

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



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

RECEIVED

JAN 2 2024

TOWN OF DUANESBURG
SCHENECTADY COUNTY

~~TOWN OF DUANESBURG~~
~~TOWN CLERK~~

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that they will have to follow any additional comments that come back with the Schenectady County referral, which was outdated from 2021 but re-sent with the changes to the county.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.**

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Over➡

ADJOURNMENT:

Houghton/Hoffman made a motion to adjourn.

Houghton yes, Hoffman yes, Schmitt yes, Harris yes, Walpole 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
November 16, 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:

#22-10 Kagas, Spiro: SBL#53.00-1-29.21, (C-1) located at 9938 Western Turnpike is seeking a special use permit for accessory parking under section 5.2.2 of the Town of Duanesburg Zoning Ordinance.

Comments: _____

#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.

Comments: _____

OLD BUSINESS:

NEW BUSINESS:

Jeffery Schmitt, Planning Board Chair
Michael Harris, Vice Chairperson
Teresa Baker, 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

#23-22 Hoffman, Joseph Jr. SBL#43.00-1-2, (R-2) is seeking a lot line adjustment adding a portion of the adjacent lot into the proposed new lot under Local Law 2 of 2016 of the Town of Duanesburg Subdivision Ordinance.

Comments: _____

#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.

Comments: _____

#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.

Comments: _____

#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.

Comments: _____

#23-26 Serth, Joseph SBL#65.00-2-29, (R-2) 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: _____

#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.

Comments: _____

Other:

Minute Approval:

October 19, 2023 PLANNING BOARD MEETING MINUTES:

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



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

Approved: Yes _____ No: _____

ADJOURNMENT

Jeffrey Schmitt, Planning Board Chair
Iris Parslow, Town Planner
Dorothy 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 NOVEMBER 16, 2023 AT
7:00 PM FOR THE PURPOSE OF HEARING ALL PERSONS INTERESTED IN THE
APPLICATION OF:

#22-10 Kagas, Spiro: SBL#53.00-1-29.21, (c-1) located at 9938 Western
Turnpike is seeking a special use permit for the accessory parking under section
5.2.2 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

Jeffrey Schmitt, Planning Board Chair
Chris Parslow, Town Planner
Aryn VanDeusen, Clerk
Terresa 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 OCTOBER 19, 2023 AT
7:00 PM FOR THE PURPOSE OF HEARING ALL PERSONS INTERESTED IN THE
APPLICATION OF:

#22-10 Kagas, Spiro: SBL#53.00-1-29.21, (c-1) located at 9938 Western Turnpike
is seeking a special use permit for the accessory parking under section 5.2.2 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

Jeffrey Schmitt, Planning Board Chair
Chris Parslow, Town Planner
Marilyn VanDeusen, Clerk
Loretta 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 September 21, 2023 AT
7:00 PM FOR THE PURPOSE OF HEARING ALL PERSONS INTERESTED IN THE
APPLICATION OF:

#22-10 Kagas.Spiro: SBL#53.00-1-29.21, (c-1) located at 9938 Western Turnpike
is seeking a special use permit for the accessory parking under section 5.2.2 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

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water, Region 4
1130 North Westcott Road, Schenectady, New York, 12306-2014
Phone: (518) 357-2045
www.dec.ny.gov

VIA ELECTRONIC MAIL

8/15/2023

WishyWashCarAndTruckCentre@yahoo.com

RECEIVED

AUG 17 2023

Spiro L. Kagas
Owner, **Ultimate Wishy Wash Car & Truck Centre**
889 Esperance Road
Esperance, NY 12066

TOWN OF DUANESBURG
TOWN CLERK

Re: Ultimate Wishy Wash Car & Truck Centre
Ultimate Wishy Wash Car & Truck Centre, NY0122891
SPDES Permit Application
Response due: October 1, 2023

Dear Spiro Kagas:

On July 17, 2023, NYSDEC sent a letter informing you that your SPDES permit application was incomplete. That letter required a sampling plan be submitted by August 1, 2023, and sampling results and additional information requested to be submitted by October 1, 2023. NYSDEC received your reply dated July 27, 2023, which satisfies the response to the specific application item issues and additional information requested in the July 17, 2023, letter. The July 27, 2023, response, however, did not include a sampling plan and requested a waiver for sampling for several parameters.

The waiver was requested for flow, the PFAS parameters in Table A Section 2 of the application form, and 1,4-Dioxane. The reason cited by the permittee was "pollutants are not believed to be present and were not previously requested to be tested by NYS DEC." In accordance with *TOGS 1.3.13 Industrial Permitting Strategy for Implementing Guidance Values for PFOA, PFOS, and 1,4-Dioxane*, as a car wash, the Ultimate Wishy Wash Car & Truck Centre is expected to discharge PFAS and 1,4-Dioxane; however, since the NY-2C application form did not contain PFAS and 1,4-Dioxane at the time of the original Request for Information, the sampling is not required for the application and the waiver request for PFAS and 1,4-Dioxane is granted. However, PFAS and 1,4-Dioxane sampling will be included in the next permit issued for the Ultimate Wishy Wash Car & Truck Centre in accordance with the implementation plan for TOGS 1.3.13. While a waiver was requested for the flow data, the flow data was provided; therefore, the waiver is not granted. The future permit might also require limits and sampling for new parameters, in addition to existing ones, and at a higher frequency than the current permit requires, and in addition to the PFAS and 1,4-Dioxane sampling.

The July 27, 2023, letter states "In the future the owner intends to install a fourth tank...so that all water will be recycled. At that time, the discharge to the pond will be removed and the



Department of
Environmental
Conservation

tank outlet sealed". NYSDEC is supportive of this plan; however, at this time, the permit review process is underway, and a complete application is needed to review and renew the permit for this facility. **By October 1, 2023**, the permittee must either: 1) submit the sampling results for Tables A – C, sampled in the final tank, prior to discharging into the pond; or 2) submit documentation that progress is being made to terminate the discharge.

