

Instructions: This form must be completed for any application for a special use permit, site plan approval, use variance or a subdivision approval requiring municipal review that would occur on property within 500 feet of a farm operation located in a NYS Dept. of Ag & Markets certified Agricultural District.

Applicant	Owner if Different from Applicant
Name: Edward Putnam (Roger Putnam - Power of Attorney). Address: <u>252 Duane Lake Road</u> <u>Duanesburg NY, 12056</u>	Name: <u>Same as owner</u> _____ _____

1. Type of Application: Special Use Permit; Site Plan Approval; Use Variance; Area Variance; ☒ Subdivision Approval (circle one or more)
2. Description of proposed project:
4 Lot subdivision of a portion of parcel 67.00-2-6.11 (197+/- ac.) located in the Town's R2 zone, meeting all zoning requirements. Plus once commercial lot (11.34ac) in the C1 zone.
3. Location of project: Address: 4136 Western TPK & North Mansion Road
Tax Map Number (TMP) 67.00-2-6.11
4. Is this parcel within an Agricultural District? ☒ YES NO (Check with your local
5. If YES, Agricultural District Number 114 assessor if you do not know.)
6. Is this parcel actively farmed? YES ☒ NO
7. List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.
There are no active farms within a 500' radius of the parcel to be subdivided, except this parcel.

NAME: Edward Putnam ADDRESS: <u>252 Duane Lake Road</u> <u>Duanesburg NY, 12056</u> Is this parcel actively farmed? <input checked="" type="checkbox"/> YES NO	NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES NO
NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES NO	NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES NO

Signature of Applicant

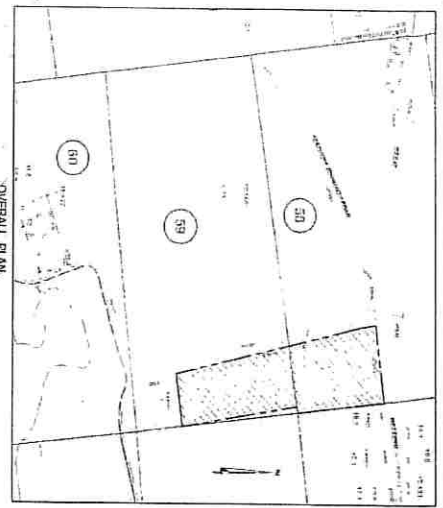
Signature of Owner (if other than applicant)

Reviewed by: _____

Date

Revised 6/30/08

NOTE TO REFERRAL AGENCY: County Planning Board review is required. A copy of the Agricultural Data Statement must be submitted along with the referral to the County Planning Department.



Call 874

[illegible][illegible]

SITE LOCATION MAP

1. *Phragmites australis* (Cav.) Trin. ex Steud.
 2. *Scirpus americanus* (L.) Pers.
 3. *Spartina patens* (Muhl.) B. & P.
 4. *Spartina patens* (Muhl.) B. & P.
 5. *Spartina patens* (Muhl.) B. & P.
 6. *Spartina patens* (Muhl.) B. & P.
 7. *Spartina patens* (Muhl.) B. & P.
 8. *Spartina patens* (Muhl.) B. & P.
 9. *Spartina patens* (Muhl.) B. & P.
 10. *Spartina patens* (Muhl.) B. & P.

[illegible]

ORIGINAL

FORM 5311 N.Y. DEED - EXECUTOR'S

89 5340

NATIONAL LEGAL SUPPLY, INC.
85 DEWEY STREET ALBANY, N.Y. 12207

LIBER 12487-10095

This Indenture.

November 30th day of
Nineteen Hundred and Eighty-Nine
Between EDWARD A. PUTNAM, residing at Route 20, Duaneburg, New
York 12056

as Executor of the estate of ADALINE N. PUTNAM by virtue of
the last Will and Testament of ADALINE N. PUTNAM late of
the County of Schenectady deceased, party of the first part, and

EDWARD A. PUTNAM, residing at Route 20, Duaneburg, New
York 12056 party of the second part:

Witnesseth, That the party of the first part, by virtue of the power and
authority to given in and by the said last Will and Testament,
and in consideration of -----

One Dollars,
\$1.00 lawful money of the United States, and other good and
valuable consideration paid by the party of the second part,
do hereby grant and release unto the party of the second part, and his
heirs and assigns forever, all

Two (2) parcels of land as set forth in Schedule "A" annexed
hereto and made a part hereof, consisting of four (4) pages,

Parcel Number (1) being the same premises conveyed to
the grantor herein, by Warrant Deed from WINIFRED CULLINGS WRIGHT,
and MARTHA FRANCES WRIGHT, Distributees in the Estate of MARY C.
WRIGHT, Deceased and under the last will and testament of GEORGE
WRIGHT, Deceased, December 10, 1940, in the County of Schenectady,
to FLOYD E. PUTNAM and ADALINE N. PUTNAM, his wife, dated July 5th,
1944, and recorded in the Schenectady County Clerk's Office on July
19, 1944 in Liber 506 at Page 395. FLOYD E. PUTNAM having
predeceased ADALINE N. PUTNAM, on the 21st day of June,
1987, and being a resident of the County of Schenectady, at the
time of his death and ADALINE N. PUTNAM, having died a resident of
the County of Schenectady, on July 26, 1989.

Parcel No. 2 being the same premises conveyed to the
grantor herein, by Warrant Deed from BOZENKILL LAKE CORPORATION,
to FLOYD E. PUTNAM and ADALINE N. PUTNAM, his wife, dated February
26th, 1952, and recorded in the Schenectady County Clerk's Office
on May 8th, 1952, in Liber 662 of deeds at Page 304. FLOYD E.
PUTNAM having predeceased ADALINE N. PUTNAM, on the 26th day
of July, 1989, and being a resident of the County of
Schenectady, at the time of his death.

This conveyance is made subject to all enforceable
covenants, conditions and easements of record and made pursuant to
the Last Will and Testament of Adaline N. Putnam admitted to
Probate in the Schenectady County Surrogates Court on the 16th,
day of August, 1989.

145-1569
145-541
R. J. S. A.
TAX MAP IDENT
SEC. 67.00 BLK. 2 LOT 6.11

ORIGINAL

SCHEDULE "A"

1248-10097

(PARCEL NO. 1)

1571
PARCEL OF LAND situate lying and being in the Town of Duaneburg, in the County of Schenectady, and State of New York, known and distinguished in the survey of said Township as Lot Number Fifty-eight (58): Beginning at a post and heap of stones placed at the southwest corner of Lot Number 57, now or formerly owned by William Ackerson, and 2 chains and 3 links North from the Western Turnpike, and runs thence along the south bounds of said Lot Number 57 (as the needle pointed in 1813) East 2 degrees 17 minutes North 45 chains and 18 links to Lot Number 4; then along the same South 2 degrees 30 minutes East 23 chains and 1 link to land formerly of Wm. A. S. North, deceased; then along the same West 1 degree 54 minutes South 45 chains 22 links to Lot Number 63; then along the same North 0 degrees 27 minutes West 9 chains 45 links to Lot Number 64; then along the same North 2 degrees 48 minutes West 13 chains 8 links to the place of beginning, containing 102.92 acres of land.

Being the same premises as described in a certain Warranty Deed from John A. Pell, George W. Pell and Adelia D. Pell, widow of the late Alfred S. Pell, to John A. Ferguson, dated the 29th day of January, 1848, and recorded in the Office of the Clerk of the County of Schenectady on the 3rd day of February, 1848, in Book "Y" of Deeds, at Page 504.

ALSO, ALL THAT CERTAIN PIECE OR PARCEL OF LAND, situate in the Town of Duaneburg, whereof William Eckerson died seized and which he devised by his last Will and Testament, duly admitted to probate by the Surrogate of the County of Schenectady, to Catharine McGue, and described as follows: South by the lands now or formerly of John Ferguson; East by the lands owned by Ralph McDougall, deceased, in his lifetime and at the time of his death; North by the lands now or formerly of William Liddle; West by lands now or formerly of Dr. Stephen C. DeLamater, containing 100 acres, be the same more or less.

Being the same premises as described in a certain Warranty Deed from Catharine McGue and Kelly McGue, as her husband, to John Ferguson, dated the 14th day of February, 1866, and recorded in the Office of the Clerk of the County of Schenectady on the 16th day of March, 1866, in Book 46 of Deeds, at Page 172

LIBER 506 396 EXCEPTING AND RESERVING, however, out of the premises above described the following: ALL THAT CERTAIN PIECE OF LAND lying in the Town of Duaneburg, County aforesaid, and being part and parcel of farm or Lot Number 57, as distinguished on the map made by James Frost, Surveyor, in the year 1813, and bounded as follows: Beginning at a marked beech tree, and being the north-east corner of said Lot Number 57, and runs thence along the north bounds thereof, as the needle now points, North 88 degrees 20 minutes west 43 chains and 7 links to the northwest corner thereof; thence along the west bounds thereof South 2 degrees west 9 chains and 51 links to the center of the highway leading to Schenectady; thence along the center of said Creek Highway, 89 degrees 10 minutes east 4 chains and 61 links; and South 86 degrees and 35 minutes east 7 chains and 34 links; and South 81 degrees and 15 minutes east 7 chains and 60 links; and South 81 degrees and 10 minutes east 6 chains and 67 links; and North 88 degrees 40 minutes east 3 chains and 79 links; and North 79 degrees east 6 chains and 18 links, and North 77 degrees east 7 chains and 76 links to the east bounds of said lot; thence along the same North 7 chains and 82 links to the place of beginning, containing 42 acres 3 roods and 36 1/2 rods.

Being the same premises as described in a certain Warranty Deed from John A. Ferguson and Elizabeth, his wife, to William Liddle, dated the 30th day of March, 1866, and recorded in the Office of the Clerk of the County of Schenectady on the 11th day of July, 1866, in Book 47 of Deeds, at Page 131.

And being the same premises as devised under the "2nd" paragraph of the last Will and Testament of John A. Ferguson, dated June 25th, 1900, and proved January 23rd, 1905, and recorded in the Schenectady County Surrogate's Office in Book "Q" of Wills at Page 528, wherein said premises were devised to his daughter, Almira D. Cullings.

Also being the same premises as came by inheritance through the Estates of Almira D. Cullings and William Cullings into Mary Cullings.

ORIGINAL

1572
un1248 0098

EXCEPTING AND RESERVING, however, out of the premises above described the following: ALL THAT PIECE OR PARCEL OF LAND situate in the Town of Duaneburg, County of Schenectady, and State of New York, for the reconstruction of the Schenectady-Duaneburg Pt. 2 State Highway No. 5545, as shown on map duly filed in the Office of the Clerk of Schenectady County, and described as follows: Beginning at a point on the Northerly boundary of the existing Schenectady-Duaneburg Pt. 2 Highway, said point being 5 plus or minus feet distant southerly measured at right angles from Station 401 plus 98 plus or minus of the survey base line for the reconstruction of the Schenectady-Duaneburg Pt. 2 State Highway No. 5545, Schenectady County; thence South 89 degrees 55 minutes West 208 plus or minus feet to a point 48 feet distant southerly measured at right angles from station 404 plus 00 of said base line; thence South 77 degrees 57 minutes West 350 plus or minus feet to a point 48 feet distant Southerly measured at right angles from Station 407 plus 50 of said base line; thence North 78 degrees 28 min. West 693 plus or minus feet to a point on the southerly boundary of said existing highway, the last mentioned point being 42 plus or minus feet distant measured at right angles from Station 414 plus 00 of said base line; thence Easterly along the last mentioned boundary of said existing highway 1205 plus or minus feet to the point of beginning, being .31 acres, more or less.

Being the same premises as described in a certain Warranty Deed from Mary C. Wright to County of Schenectady, a Municipal Corporation, dated the 24th day of October, 1930, and recorded in the Office of the Clerk of the County of Schenectady on the 10th day of February, 1931, in Book 373 of Deeds, at Page 7.

ALSO, EXCEPTING, however, out of the afore-described premises that portion described as follows: ALL THOSE PIECES OR PARCELS OF LAND hereinafter designated as PARCELS "A" and "B", situate in the Town of Duaneburg, County of Schenectady, and State of New York, for the proposed reconstruction of the Guilderland-Duaneburg Part 2 State Highway No. 8097, as shown upon map on file in the Schenectady County Clerk's Office, and described as follows:

PARCEL "A"

BEGINNING at a point on the Southerly boundary of the existing Guilderland-Duaneburg Part 2 Highway at the intersection of said boundary with the division line between the lands of David Miller, reputed owner on the East, and the lands of the late Mary C. Wright, former owner, on the west, said point being 23 plus or minus feet distant southerly measured at right angles from station 208 plus 64 plus or minus of the hereinafter described survey base line of the proposed reconstruction of the Guilderland-Duaneburg Part 2 State Highway No. 8097; thence southerly along said division line 9 plus or minus feet to a point 36 feet distant southerly measured at right angles from station 208 plus 62 plus or minus of said base line; thence N. 86° 35' W. 585 plus or minus feet to a point on the division line between the lands of the late Mary C. Wright, former owner, on the east and a town road on the west, the last mentioned point being 35 feet distant southerly, measured at right angles from station 214 plus 47 plus or minus of the said base line; thence northeasterly along said division line 10 plus or minus feet to its intersection with the southerly boundary of said existing highway, the last mentioned point being 29 plus or minus feet distant southerly measured at right angles from station 214 plus 39 plus or minus of the said base line; thence easterly along the last mentioned boundary of said existing highway 575 plus or minus feet to the point of beginning, being 0.15 acres, more or less.

PARCEL "B"

BEGINNING at a point on the northerly boundary of the existing Guilderland-Duaneburg Pt. 2 Highway, said point being 44 plus or minus feet distant northerly measured at right angles from station 218 plus 70 of the hereinafter described survey base line for the proposed reconstruction of the Guilderland-Duaneburg Pt. 2 State Highway No. 8097; thence N. 3° 19' E. 1 plus or minus feet to

1574
1218-1010

Mansion Road; thence southerly along the said center line about 430 feet to a point; thence westerly along the northerly line of a private road leading from North Mansion Road to the camps on the West end of Duane Lake, about 1050 feet to a point where said private road turns southerly; thence southerly along the westerly line of said private road about 175 feet to a point; thence westerly along the northerly line of a road originally used between the North Mansion,

662, PAGE 305

Road and the residence of C. L. Duane, about 1550 feet to a point; thence northerly along the easterly line of lands of Featherstonhaugh, formerly lands of Duane, about 1980 feet to a point; thence along the southerly line of lands of Putnam about 2350 feet to the point or place of beginning and containing about 104 acres of land.

The above described parcel being a portion of the premises conveyed by Edward McQuade, Mary K. McQuade, Alice McQuade and Margaret McQuade to Bozenkill Lake Corporation, ^{by deed} dated September 28th, 1940, and recorded in the Schenectady County Clerk's office August 16th, 1941, in Book 401 of deeds, at page 507. Excepting and reserving from the above described parcel a lot containing about 0.73 of an acre of land conveyed to Bessie L. Cooke by the party of the first part by deed dated February 16, 1951, and recorded in the Schenectady County Clerk's office February 26th, 1951, in Book 537 of Deeds, at page 449.

Said premises are sold and conveyed subject to the restriction that no buildings or other structures shall be erected thereon within two hundred feet of the northerly side of said private road.

TOWN OF DUANESBURG

APPLICATION FOR SITE/ SKETCH DEVELOPMENT PLAN APPROVAL

Preliminary ☒ Date: October 20, 2023 Final Date: _____
(Check appropriate box)

Name of proposed development Minor Subdivision - Portion of Lands now N/E of Edward Putnam

Applicant:

Name Edward Putnam
(Roger Putnam - Power of Attorney)
Address 4136 Western TPKE Road
Duanesburg NY, 12056
Telephone 518-895-1053

Plans Prepared by:

Name ABD Engineers &
Surveyors, LLP.
Address 411 Union Street
Schenectady NY, 12035
Telephone 518-377-0315

Owner (if different):

(if more than one owner, provide information for each)

Name Same as owner
Address _____
Telephone _____

Ownership intentions, i.e., purchase options
Sell four residential lots

Location of site
4136 Western TPKE Road and North Mansion Road

Section 67.00 Block 2 Lot 6.11

Current zoning classification C1 and R2

State and federal permits needed (list type and appropriate department)

n/a

Proposed use(s) of site
4-Lot residential subdivision of portion of parcel in R2 zone meeting all zoning requirements. Plus one commercial lot in the C1 zoning district.

Total site area (square feet or acres) 197+/-

Anticipated construction time 2-year

Will development be phased? no

Over →

Current land use of site (agricultural, commercial, underdeveloped, etc.)
Undeveloped

Current condition of site (buildings, brush, etc.) wooded / grassland

Character of surrounding lands (suburban, agricultural, wetlands, etc.) residential / commercial / agricultural

Estimated cost of proposed improvement \$ TBD

Anticipated increase in number of residents, shoppers, employees, etc. (as applicable)
8-12

Describe proposed use, including primary and secondary uses; ground floor area; height; and number of stories for each building:

- for residential buildings include number of dwelling units by size (efficiency, one-bedroom, two-bedroom, three or more bedrooms) and number of parking spaces to be provided.
- For non-residential buildings, include total floor area sales area; number of automobile and truck parking spaces,
- Other proposed structures.

(Use separate sheet if needed)

4-Typical 3-4 Bedroom single-family homes

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Minor Subdivision - Portion of Lands now N/F of Edward Putnam		
Project Location (describe, and attach a general location map): 4138 Western TPKE Road and North Mansion Road		
Brief Description of Proposed Action (include purpose or need): 4-lot residential subdivision of portion of parcel in R2 zone meeting all zoning requirements for single-family homes. Plus one commercial lot (11.34ac) in the C1 zone		
Name of Applicant/Sponsor: Edward Putnam (Roger Putnam - Power of Attorney)		Telephone: 518-1053 E-Mail: 188cycleshop@yahoo.com
Address: 242 Duane Lake Road		
City/PO: Duaneburg	State: New York	Zip Code: 12056
Project Contact (if not same as sponsor, give name and title/role): Joseph J. Bianchini, P.E. - ABD Engineer, LLP.		Telephone: 518-377-0315 E-Mail: joe@abdeng.com
Address: 411 Union Street		
City/PO: Schenectady	State: NY	Zip Code: 12035
Property Owner (if not same as sponsor): same as applicant / sponsor		Telephone: E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals**B. Government Approvals, Funding, or Sponsorship.** ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Duanesburg Planning Board for Subdivision Approval	October 20, 2023
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Schenectady County Department of Health	To be scheduled
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☒ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally-adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☒ Yes ☐ No

If Yes, identify the plan(s):

NYS Heritage Areas: Mohawk Valley Heritage Corridor

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.
If Yes, what is the zoning classification(s) including any applicable overlay district?