An electronic fillable version of all the NY-2C application form can be found here: <https://www.dec.ny.gov/permits/6304.html>

Please submit either the sampling results or documentation of progress toward the discontinuance of the discharge electronically to SPDESApp@dec.ny.gov by **October 1, 2023**.

As a reminder, if you chose to update your system to a closed loop system and discontinue discharge, you will need to follow the closure requirements for disposal systems at 6 NYCRR Part 750-2.11, which would allow you to terminate your SPDES permit. In that case, additional sampling of the discharge to the pond would not be required. If the bay expansion moves forward as part of a current direct discharge facility, in accordance with 6 NYCRR 750-2.10, the final permit must be issued before approval of any design documents can occur and before construction can begin. Again, if a zero discharge system is installed, eliminating any discharge, then an individual SPDES permit would no longer be required.

If you have any questions regarding this letter, please contact Catherine Winters, at 518-357-2044 or Catherine.Winters@dec.ny.gov.

Sincerely,



John Weidman, P.E.
Regional Water Engineer

cc: ABD Engineers & Surveyors LLP, Joseph Blanchine (joe@abdeng.com)
NYSDEC, Permit Writer (Catherine.Winters@dec.ny.gov)
NYSDEC Region 4, Regional Permit Administrator (Kate.Kornak@dec.ny.gov)
NYSDEC Division of Environmental Permits (Michael.Schaefer@dec.ny.gov)



Albany Office
100 Great Oaks Boulevard | Suite 114 | Albany, New York 12203
P: 518.382.1774

July 19, 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 #3 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. Amendment #1 was executed on October 12, 2022 for additional work associated with review of materials from a prior Planning Board review of the project and issues regarding site runoff that have developed (\$2,200.00). A second amendment was executed on February 7, 2023 for an additional \$3,650.00 to review additional submittals of revised plans and reports. PRIME AE was provided with a July 17, 2023 submission of new materials for review which will require additional effort above the previously approved escrow amount provided by the developer. PRIME AE, therefore, proposes the following scope of work for this Amendment #3:

- Additional technical and administrative support to the Planning Board.
- Technical review of one (1) revised submission including 7/17/2023 ABD response letter, 7/17/2023 SWPPP, 7/17/2023 Site Plan, and 5/16/2023 FEAF.
- Review of car wash water treatment changes and SPDES permit modification.
- Review of pond dredging and materials disposal.
- Attend up to two (2) additional Planning Board meetings for the project.
- Review of a final submission to confirm Conditions of Approval have been met and provide a final sign-off letter.

We propose to provide these additional services for a fee not to exceed \$4,950.00, for a total of \$14,175.00 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.

A separate amendment for construction phase engineering and inspection services, including attendance at the preconstruction meeting, can be provided upon request.

If this amendment #3 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

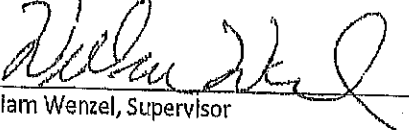
Douglas P Cole, P.E.
Senior Director of Engineering

cc: William Wenzel, Supervisor



CONNECTING. CREATING. CONSERVING. COMMUNITY.
www.primeeng.com

AGREED TO BY TOWN OF DUANESBURG:

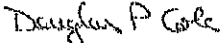


William Wenzel, Supervisor

DATE:

7/27/23

AGREED TO BY KB GROUP OF NY, INC. DBA
PRIME AE GROUP OF NY:



Douglas P. Cole, P.E., Senior Director of
Engineering - NY

DATE: 7/19/2023



Jeffrey Schmitt, Planning Board Chair
Chris Parslow, Town Planner
Carol Sowycz, 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 **May 18, 2023 AT**
7:00 PM FOR THE PURPOSE OF HEARING ALL PERSONS INTERESTED IN THE

APPLICATION OF:

#22-10 Kagas.Spiro: SBL#53.00-1-29.21, (c-1) located at 9938 Western Turnpike
is seeking a special use permit for the accessory parking under section 5.2.2 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

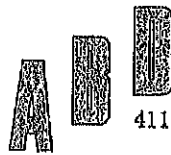
Join Zoom Meeting <https://us02web.zoom.us/j/86499746075> Meeting ID: 864 9974 6075

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

PARTNERS
LUIGI A. PALLESCHI, P.E.
JOSEPH J. BIANCHINI, P.E.
ROBERT D. DAVIS, JR., P.L.S.



ENGINEERS



SURVEYORS

411 Union Street Schenectady, N.Y. 12305
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DEDICATED
RESPONSIVE
PROFESSIONAL

July 17, 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,

As you know, on June 29, 2023, ABD Engineers & Surveyors, the applicant and members of the Town's Planning Board met with NYSDEC to discuss handling stormwater and car wash wastewater at the Ultimate Wishy Wash site. Now, in an effort to satisfy the Planning Board's concern over stormwater discharge to the existing drainage swale located at the southeast corner of the applicants parcel we are proposing an alternative that will send all runoff from the parking area to the existing pond adjacent to the Wishy Wash facility. Runoff from the hill to the north of the site will continue to be diverted from the parking lot via the existing swale and discharge to the Blaise parcel and eventually to the stream that runs under NYS Route 20, as it always has. However, all runoff from the crushed stone parking lot will be treated within the proposed bioretention and overflow from the 10 & 100-year storm events will be conveyed to the existing modified pond. The applicant is proposing to eliminate carwash discharge to the existing pond by adding a 4th holding tank and creating a closed loop water recycling system. This will eliminate the need of a NYSDEC SPDES permit for groundwater discharge from the Wishy Wash facility. Once the 4th tank is added and the closed loop water recycling system is online and NYSDEC has inspected and approved the system, the applicant will pump the pond water to the upper pond and then reshape the pond using clay excavated from the bio-retention area, as shown on the site plan. The modified pond will allow for more than adequate storage for the 100-year storm event. An outlet control structure will be installed in the pond using a 2" pvc outlet that will release runoff from the 100-year storm event at a very slow rate of 0.16 cfs down the west end of the Wishy Wash access road. We feel this option should alleviate the Town's concern regarding drainage to the east and ours and NYSDOT's concern about increasing flow to the Route 20 ditch. Please see below for our response to Prime AE comments.

In response to the new comments (*in italics*), (previous comments unaltered font) of Doug Cole of Prime AE of April 12, 2023, we respond as follows (**in bold**):

FEAF - Please note that previous comments, FEAF # 1, 2, 3 & 4, have been satisfied.

5. *The Applicant has provided an answer to question D.2.d.v. that was previously left blank, however, we ask them to clarify whether the treatment process currently in place for the wash water has capacity for the extra 400 gpd proposed for this expansion. The Applicant provided a response in their letter that states that the system "has the capacity to treat up to 3,000 gallons per day, which is more than the expected total water usage of 400-gpd for the car/truck wash. The additional flow was previously stated to be 400 gpd, so the applicant should state the new total expected water use for comparison with the system capacity of 3,000 gpd. A copy of the SPDES permit for this discharge should also be provided. A revised FEAF with this information should be provided for review and confirmation the response has been added.*

Applicant is proposing to add a 4th holding tank and create a closed loop water recycling system. This will eliminate discharge to the pond. This will also eliminate the need of a SPDES permit.

6. *The Applicant has provided an answer to question D.2.d.vi. that was previously left blank, however, we ask them to clarify whether the treatment process currently in place for the wash water has capacity for the extra 400 gpd proposed for this expansion. See comment 5 above.*

See response no. 5 above.

9. *Question D.2.j. is answered that the proposed action will NOT result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services. However, since the project is adding a wash bay, truck queuing area and food vender truck, it appears that there would be an increase in use of the facility, which should be quantified for the record. The applicant should provide data on existing use of the facility, so that the stated increase of "about 20-30 vehicles per day" can be verified as a "minimal" increase as indicated.*

See attached page two of Donald Zee, PC's letter to the Planning Board from May 14, 2021.

Site Plan- Please note that previous comments, Site Plan # 1, 2, 3, 5, 6 & 7, have been satisfied.

2. The proposed bioretention practice shows a 6" underdrain pipe to daylight discharging to the south of the facility onto lands of the applicant and a 12" HDPE outlet pipe and emergency spillway from the facility are shown exiting to the east onto lands of Thomas into an existing drainage swale which then flows through lands of Chilton prior to joining a stream that flows under NYS Route 20 near Gage Road. We have learned that a similar gravel parking area project was reviewed and approved by the Planning Board last year with a different stormwater design that kept all stormwater discharges on site, however, the design was not constructed as approved and the Town Permit was rescinded. In the December 15, 2021 letter to Dale Warner from Brett Steenburgh, P.E. regarding neighbor property flooding due to prior work performed on the gravel parking area, we located a statement attributed to Jamie Malcolm, NYSDEC Region 4 which said he "suggested that they maintain the existing drainage pattern and drain the pad to the southeast corner and not try to create the swale towards the car wash driveway and down US Route 20 ... as it may cause problems within the highway drainage system and inundate the existing culverts under the driveways of Wren and Chilton." We have not verified this statement with Mr. Malcolm, however, it is in keeping with NYSDEC requirements that the project design must ensure that there is no increase in runoff from a new development project and that there are no adverse effects downstream of the project. We understand that a bioretention practice has been designed to mitigate the offsite impacts of this project, however, since there are own issues with the current drainage pattern, we ask that the applicant provide additional information why the original plan to keep discharges on site are not practical if proper stormwater management practices are put into place to mitigate effects on the Route 20 drainage system and neighboring driveway culverts. Please also refer to our further comments on the stormwater design in the Drainage Narrative section of this letter. We have read the response to this comment in the 10/7/22 response letter from ABD, which did not answer the question above. Additionally, there are still concerns as noted below:

See revised stormwater plan. We are proposing to partially fill in the existing pond with clay excavated from the bio retention area. By doing so, more than adequate storage will be provided for the 100-yr storm event. An outlet control structure is proposed with a 2-inch PVC discharge to slowly release the 100-year storm at slow flow rate of 0.16 cfs.

2b. Review of the Stormwater Design Manual (SWDM) shows that Bioretention is an acceptable practice for water quality treatment but is not to be used for water quantity control. An appropriate quantity control practice needs to be included for this project. Please refer to comment 5.e under SWPPP section.

The existing pond will be used for quantity control. Please see the new stormwater management design.

2c. The anticipated water quantity control practice could be situated at the southwest corner of the gravel parking area. The stormwater design point would be changed to the culvert under Route 20 and the applicant/owner would have full control over the stormwater management system up to the point it empties into the ditch at Western Turnpike. The applicant responded that the "quantity control will be handled via a dry detention basin", however, we see no such structure on the site plan.

See response to comment 2b above.

4. The Site Plan shows that the proposed additional bay is encroaching more than 20 feet into the 40-foot side lot setback, however, the Applicant has indicated they have a setback variance. Please provide a copy of the approved variance. We acknowledge that the Applicant has made the request for a copy of the approved variance from the Town, however, we have not been provided this document for review to date.

To date we have not received a copy of the variance.