☒ Yes ☐ No

b. Is the use permitted or allowed by a special or conditional use permit?

☒ Yes ☐ No

c. Is a zoning change requested as part of the proposed action?
If Yes,

☐ Yes ☒ No

i. What is the proposed new zoning for the site?

C.4. Existing community services.

a. In what school district is the project site located? Duanesburg Central School

b. What police or other public protection forces serve the project site?

Schenectady County Sheriff and New York State Police

c. Which fire protection and emergency medical services serve the project site?

Fire District #2 - Duanesburg Fire Department

d. What parks serve the project site?

Ron Mead Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? wooded and grassland

b. a. Total acreage of the site of the proposed action?

197+/- acres

b. Total acreage to be physically disturbed?

3+/- acres

c. Total acreage (project site and any contiguous properties) owned
or controlled by the applicant or project sponsor?

197+/- acres

c. Is the proposed action an expansion of an existing project or use?

☐ Yes ☒ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision?

☒ Yes ☐ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

Residential

ii. Is a cluster/conservation layout proposed?

☐ Yes ☒ No

iii. Number of lots proposed? 4 residential plus 1 commercial

iv. Minimum and maximum proposed lot sizes? Minimum 2.31 acres Maximum 11.34 acres

e. Will the proposed action be constructed in multiple phases?

☐ Yes ☒ No

i. If No, anticipated period of construction:

_____ months

ii. If Yes:

• Total number of phases anticipated

4

• Anticipated commencement date of phase 1 (including demolition)

3 month

24 year

• Anticipated completion date of final phase

12 month

25 year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

lot by lot development as sold

f. Does the project include new residential uses? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	1			
At completion				
of all phases	4			

g. Does the proposed action include new non-residential construction (including expansions)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes,	
i. Total number of structures _____	
ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length	
iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____	
iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)	
If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
• Volume (specify tons or cubic yards): _____	
• Over what duration of time? _____	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____	
iv. Will there be onsite dewatering or processing of excavated materials? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? <input type="checkbox"/> Yes <input type="checkbox"/> No	
ix. Summarize site reclamation goals and plan: _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☒ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: _____ 1,540 +/- gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☒ No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☒ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☒ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☒ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: _____ 1,200 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

Sanitary Waste

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☒ No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

- Do existing sewer lines serve the project site? ☐ Yes ☒ No
- Will a line extension within an existing district be necessary to serve the project? ☐ Yes ☒ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

- iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐ Yes ☒ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

- v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

- vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

- e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☒ Yes ☐ No

If Yes:

- i. How much impervious surface will the project create in relation to total size of project parcel?

8,000 Square feet or 0.18 acres (impervious surface) approximately 2,000SF / lot

 Square feet or 197 acres (parcel size)

- ii. Describe types of new point sources. Swales

- iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

Swales to roadside ditch

- If to surface waters, identify receiving water bodies or wetlands: _____

N/A

- Will stormwater runoff flow to adjacent properties? ☐ Yes ☒ No

- iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☒ Yes ☐ No

- f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐ Yes ☒ No

If Yes, identify:

- i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

- ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

- iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

- g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐ Yes ☒ No

If Yes:

- i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐ Yes ☐ No

- ii. In addition to emissions as calculated in the application, the project will generate:

- _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
- _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☒ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend
☐ Randomly between hours of _____ to _____

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? ☐ Yes ☐ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☐ No

If Yes: N/A

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No

l. Hours of operation. Answer all items which apply.

i. During Construction:	ii. During Operations:
• Monday - Friday: _____ 7-6	• Monday - Friday: _____ 24/7
• Saturday: _____ 7-2	• Saturday: _____ 24/7
• Sunday: _____	• Sunday: _____ 24/7
• Holidays: _____	• Holidays: _____ 24/7

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p>
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p>
<p>n. Will the proposed action have outdoor lighting? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>Residential style lighting _____</p>
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: <u>Some tree removal is required.</u></p>
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:</p> <p>_____</p>
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p>
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes: N/A</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p>
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="text-align: right;">N/A</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☒ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- ☐ Urban ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☒ Rural (non-farm)
- ☐ Forest ☒ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site. project site consists of 22.3+/- portion of parcel on east side of North Mansion Road

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	0.18+/-	+0.18
• Forested	12.56 (wooded)	7.82+/-	-4.74
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	9.74 (grassland/ open fields)	14.3+/-	+4.56
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____	0	0	0

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☒ No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☒ No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? ☐ Yes ☒ No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☒ No
If Yes:
i. Has the facility been formally closed? ☐ Yes ☐ No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☒ No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☒ No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No
☐ Yes – Spills Incidents database Provide DEC ID number(s): _____
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
☐ Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☒ No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☒ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ over 5' feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site:

Silt Loam	_____	100 %
_____	_____	_____ %
_____	_____	_____ %

d. What is the average depth to the water table on the project site? Average: _____ over 3 feet

e. Drainage status of project site soils: ☐ Well Drained: _____ % of site
☒ Moderately Well Drained: _____ 50 % of site
☒ Poorly Drained: _____ 50 % of site

f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: _____ 60 % of site
☒ 10-15%: _____ 25 % of site
☒ 15% or greater: _____ 15 % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☒ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☒ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☒ Yes ☐ No
If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☒ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

• Streams:	Name	863-695, 863-686	Classification	C
• Lakes or Ponds:	Name	_____	Classification	non jurisdictional
• Wetlands:	Name	Federal Waters, Federal Waters, Federal Waters,...	Approximate Size	_____
• Wetland No. (if regulated by DEC)	_____			

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☒ No
If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐ Yes ☒ No

j. Is the project site in the 100-year Floodplain? ☐ Yes ☒ No

k. Is the project site in the 500-year Floodplain? ☐ Yes ☒ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☒ No
If Yes:
i. Name of aquifer: _____

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>Typical rural / suburban wildlife _____</p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Species and listing (endangered or threatened): _____</p> <p>Northern Long-eared Bat, Bald Eagle</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Species and listing: _____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p>	
<p>E.3. Designated Public Resources On or Near Project Site</p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: SCHE001</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>i. If Yes: acreage(s) on project site: _____</p> <p>ii. Source(s) of soil rating(s): USDA Web Soil Survey</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☒ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☒ Historic Building or District

ii. Name: Duane Mansion, North Mansion and Tenant House, Ferguson Farm Complex

iii. Brief description of attributes on which listing is based:

DEC Mapper

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☒ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☒ No

If Yes:

i. Describe possible resource(s):

ii. Basis for identification:

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☒ No

If Yes:

i. Identify resource:

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.):

iii. Distance between project and resource: miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☒ No

If Yes:

i. Identify the name of the river and its designation:

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

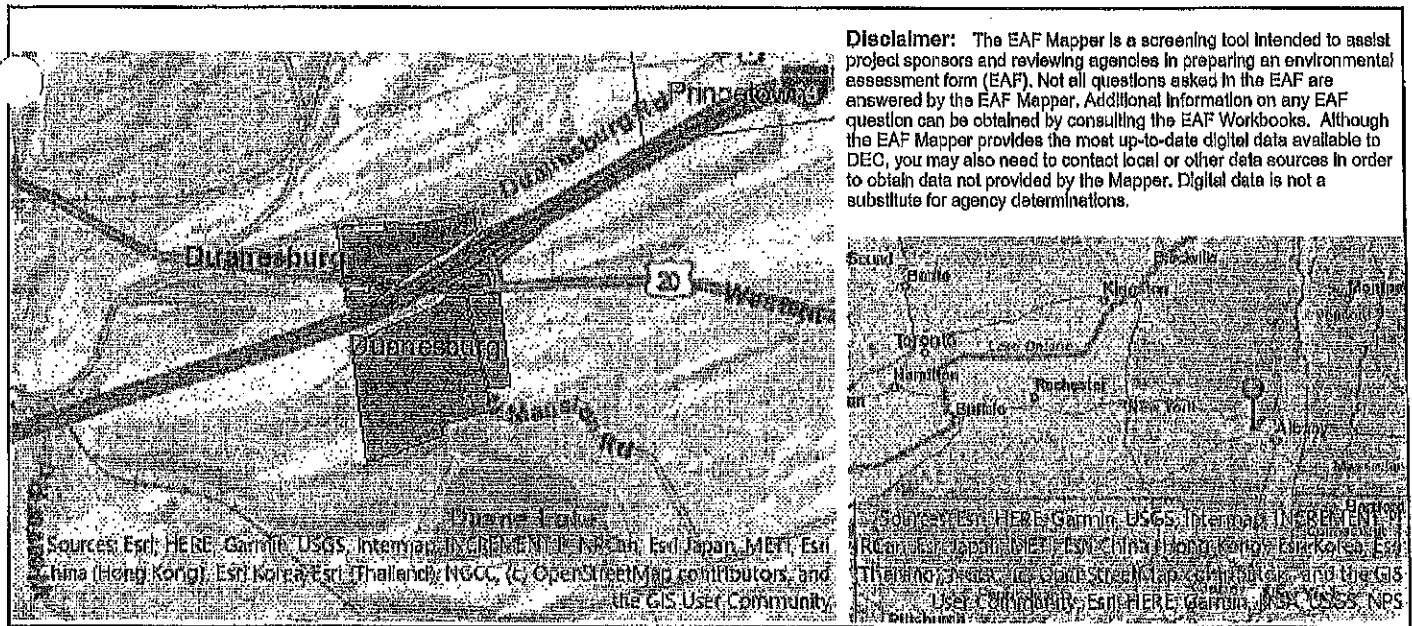
Applicant/Sponsor Name Joseph J. Blanchine, P.E.

Date October 20, 2023

Signature

Title Engineer

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B.1.i [Coastal or Waterfront Area]	No
B.1.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas: Mohawk Valley Heritage Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.ii [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	863-695, 863-686
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No

E.2.k. [000 Total Occupancy]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Northern Long-eared Bat, Bald Eagle
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	SCHE001
E.3.c. [National Natural Landmark]	No
E.3.d. [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Duane Mansion, North Mansion and Tenant House, Ferguson Farm Complex
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

October 20, 2023

Re: **4-Lot Residential Subdivision**
4136 Western TPKE & Mansion Rd.
Town of Duanesburg
Project # 5668A

Jeffery Scmitt, Chairperson
Town of Duanesburg Planning Board
5853 Western Turnpike
Duanesburg, NY 12056

Attention: Chris Parslow, Town Planner/Building Inspector

Dear Jeffery and Dale,

Enclosed for your review and for presentation to the Planning Board for a sketch subdivision review at 4136 Western TPKE & North Mansion Road in the Town of Duanesburg are the following:

1. Fifteen (15) copies of the Subdivision Application.
2. Fifteen (15) copies of a Long Environmental Assessment form.
3. Fifteen (15) copies of the Sketch Subdivision Plan.
4. An Agricultural Data Statement.
5. Current Property Deed

We respectfully request this subdivision proposal be scheduled for review by the Town's Planning Board at the November 16, 2023, Planning Board meeting.

Should you have any questions or need anything further, please do not hesitate to contact me.

Very truly yours,
ABD ENGINEERS, LLP

Luigi A. Palleschi, P.E.
Partner

JJB:jeh
encl.
cc: w/encl. (via email)
Roger Putnam w/ encl.
Ken Seely w/ encl.
5668A-10182023

NOTICE OF DETERMINATION
of the Town of Duaneburg

Date of Determination 10/23/23

Application of EDWARD PATTAM under section
3.5 of the (Village of Delanson/Town of Duaneburg)
SUBDIVISION Ordinance.

Applicant EDWARD PATTAM
Address 4136 WESTERN TRAIL
DUANEBURG N.Y. 12056

Phone 518-895-1053 Zoning District C-1/R-2 SBL# 67.00-2-4.11

Description of 5
Project: SPLIT ONE Big LOT INTO 5 SMALLER LOTS

Determination:
PLANNING BOARD for PURPOSE of MAJOR SUBDIVISION

Reason supporting determination:
TOWN OF DUANEBURG SUBDIVISION ORDINANCE ADOPTED MARCH 9, 1998
SECTION 3.5 APPROVAL of MAJOR SUBDIVISION

Action: Refer to <u>PLANNING BOARD</u> for the purpose of <u>4 Lot MAJOR SUBDIVISION</u>
--

Code Enforcement Officer: Charles P. Patten

ZONING COORDINATION REFERRAL

SCHENECTADY COUNTY DEPT. OF ECONOMIC DEVELOPMENT & PLANNING
Recommendations shall be made within 30 days after receipt of a full statement of the proposed action.

For Use By SCDEDP

Received 11-9-23
Case No. D-24-23
Returned 11-28-23

FROM: ☐ Legislative Body
☐ Zoning Board of Appeals
☒ Planning Board

Municipality:
Town of Duanesburg

TO: Schenectady County Department of Economic Development and Planning
Schaffer Heights, 107 Nott Terrace, Suite 303
Schenectady, NY 12308

(tel.) 386-2225
(fax) 382-5539
Schenectady County

ACTION: ☐ Zoning Code/Law Amendment
☐ Zoning Map Amendment
☒ Subdivision Review
☐ Site Plan Review

☐ Special Permit
☐ Use Variance
☐ Area Variance
☐ Other (specify) _____

NOV 09 2023

Economic Development
and Planning Dept.

PUBLIC HEARING OR MEETING DATE: 11/16/23

SUBJECT: #23-23 Putnam, Edward: SBL#67.00-2-6.11, (C-1/R-2) is seeking a major subdivision of one lot into 5 smaller lots under section 3.6 of the town of Duanesburg subdivision ordinance

REQUIRED ENCLOSURES: 1. Public hearing notice & copy of the application.
2. Map of property affected. (Including Tax Map I.D. number if available)
3. Completed environmental assessment form and all other materials required by the referring body in order to make its determination of significance pursuant to the state environmental quality review act.

1. This zoning case is forwarded to your office for review in compliance with Sections 239-l, 239-m and 239-n of Article 12-B of the General Municipal Law, New York State.
2. This material is sent to you for review and recommendation because the property affected by the proposed action is located within 500 feet of the following:
 - ☐ the boundary of any city, village or town;
 - ☐ the boundary of any existing or proposed County or State park or other recreation area;
 - ☒ the right-of-way of any existing or proposed County or State parkway, thruway, expressway, road or highway;
 - ☐ the existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines;
 - ☐ the existing or proposed boundary of any County or State-owned land on which a public building or institution is situated;
 - ☐ the boundary of a farm operation located in an agricultural district, as defined by Article 25-AA of the agriculture and markets law. The referral requirement of this subparagraph shall not apply to the granting of area variances.

SUBMITTED BY:

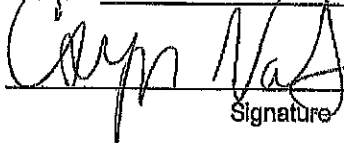
Name: Coryn VanDeusen

Title: Planning/Zoning Clerk

Address: 5853 Western Turnpike Duanesburg, NY 12056

E-mail: cvandeusen@duanesburg.net

Phone: (518) 895-2040


Signature

Date: 11/08/2023



PLANNING & ZONING COORDINATION REFERRAL

Case No. D-24-23

Applicant Edward Putnam

Referring Officer Coryn VanDeusen

Municipality Duanesburg

Considerations: Regarding a 22.3 acre vacant parcel, requesting subdivision approval to create five lots, four lots of 2.31, 2.58, 3.05, and 3.06 acres and a remaining 11.34 acre parcel. Located on the southeast corner of the North Mansion Road (CR 121) and Western Turnpike (US Rt. 20) intersection. Individual septic and well is proposed. Access is proposed to CR 121.

RECOMMENDATION

Receipt of zoning referral is acknowledged on November 9, 2023. Please be advised that the undersigned Commissioner of Economic Development and Planning of the County of Schenectady (having under the Schenectady County Charter the powers and duties of a County Planning Board) has reviewed the proposed action stated on the opposite side of this form and makes the following recommendations:

☒ *Approve of the proposal.

☐ Defer to local consideration (No significant county-wide or inter-community impact)

☐ Modify/Conditionally Approve. Conditions:

☐ Advisory Note:

☐ Disapprove. Reason:

*A recommendation of approval should not be interpreted that the County has reviewed all local concerns and/or endorses the project; rather the proposed action has met certain County considerations.

Section 239-m of the general Municipal Law requires that within 30 days after final action, the referring body shall file a report of the final action it has taken with the Schenectady County Department of Economic Development and Planning. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

11/20/23
Date

Ray Gillen
Ray Gillen, Commissioner
Economic Development and Planning

December 5th, 2023

To: All interested and involved agencies (See attached list)

**Re: *Application for Subdivision Approval for a five-lot residential/commercial
subdivision located at 4136 Western Turnpike owned by Edward Putnam.***

Dear Sir/Madam:

The Town of Duanesburg Planning Board determined at its regular meeting on November 16th, 2023, to declare its intent to act as SEQRA lead agency for the above referenced Type 1 action. Attached as required by the regulations is the SEQRA EAF Part 1 and the application. Please advise the Town Planning Board within the next thirty days if you would like to act as lead agency rather than the Planning Board. If we do not hear from you within the next 30 days, the Town Planning Board will be lead agency for the review of the project.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Jeff Schmitt
Town of Duanesburg Planning Board Chair

cc: Town of Duanesburg Planning Board Clerk and Planning Board Members
Enc: SEQRA EAF Part 1 and Application

The Schenectady County Planning Department

Regional Permit Administrator
New York State Department
of Environmental Conservation
Region 4 Headquarters
1130 North Westcott Road
Schenectady, New York 12306

Director, Technical Preservation Services Bureau
NYS Parks, Recreation & Historic Preservation
Pebbles Island State Park
PO Box 189
Waterford, New York 12188-0189

Director of Engineering
Schenectady County DPW
100 Keller Ave
Schenectady, NY 12306

Schenectady County Health
107 Nott Terrace, Suite 306
Schaffer Heights
Schenectady, NY 12308

NOTICE OF DETERMINATION
of the Town of Duaneburg

Date of Determination 11/1/03

Application of JOSEPH SURTH under section _____
_____ of the (Village of Delanson/ Town of Duaneburg)
_____ Ordinance.