8. The plans appear to be missing the required grass filter strip between the stone diaphragm and Bioretention practice for pretreatment of direct runoff from the parking lot. The Stormwater Design Manual section referenced for Design Guidance of filtering systems in the applicants response states that "Adequate pretreatment for bioretention systems should incorporate all of the following: (2) grass filter strip below a level spreader or grass channel. (b) gravel diaphragm and (c) a mulch layer." ('Adequate' and 'all' are underlined for emphasis). The grass filter strip will catch fines and keep the stone diaphragm from clogging and becoming ineffective.

Not required. "Should" is defined in the manual as meaning a recommendation. Also, the detail from the manual you provided in your letter shows the stone diaphragm upstream from the grass filter strip, therefore, having no benefit on the stone diaphragm.

9. The Drainage Narrative in Appendix E of the SWPPP, page 3, states that "Two new trenches are proposed along the edge of pavement that will collect stormwater from the asphalt surface. There is a negligible difference in runoff volume generated from the existing impervious crusher run stone and proposed impervious asphalt." The plans show a 12" pipe outlet from the stone trench without any treatment practices associated with this concentrated flow. The plans and SWPPP should be revised to include the proper stormwater treatment for a redevelopment project in this area of the site. We disagree with the applicant that this is not a case of redevelopment. As stated in the SDM in Chapter 9, redevelopment includes reconstruction of existing impervious surfaces. Please review section 9.2.1 of the SDM and accordingly size or describe the WQv practices to meet the requirements.

This is not a case of redevelopment; it is just a building addition. However, a 2'w by 2'deep stone diaphragm trench is proposed at the westerly end of the Wishy Wash exist drive and along the edge of gravel nearest the pond to handle stormwater runoff, as depicted on the enclosed plans.

10. Please label the proposed stone swale along the eastern edge of the parking lot on the site plan.

The existing stone swale is labeled on the enclosed plans. There is no proposed stone swale on the plans.

11. Please indicate the swale which the 6" underdrain feeds into on the site plan. The swale is defined by the existing contours shown.

SWPPP- Please note that previous comments, SWPPP # 1, & 3 through 10, have been satisfied.

2. The "Project Description" section should include a mention of which type of construction project is being proposed (i.e., which table does the project fall under in Appendix B of the NYSDEC SPDES General Permit). Applicant needs to mention "this project requires the preparation of a SWPPP which includes post-construction stormwater management practices". We agree that commercial projects fall under Table 2 of Appendix B and thereby requires both Sediment and Erosion Control practices as well as Post-Construction Stormwater practices. The applicant still needs to include the following in the Project Description: "this project requires the preparation of a SWPPP which includes postconstruction stormwater management practices"

This is now noted in the SWPPP, but doesn't providing a SWPPP with postconstruction stormwater management practices listed in the provided SWPPP make it clear that a SWPPP is required? Seems a bit redundant.

Drainage Narrative & Stormwater Calculations (Appendix E of the SWPPP) Please
Please note that previous comments, Drainage Narrative # 1, 2, 3, 4 & 6, have
been satisfied.

5. The following points need to be incorporated for the bioretention practice:

a. A flow regulator/flow splitter is needed as per the NYS SWDM to divert the Water Quality Volume (WQV) to the filtering practice and allow larger flows to bypass the practice. As the Bioretention practice is for water quality only, a regulator or flow splitter is required to direct flow to the water quantity control practice. The draft 2022 SWDM does not appear to require a flow splitter if the practice is designed with the proper pretreatment features.

As stated in my last letter, a flow splitter is not required when conveying stormwater via sheet flow to the bioretention area, it is only required when conveying stormwater via closed pipe system. The new design now provides 12" pipe is set at the peak elevation of the WQV, therefore, releasing larger storms from the bioretention area.

b. The bioretention practice requires pretreatment as specified in the Stormwater Design Manual. What is the pretreatment practice proposed ahead of the bioretention area? The applicant has added a pre-treatment stone trench, however, a grass buffer is also required. The stone diaphragm volume calculations should also be provided for review. Please refer to comment no. 8 under "Site Plan".

Please refer to my response to your comment no. 8.

d. Provide the details of the bioretention outlet structure that will be used to release flows below the predevelopment rate through the 12" outlet pipe. As the Bioretention practice is for water quality only, how is the water quantity being handled? Clarification is still required regarding which practice is proposed to be used for treating water quantity.
See above responses and new stormwater management design.

e. Provide ponding depths in addition to elevations for 1, 10 and 100 year storm events on the Bioretention Detail. As the Bioretention practice is for water quality only, how is the water quantity being handled? The response provided by the applicant is acknowledged. However, according to the Stormwater Design Manual, bioretention practices are used for water quality treatment and not quantity (bioretention is listed for water quality treatment under Table 3.3 of the Stormwater Design Manual).
See above responses and new stormwater management design.

7. For the proposed eastern swale and off-site conveyance, the applicant should provide a detailed survey of the swale from the stormwater practice discharge to the Route 20 ditch, develop a profile and sections showing depths of flow at the design storm events and verify the amount of reshaping that is necessary. The applicant will need to obtain a permanent easement of adequate width for the length of the off-site drainage swale through the neighboring properties and extending to the Route 20 ROW so that they can perform the necessary reshaping and future maintenance of the stormwater discharge from the site. Please see the new stormwater management design enclosed. An easement is not necessary due to riparian rights and the new design.
8. Please correct stone trench to stone "berm" on page three of the Drainage Narrative since the stone berm is being removed and replaced with the bioretention practice. Please clarify if it is incorrect.
Revised.
9. The post drainage conditions exhibit mentions that in subcatchment 1C there is a flow of 0.2 CFS and 0.22 CFS for the 10 and 100-year storm events which are directed to design point 2. However, the drainage narrative suggests that all flow generated from a 10 year and 100-year storm event would flow to design point 1. Please clarify.
Please see revised drainage narrative regarding new stormwater management design.
10. The post drainage conditions exhibit lists the 1-year CFS for 1B as 2.33 while the in-text table lists it as 2.53. Please clarify.
See revised table.
11. Please correct "1B- U.D" to "1C- U.D" in the table for design point 2 in the drainage narrative
See revised table.
12. The area mentioned on the post drainage conditions exhibit for subcatchment 1B is 2.9 acres when the area for the same subcatchment for post development conditions in the HydroCAD model is calculated to be 2.75 acres. Please confirm which is correct and accordingly modify.
See revised drainage map - 2.75 acres is the correct acreage, which was modeled in HydroCAD.

13. Please clarify why the runoff generated for pre and post conditions for subcatchment 3A and 3B are the same considering the surface is changing from gravel (CN = 0.91) to pavement (CN = 0.98). Additionally, please provide the HydroCAD model sheets for subcatchment 3A and 3B.

Please see enclosed SWPPP for HydroCAD model sheets. The reason the runoff generated did not change is because the difference in CN values is very small that it does not change the weighted CN value of 0.80 for subcatchment 3B. Subcatchment 3A does not change from pre to post as there is no change in impervious in this subcatchment area.

Architectural Plans- Please note that previous comments, Architectural plans # 1 been satisfied.

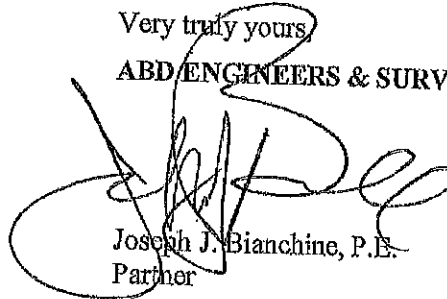
Enclosed are the following;

1. Twelve (12) copies of this Letter dated July 17, 2023.
2. Twelve (12) copies of the updated site plans Rev. 3 dated July 17, 2023.
3. Twelve (12) copies of the revised LEAF.
4. Three (3) copies of the Stormwater Pollution Prevention Plan (revised 7/17/23).
5. One (1) copy of NYSDEC SPDES Permit no 0122891 receipt.
6. One (1) copy of page 2 of Donald Zee, PC letter dated May 14, 2021.

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

Very truly yours,

ABD ENGINEERS & SURVEYORS, LLP



Joseph J. Bianchine, P.E.
Partner

JJB;clv
CC: (via email)
Spiro Kagag w/ encl.
Don Zee w/ encl.
Doug Cole w/ encl.
Theresa Bakner w/ encl.
5461A-07172023

**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: Ultimate Wisby Wash		
Project Location (describe, and attach a general location map): 8858 Western Turnpike, Duanesburg, NY 12058		
Brief Description of Proposed Action (include purpose or need): Construction of a crusher run for staging area of trucks waiting to be washed. Construction of a 985 SF Truck Wash Bay. Installation of a movable Food service van for take out only. Associated grading, drainage for Stormwater Management.		
Name of Applicant/Sponsor: Ultimate Wisby Wash (Spiro Kagas)		Telephone: 518-701-4870
		E-Mail: wisbywashcarandtruckcentre@yahoo.com
Address: 888 Esperance Road		
City/PO: Esperance	State: NY	Zip Code: 12066
Project Contact (if not same as sponsor; give name and title/role): Spiro Kagas / Joseph J. Blanchine, P.E.		Telephone: 518-701-4870 / 518-377-0315
		E-Mail: jos@abdeng.com
Address: 888 Esperance Rd / 411 Union Street		
City/PO: Esperance / Bohensclady	State: NY	Zip Code: 12066 / 12306
Property Owner (if not same as sponsor): SAME		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	Town Planning Site Plan	May 13, 2022
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	Referral	By Town
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Stormwater, SWPPP	To Be Submitted
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 DISTRICT

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?
DUANESBURG VOLUNTEER FIRE DISTRICT AND DUANESBURG VOLUNTEER AMBULANCE CORPS

d. What parks serve the project site?
VAN PATTEN MILL PARK, ROBERT B. SHAFER MEMORIAL PARK, CHRISTMAN SANCTUARY

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)? Commercial

b. a. Total acreage of the site of the proposed action? _____
b. Total acreage to be physically disturbed? 4.75 acres
c. Total acreage (project site and any contiguous properties) owned
or controlled by the applicant or project sponsor? 1.2 acres
4.75 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)? % 55% Units: 1 wash bay

d. Is the proposed action a subdivision, or does it include a subdivision?
If Yes, ☐ Yes ☒ No

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: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

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

	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 1 addition

ii. Dimensions (in feet) of largest proposed structure: 23' 6" height; 30' width; and 33' length

iii. Approximate extent of building space to be heated or cooled: 0 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: Stormwater Management

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

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

iv. Approximate size of the proposed impoundment. Volume: 0.06 million gallons; surface area: 0.13 acres

v. Dimensions of the proposed dam or impounding structure: 2' height; 230' length

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

D.2. Project Operations

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

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?

If Yes, describe:

☐ Yes ☐ No

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?

If Yes:

☐ Yes ☐ No

- 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?

If Yes:

☒ Yes ☐ No

i. Total anticipated water usage/demand per day:

400 gallons/day

ii. Will the proposed action obtain water from an existing public water supply?

If Yes:

☐ Yes ☒ No

- Name of district or service area:

- Does the existing public water supply have capacity to serve the proposal?

- Is the project site in the existing district?

- Is expansion of the district needed?

- Do existing lines serve the project site?

☐ Yes ☐ No

☐ Yes ☐ No

☐ Yes ☐ No

☐ Yes ☐ No

☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project?

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?