Applicant JOSEPH SURTH
Address 916-218 BATTERY ST.
PATTERSONVILLE N.Y.

Phone _____ Zoning District R-1 SBL# 35.05-1-19.2

Description of
Project: AMEND CURRENT SPECIAL USE PERMIT TO INCLUDE
ON SITE COOKING

Determination: PLANNING BOARD FOR SPECIAL USE AMENDMENT

Reason supporting determination:

Action: Refer to <u>PLANNING BOARD</u> for the purpose of <u>SPECIAL USE AMENDMENT</u>
--

Code Enforcement Officer: [Signature]

APPLICATION FOR THE PLANNING BOARD
TOWN OF DUANESBURG

Revised 04/12/2017

*****FOR OFFICE USE ONLY*****

CHECKLIST OF REQUIRED INFORMATION:

- ☒ Title of drawing.
- ☒ Tax Map ID #
- ☒ Zoning district
- ☒ Current Original Deed
- ☒ NYS Survey (L.S. & P.E.)
- ☒ North Arrow, scale (1"=100').
- ☒ Boundaries of the property plotted and labeled to scale.
- ☒ School District/Fire District
- ☒ Green area/ landscaping
- ☒ Existing watercourses, wetlands, etc.
- ☒ Contour Lines (increments of 10ft.)
- ☒ Easements & Right of ways
- ☒ Abutting Properties Wells/ Sewer Systems within 100ft.
- ☒ Well/ Water system

- ☒ Septic system: Soil investigation completed?
- ☒ Sewer System: Which district?
- ☐ Basic SWPPP (1 \geq & <5)
- ☐ Full Storm Water Control Plan (5acres or more)
- ☐ Storm Water Control Plan
- ☒ Short or long EAF www.dec.ny.gov/eafmapper/
- ☐ Street pattern: Traffic study needed?
- ☐ All property Mergers REQUIRE both owners Signatures on the Application

Additional Requirements for Special Use Application:

- ☒ New or existing building
- ☒ Business Plan, Hours of operation, & number of employees, floor plan, uses, lighting plan/ landscaping/signage
- ☒ Parking, Handicap Spaces, & lighting plan

Date 10-31-23

Application type: ☐ Major Subdv ☐ Minor Subdv ☒ Special Use Permit ☐ Site/ Sketch Plan Review ☐ LotLine Adjust

Proposal: Remove Restriction ON Cooking

Section _____ of _____ Ordinance.

Present Owner: Mr Joseph SECTH (AS APPEARS ON DEED!!)

Address: 216 218 Batters Zip code: 12137

Phone # (required) 518 852 5378

Applicants Name (if different): _____ Phone# (required) _____

Location of Property (if different from owners) _____

Tax Map # _____ Zoning District _____

Signature of Owner (S) if different from Applicant (AS APPEARS ON DEED!!)

LANDS CONVEYED TO (REQUIRED FOR MERGERS) _____

Signature of receiving Property Owner _____ (AS APPEARS ON DEED!!)

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. The Applicant hereby certifies that he/she is the owner of the above property or has duly authorized, in writing, by the owner of record to make this application. Further, by signing this application, the owner gives permission for a representative (s) of the Town of Duaneburg to walk the property for the purposes of conducting a site review.

Signature of Owner(S) and/or Applicant(S) _____

Date 10-31-23

ALL APPLICATION FEES ARE NON-REFUNDABLE!

(For office use only)

Application fee paid: _____ Check# _____ Reviewed By _____ Date _____

☐ Approved ☐ Disapproved ☐ Refer to Code Enforcement Section _____ of _____ Ordinance

Planning Commission Comments: _____

Planning Chairperson

Date

Code Enforcement

Date

Agricultural Data Statement

Date: 10/31/23

Instructions: Per § 305-a of the New York State Agriculture and Markets Law, any application for a special use permit, site plan approval, use variance or a subdivision approval requiring municipal review and approval would occur on property within a New York State Certified Agricultural District containing a farm operation or property with boundaries within 500 feet of a farm operation located in an Agricultural District shall include an Agricultural Data Statement.

Applicant	Owner if Different from Applicant
Name: <u>Mr. Joseph SERTN</u>	Name: _____
Address: <u>216-218</u> <u>Dexter St</u>	Address: <u>SAME</u>

1. Type of Application: Special Use Permit; Site Plan Approval; Use Variance;
Area Variance; Subdivision Approval (circle one or more)

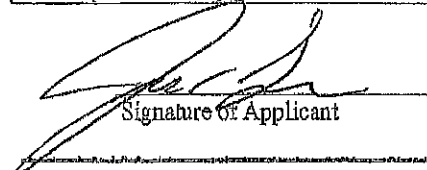
2. Description of proposed project:

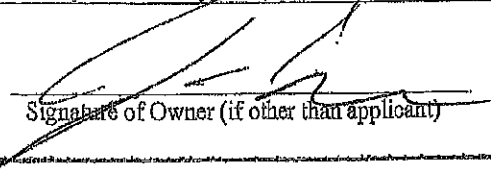
Remove Restriction on Cooking on Site

3. Location of project: Address: 216-218 Dexter St
Tax Map Number (TMP) 35.05-1-19.2

4. Is this parcel within an Agricultural District? YES ☒ NO (Check with your local
5. If YES, Agricultural District Number _____ assessor if you do not know.)
6. Is this parcel actively farmed? YES ☒ NO
7. List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES NO	NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES NO
NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES NO	NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES NO


Signature of Applicant


Signature of Owner (if other than applicant)

Reviewed by: _____

Dale R. Warner

Date _____

Revised 4/4/17

FARM NOTE

Prospective residents should be aware that farm operations may generate dust, odor, smoke, noise, vibration and other conditions that may be objectionable to nearby properties. Local governments shall not unreasonably restrict or regulate farm operations within State Certified Agricultural Districts unless it can be shown that the public health or safety is threatened.

NOTE TO REFERRAL AGENCY: County Planning Board review is required. A copy of the Agricultural Data Statement must be submitted along with the referral to the County Planning Department.

Updated Operational Plan Concerning Food Prep at Mariaville Lakeview Barn

- 1. Caterers can prepare food offsite, bring it to the site and serve it at any location on the site as they have been able to in the past. That has either been on the north or south side of the barn or in the barn.**
- 2. Food trucks that either prepare food offsite or onsite will be utilized. No food truck will be allowed to park in the Lake District. No food truck will be allowed to cook food within 20 feet of the property line. The targeted area for food trucks to set up will be on the paved portion of the property, in front of the three bay boathouse part of 218 Batter Street. They will also be allowed to set up on the north side of the barn in front of the doublewide doors.**
- 3. Anyone booking the site for a closed event, not open to the public, will be allowed to do their own cooking, so long as they comply with the Schenectady County Health Department rules. Cooking will be allowed inside the barn, but no open flames. Barbecue grills will be allowed to be used, but they are required to be 20 feet from the property line and 20 feet from any structure or tent.**
- 4. Anyone can apply for a temporary cooking permit from the Schenectady County Health Department and use it onsite.**

5. The pre-existing food prep area inside the three bay boathouse can be utilized for customers and site owners for the preparation of food.

6. All of the other scenarios discussed in the letter to the Schenectady County Health Department and their response will be allowed on the site.

Fwd: Food Permitting for Mariaville Lakeview Wedding Barn

cmvski@aol.com/Inbox



Emily Serth <emily.serth@gmail.com>
To: Chrissy <cmvski@aol.com>

Dec 2 at 4:32 PM

Sent from my iPhone

Begin forwarded message:

From: "Nicholas J. Gallo" <nicholas.gallo@schenectadycountyny.gov>
Date: November 30, 2023 at 3:57:27 PM EST
To: Emily Serth <emily.serth@gmail.com>
Subject: RE: Food Permitting for Mariaville Lakeview Wedding Barn

Hello!

Please see responses in Red-

1. The Health Department only requires the venue site to have 1 bathroom facility. If this is not a governed facility, the bathroom portion of the code will not come into effect. Public bathroom code for food service establishments states public bathrooms must be supplied by establishment if the seats exceed 21 seats. As for a temporary permit, the only thing required by code is a hand washing sink for the food preparer.
2. If people book the venue site and wish to cook on a grill or other form of cooking for a closed event, no permit is required. Correct. If it is open to the public the food preparer is required to have a temporary, catering or mobile permit through Schenectady county EH
3. If a vendor shows up with food prepared off site and serves the food on site, the vendor is required to have a permit, not the venue site. Mr. Serth has checked on previous vendors from 2023 and a future vendor to check on their permit status. Correct. If they are cooking off site, the vendor must have a permitted kitchen or commissary kitchen that is permitted in any county.
4. If a vendor shows up and cooks food on site, the vendor is required to have a permit, not the venue site. Correct
5. Nick Gallo has reviewed pictures of the site and Mr. Serth can obtain up to 14 one-day permits for him to cook on site, with no changes to the current site. Sort of. The individual who is preparing the food needs to submit an application. The temporary permit is up to 14 days of a certain event at the same location. Not 14 SEPARATE events.
6. If vendors supply food pre-cooked off site, and do not supply servers, then no permit is needed by the venue site. That is correct. No catering permit required unless they are going to serve their food to the public.

As per our meeting, the bathrooms are a question mark. To my knowledge, the bathrooms outside of our jurisdiction have their own code and I am not well versed in them. If Mr. Serth would like to apply to become a certified food service permit under code 14-1 he would have to apply all of the information provided at the meeting. I am not positive, but almost certain to become a food service establishment he would have to apply to become a public water supply. Please contact Dom in our office at extension 1242 to hear more about that. As for all of this information, to just be a venue site you do not need a permit, but you can not sell food to the public. If you would like to sell food to the public, you can apply for a temporary food service permit at the link I sent previously. To be a temporary food service vendor, you do not need a certified kitchen but the food must be considered "low risk"

It has been an honor service you two! Please direct the rest of the questions to Dom and Denise in our office. Thank you very much for your time!

Nicholas Gallo
Public Health Sanitarian
Schenectady County Public Health Services
Phone: 518-386-2818 ext.-1267 Fax: 518-386-2822
www.schenectadycounty.com
"Schenectady County Public Health Services supports, protects, and improves the health of our community."

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-----Original Message-----

From: Emily Serth <emily.serth@gmail.com>
Sent: Thursday, November 30, 2023 2:45 PM
To: Nicholas J. Gallo <nicholas.gallo@schenectadycountyny.gov>
Subject: Re: Food Permitting for Mariaville Lakeview Wedding Barn

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

(d) First-aid supplies and personal medications are restricted to designated locations.

(e) The use of unprotected bait stations in food storage, service and preparation areas and in utensil washing and storage areas is forbidden.

PERSONNEL

14-1.1.70 Employee Health. No person is to work in a food service establishment:

- (a) in a capacity which can result in contamination of food or food-contact surfaces with disease-causing organisms;
- (b) while infected with a disease in a communicable form capable of transmission by food;
- (c) who is otherwise a carrier of organisms that cause such disease; or
- (d) while afflicted with a boil or infected wound.

14-1.1.71 Employee cleanliness. Employees are to maintain a high degree of personal cleanliness and are to conform with good hygienic practices when working in food service establishments. Employees are to wash their hands and exposed area of arms thoroughly with soap and warm water before starting work, and as often as may be necessary to remove soil and contamination.

Thereafter, employees are to wash hands thoroughly after using the toilet, smoking, sneezing, coughing, eating, drinking or otherwise soiling their hands before returning to work. Employees are to keep their fingernails clean and neatly trimmed.

14-1.1.72 Employee consumption of food and use of tobacco, hair restraints.

- (a) Employees are to consume food only in designated dining areas where it will not result in contamination of other food, equipment, utensils or other items needing protection.
- (b) Tobacco in any form is not to be used by employees while engaged in food preparation or service, or while washing equipment or utensils, or where its use will result in contamination of food, equipment or utensils.
- (c) All persons within a food service establishment who work in areas where food is prepared are to use hats, caps or hair nets as restraints which minimize hair contact with hands, food and food-contact surfaces.

14-1.1.73 Personnel training. The permit-issuing official may establish and conduct or designate training programs and require that owners and/or operators of food service establishments attend them.

FOOD PREPARATION AND SERVICE

14-1.1.80 Food Preparation and Service.

- (a) Food is to be prepared and served with no bare hand contact unless the food will be subsequently heated to at least the minimum temperature required under Section 14-1.82 of this Subpart or to 165 degrees Fahrenheit (73.9 degrees Celsius) or greater for foods that are being heated for a second or subsequent time.

- (b) Convenient and suitable utensils and/or sanitary gloves are to be provided and used to prepare or serve food to eliminate bare hand contact and prevent contamination. Waxed paper, napkins or equivalent barrier to prevent hand contact can also be used to serve food.

14-1.81 Washing of fruits and vegetables. Raw fruits and raw vegetables are to be thoroughly washed with potable water before serving.

14-1.82 Cooking of potentially hazardous foods. All parts of potentially hazardous foods requiring cooking are to be heated to at least 140 degrees Fahrenheit (60 degrees Celsius), except:

- (a) poultry, poultry stuffing, stuffed meats and stuffing containing meat are to be heated so all parts are at least 165 degrees Fahrenheit (73.9 degrees Celsius) with no interruption of the cooking process;
- (b) pork and food containing pork is to be heated so all parts of the food are at least 150 degrees Fahrenheit (65.6 degrees Celsius); and
- (c) rare roast beef and/or rare beef steaks are to be heated to an internal temperature of 130 degrees Fahrenheit (54.4 degrees Celsius), unless otherwise ordered by the consumer. When meat or fish is served raw, the consumer is to be notified.
- (d) Shell eggs or foods containing shell eggs are to be heated to 145 degrees Fahrenheit (62.8 degrees Celsius) or greater unless an individual consumer requests preparation of a shell egg or food containing shell eggs in a style such as raw, poached or fried which must be prepared at a temperature less than 145 degrees Fahrenheit in order to comply with the request.
- (e) Every part of ground meat or food containing ground meat are to be heated to at least 158 degrees Fahrenheit (69.4 degrees Celsius), unless a consumer requests preparation of a single order of ground meat or food containing ground meat which must be prepared at a temperature less than 158 degrees Fahrenheit in order to comply with the request.

14-1.83 Reheating.

- (a) The entire mass of all precooked, refrigerated potentially hazardous food that is to be reheated must be heated to 165 degrees Fahrenheit (73.9 degrees Celsius) or above within two hours and held above 140 degrees Fahrenheit (60 degrees Celsius) until served.
- (b) Precooked potentially hazardous foods from commercially processed hermetically sealed containers and precooked potentially hazardous foods in intact packages from commercial food processing establishments that are to be heated for the first time within the food service establishment must be heated to 140 degrees Fahrenheit (60 degrees Celsius) within two hours and held above 140 degrees Fahrenheit (60 degrees Celsius) until served.
- 14-1.84 Dry milk and dry milk products.** Dry milk and dry milk products, if used, must be reconstituted in the establishment.
- 14-1.85 Product thermometers.** Metal stem-type, numerically scaled, indicating thermometers accurate to plus or minus two degrees Fahrenheit (1.1 degrees Celsius) are to be provided and used to determine that proper internal cooking, holding or refrigeration temperatures of all potentially hazardous foods are obtained and maintained.

NOTE:
1. FOR THIS SITE PLAN THERE ARE NO AREAS OF DISTURBANCE.
2. IN THE FUTURE IF NECESSARY PERVIOUS CRUSHED STONE WILL BE DEPOSITED ON DRIVEWAY AREA (APPROX. 800CY) WHICH IS DEPENDENT ON DRAWING.
3. NO TREES OR VEGETATION AROUND THE PERIMETER OF THE PROPERTY SHALL BE REMOVED

NOTE:
ALL AREAS OTHER THAN HATCHED AND AREA COVERED WITH A STRUCTURE ARE PERVIOUS AREAS

HATCHED AREAS ARE IMPERVIOUS AREAS ALSO ALL STRUCTURES ARE IMPERVIOUS AREAS

3 HANDY CAR PARKING SPACES 12'X20' + 8' LOADING AREA TO BE ON EXISTING IMPERVIOUS PAVING ALL MARKINGS TO BE PERMANENTLY APPLIED AND REQUIRED, APPROPRIATE SIGNAGE DISPLAYED

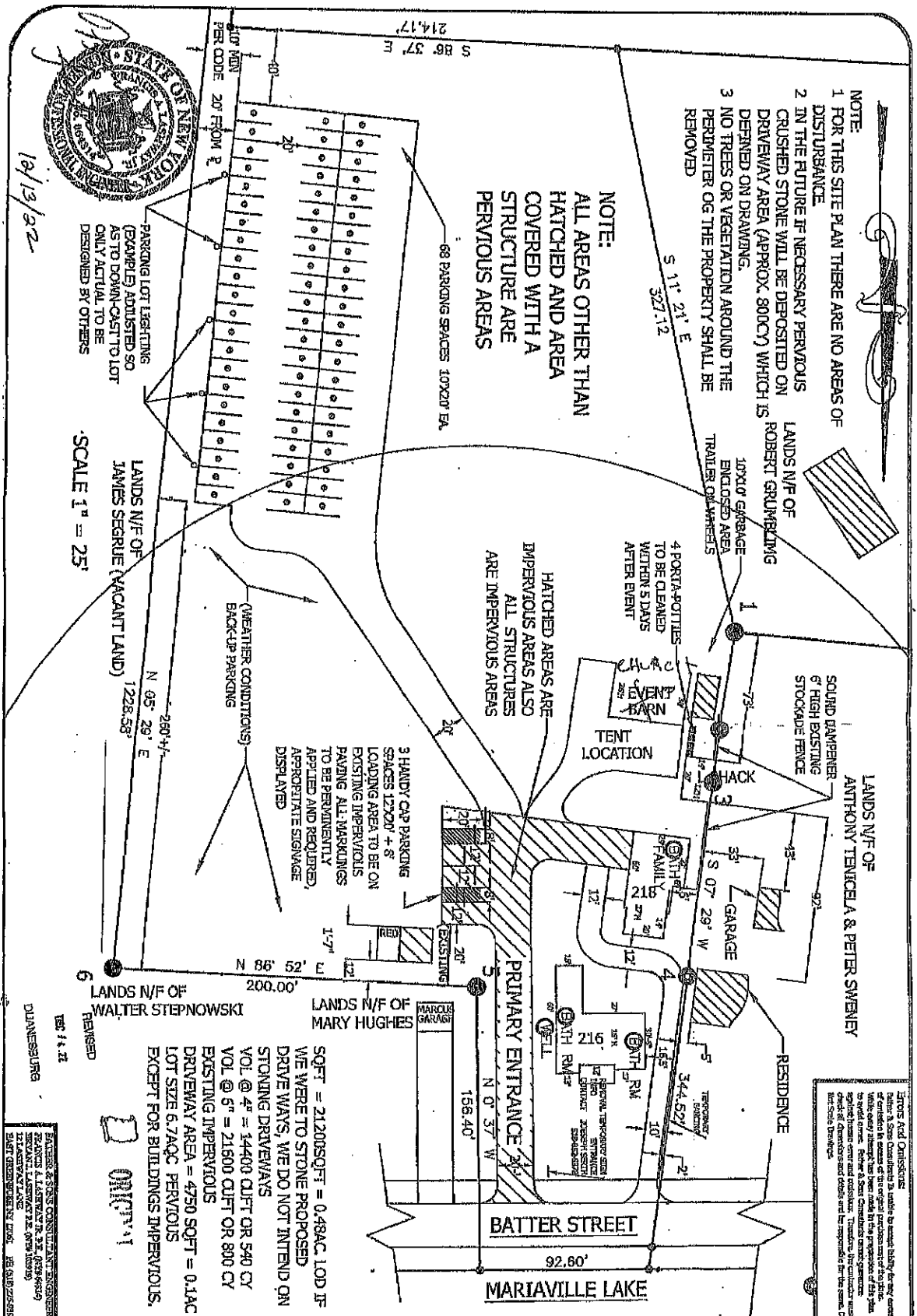
PARKING LOT LIGHTING (EXAMPLE) ADJUSTED SO AS TO DOWN-CAST TO LOT ONLY ACTUAL TO BE DESIGNED BY OTHERS

SCALE 1" = 25'



12/13/22

Errors And Omissions:
Father & Sons Consulting Engineers is not responsible for any errors or omissions in this drawing or any other documents prepared by or for the client. The client is responsible for the accuracy and completeness of the information provided to the engineer. The engineer is not responsible for the accuracy and completeness of the information provided to the client. The engineer is not responsible for the accuracy and completeness of the information provided to the client.



SITE PLAN 216-218 BATTERY ST.

Joseph Bohn
216-218 Battery St.
Pelham, NY 12129

FATHER & SONS
CONSULTING ENGINEERS
18 LASHWAY LANE
EAST GREENBUSH, NY 12061

THIS DRAWING IS A PARTIAL REVISION OF THE PROPERTY OF FATHER AND SONS CONSULTING ENGINEERS. ANY USE OF THIS DRAWING WITHOUT THE WRITTEN CONSENT OF FATHER AND SONS CONSULTING ENGINEERS IS STRICTLY PROHIBITED BY LAW.

NOTICE OF DETERMINATION
of the Town of Duanesburg

Date of Determination 11/1/23

Application of JOSEPH SERTI under section 6.3(17)
ZONING of the (Village of Delanson/Town of Duanesburg)
Ordinance.

Applicant JOSEPH SERTI
Address 216-218 RATTER ST.
PATTERSONVILLE N.Y.

Phone 518-852-5378 Zoning District R-1 SBL# 35.05-1-19.2

Description of
Project: RELIGIOUS INSTITUTIONS FOR USE OF BIBLE STUDIES,
WEDDINGS, OTHER RELIGIOUS CEREMONIES

Determination:
SITE PLAN APPROVAL NEEDED BY PLANNING BOARD

Reason supporting determination:
TOWN OF DUANESBURG ZONING ORDINANCE ADOPTED 6/18/15 SECTION
6.3(17) USES REQUIRING SITE PLAN APPROVAL "RELIGIOUS INSTITUTION"

Action: Refer to <u>PLANNING BOARD</u> for the purpose of <u>SITE PLAN APPROVAL</u>

Code Enforcement Officer: Ch. Lph. Pulawski

APPLICATION FOR THE PLANNING BOARD
TOWN OF DUANESBURG

Revised 04/12/2017

*****FOR OFFICE USE ONLY*****

CHECKLIST OF REQUIRED INFORMATION:

- ☒ Title of drawing.
- ☒ Tax Map ID #
- ☒ Zoning district
- ☒ Current Original Deed
- ☒ NYS Survey (L.S. & P.E.)
- ☒ North Arrow, scale (1"=100'),
- ☒ Boundaries of the property plotted and labeled to scale.
- ☒ School District/Fire District
- ☒ Green area/ landscaping
- ☒ Existing watercourses, wetlands, etc.
- ☒ Contour Lines (increments of 10ft.)
- ☒ Easements & Right of ways
- ☒ Abutting Properties Wells/ Sewer Systems within 100ft.
- ☒ Well/ Water system

- ☒ Septic system: Soil investigation completed?
- ☒ Sewer System: Which district?
- ☐ Basic SWPPP (1" & <5)
- ☐ Full Storm Water Control Plan (5acres or more)
- ☐ Storm Water Control Plan
- ☒ Short or long EAF www.dec.ny.gov/efmmaper/
- ☐ Street pattern: Traffic study needed?
- ☐ All property Mergers REQUIRE both owners Signatures on the Application

Additional Requirements for Special Use Application:

- ☒ New or existing building
- ☒ Business Plan, Hours of operation, & number of employees, floor plan, uses, lighting plan/ landscaping/signage
- ☒ Parking, Handicap Spaces, & lighting plan

Date 10-31-23

Application type: ☐ Major Subdv ☐ Minor Subdv ☐ Special Use Permit ☒ Site/Sketch Plan Review ☐ LotLine Adjust

Proposal: US Bank and Property For Religious Ceremonies
Phase 2 Build New Church

Section _____ of _____ Ordinance.

Present Owner: Rev. JOSEPH SEBASTIAN (AS APPEARS ON DEED)

Address: 216-218 15th St Zip code: 12137

Phone # (required) 518 852 5378

Applicants Name (if different): _____ Phone# (required) 518 852 5378

Location of Property (if different from owners) _____

Tax Map # _____ Zoning District _____

Signature of Owner (S) if different from Applicant (AS APPEARS ON DEED)

LANDS CONVEYED TO (REQUIRED FOR MERGERS)

Signature of receiving Property Owner _____ (AS APPEARS ON DEED)

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. The Applicant hereby certifies that he/she is the owner of the above property or has duly authorized, in writing, by the owner of record to make this application. Further, by signing this application, the owner gives permission for a representative (s) of the Town of Duaneburg to walk the property for the purposes of conducting a site review.

Signature of Owner(S) and/or Applicant(S) _____

Date 10-31-23

ALL APPLICATION FEES ARE NON-REFUNDABLE!

Application fee paid: _____ Check# _____ (For office use only)
Reviewed By _____ Date _____

☐ Approved ☐ Disapproved ☐ Refer to Code Enforcement Section _____ of _____ Ordinance

Planning Commission Comments: _____

Planning Chairperson

Date

Code Enforcement

Date

Agricultural Data Statement

Date: 10/31/23

Instructions: Per § 305-a of the New York State Agriculture and Markets Law, any application for a special use permit, site plan approval, use variance or a subdivision approval requiring municipal review and approval would occur on property within a New York State Certified Agricultural District containing a farm operation or property with boundaries within 500 feet of a farm operation located in an Agricultural District shall include an Agricultural Data Statement.

Applicant	Owner if Different from Applicant
Name: <u>Rev Joseph Starn</u>	Name: _____
Address: <u>216-218 Bath St</u>	_____ _____ _____

1. Type of Application: Special Use Permit; Site Plan Approval; Use Variance; Area Variance; Subdivision Approval (circle one or more)
2. Description of proposed project:
Religious Institution
US Gov As A Church
PHASE 2 Build New Church
Hold Religious Ceremonies
3. Location of project: Address: 216-218 Bath St
Tax Map Number (TMP) 35.05-1-19.2
4. Is this parcel within an Agricultural District? YES NO (Check with your local
5. If YES, Agricultural District Number _____ assessor if you do not know.)
6. Is this parcel actively farmed? YES NO
7. List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

NAME: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
Is this parcel actively farmed? YES NO	Is this parcel actively farmed? YES NO
NAME: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
Is this parcel actively farmed? YES NO	Is this parcel actively farmed? YES NO

Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by: _____

Dale R. Warner

Date

Revised 4/4/17

FARM NOTE

Prospective residents should be aware that farm operations may generate dust, odor, smoke, noise, vibration and other conditions that may be objectionable to nearby properties. Local governments shall not unreasonably restrict or regulate farm operations within State Certified Agricultural Districts unless it can be shown that the public health or safety is threatened.

NOTE TO REFERRAL AGENCY: County Planning Board review is required. A copy of the Agricultural Data Statement must be submitted along with the referral to the County Planning Department.

RECEIVED

DEC 28 2022

TOWN OF DUANESBURG PLANNING BOARD

**TOWN OF DUANESBURG
TOWN CLERK**

SERTH APPLICATION FOR A COMMERCIAL EVENT VENUE

Resolution

Moved by Matt Hoffman; Seconded by Mike Walpole.

WHEREAS, Joseph and Christine Serth (the "Applicants") have applied for a special use permit and site plan approval for a Commercial Event Venue (hereinafter "Venue") pursuant to the Zoning Ordinance of the Town of Duanesburg and to Town of Duanesburg Local Law 1 of 2021 to use their property and barn as a commercial event venue; and

WHEREAS, the property is located within the L-1 and the R-1 Zoning Districts and is known as SBL #35.05.1-19.2 with the address of 216 Batter Street consisting of 6.7 +/- acres; and

WHEREAS, the property contains an approved bed and breakfast with a certificate of occupancy issued by the Town of Duanesburg Building Inspector; and

WHEREAS, the Office of Parks, Recreation and Historic Preservation provided a letter dated December 9, 2021, stating that the project will have no impact on archeological or historical resources that are eligible for and/or listed on the State and/or National Registers of Historic Places; and

WHEREAS, Schenectady County Department of Engineering and Public Works has confirmed in a letter dated December 5, 2022, that no highway work permit is required for the Venue; and

WHEREAS, Schenectady County Department of Health has confirmed that no public water supply permit is required for a Venue where it operates for less than 60 days in a calendar year and the Serth letter indicated that the Venue would operate only 20 days within a calendar year and with no more than 150 attendees; and

WHEREAS, the Schenectady County Planning Department pursuant to the NYS General Municipal Law referral in a report dated November 1, 2022, recommended approval of the application with certain modifications/conditions including the following: "A permit for a non-community public water supply must be obtained from the County Health Department. The County Department of Engineering and Public Works should review the access plan to Batter Street (CR94). Improvements may need to be made since the driveway will not be servicing a commercial business with parking for over 80 vehicles and not a residence," and with an advisory note "The applicant should be aware that any on-site caterers will need to be licensed by the Schenectady County Department of Health if any food preparation is to be conducted on site a food service permit and food service plan review may be required by the County Health Department. The proposed surface (gravel/paved) to be used for the parking should be identified along with the limits of disturbance for the project. The parking should be shown in relation to the existing tree

line and any areas of tree clearing identified. A detailed lighting plan should be provided. Each handicapped parking space needs to have an accessible aisle"; and

WHEREAS, the Town of Duanesburg Planning Board held a duly noticed public hearing and has considered all oral and written comments submitted on the Application; and

WHEREAS, the Town of Duanesburg Planning Board reviewed the Full EAF Part 1 submitted by the Applicants and determined that the venue was an unlisted action pursuant to the NYS Environmental Quality Review Act; and

WHEREAS, the Town of Duanesburg Planning Board conducted a coordinated review of its intent to be SEQRA lead agency and no agency has objected to the Town of Duanesburg Planning Board being SEQRA lead agency for the review of the venue;

WHEREAS, all information required to be produced pursuant to Local Law 1 of 2021 or by the Zoning Ordinance has been provided by the Applicants to the satisfaction of the Planning Board including the items requested at the Planning Board meeting in November of 2022;

NOW THEREFORE BE IT RESOLVED, that the Town of Duanesburg Planning Board declares itself lead agency for the SEQRA review of this action, approves and incorporates herein Parts 2 and 3 of the Full EAF and issues a negative declaration of environmental significance finding that the Special Event Venue does not require the preparation of an Environmental Impact Statement as set forth in greater detail in Part 3 of the Full EAF;

BE IT FURTHER RESOLVED, that a special use permit for a commercial event venue, along with site plan approval for the venue, as shown on the site plan marked up by the Planning Board and attached hereto at the Planning Board meeting on December 15, 2022, is granted subject to the following conditions:

1. No more than 150 people shall be on the property during an event, this includes employees;
2. No more than 20 events shall be held in a year and a letter shall be sent to the Building Inspector each time an event is being held and the letter shall be sent at least 5 days before the event;
3. Each event shall last no more than one day and shall only occur between the hours of 9 a.m. to 10:00 p.m.;
4. No camping or overnight accommodations, with the exception of the existing bed and breakfast, shall be allowed;
5. All sanitary waste (porta-johns) shall be pumped out within three business days of each event;
6. All garbage and recyclables shall be removed within one business day of each event;

7. All amplified music shall be within the existing barn without or with having the barn doors open. All amplified music shall end at 9:00p.m. and shall not occur more than 5 hours per event;
8. Unamplified music only may be outside the barn except for 15 minutes during the ceremony;
9. All sound from the event must not exceed the 70 dB limit at any property boundary and noise must be monitored by a qualified individual throughout the event and the noise values recorded and maintained on site for inspection by the Building Inspector;
10. Vendors playing amplified music must be approved by the owner. All DJ's or performers must meet with the owner prior to any event. The owner or a qualified representative must do a sound check with the vendor prior to the event to ensure that the vendor will not violate sound rules. The owner or a qualified representative must do periodic monitoring necessary to ensure sound limits are met. Any contract for an event must include a clause that the owner reserves the right to shut off all power to amplified music if they do not meet the sound limits.
11. All lighting shall comply with the photometric plan submitted as part of the Application and no light shall spill over onto adjoining properties. A legible, full scale photometric plan shall be submitted within 30 days of this approval;
12. No outdoor lighting shall be added that is not shown on the approved site plan, with the exception of low lighting on tables or low lighting on string type lights, i.e. Christmas type light strings;
13. Existing vegetative buffers and fences shall be maintained between the Venue property and adjoining properties;
14. Cars shall be parked in the parking areas shown on the approved site plan only and a maximum of 71 cars may be parked in connection with each event;
15. General Liability Insurance from an A-rated insurance company shall be maintained by the Applicant for the Commercial Event Venue with coverage in the amount of at least \$500,000 and shall name the Town of Duanesburg as an additional insured—the certificate of insurance shall be submitted to the Town's Insurance Company and the Building Inspector for approval;
16. No preparation of food shall occur on-site but food shall be catered and the companies providing the catering service shall have all required County and NYS DOH permits and approvals;
17. On at least an annual basis (i.e. no later than December 31 of each year after the special use permit is granted) the Applicants shall meet with the Town Building Inspector and the Mariaville Volunteer Fire company to review the operation of the commercial event venue

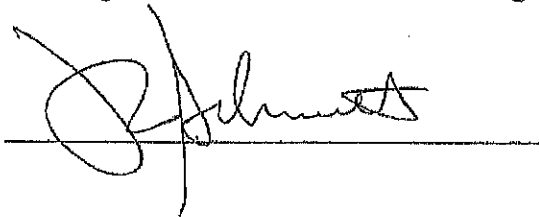
and to address any issues that have arisen in connection with the operation, including any public complaints;

18. While an event is being held at the property, a sign shall be posted giving the name of the contact person for the venue and a telephone number so that the venue owner or their representative is available to address any issues that arise;
19. After the first year of operation of the special event venue the Building Inspector shall provide a report to the Planning Board on the compliance of the owners with the limitations set forth in this resolution;
20. The applicants are required to obtain all other permits and approvals from all other governmental agencies that are required to set up and operate the venue;
21. In the event the applicants cease to continuously operate a commercial bed and breakfast at the property, the operation of the venue shall be only authorized in the R-1 District and shall be prohibited in the L-1 District, except as allowed by the Local Law 1 of 2021, i.e. only access through the L-1 District zoned portion of the property shall be allowed.

By (unanimous/majority) vote of the Planning Board of the Town of Duanesburg at its regular meeting of December 15, 2022.

<u>Roll Call Vote:</u>	<u>Yes</u>	<u>No</u>	<u>Abstain/Absent</u>
Jeffrey Schmitt, Planning Board Chair	X		
Elizabeth Novak, Board Member	X		
Michael Harris, Board Member	X		
Joshua Houghton, Board Member	X		
Matt Hoffman, Board Member	X		
Michael Walpole, Board Member	X		

Planning Board of the Town of Duanesburg



Date: December 15, 2022

2/11/23



ORIGINAL

Amended site plan for Religious Institution at 216 Batter Street

I wish to amend the site plan for the religious institution to only cover phase A to use the barn, and the rest of the property as a religious institution as it now exists. The barn is already rated for public occupancy of 99 people and is allowed to be used as a venue site for only 3% of the year. The primary use of the barn will be as a church.

TOWN OF DUANESBURG

5853 Western Turnpike
Duanesburg, NY 12056

518-896-2040

Permits No. 06-006132

Location: **216/218 Batter St**

Map / Lot #: **35.05-1-19.2**

CERTIFICATE OF OCCUPANCY

Date: 7/27/2020

No.: 006206

THIS CERTIFIES that the building located at the premises indicated above, conforms substantially to the approved plans and specifications heretofore filed in this office with Application for Building Permit, pursuant to which Building Permit # 6606 was issued on 7/27/2020 and conforms to all of the requirements of the applicable provisions of the law. The occupancy for which this certificate is issued is _____, Other _____. The following is the description of the project: 30X42 Barn

This certificate is issued to _____, owner(s) of the aforesaid building.



(This Certificate of Occupancy will be issued only after affidavits or other competent evidence is submitted to the Building Official that the completion of the construction in compliance with the State Building Construction Code and with other laws, ordinances or regulations affecting the premises, and in conformity with the approved plans and specifications. A final electrical, plumbing, heating or sanitation certificate or other evidence of compliance may be required before the issuance of the Certificate of Occupancy.)