If Yes:

☐ Yes ☐ No

- 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: 5+ gallons/minute.

d. Will the proposed action generate liquid wastes?

If Yes:

☒ Yes ☐ No

i. Total anticipated liquid waste generation per day: 200-600 gpd

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):

Wash water

iii. Will the proposed action use any existing public wastewater treatment facilities?

If Yes:

☐ Yes ☒ No

- Name of wastewater treatment plant to be used:

- Name of district:

- Does the existing wastewater treatment plant have capacity to serve the project?

- Is the project site in the existing district?

- Is expansion of the district needed?

☐ Yes ☐ No

☐ Yes ☐ No

☐ Yes ☐ No

- Do existing sewer lines serve the project site?
- 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):
Wash water will be recycled and any waste will be discharged after passing through 3 settling tanks to an unclassified pond

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____
Wash water will be recycled and any wastewater will be discharged after passing through 3 settling tanks to an unclassified pond

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 1.0 acres (impervious surface)
 _____ Square feet or 4.75 acres (parcel size)

ii. Describe types of new point sources. Surface runoff from crusher run to bioretention stormwater management area.

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)?

On site bioretention area stormwater management with flow reduction to pre-development levels to onsite ditch and overflow to adjacent property per pre-development flow conditions.

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

• Will stormwater runoff flow to adjacent properties? after treatment and flow reduction

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 1/4 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: _____
40,000 KW
ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
Local utility grid
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: _____ 8 am - 6 pm
• Saturday: _____ 8 am - 4 pm
• Sunday: _____ N/A
• Holidays: _____ N/A
ii. During Operations:
• Monday - Friday: _____ 24 hours
• Saturday: _____ 24 hours
• Sunday: _____ 24 hours
• Holidays: _____ 24 hours

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:
 Wash bay addition construction noises. 7 am to 7 pm Monday to Saturday for about 3 months.

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: _____

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 off-site 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.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	1.89± AC	1.78± AC	- 0.11± AC
• Forested	1.38± AC	1.38± AC	0 AC
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	N/A	N/A	N/A
• Agricultural (includes active orchards, field, greenhouse etc.)	N/A	N/A	N/A
• Surface water features (lakes, ponds, streams, rivers, etc.)	PONDS 0.79± AC	0.78± AC	0 AC
• Wetlands (freshwater or tidal)	N/A	N/A	N/A
• Non-vegetated (bare rock, earth or fill)	N/A	N/A	N/A
• Other Describe: <u>LAWN & BIORETENTION AREA</u>	0.71± AC	0.82± AC	+ 0.11± AC

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?
 • If yes, cite sources/documentation: _____ ☐ Yes ☐ No
 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 10 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: _____

BURDETT=SCRIBA CHANNERY

100 %

%

%

d. What is the average depth to the water table on the project site? Average: _____ 2 feet

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

☐ Moderately Well Drained: _____ % of site

☒ Poorly Drained 100 % of site

f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: _____ 100 % of site

☐ 10-15%: _____ % of site

☐ 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site?

If Yes, describe: _____

☐ Yes ☒ No

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:

l. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: Typical Suburban _____ _____ _____	
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes:	
i. Species and listing (endangered or threatened): Northern Long-eared Bat _____ _____	
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 (SEPO) 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 6 NYCRR 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. Blanchino, P.E.

Date October 7, 2022

Revised: May 16, 2023

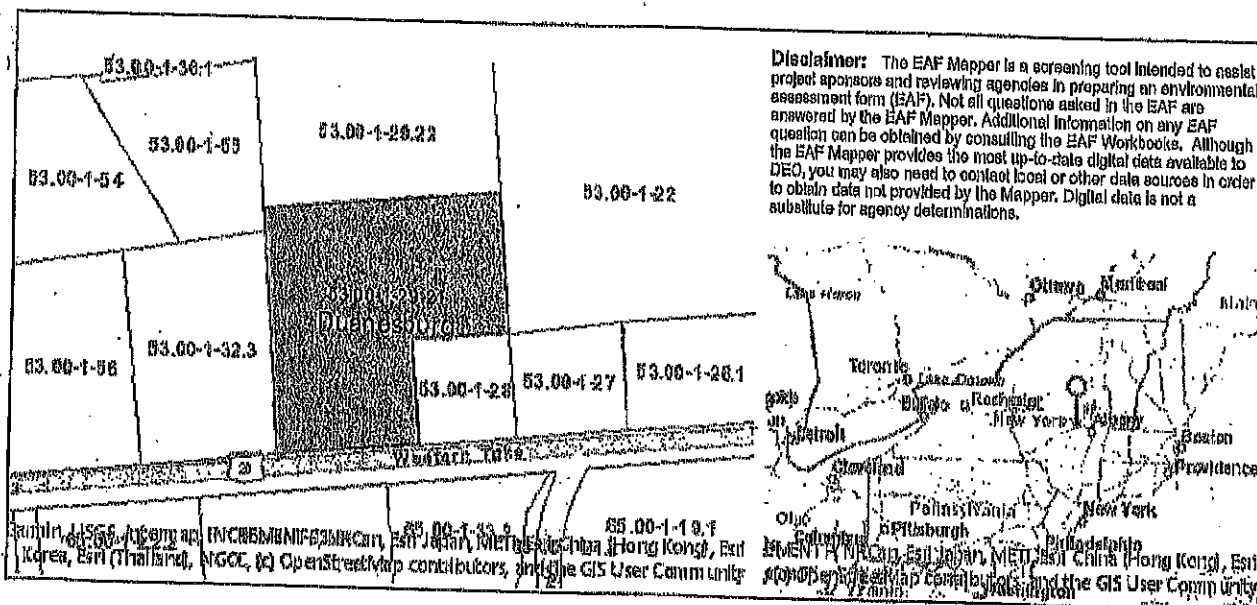
Signature 

Title Partner

PRINT FORM

EAF Mapper Summary Report

Wednesday, August 17, 2022 2:50 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]	Yes Pond
E.2.h.ii [Surface Water Features]	Yes / Not on site, nearby
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 - Wetlands Name]	Federal Waters / Not on site, nearby
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]	No
E.2.n. [Natural Communities]	No