Maximum Number of Occupants

99

**According to 2020 FCNYS table 1004.5-
Maximum number of occupants permitted
Town of Duaneburg**

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Religious Institution		
Project Location (describe, and attach a general location map): 216-218 Better St		
Brief Description of Proposed Action (include purpose or need): To use the Barn (church) to let AS A Facility in which members Congregate for Religion, Faith, or worship Phase 2. Build New Church		
Name of Applicant/Sponsor: Joseph Senter		Telephone: 518 852 5378
		E-Mail: convst@adl.c
Address: 216-218 Better St		
City/PO: Pottersville NY	State: NY	Zip Code: 12137
Project Contact (if not same as sponsor; give name and title/role): Sam		Telephone:
		E-Mail:
Address:		
City/PO:		State: Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:		State: Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Planning Board	
c. City, Town or <input type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	No Permit or APP needed but Town may submit to Schenectady Co	
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<ul style="list-style-type: none"> If Yes, complete sections C, F and G. If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input type="checkbox"/> Yes <input type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, identify the plan(s): NYS Heritage Areas: Mohawk Valley Heritage Corridor	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.
If Yes, what is the zoning classification(s) including any applicable overlay district?

☒ Yes ☐ No

R-1 Residential

b. Is the use permitted or allowed by a special or conditional use permit?

☒ Yes ☐ No

c. Is a zoning change requested as part of the proposed action?

☐ Yes ☒ No

If Yes,

i. What is the proposed new zoning for the site?

C.4. Existing community services.

a. In what school district is the project site located?

Shulman

b. What police or other public protection forces serve the project site?

NY Police + Sheriff's

c. Which fire protection and emergency medical services serve the project site?

Merrill Hill Fire Department Ambulance

d. What parks serve the project site?

None

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

Let People Come Together For Worship

b. a. Total acreage of the site of the proposed action?

6.7 acres

b. Total acreage to be physically disturbed?

0 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?

6.7 acres

c. Is the proposed action an expansion of an existing project or use?

☐ Yes ☒ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision?

☐ Yes ☒ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed?

☐ Yes ☒ No

iii. Number of lots proposed?

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases?

☒ Yes ☐ No

i. If No, anticipated period of construction:

6 months

ii. If Yes:

- Total number of phases anticipated

2

- Anticipated commencement date of phase 1 (including demolition)

0 month 4 year

- Anticipated completion date of final phase

0 month 4 year

- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

NA

f. Does the project include new residential uses? ☐ Yes ☒ No
 If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion				
of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☒ No
 If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☒ No
 If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☒ No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☒ No
 If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? ☐ Yes ☒ No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☒ No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☒ No
If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☒ No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☒ Yes ☐ No
If Yes:

i. Total anticipated water usage/demand per day: 2100 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No
If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No
If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☒ Yes ☐ No
If Yes:

i. Total anticipated liquid waste generation per day: 2100 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): See 2.4

iii. Will the proposed action use any existing public wastewater treatment facilities? ☒ Yes ☐ No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No

- Do existing sewer lines serve the project site? ☒ Yes ☐ No
- Will a line extension within an existing district be necessary to serve the project? ☐ Yes ☒ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐ Yes ☒ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☐ Yes ☒ No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____

- If to surface waters, identify receiving water bodies or wetlands: _____

- Will stormwater runoff flow to adjacent properties? ☐ Yes ☒ No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐ Yes ☒ No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐ Yes ☒ No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐ Yes ☒ No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐ Yes ☐ No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
- _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☒ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend
☐ Randomly between hours of _____ to _____

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐ Yes ☒ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? ☐ Yes ☒ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☒ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☒ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☒ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☒ No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: _____
- Saturday: _____
- Sunday: No Limit
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____
- Saturday: No Limit
- Sunday: _____
- Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☒ No

If yes:

i. Provide details including sources, time of day and duration:

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☒ No

Describe: _____

n. Will the proposed action have outdoor lighting? ☒ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

use street lights

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☒ No

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☒ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☒ No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☒ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☒ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☒ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation: _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☒ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

No Hazardous Waste will be generated

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

Lowrise Suburban

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	7	0	0
• Forested	3	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	3	0	0
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☒ Yes ☐ No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☐ No
If Yes,
i. Identify Facilities: Sue Weeley Day Care

e. Does the project site contain an existing dam? ☐ Yes ☒ No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☒ No
If Yes:
i. Has the facility been formally closed? ☐ Yes ☐ No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☒ No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☒ No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☒ No
☐ Yes -- Spills Incidents database Provide DEC ID number(s): _____
☐ Yes -- Environmental Site Remediation database Provide DEC ID number(s): _____
☐ Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☒ No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☒ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☒ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? 200 feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

c. Predominant soil type(s) present on project site: _____ %
 _____ %
 _____ %

d. What is the average depth to the water table on the project site? Average: 300 feet

e. Drainage status of project site soils: ☐ Well Drained: 100 % of site
☐ Moderately Well Drained: _____ % of site
☐ Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____ % of site
☐ 10-15%: _____ % of site
☒ 15% or greater: 60 % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☒ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☒ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☒ Yes ☐ No

If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☒ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

• Streams:	Name _____	Classification _____
• Lakes or Ponds:	Name _____	Classification _____
• Wetlands:	Name _____	Approximate Size _____
• Wetland No. (if regulated by DEC)	_____	

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☒ No
If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐ Yes ☒ No

j. Is the project site in the 100-year Floodplain? ☐ Yes ☒ No

k. Is the project site in the 500-year Floodplain? ☐ Yes ☒ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☒ Yes ☐ No
If Yes:

i. Name of aquifer: Principal Aquifer

m. Identify the predominant wildlife species that occupy or use the project site:		_____
_____		_____
_____		_____
n. Does the project site contain a designated significant natural community?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Describe the habitat/community (composition, function, and basis for designation): _____		
ii. Source(s) of description or evaluation: _____		
iii. Extent of community/habitat:		
• Currently: _____		acres
• Following completion of project as proposed: _____		acres
• Gain or loss (indicate + or -): _____		acres
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Species and listing (endangered or threatened): _____		

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Species and listing: _____		

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, give a brief description of how the proposed action may affect that use: _____		

E.3. Designated Public Resources On or Near Project Site		
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, provide county plus district name/number: _____		
b. Are agricultural lands consisting of highly productive soils present?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. If Yes: acreage(s) on project site? _____		
ii. Source(s) of soil rating(s): _____		
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature		
ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____		

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:		
i. CEA name: _____		
ii. Basis for designation: _____		
iii. Designating agency and date: _____		

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☒ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☒ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☐ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☒ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☒ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

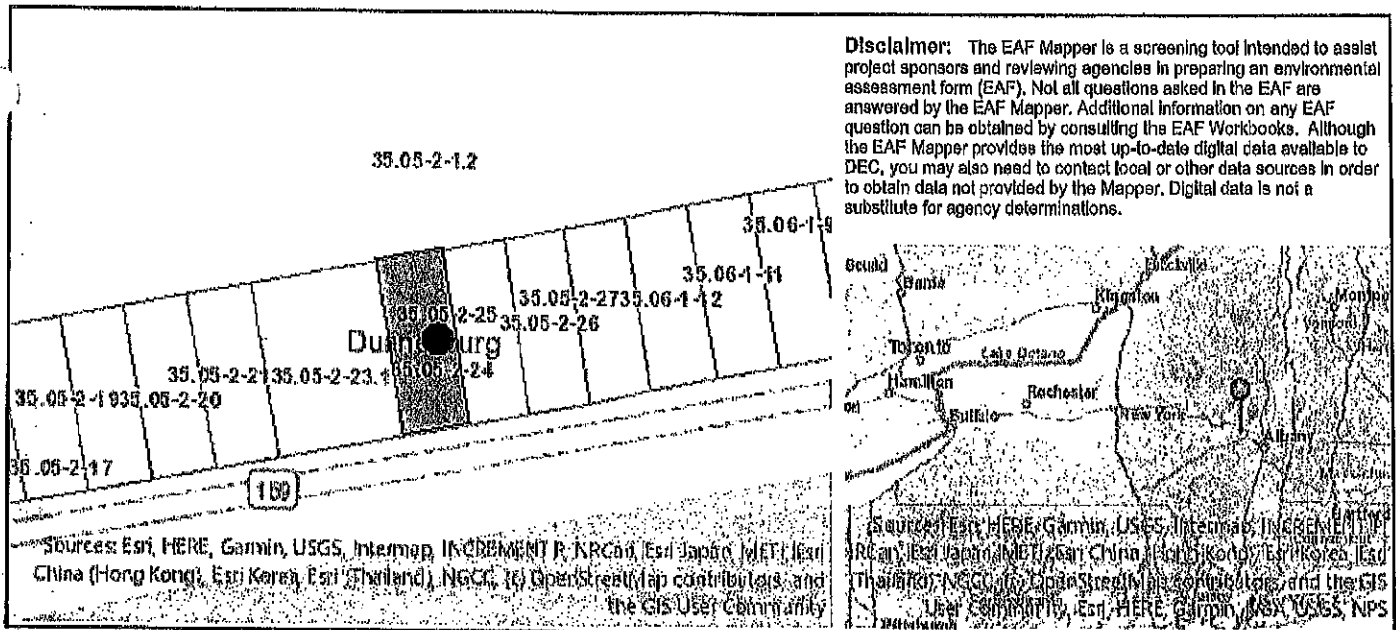
Applicant/Sponsor Name Rev Joseph Serrano Date 11-16-23

Signature [Signature] Title Owner

PRINT FORM

EAF Mapper Summary Report

Tuesday, October 31, 2023 1:16 PM



B.1.i [Coastal or Waterfront Area]	No
B.1.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas: Mohawk Valley Heritage Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.ii [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No

E.2.b. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d. [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Project:	Agency Use Only [If applicable]
Date:	

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency and the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1, D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☒ NO☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☐ NO☐ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) If "Yes", answer questions a - h. If "No", move on to Section 5.			
		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, B1f, B1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) If "Yes", answer questions a - g. If "No", move on to Section 6.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air

The proposed action may include a state regulated air emission source.

(See Part 1. D.2.f., D.2.h, D.2.g)

If "Yes", answer questions a - f. If "No", move on to Section 7.

☒ NO

☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochlorofluorocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.)

If "Yes", answer questions a - j. If "No", move on to Section 8.

☒ NO

☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part I. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>		<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/4-3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part I. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>		<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) If "Yes", answer questions a - e. If "No", go to Section 12.			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) If "Yes", answer questions a - c. If "No", go to Section 13.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation
The proposed action may result in a change to existing transportation systems.
(See Part 1. D.2.j)
If "Yes", answer questions a - f. If "No", go to Section 14.

☒ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy
The proposed action may cause an increase in the use of any form of energy.
(See Part 1. D.2.k)
If "Yes", answer questions a - e. If "No", go to Section 15.

☒ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

15. Impact on Noise, Odor, and Light
The proposed action may result in an increase in noise, odors, or outdoor lighting.
(See Part 1. D.2.m., n., and o.)
If "Yes", answer questions a - f. If "No", go to Section 16.

☐ NO ☒ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) If "Yes", answer questions a - m. If "No", go to Section 17.			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input checked="" type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.

(See Part 1. C.1, C.2. and C.3.)

If "Yes", answer questions a - h. If "No", go to Section 18.

☐ NO☒ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other: _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.

(See Part 1. C.2, C.3, D.2, E.3)

If "Yes", answer questions a - g. If "No", proceed to Part 3.

☐ NO☒ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

PRINT FULL FORM

NOTICE OF DETERMINATION
of the Town of Duanesburg

Date of Determination 11/13/23

Application of SUSAN BIGGS under section
LOCAL LAW #2 OF 2016 of the (Village of Delanson/ Town of Duanesburg)
SUBDIVISION Ordinance.

Applicant SUSAN BIGGS
Address P.O. Box 1100
QUAKER ST. N.Y. 12141

Phone 720-272-0956 Zoning District R-2 SBL# 74.00-3-16.3

Description of

Project: ADJUST LOT LINE TO MAKE ONE PARCEL OF 2 BIGGER
AND ONE SMALLER

Determination:

LOT LINE ADJUSTMENT

Reason supporting determination:

TOWN OF DUANESBURG LOCAL LAW #2 OF 2016, SECTION 4 LOT LINE
ADJUSTMENT; THE RELOCATION OR REVISION OF THE BOUNDARY LINE OF A LOT TO
CHANGE THE AREA OF SAID LOT AND OF AN EXISTING ADJACENT LOT OR LOTS, AND
WHICH DOES NOT CREATE ANY ADDITIONAL NUMBER OF LOTS

Action: Refer to PLANNING BOARD for the purpose of LOT LINE
ADJUSTMENT

Code Enforcement Officer: Chetah Pahr

APPLICATION FOR THE PLANNING BOARD
TOWN OF DUANESBURG
*****FOR OFFICE USE ONLY*****

Revised 04/12/2017

CHECKLIST OF REQUIRED INFORMATION:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Title of drawing. | <input checked="" type="checkbox"/> Septic system: Soil investigation completed? |
| <input checked="" type="checkbox"/> Tax Map ID # | <input checked="" type="checkbox"/> Sewer System: Which district? |
| <input checked="" type="checkbox"/> Zoning district | <input type="checkbox"/> Basic SWPPP (1a & c) |
| <input checked="" type="checkbox"/> Current Original/Deed | <input type="checkbox"/> Full Storm Water Control Plan (6 acres or more) |
| <input checked="" type="checkbox"/> NYS Survey (L.S. & P.E.) | <input type="checkbox"/> Storm Water Control Plan |
| <input checked="" type="checkbox"/> North Arrow, scale (1"=100') | <input checked="" type="checkbox"/> Short or long EAF www.dec.ny.gov/eafmapper/ |
| <input checked="" type="checkbox"/> Boundaries of the property plotted and labeled to scale. | <input type="checkbox"/> Street pattern: Traffic study needed? |
| <input checked="" type="checkbox"/> School District/Fire District | <input type="checkbox"/> All property Mergers <u>REQUIRE</u> both owners' Signatures on the Application |
| <input checked="" type="checkbox"/> Green area/landscaping | <u>Additional Requirements for Special Use Application:</u> |
| <input checked="" type="checkbox"/> Existing watercourses, wetlands, etc. | <input checked="" type="checkbox"/> New or existing building |
| <input checked="" type="checkbox"/> Contour Lines (increments of 10ft.) | <input checked="" type="checkbox"/> Business Plan, Hours of operation, & number of employees, |
| <input checked="" type="checkbox"/> Easements & Right of ways | <u>floor plan, uses, lighting plan/landscaping/signage</u> |
| <input checked="" type="checkbox"/> Abutting Properties Wells/ Sewer Systems within 100ft. | <u>Parking, Handicap Spaces, & Lighting plan</u> |
| <input checked="" type="checkbox"/> Well/ Water system | |

Date: 11/7/23

Application type: ☐ Major Subdv ☐ Minor Subdv ☐ Special Use Permit ☐ Site/Sketch Plan Review ☒ Lot Line Adjust
Proposal: Relocate property line between these parcels to give drive access on same lot as house + pond. See mapping. Re
Section _____ of _____ Ordinance. 74-3-18 → 74-3-16.3

Present Owner: Susan Buggs (AS APPEARS ON DEED!!)
Address: P.O. Box 160 4441st Zip code: 12141
Phone # (required): 720-212-0954

Applicants Name (if different): J.D. Cullen Phone# (required): 518-234-4650
Location of Property (if different from owners):
Tax Map # 74-3-18 Zoning District Aq. Residential
74-3-16.3

Signature of Owner (S) if different from Applicant (AS APPEARS ON DEED!!)

LANDS CONVEYED TO (REQUIRED FOR MERGERS) Susan Lin Buggs
Signature of receiving Property Owner Susan Lin Buggs (AS APPEARS ON DEED!!)

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. The Applicant hereby certifies that he/she is the owner of the above property or has duly authorized, in writing, by the owner of record to make this application. Further, by signing this application, the owner gives permission for a representative (s) of the Town of Duaneburg to walk the property for the purposes of conducting a site review.

Jeanne Daily Cullen, L.S. Eng Date 11/7/23
Signature of Owner(S) and/or Applicant(S)

ALL APPLICATION FEES ARE NON-REFUNDABLE!

Application fee paid: _____ Check# _____ (For office use only)
Reviewed By _____ Date _____

☐ Approved ☐ Disapproved ☐ Refer to Code Enforcement Section _____ of _____ Ordinance

Planning Commission Comments: _____

Planning Chairperson

Date

Code Enforcement

Date

ZONING COORDINATION REFERRAL

SCHENECTADY COUNTY DEPT. OF ECONOMIC DEVELOPMENT & PLANNING
Recommendations shall be made within 30 days after receipt of a full statement of the proposed action.

For Use By SCDEDP

Received 11-28-23
Case No. D-21-23
Returned 12-6-23

FROM: ☐ Legislative Body
☐ Zoning Board of Appeals
☒ Planning Board

Municipality:
Town of Duanesburg

TO: Schenectady County Department of Economic Development and Planning
Schaffer Heights, 107 Nott Terrace, Suite 303
Schenectady, NY 12308

Received
(tel) 382-2225
(fax) 382-5539
NOV 28 2023

ACTION: ☐ Zoning Code/Law Amendment
☐ Zoning Map Amendment
☐ Subdivision Review
☐ Site Plan Review

☐ Special Permit
☐ Use Variance
☐ Area Variance
☒ Other (specify) Lot Line Adjustment

Economic Development
and Planning Dept.

PUBLIC HEARING OR MEETING DATE: 12/21/2023

SUBJECT: #23-28 Biggs, Susan: SBL# 74.00-3-16.3, (R-2) located at 13388 Duanesburg Rd is seeking a lot line adjustment under Local Law #2 of 2017 of the Town of Duanesburg Subdivision

REQUIRED ENCLOSURES: 1. Public hearing notice & copy of the application.
2. Map of property affected. (Including Tax Map I.D. number if available)
3. Completed environmental assessment form and all other materials required by the referring body in order to make its determination of significance pursuant to the state environmental quality review act.

1. This zoning case is forwarded to your office for review in compliance with Sections 239-l, 239-m and 239-n of Article 12-B of the General Municipal Law, New York State.
2. This material is sent to you for review and recommendation because the property affected by the proposed action is located within 500 feet of the following:
 - ☐ the boundary of any city, village or town;
 - ☐ the boundary of any existing or proposed County or State park or other recreation area;
 - ☒ the right-of-way of any existing or proposed County or State parkway, thruway, expressway, road or highway;
 - ☐ the existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines;
 - ☐ the existing or proposed boundary of any County or State-owned land on which a public building or institution is situated;
 - ☐ the boundary of a farm operation located in an agricultural district, as defined by Article 25-AA of the agriculture and markets law. The referral requirement of this subparagraph shall not apply to the granting of area variances.