E.2.o. [Endangered or Threatened Species] Yes

E.2.o. [Endangered or Threatened Species - Northern Long-eared Bat Name]

E.2.p. [Rare Plants or Animals] No

E.3.a. [Agricultural District] No

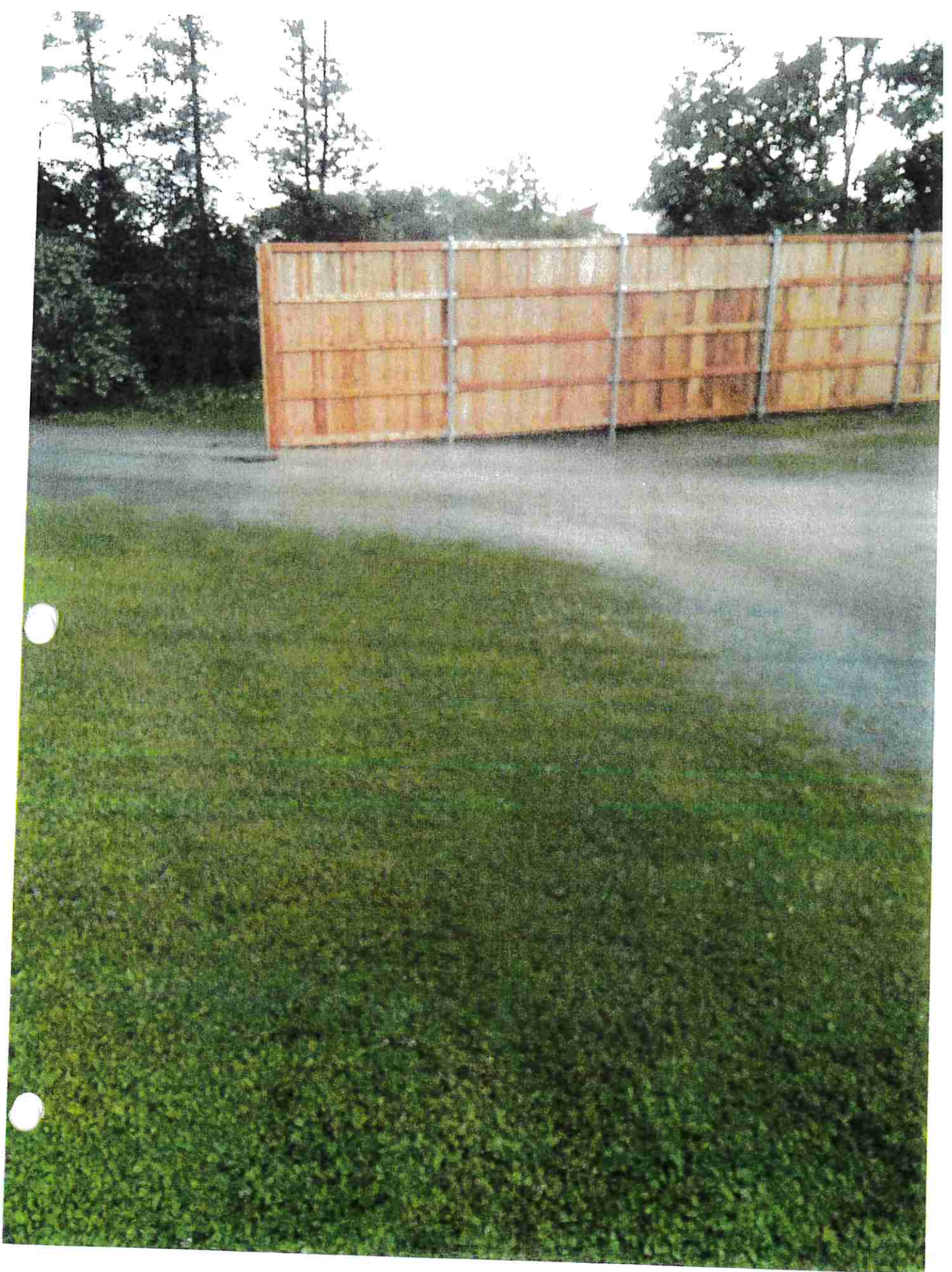
E.3.c. [National Natural Landmark] No

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. [Archaeological Sites] No

E.3.i. [Designated River Corridor] No





NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water, Region 4

1130 North Westcott Road, Schenectady, New York, 12306-2014

Phone: (518) 357-2045

www.dec.ny.gov

7/17/2023

VIA ELECTRONIC MAIL

WishyWashCarAndTruckCentre@yahoo.com

Spiro L. Kagas

Owner, **Ultimate Wishy Wash Car & Truck Centre**

889 Esperance Road

Esperance, NY 12066

Re: Ultimate Wishy Wash Car & Truck Centre

Ultimate Wishy Wash Car & Truck Centre, NY0122891

SPDES Permit Notice of Incomplete Application & Request for Information:

Emerging Contaminant Monitoring and Reporting

Response due: October 1, 2023

Dear Spiro Kagas:

In December 2020, NYSDEC sent a letter informing you that a full SPDES permit application was required to review and renew your SPDES permit because of planned capital improvement projects at your facility. In a letter dated July 7, 2021, NYSDEC acknowledged receipt of your application to renew the above referenced Industrial SPDES – Groundwater Discharge permit. In the July 2021 letter, NYSDEC also informed you that your permit was extended under the State Administrative Procedures Act (SAPA), allowing your current permit to continue in effect beyond the expiration date of 03/31/2022.