SUBMITTED BY:

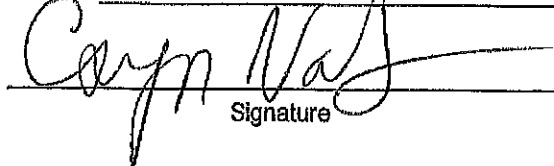
Name: Coryn VanDeusen

Title: Planning/Zoning/Building Clerk

Address: 5853 Western Turnpike Duanesburg, NY 12056

E-mail: cvandeusen@duanesburg.net

Phone: (518) 895-2040


Signature

Date: 11/14/23

RECEIVED

DEC 8 2023

TOWN OF DUANESBURG
TOWN CLERK



PLANNING & ZONING COORDINATION REFERRAL

Case No. D-27-23

Applicant Susan Biggs

Referring Officer Coryn VanDeusen

Municipality Duanesburg

Considerations: Regarding two adjoining properties of 91 acres and 22 acres, requesting a lot line adjustment to expand the 22 acre parcel to approximately 40 acres and reduce the 91 acre parcel to approximately 73 acres. Located on the northwesterly corner of the Youngs Road/Duanesburg Rd. (SR 7) Intersection approximately 1.5 miles east of SR 30.

RECOMMENDATION

Receipt of zoning referral is acknowledged on November 28, 2023. Please be advised that the undersigned Commissioner of Economic Development and Planning of the County of Schenectady (having under the Schenectady County Charter the powers and duties of a County Planning Board) has reviewed the proposed action stated on the opposite side of this form and makes the following recommendations:

- ☐ *Approve of the proposal.
- ☒ Defer to local consideration (No significant county-wide or inter-community impact)
- ☐ Modify/Conditionally Approve. Conditions:

☐ Advisory Note:

☐ Disapprove. Reason:

*A recommendation of approval should not be interpreted that the County has reviewed all local concerns and/or endorses the project; rather the proposed action has met certain County considerations.

Section 239-m of the general Municipal Law requires that within 30 days after final action, the referring body shall file a report of the final action it has taken with the Schenectady County Department of Economic Development and Planning. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

12/4/23

Date

Ray Gillen / SP
Ray Gillen, Commissioner
Economic Development and Planning

TOWN OF DUANESBURG

APPLICATION FOR SITE/ SKETCH DEVELOPMENT PLAN APPROVAL

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APR 11 2022

Preliminary ☐ Date: April 11, 2022 Final ☐ Date: _____
(Check appropriate box)

Name of proposed development Lot line change on tax id 74.00-3-18 and 74.00-3-16.3

Applicant: Susan L. Biggs -
Name power of attorney Lynne Bruning
Address PO Box 160
Quaker Street, NY 12141
Telephone 720-272-0956

Plans Prepared by:
Name _____
Address _____
Telephone _____

Owner (if different):
Name Same
Address _____
Telephone _____

(if more than one owner, provide information for each)

Ownership intentions, i.e., purchase options
Resolve problematic driveway easement

Location of site 13388 Duaneburg Road, Delanson, Schenectady County NY 12053
Tax id 74.00-3-18 and 74.00-3-16.3

Section	Block	Lot
<u>74.00</u>	<u>3</u>	<u>18</u>
<u>74.00</u>	<u>3</u>	<u>16.3</u>

Current zoning classification 74.00-3-18 Rural Residential and 74.00-3-16.3 Rural Vacant

State and federal permits needed (list type and appropriate department)
Not Applicable

Proposed use(s) of site Same use Tax id 74.00-3-18 is 91 acres
Tax id 74.00-3-16.3 is 22 acres

Total site area (square feet or acres) 113 acres

Anticipated construction time no construction

Will development be phased? no construction

Over →

Current land use of site (agricultural, commercial, underdeveloped, etc.)

74.00-3-18 is residence on 91 acres and 74.00-3-16.3 is vacant land on 22 acres

Current condition of site (buildings, brush, etc.)

74.00-3-18 is residence and five outbuildings on 91 acres with mowed walking paths, federal NWI spring fed pond and forest
74.00-3-16.3 is vacant land on 22 acres is woods

Character of surrounding lands (suburban, agricultural, wetlands, etc.)

Estimated cost of proposed improvement \$ 0

Anticipated increase in number of residents, shoppers, employees, etc. (as applicable)

0

Describe proposed use, including primary and secondary uses; ground floor area; height; and number of stories for each building:

- for residential buildings include number of dwelling units by size (efficiency, one-bedroom, two-bedroom, three or more bedrooms) and number of parking spaces to be provided.
- For non-residential buildings, include total floor area sales area; number of automobile and truck parking spaces.
- Other proposed structures.

(Use separate sheet if needed).

No construction

to the north is 70 acres of agricultural hay to the north on parcel 74.00-3-19

to the south are three single family homes on parcels 74.00-3-15.1, 74.00-3-17 and 74.00-3-16.121.

to the east is Youngs Road and 90 acres of agricultural hay on parcel 74.00-3-14

to the west is 82.2 acres of DEC wetlands and a National Wetland Inventory riverine that drains north to a tributary of Schoharie Creek on parcels 74.00-2-5.1 and 74.00-25.2

Short Environmental Assessment Form **Part 1 - Project Information**

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Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Name of Action or Project: Biggs Lot Line Adjustment							
Project Location (describe, and attach a location map): Tax Map #s 74.00-3-16.3 and 74.00-3-16 13388 Duaneburg Road							
Brief Description of Proposed Action: Move lines of above mentioned tax parcels to resolve driveway and utility easement issues.							
Name of Applicant or Sponsor: Susan L. Biggs by the Office of Joanne Darcy Crum, L.S.		Telephone: 618-234-4850 E-Mail: jdcrum@hotmail.com					
Address: 479 West Main Street							
City/PO: Cobleskill		State: NY	Zip Code: 12043				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td align="center"><input type="checkbox"/></td> <td align="center"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: NYS Dot, Schoenclady County Planning, Duaneburg Planning Board			<table border="1"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td align="center"><input type="checkbox"/></td> <td align="center"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3. a. Total acreage of the site of the proposed action?		113 acres					
b. Total acreage to be physically disturbed?		0 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		113 acres					
4. Check all land uses that occur on, are adjoining or near the proposed action:							
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland							

		NO	YES	N/A
5. Is the proposed action,				
a. A permitted use under the zoning regulations?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?			NO	YES
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?			NO	YES
If Yes, identify: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?			NO	YES
b. Are public transportation services available at or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?			NO	YES
If the proposed action will exceed requirements, describe design features and technologies: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?			NO	YES
If No, describe method for providing potable water: _____		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?			NO	YES
If No, describe method for providing wastewater treatment: _____ Residence has existing Septic		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?			NO	YES
1996 Sears Archeological Study filed with NYS History Museum and transferred to the New York State Office of Parks Recreation and Historic Preservation		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?			NO	YES
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: NYS DEC Environmental Mapper shows National Wetland Inventory for Federal Freshwater Pond less than 1/2 acre on parcel 74.00-8-18. And on abutting parcel to the west with tax Id 74.00-2-5.1 a NWI riverine that drains north to a tributary of the Schoharie Creek.				

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
<i>Northern long-eared bat</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe:		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Susan L. Biggs by the Office of Joanne Darcy Crum, L.S.</u> Date: <u>4/8/22</u> Signature: <u>Joanne Darcy Crum L.S.</u> Title: <u>L.S.</u>		

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APR 11 2022

PRINT FORM

Agency Use Only [If applicable]

Project:

Date:

Short Environmental Assessment Form Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

APR 11 2022



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Agency Use Only (If applicable)

Project:

Date:

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM

APR 11 2022

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PO Box 160
Quaker Street, NY 12141

Jeffery Schmitt, Chair
Planning Board
Town of Duanesburg
5853 Western Turnpike
Duanesburg, NY 12053

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APR 19 2022

April 11, 2022

RE: Lot Line Adjustment for parcels 74.00-3-18 and 74.00-3-16.3

Dear Jeffery Schmitt,

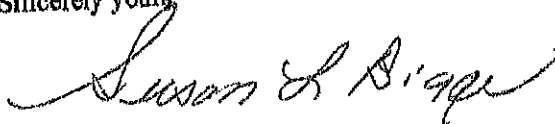
Please be advised that the Office of Joanne Darcy Crum, L.S. Professional Land Surveyor, of Cobleskill, New York, is authorized to represent me in the proposed action currently before the board.

I also authorize my daughter, Lynne Bruning, who is my power of attorney to represent me in this action.

Please feel free to contact me if you have any questions.

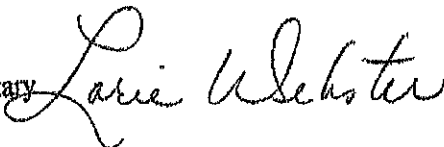
Thanking you in advance for your help and cooperation.

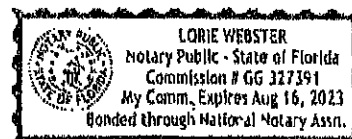
Sincerely yours,



Susan L. Biggs

Date April 11, 2022

Notary 



Date 7 April 2022

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APR 11 2022

To: Town of Duaneburg Planning Board

From: Susan L. Biggs c/o Lynne Bruning Power of Attorney

Re: Proposed Lot Line Adjustment between TM Parcels 74.00-3-16.3 and 74.00-3-18

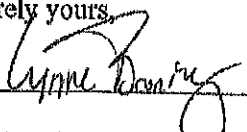
Dear Sirs:

Please be advised that the Office of Joanne Darcy Crum, L.S., Professional Land Surveyor, of Cobleskill, New York, is authorized to represent us in the proposed action currently before the board.

Please feel free to contact me if you have any questions.


Thanking you in advance for your help and cooperation, we are,

Sincerely yours

 April 7, 2022

Susan L. Biggs by Lynne Bruning, Power of Attorney

Phone 720-272-0956

 Notary
Jili S. Thompson
Notary Public, State of NY
No. 01TH6080808, Qualified in Otsego Co.
Commission Exp. 12/23/25



**JOHN J.
WOODWARD**
COUNTY CLERK
CMC

OFFICE OF THE SCHENECTADY COUNTY CLERK

620 STATE STREET
SCHENECTADY, NY 12305-2114
PHONE (518) 388-4220
FAX (518) 388-4224

MARYELLEN
BREHM

CYNTHIA REEDY

CARA
JASENSKI

JEFF MORRETTE
DEPUTY COUNTY
CLERKS

Instrument Number - 201712813
Recorded On 3/22/2017 At 12:35:26 PM
* Instrument Type - DEED
* Book/Page - DEED/1959/147
* Total Pages - 4
Invoice Number - 907177 User ID: ELM
* Document Number - 2017-1259
* Grantor - BIGGS SHERIDAN C JR
BIGGS SHERIDAN C JR
* Grantee - BIGGS SUSAN LISS

*RETURN DOCUMENT TO:
COUCH WHITE
540 BROADWAY 7TH FLOOR
PO BOX 2222
ALBANY, NY 12201

*** FEES**

NY LAND SUR	\$4.75
NY E & A FEES	\$116.00
NY LAND COMP SUR	\$14.25
CO GENERAL REVENUE	\$45.00
CO LAND SUR	\$0.25
CO E & A FEES	\$9.00
CO LAND COMP SUR	\$0.75
TOTAL PAID	\$190.00

TRANSFER TAX

Real Estate Transfer Tax Num - 3050
Transfer Tax Amount - \$ 0.00

I hereby CONFIRM that this document is
Recorded in the Schenectady County Clerk's Office
in Schenectady, New York

John J. Woodward
John J. Woodward
Schenectady County Clerk

THIS IS AN ENDORSEMENT PAGE

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INSTRUMENT NUMBER - 201712813



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**JOHN J.
WOODWARD**
COUNTY CLERK
CMC

OFFICE OF THE SCHENECTADY COUNTY CLERK

620 STATE STREET
SCHENECTADY, NY 12305-2114
PHONE (518) 388-4220
FAX (518) 388-4224

MARTELLIEN
BREHM
CYNTHIA REEDY

CARA
JAGENSKI

JEFF MORRIETTE
DEPUTY COUNTY
CLERK

Instrument Number - 201712816
Recorded On 3/22/2017 At 12:39:11 PM
* Instrument Type - DEED
* Book/Page - DEED/1959/151
* Total Pages - 7
Invoice Number - 907179 User ID: BLM
* Document Number - 2017-1260
* Grantor - BIGGS SHERIDAN C JR
BIGGS SHERIDAN C JR.
* Grantee - BIGGS SUSAN LISS

*RETURN DOCUMENT TO:
COUCH WHITE
540 BROADWAY 7TH FLOOR
PO BOX 2222
ALBANY, NY 12201

* FEES

NY LAND SUR	\$4.75
NY E & A FEES	\$241.00
NY LAND COMP SUR	\$14.25
CO GENERAL REVENUE	\$60.00
CO LAND SUR	\$0.25
CO E & A FEES	\$9.00
CO LAND COMP SUR	\$0.75
TOTAL PAID	\$330.00

TRANSFER TAX

Real Estate Transfer Tax Num - 3051
Transfer Tax Amount - \$ 0.00

I hereby CONFIRM that this document is
Recorded in the Schenectady County Clerk's Office
in Schenectady, New York

John J. Woodward
John J. Woodward
Schenectady County Clerk

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INSTRUMENT NUMBER - 201712816



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FIRST. That said party of the first part is seized of the said premises in fee simple, and has good right to convey the same;

SECOND. That the party of the second part shall quietly enjoy the said premises;

THIRD. That the said premises are free from encumbrances, except as aforesaid;

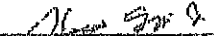
FOURTH. That the party of the first part will execute or procure any further necessary assurance of the title to said premises;

FIFTH. That said party of the first part will forever warrant the title to said premises.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

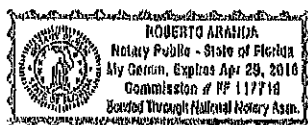
IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.


THE REVOCABLE TRUST OF SHERIDAN C.
BIGGS, JR., dated July 22, 2008


By: Sheridan C. Biggs, Jr.
Title: Trustee

STATE OF Florida)
COUNTY OF Indian River) ss.:

On the 8 day of March, in the year 2017, before me, the undersigned, personally appeared SHERIDAN C. BIGGS, JR., personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.




Notary Public

S:\DATA\CHAND\14201-14500\14022017 Property Transfer\Deed for 74.00-3-16.J.docx

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APR 11 2022



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TOWN OF DUANESBURG

Application# _____

Agricultural Data Statement

Date: April 11, 2022

Instructions: This form must be completed for any application for a special use permit, site plan approval, use variance or a subdivision approval requiring municipal review that would occur on property within 500 feet of a farm operation located in a NYS Dept. of Ag & Markets certified Agricultural District.

Applicant	Owner if Different from Applicant
Name: <u>Susan L. Biggs</u>	Name: <u>Susan L. Biggs</u>
Address: <u>PO Box 160</u>	Address: <u>PO Box 160</u>
<u>Quaker Street, NY 12141</u>	<u>Quaker Street, NY 12141</u>

1. Type of Application: ☐ Special Use Permit; ☐ Site Plan Approval; ☐ Use Variance; ☐ Area Variance; ☒ Subdivision Approval (circle one or more)

2. Description of proposed project:

Move northern lot line of tax id parcel 74.00-3-16.3 from 800 feet north of Duanesburg Road to approximately 1,500 feet north of Duanesburg Road and to extend 74.00-3-16.3 eastern lot line from 500 feet north of Duanesburg Road to approximately 1000 feet north of Duanesburg Road. The residence and driveway will be on an approximately 40 acre parcel and the vacant land will be 73 acres as a separate parcel. Susan Biggs intends to retain ownership of both parcels. No construction is planned. See attached color map.

3. Location of project: Address: 13388 Duanesburg Road, Delanson NY Schenectady County NY 12053

Tax Map Number (TMP) 74.00-3-18 and parcel 74.00-3-16.3

4. Is this parcel within an Agricultural District? ☐ YES ☐ NO (Check with your local
 5. If YES, Agricultural District Number _____ assessor if you do not know.)
 6. Is this parcel actively farmed? ☐ YES ☒ NO
 7. List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

NAME: <u>Pam Rowling / Wallace Johnson</u> ADDRESS: <u>Tax ID Parcel 74.00-3-19</u> <u>82 Maple Street East Haven, CT 06512</u> Is this parcel actively farmed? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	NAME: _____ ADDRESS: _____ Is this parcel actively farmed? <input type="checkbox"/> YES <input type="checkbox"/> NO
NAME: <u>Werner Hoffman</u> ADDRESS: <u>Tax ID 74.00-3-14</u> <u>2245 Youngs Road Delanson, NY 12058</u> Is this parcel actively farmed? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	NAME: _____ ADDRESS: _____ Is this parcel actively farmed? <input type="checkbox"/> YES <input type="checkbox"/> NO

[Signature of Applicant]
Signature of Applicant

[Signature of Owner]
Signature of Owner (if other than applicant)

Reviewed by: _____

Dale R. Warner

Date

Revised 6/30/08

NOTE TO REFERRAL AGENCY: County Planning Board review is required. A copy of the Agricultural Data Statement must be submitted along with the referral to the County Planning Department.



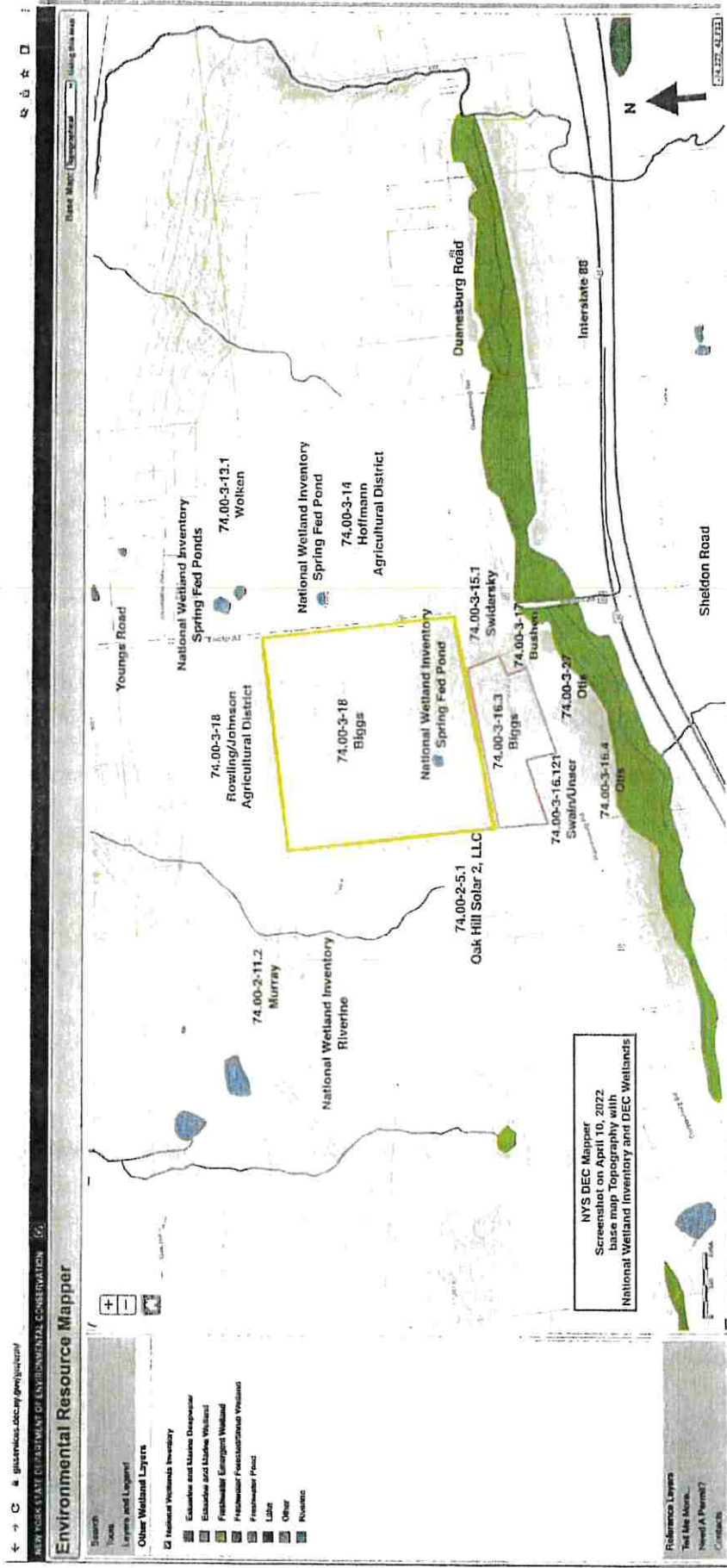
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APR 11 2022

Lot Line Adjustment

Susan Liss Biggs parcels 74.00-3-18 (yellow) and 74.00-3-16.3 (pink)

EXISTING CONDITIONS - Neighboring Tax Id, National Wetlands, DEC Wetland, Agricultural District and Roads



- 74.00-3-13.1 Wolken - residence
- 74.00-3-14 Hoffmann - residence and hay field - agricultural district
- 74.00-3-15.1 Swidersky - residence
- 74.00-3-17 Bushen - residence
- 74.00-3-27 Ollis - vacant land
- 74.00-3-16.4 Ollis - vacant land
- 74.00-3-16.121 Swain/Unser - residence
- 74.00-2-5.1 Oak Hill Solar 2, LLC - vacant wetlands
- 74.00-2-11.2 Murray - vacant lands

April 11, 2022
Figure 1

APR 11 2022

ORIGINAL

Lot Line Adjustment
 Susan Liss Biggs parcels 74.00-3-18 (yellow) and 74.00-3-16.3 (pink)
 EXISTING CONDITIONS



Biggs' existing 1850's farm house and five out buildings are located on 91 acre tax parcel 74.00-3-18 (yellow). The driveway (grey) to the residence is an easement thru a 22 acre tax parcel 74.00-3-16-3 (pink) which abuts Duanesburg Road.

April 11, 2022
 Figure 2

APR 11 2022 ORIGINAL

Lot Line Adjustment
Susan Liss Biggs parcels 74.00-3-18 and 74.00-3-16.3

PROPOSED LOT LINE ADJUSTMENT



To resolve problematic driveway easement we propose to move the north lot line for tax id 74.00-3-16.3 from 800 feet north of Duanesburg Road to approximately 1,500 feet north of Duanesburg Road and extend the eastern property line from 500 feet north of Duanesburg Road to approximately 1,000 feet north of Duanesburg Road. This would place the residence, outbuildings and driveway on one lot of approximately 40 acres with 850 feet of frontage on Duanesburg Road. The remaining approximately 73 acres associated with tax id parcel 74.00-3-18 is vacant wood lands and has 1,800 feet of frontage on Youngs Road. Susan Biggs will retain ownership of both lots.

April 11, 2022
Figure 3

ORIGINAL

APR 11 2022

NOTICE OF DETERMINATION
of the Town of Duanesburg

Date of Determination 12/5/23

Application of LREA LOT LLC / Ralph Thomas under section 9.4 (17) of the (Village of Delanson / Town of Duanesburg)
ZONING Ordinance.

Applicant LREA LOT LLC / Ralph Thomas
Address 6740 WESTERN TURNPIKE
DUANESBURG, N.Y. 12056

Phone _____ Zoning District H SBL# 67.05-1-P.1

Description of
Project: FLEA MARKET - FARMERS MARKET

Determination:
SPECIAL USE PERMIT

Reason supporting determination:
TOWN of DUANESBURG ZONING ORDINANCE ADOPTED 6/18/15
SECTION 9.4 (17) USES PERMITTED BY SPECIAL USE PERMIT
"SHOPPING CENTRE"

Action: Refer to <u>PLANNING BOARD</u> for the purpose of <u>SPECIAL USE</u>
--

Code Enforcement Officer: C. J. P. P. P.

APPLICATION FOR THE PLANNING BOARD
TOWN OF DUANESBURG

Revised 04/12/2017

*******FOR OFFICE USE ONLY*******

CHECKLIST OF REQUIRED INFORMATION:

- ☒ Title of drawing.
- ☒ Tax Map ID #
- ☒ Zoning district
- ☒ Current Original Deed
- ☒ NYS Survey (L.S. & P.E.)
- ☒ North Arrow, scale (1"=100'),
- ☒ Boundaries of the property plotted and labeled to scale.
- ☒ School District/Fire District
- ☒ Green area/landscaping
- ☒ Existing watercourses, wetlands, etc.
- ☒ Contour Lines (increments of 10ft.)
- ☒ Easements & Right of ways
- ☒ Abutting Properties Wells/ Sewer Systems within 100ft.
- ☒ Well/ Water system

- ☒ Septic system: Soil investigation completed?
- ☒ Sewer System: Which district?
- ☐ Basic SWPPP (12 & <5)
- ☐ Full Storm Water Control Plan (5acres or more)
- ☐ Storm Water Control Plan
- ☒ Short or long EAF www.dec.ny.gov/efm/mapper/
- ☐ Street pattern: Traffic study needed?
- ☐ All property Mergers **REQUIRE** both owners Signatures on the Application

Additional Requirements for Special Use Application:

- ☒ New or existing building
- ☒ **Business Plan, Hours of operation, & number of employees, floor plan, uses, lighting plan/ landscaping/signage**
- ☒ **Parking, Handicap Spaces, & lighting plan**

Date 8-23-2023

Application type: ☐ Major Subdv ☐ Minor Subdv ☒ Special Use Permit ☐ Site/ Sketch Plan Review ☐ LotLine Adjust
Proposal: Flea Market - Farmers Market

Section _____ of _____ Ordinance.

Present Owner: Luis Pardo LREA LOT, LLC (AS APPEARS ON DEED!!)
Address: 5140 Western Turnpike Zip code: 12056
Phone # (required): 518 231 3081

Applicants Name (if different): Ralph Thomas Phone# (required) 607-206-4704
Location of Property (if different from owners)
Tax Map # 67-05-1-8.1 Zoning District H3

Signature of Owner (S) if different from Applicant (AS APPEARS ON DEED!)

LANDS CONVEYED TO (REQUIRED FOR MERGERS)

Signature of receiving Property Owner _____ (AS APPEARS ON DEED!!)

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. The Applicant hereby certifies that he/she is the owner of the above property or has duly authorized, in writing, by the owner of record to make this application. Further, by signing this application, the owner gives permission for a representative (s) of the Town of Duaneburg to walk the property for the purposes of conducting a site review.

Ralph Thomas
Signature of Owner(S) and/or Applicant(S)

Date 8-23-2023

ALL APPLICATION FEES ARE NON-REFUNDABLE!

(For office use only)

Application fee paid: _____ Check# _____ Reviewed By _____ Date _____

☐ Approved ☐ Disapproved ☐ Refer to Code Enforcement Section _____ of _____ Ordinance

Planning Commission Comments: _____

Planning Chairperson

Date

Code Enforcement

Date

TOWN OF DUANESBURG

Application# 23-29

Agricultural Data Statement

Date: 8-23-2023

Instructions: Per § 305-a of the New York State Agriculture and Markets Law, any application for a special use permit, site plan approval, use variance or a subdivision approval requiring municipal review and approval would occur on property within a New York State Certified Agricultural District containing a farm operation or property with boundaries within 500 feet of a farm operation located in an Agricultural District shall include an Agricultural Data Statement.

Applicant	<input checked="" type="checkbox"/> Owner if Different from Applicant
Name: <u>Ralph Thomas</u>	Name: <u>LREA LOT, LLC</u>
Address: <u>883 Smith Rd.</u>	Address: <u>6140 WESTERN PKE</u>
<u>Worcester, NY 12997</u>	<u>P.O. BOX 09</u>
	<u>DUANESBURG NY 12056</u>

1. Type of Application: Special Use Permit Site Plan Approval; Use Variance; Area Variance; Subdivision Approval (circle one or more)
2. Description of proposed project:
Flea Market - Farmer's Market
3. Location of project: Address: Duanesburg Diner - 5156 Western Turnpike Duanesburg
Tax Map Number (TMP): 67.05-1-8.1
4. Is this parcel within an Agricultural District? YES ☒ NO (Check with your local assessor if you do not know.)
5. If YES, Agricultural District Number _____
6. Is this parcel actively farmed? YES ☒ NO
7. List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

NAME: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
Is this parcel actively farmed? YES <input checked="" type="checkbox"/> NO	Is this parcel actively farmed? YES <input type="checkbox"/> NO
NAME: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
Is this parcel actively farmed? YES <input type="checkbox"/> NO	Is this parcel actively farmed? YES <input type="checkbox"/> NO

Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by: _____

Dale R. Warner

Date _____

Revised 4/4/17

FARM NOTE

Prospective residents should be aware that farm operations may generate dust, odor, smoke, noise, vibration and other conditions that may be objectionable to nearby properties. Local governments shall not unreasonably restrict or regulate farm operations within State Certified Agricultural Districts unless it can be shown that the public health or safety is threatened.

NOTE TO REFERRAL AGENCY: County Planning Board review is required. A copy of the Agricultural Data Statement must be submitted along with the referral to the County Planning Department.

parking for vendor -
30 vendors every 10 ft

Flea market

30 vendors

Dept St

Parking For Martex

Parking For Antique Store

25 vendors over 10 ft
Farmers Market

Parking For Diner

Parking for Diner

Parking

Parking

Rd way to parking lot

RT 7

RT 7

RT 7

RT 20

RT 20

RT 20

8-23-2023

I Luis PATINO, give Ralph Thoms to represent me and file this application for a Flea Market - Farmers Market. I also give permission for the Town of Duaneburg to walk the site at 5156 Western Turnpike, Duaneburg.

LREA Lot, LLC
Owner

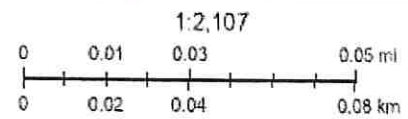
8-23-2023
Date

Untitled Map



December 7, 2023

Override 1
Parcels



NYS ITS Geospatial Services

No Author
This map and information is provided as is. We make no warranties or guarantees, expressed or implied.

NOTICE OF DETERMINATION
of the Town of Duanesburg

Date of Determination 12/11/23

Application of TRICIA STANLEY under section
11.4 (11) of the (Village of Delanson / Town of Duanesburg)
ZONING Ordinance.

Applicant TRICIA STANLEY
Address 3215 WESTERN TURNPIKE
DUANESBURG N.Y.

Phone _____ Zoning District C-1 SBL# 68.00-1-9.12

Description of
Project: TEMPORARILY HAVE 2 HOMES ON ONE ZONED
LOT.

Determination:
SPECIAL USE NEEDED

Reason supporting determination:
Town of Duanesburg, Zoning Ordinance Adopted 6/11/15 under
SECTION 11.4(11) USES PERMITTED BY SPECIAL USE; DWELLING
MULTI-FAMILY.

Action: Refer to <u>PLANNING BOARD</u> for the purpose of <u>SPECIAL USE PERMIT</u>

Code Enforcement Officer: Cheryl Polansky

APPLICATION FOR THE PLANNING BOARD
TOWN OF DUANESBURG

Revised 04/12/2017

*****FOR OFFICE USE ONLY*****

CHECKLIST OF REQUIRED INFORMATION:

- ☒ Title of drawing.
- ☒ Tax Map ID #
- ☒ Zoning district
- ☒ Current Original Deed
- ☒ NYS Survey (L.S. & P.E.)
- ☒ North Arrow, scale (1"=100')
- ☒ Boundaries of the property plotted and labeled to scale.
- ☒ School District/Fire District
- ☒ Green area/landscaping
- ☒ Existing watercourses, wetlands, etc.
- ☒ Contour Lines (increments of 10ft.)
- ☒ Easements & Right of ways
- ☒ Abutting Properties Wells/ Sewer Systems within 100ft.
- ☒ Well/ Water system

- ☒ Septic system: Soil investigation completed?
- ☒ Sewer System: Which district?
- ☐ Basic SWPPP (1± & <5)
- ☐ Full Storm Water Control Plan (6acres or more)
- ☐ Storm Water Control Plan
- ☒ Short or long EAF www.dec.ny.gov/efmmaper/
- ☐ Street pattern: Traffic study needed?
- ☐ All property Mergers **REQUIRE** both owners Signatures on the Application

Additional Requirements for Special Use Application:

- ☒ New or existing building
- ☒ Business Plan, Hours of operation, & number of employees, floor plan, uses, lighting plan/ landscaping/signage
- ☒ Parking, Handicap Spaces, & lighting plan

Date 12-7-23

Application type: ☐ Major Subdv ☐ Minor Subdv ☒ Special Use Permit ☐ Site/ Sketch Plan Review ☐ LotLine Adjust

Proposal: Set a new doublewide 10' from existing, demo existing upon completion

Section _____ of _____ Ordinance.

Present Owner: India Stealey (AS APPEARS ON DEED!!)

Address: 3215 Western Turnpike Zip code: 12056

Phone # (required) 518-209-4480

Applicants Name (if different): _____ Phone# (required) _____

Location of Property (if different from owners) _____

Tax Map # 68-00-1-9.12 Zoning District C-1

Signature of Owner (S) if different from Applicant (AS APPEARS ON DEED!!)

LANDS CONVEYED TO (REQUIRED FOR MERGERS)

Signature of receiving Property Owner _____ (AS APPEARS ON DEED!!)

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. The Applicant hereby certifies that he/she is the owner of the above property or has duly authorized, in writing, by the owner of record to make this application. Further, by signing this application, the owner gives permission for a representative (s) of the Town of Duaneburg to walk the property for the purposes of conducting a site review.

India Stealey
Signature of Owner (S) and/or Applicant(S)

Date 12-7-23

ALL APPLICATION FEES ARE NON-REFUNDABLE!

Application fee paid: \$100 Check# _____ (For office use only)
Reviewed By _____ Date _____

☐ Approved ☐ Disapproved ☐ Refer to Code Enforcement Section _____ of _____ Ordinance

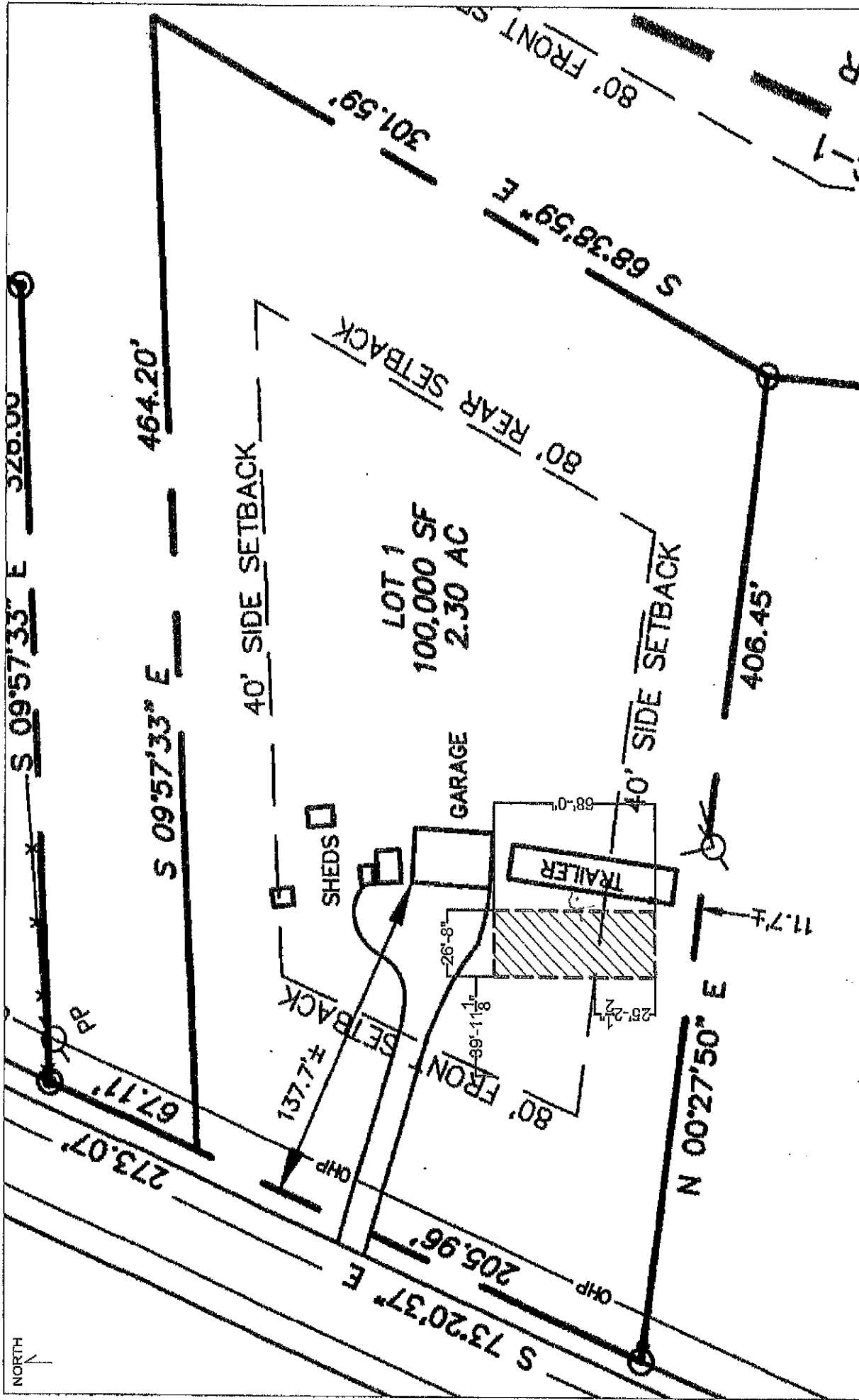
Planning Commission Comments: _____

Planning Chairperson

Date

Code Enforcement

Date



PROJECT 000000	SHEET NO. 1
DRAWING NAME LOT 1	
DATE 10/1/2010	
SCALE 1" = 100'	
DRAWING NUMBER 100000	
DRAWING NAME LOT 1	

PARTNERS

LUIGI A. PALLESCHI, P.E.
JOSEPH J. BIANCHINE, P.E.
ROBERT D. DAVIS, JR., P.L.S.



411 Union Street

518-377-0315 Fax 518-377-0379

www.abdeng.com

ENGINEERS



SURVEYORS

Schenectady, N.Y. 12305

DEDICATED
RESPONSIVE
PROFESSIONAL

December 13, 2023

Re: **Wishy Wash**
9938 Western Turnpike
Town of Duanesburg
Project # 5461A

Jeffery Schmitt, Chairperson, Planning Board
5853 Western Turnpike
Duanesburg, NY 12056

Dear Mr. Schmitt,

In response to the December 7, 2023 letter to you (copy attached) from Prime regarding the inspection of work at the Wishy Wash I respectively respond as follows:

Provide oversight of the field sampling of the pond materials and review of sample data.

The Wishy Wash has hired Pace to do the requested sampling of pond sediment, water, and of the site per Prime's sampling plan. Pace is an independent ELAP certified laboratory. The Planning Board's approval of November 16, 2023 (copy attached) did not require oversight by Prime, therefore, Prime will not be doing the Oversight.

Attend the Pre-Construction Meeting.

Prime can attend the pre-construction meeting as referenced in the Planning Board's approval. The pre-construction meeting will be scheduled in the next 2± weeks.

Attend up to two (2) site meetings with the developer, contractor, and Town representatives.

This will be scheduled with Prime as needed.

Perform bi-weekly SWPPP inspection in accordance with the approved Stormwater Permit and the NYS Stormwater Design Manual estimated at 32 hours total.

ABD Engineers & Surveyors, LLP will do all the weekly SWPPP inspections. Having Prime do these inspections was not a condition of the Planning Board approval. We will send weekly SWPPP reports to the Town and Prime.

RECEIVED

DEC 18 2023

TOWN OF DUANESBURG
TOWN CLERK

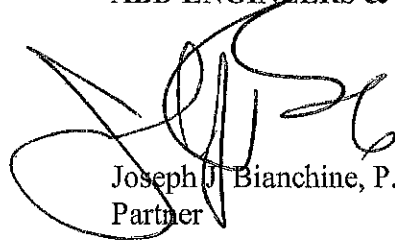
Provide Construction Engineering services including coordination of Prime AE inspection with the Town, review of weekly SWPPP reports provided by the developer and responding to Town, developer, and contractor emails and phone calls during construction over an estimated four (4) month period.

Provide construction engineering services and reviews as needed.

Should you require anything else or have any questions, please do not hesitate to contact me. Please have Prime revise their estimate of services.

Very truly yours,

ABD ENGINEERS & SURVEYORS, LLP



Joseph J. Bianchine, P.E.
Partner

JJB;clv
CC: (via email)
Spiro Kagas w/ encl.
Don Zee w/ encl.
Doug Cole w/ encl.
Theresa Bakner w/ encl.
5461A-12132023



Albany Office
100 Great Oaks Boulevard, Suite 114, Albany, NY 12203
P: 1.833.723.4768

December 7, 2023

Jeffery Schmitt, Planning Board Chairman
Town of Duanesburg
5853 Western Turnpike
Duanesburg, NY 12056

**Re: Town of Duanesburg
Wishy Wash Site Plan & Special Use Permit Review
Amendment #4 for Engineering Services**

Dear Mr. Schmitt:

As you know, our proposal for the above project review was executed on June 24, 2022 and the escrow account for the project was established in the amount of \$3,375.00. Amendments #1 – 3 covered the additional planning board reviews. Now that the project can proceed to construction once certain conditions are met, PRIME AE proposes the following scope of work for this Amendment #4 for Construction Phase Services:

- Provide oversight of the field sampling of the pond materials and review of sample data.
- Attend the Pre-construction Meeting.
- Attend up to two (2) site meetings with the developer, contractor and Town representatives.
- Perform bi-weekly SWPPP inspections in accordance with the approved Stormwater Permit and NYS Stormwater Design Manual estimated at 32 hours total.
- Provide Construction Engineering services including coordination of PRIME AE inspection with the Town, review of weekly SWPPP reports provided by the developer and responding to Town, developer and contractor emails and phone calls during construction over an estimated four (4) month period.

We propose to provide these additional services for a fee not to exceed \$11,200.00, for a total of \$25,375.00 for this project. Our work will be billed monthly on a percentage complete basis. Our original Terms and Conditions for this contract will remain in effect for this amendment.

If this amendment #4 proposal is acceptable, please execute the signature block below and return to us.

Sincerely,
KB Group of NY, Inc. dba PRIME AE Group of NY

Douglas P Cole, P.E.
Senior Director of Engineering

cc: William Wenzel, Supervisor

AGREED TO BY TOWN OF DUANESBURG:

William Wenzel, Supervisor

DATE: _____

AGREED TO BY KB GROUP OF NY, INC. DBA
PRIME AE GROUP OF NY:

Douglas P Cole

Douglas P. Cole, P.E., Senior Director of
Engineering - NY

DATE: 12/7/2023 _____

Jeffery Schmitt, Planning Board Chair
Michael Harris, Vice Chairman
Chris Parslow, Town Planner
Coryn VanDeusen, Clerk
Teresa Bakner, Board Attorney



TOWN OF DUANESBURG
SCHENECTADY COUNTY

Elizabeth Novak, Board Member
Joshua Houghton, Board Member
Matthew Hoffman, Board Member
Michael Walpole, Board Member

Town of Duanesburg
Planning Board Minutes
November 16, 2023
Final Copy

MEMBERS PRESENT:

Jeffery Schmitt- Chairperson, Joshua Houghton, Matt Hoffman, Michael Walpole, Michael Harris- Vice Chairman, Teresa Bakner- Town Attorney, Chris Parslow- Town Planner and Coryn VanDeusen-Clerk.

INTRODUCTION:

Chairperson Jeffery Schmitt opened the meeting and welcomed everyone to the November 16, 2023, Planning Board meeting and stated the agenda for the night's meeting.

OPEN FORUM:

Schmitt/Harris made a motion to open the open forum at 7:02 pm.

Schmitt yes, Harris yes, Houghton yes, Hoffman yes, Walpole yes. **Approved.**

Schmitt/Harris made a motion to close the open forum at 7:03 pm.

Schmitt yes, Harris yes, Houghton yes, Hoffman yes, Walpole yes. **Approved.**

SKETCH PLAN REVIEW:

PUBLIC HEARINGS:

#22-10 Kagas, Spiro: SBL#53.00-1-29.21, (c-1) located at 9938 Western Turnpike is seeking a site plan approval for the accessory parking under section 5.2.2 of the Town of Duanesburg Zoning Ordinance.

Schmitt/Walpole made a motion to open the public hearing for Kagas at 7:04 pm.

Schmitt yes, Walpole yes, Houghton yes, Hoffman yes, Harris yes. **Approved.**

Joe Bianchine, ABD Engineer, advised the board of the updates since the last meeting. The addition of the truck bay, the small rain garden, the berm extension, and the grass strip bioretention area are the updates stated by Mr. Bianchine. Mr. Bianchine advised the board that the applicant had just received the sampling plan and must ask his company if they can do the

Town Hall • 5853 Western Turnpike • Duanesburg, NY 12056 • (518) 895-8920

Over➔

testing. Mr. Bianchine states that the applicant still feels as if they shouldn't have to do the testing.

Schmitt/Hoffman made a motion to close the public hearing for Kagas at 7:10 pm. Schmitt yes, Hoffman yes, Houghton yes, Walpole yes, Harris yes. **Approved.**

The board advised the applicant that they approve the sampling plan. The board also advised the applicant that they will have to follow any additional comments that come back with the Schenectady County referral, which was outdated from 2021 but re-sent with the changes to the county. Furthermore, the board advised the applicant that they need to obtain the area variance from the zoning board.

The board asked the applicant what the sequence of construction is, and Mr. Bianchine advised that the tank is the next step. He also stated that the work can be done out of sequence, but as of right now they don't intend to be closed for business although it may be possible. The board discussed the possibility of having to go back and change plans depending on the outcome of the county referral. The town attorney, Teresa Bakner, advised that the referral has been sent, but is pending approval of the changes. The board advised that the original county concern was for a State Pollutant Discharge Elimination System, (SPDES), but that need has been eliminated by the updated site plan. The applicant was also advised by the board that they need to complete an NOI, Notice of Intent, before work can begin.

Hoffman/Walpole made a motion to conditionally approve and adopt the application and resolution for the Spiro Kagas application. Hoffman yes, Walpole yes, Houghton yes, Harris yes, Schmitt yes. **Approved.**

Please see attached sampling plan, application list, and resolution.

#23-21 Walpole, Michael: SBL#32.00-1-3, (R-2) is seeking a special use permit to allow two single family dwellings on one lot under section 8.4(8) of the Town of Duanesburg zoning ordinance.

Michael Walpole is a member of the Town of Duanesburg Planning Board and recused himself and left the building. Kelli Desnoyers, 6350 Gun Club Rd Altamont NY, represented Michael Walpole for this application.

Harris/Hoffman made a motion to open the public hearing for Walpole at 7:47 pm. Harris yes, Hoffman yes, Schmitt yes, Houghton yes. **Approved.**

Drew Jackman, at 851 Mill Point Rd, stated that he has no issues with the Walpole application if it complies with zoning regulations. Mr. Jackman stated that he was present to learn the procedural process of the Planning Board. Teresa Bakner, town attorney, advised Mr. Jackman that Mr. Walpole's plan is to demolish the original dwelling, but he didn't have to if he wanted to apply for a special use permit.

Harris/Houghton made a motion to close the public hearing for Walpole at 7:54 pm.

Harris yes, Houghton yes, Schmitt yes, Hoffman yes. **Approved.**

Mr. Walpole will be constructing a second one family dwelling on his property. Kelli Desnoyers states that the existing dwelling will be demolished upon completion of the second dwelling. The board advised that a stipulation be in place stating that only one dwelling is to be occupied at a time. This application is SEQRA type 2.

Harris/Houghton made a motion to approve the special use permit for the Michael Walpole application as long as it complies with the county referral, and it is a type 2 SEQRA action.

Harris yes, Houghton yes, Schmitt yes, Hoffman yes. **Approved.**

NEW BUSINESS:

#23-23 Putnam, Edward: SBL#67.00-2-6.11, (C-1/R-2) is seeking a major subdivision of one lot into 5 smaller lots under section 3.5 of the town of Duanesburg subdivision ordinance.

Roger Putnam, power of attorney for Edward Putnam, represented the application along with John Hitchcock, ABD Engineers. Mr. Hitchcock advised the board that 4 lots will be residential homes and one lot will be commercial. A SWPPP will be filled out as stated by Mr. Hitchcock. The board advised the applicant that a map with the overall parcel needs to be shown as well as recommending wetland delineation and a necessity for a county referral with an agricultural data statement. This application is a Type 1 SEQRA action and is a major subdivision.

Harris/Hoffman made a motion to progress the Putnam application; request to be lead agent is to be completed along with referrals to the county, DPW, DEC, SHIPPO, and the Department of Health.

Harris yes, Hoffman yes, Schmitt yes, Walpole yes, Houghton yes. **Approved.**

#23-24 Dergosits, John: SBL#65.00-2-29, (R-2) is seeking a lot line adjustment to adjust South lot line; section being sold to neighbor, under Local Law #2 of 2016 of the Town of Duanesburg Subdivision Ordinance.

Mr. Dergosits states that the neighbor already has items on his property, and he is looking to get a lot line adjustment approved to be able to sell that portion of land to the neighbor. The board stated that even with a lot line adjustment the items on the property would still need an area variance to meet setbacks. Teresa Bakner advised that a lot line adjustment cannot be granted with a property that doesn't meet setbacks in the zoning ordinance. Mr. Dergosits informed the board that he would not be doing the application for the variance and that his neighbor, the Martin's, would need to complete that. Mr. Dergosits informed the board that the neighbor isn't buying enough land to meet the setbacks even after a meeting with Joanne Darcy Crum (Engineer/Attorney/Surveyor) and he would either like them to apply for a variance or remove the items from his property.

Houghton/Hoffman made a motion to table the Dergosits application.
Houghton yes, Hoffman yes, Schmitt yes, Walpole yes, Harris yes. **Approved.**

#23-25 Serth, Joseph: SBL# 35.05-1-19.2, (R-1) is seeking an amendment to current special use permit to include on site cooking.

Mr. Serth advised the board that he would like people to be able to barbecue, have food trucks and cook food for the events he holds at his property. He states that in the future he would like to get a liquor license. The board raised concerns about where the cooking will take place and how without having a commercial kitchen to use. The board advised the applicant that the facility doesn't have the necessary septic system and infrastructure necessary for commercial cooking. The board questioned the want for a liquor license and how that will impact the events occurring on the property. Mr. Serth advised the board that he will not be changing the number of events or the number of people that will be using the property. Mr. Serth also advised the board that he hasn't had any complaints about anything yet and that was confirmed by Chris Parslow, Town Planner.

The board asked for a proposal as to what the applicant would like to do with food such as the who, what, when, where and how. The board advised that they would like to see a site plan with the setbacks and improvements the applicant is looking to make as well as obtaining guidance from the Department of Health. Terresa Bakner advised that the town does not regulate liquor.

Walpole/Houghton made a motion to table the Serth application.
Walpole yes, Houghton yes, Hoffman yes, Schmitt yes, Harris yes. **Approved.**

#23-26 Serth, Joseph: SBL#35.05-1-19.2, (R-1) is seeking a site plan approval for a religious institution for use of bible studies, weddings, and other religious ceremonies under Section 6.3(17) of the Town of Duanesburg Zoning Ordinance.

Terresa Bakner advised the applicant that the town does not regulate religion. The applicant states that the zoning states otherwise. Terresa Bakner advised the board that the application needs to be tabled until further investigation is done into the requirements for this application. Mr. Serth advised the board that the current barn would be used as a religious institution until a new barn is built and then the new barn would be used as the religious institution. The board raised concern as to how this site plan would affect the current special use permit.

Chris Parslow, town planner, advised the board that the Town of Duanesburg Zoning Ordinance Section 6.3(17) states that you need site plan approval for religious institutions. The board advised the applicant that the definition of religious institution under the Town of Duanesburg Zoning Ordinance 3.5.122 is a facility in which members congregate, for religion, faith, or worship. The board advised the applicant that the bed and breakfast needed to be used as a bed and breakfast to comply with the special use permit. The board raised concerns regarding parking, lot coverage, and emergency access.

Mr. Serth advised the board that electricity is being run to the parking area, two golf greens maintained, landscaping and pavers put in. The board advised the applicant that they need to understand what the religious implications are and then they will be able to discuss what changes and conditions are necessary for the site plan.

Schmitt/Harris made a motion to table the Serth application.

Schmitt yes, Harris yes, Hoffman yes, Walpole yes, Houghton yes. **Approved.**

#23-27 Northern Clearing Inc.: SBL#67.00-3-19.21, (C-2) is seeking a site plan approval and special use permit for the expansion of existing building and site uses currently occurring at the property; special use permit required for storage / light industrial under section 12.4(20) and 12.4(33) of the Town of Duanesburg Zoning Ordinance.

Frank Palumbo, CT Male associate, informed the board of the plans for the company. Scott Kreschner, Northern Clearing representative, explained to the board that NCI is a tree clearing company that works mainly in the power line and pipeline industries. Mr. Kreschner advised that the site is a hub for their business in NY and it is to hold their equipment needed day to day. Mr. Kreschner advised that the wood layout mats will be stored at this location, but they will be cleaned on site before returning. The board advised that a SWPPP and a county referral will be needed for this application. The board also informed that this application is an unlisted action. Mr. Palumbo advised the board that the applicant proposes a hedge row to screen the property to the public. Mr. Palumbo also advised the board that a bulk petroleum storage tank is on the site plan, an equipment lay down area, as well as a container storage for safety equipment. Mr. Palumbo also advised the board of a storm water basin area and is aware they will need a SWPPP. The board advised the applicant to design their new storm water area to treat the existing impervious which would classify as redevelopment. Mr. Palumbo advised the board that they are maintaining a 40-foot buffer to the property line. The applicant is unaware of what the origin of the pond is. The board advised the applicant that they can create a new site plan, but the drainage path would still need to be maintained. Mr. Palumbo and Mr. Kreschner advised the board that they will not be disturbing more than 10 acres. The current special use permit expires January 2024 as advised by Chris Parslow. The board advised the applicant that there are no other agency approvals, it is an unlisted SEQRA action, and the Town of Duanesburg Planning Board is lead agent.

Harris/Hoffman made a motion to schedule the public hearing for Northern Clearing to December 21, 2023.

Harris yes, Hoffman yes, Walpole yes, Schmitt yes, Houghton yes. **Approved.**

OLD BUSINESS:

OTHER:

MINUTE APPROVAL:

Schmitt/Harris made a motion to approve the October 19, 2023, Planning Board minutes. Schmitt yes, Harris yes, Houghton yes, Walpole yes, Hoffman yes. **Approved.**

ADJOURNMENT:

Houghton/Hoffman made a motion to adjourn.

Houghton yes, Hoffman yes, Schmitt yes, Harris yes, Walpole yes, **Approved.**