NYSDEC received your application on March 16, 2022, and sent a letter, dated April 15, 2022, noting the application was incomplete. Below is a list of comments on the application received along with a list of additional information that is needed in order for the application to be deemed complete. Please remember, in accordance with 6 NYCRR 750-2.10, the final permit must be issued before approval of any design documents can occur and before construction can begin.

For any sampling required, as described below, please submit a sampling plan to NYSDEC for review and approval by August 1, 2023, and before any samples are collected.

Specific comments on the permit application received March 16, 2022:

1. Topographic map (Part 1, Item 7.1) is needed
2. Part 1, Item 9.2: you report that 500 mgd are used from the intake pond. Is this number correct? If not, please submit a corrected application with the correct flow.
3. Part 2, Item 3.1: does the rinse cycle really use 300 mgd? How are solids disposed?



Department of
Environmental
Conservation

4. Part 2, Item 6: clarify response in table – what triggered this project?
5. Part 2, Item 7.3 was left blank
6. Part 2, Items 7.9-7.14 were checked "No" but you must review the lists of pollutants that are "believed absent" or "believed present" and sample for those "believed present." You must also sample for the parameter required in the April 15, 2022, letter (#9 below).
7. Is the reclamation flow diagram representative of the current system or the planned expansion?

Additional items required:

8. The sampling results reported in the application were collected from the pond; however, sampling the pond is not representative of the discharge from the treatment system discharge. Effluent samples must be taken from within the final settling tank, prior to discharge to the pond. The sampling location will be updated in the upcoming permit modification, as well.
9. Sampling must also include all parameters in Tables A – C as requested in the NYSDEC letter dated April 15, 2022.
10. Flow diagram of the current system that includes the discharge pond and describes the treatment processes in place.
11. Flow diagram of the proposed expansion.
12. Any additional information available about the planned expansion, such as increase in flow, preliminary design, etc.

An electronic fillable version of all the NY-2C application form can be found here:
<https://www.dec.ny.gov/permits/6304.html>

Please submit the sampling plan by **August 1, 2023**, and all requested items electronically to SPDESApp@dec.ny.gov by **October 1, 2023**. DEC would like to make sure you're aware that the upcoming permit will also include Perfluorooctanoic acid (PFOA), Perfluorooctane sulfonic acid (PFOS), and 1,4-Dioxane (1,4-D) requirements in accordance with the implementation of Technical and Operational Guidance Series (TOGS) 1.3.13 which recently became effective.

As discussed on Friday, June 23, 2023, during a meeting with you and your engineer at the NYSDEC Region 4 Headquarters in Schenectady, any reuse of the sediment in the pond will need to be reviewed, and if necessary approved, by Division of Materials Management staff.

As was also discussed at a second meeting at NYSDEC Region 4 Headquarters on Thursday, June 29, 2023, with both the Town of Duanesburg and DEC staff, if you chose to update your car wash system to a closed loop system and discontinue discharge, you will need to follow the closure requirements for disposal systems at 6 NYCRR Part 750-2.11,

which would allow you to terminate your SPDES permit and negate the need to submit a SPDES Application or conduct any additional sampling related to the SPDES permit.

If you have any questions regarding this letter, please contact Catherine Winters, at 518-357-2044 or Catherine.Winters@dec.ny.gov.

Sincerely,



John Weidman, P.E.
Regional Water Engineer, Region 4

ec: Joseph Bianchine, ABD Engineers (Joe@abdeng.com, john@abdeng.com)
NYSDEC, Permit Writer (Catherine.Winters@dec.ny.gov)
NYSDEC Region 4, Regional Permit Administrator (Kate.Kornak@dec.ny.gov)
NYSDEC Division of Environmental Permits (Michael.Schaefer@dec.ny.gov)

PART 750. STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM (SPDES)
PERMITS

SUBPART 750-2. OPERATING IN ACCORDANCE WITH A SPDES PERMIT AND POSS
REGISTRATION

6 NYCRR 750-2.11 Closure requirements for disposal systems.

(a) This section applies to any and all disposal systems permanently removed from use or operation at SPDES permitted facilities or at facilities for which a SPDES permit has been revoked or an application for renewal denied, unless a judicial or administrative stay is in effect. The intent of this section is to protect public safety and health and to assure that no contamination of ground or surface water will occur as a result of removing such systems from service either through the act of closure or through continuing the discharge of pollutants into or through equipment; or through leaking, leaching, or discharge of pollutants from wastewater or residuals remaining in disposal systems which has been removed from use but remains on site.

(b) The *closure of a disposal system* means either the termination of the source of wastewater or storm water, or the permitted conveyance of wastewater or storm water to an alternate location (such as a regional facility) in such a manner that no further treatment storage or conveyance of wastewater or storm water is performed by the system.

(c) Disposal system closures shall conform with the following procedures:

(1) On or before 60 calendar days prior to taking the system out of service a permittee shall:

(i) submit to the regional water engineer the following information concerning closure activities:

(a) the date the system will cease operation;

(b) the date the influent and effluent pipes will be sealed;

(c) plans (signed and sealed by a New York State licensed professional engineer) for final disposition of the physical facilities, including all treatment units, outfall line, and all mechanical and electrical equipment and piping;

(d) plans (signed and sealed by a New York State licensed professional engineer) for elimination of all equipment and/or conditions that could possibly pose a safety hazard, either during or after shut-down of operations;

(e) verification that there are no lines in the collection system which are cross connected (receiving both sanitary and storm water) or which do not contain adequate conveyance capacity;

(f) the name of the licensed individual responsible for the maintenance and operation of the wastewater pumping station and/or disposal system systems that are still to be maintained; and

(ii) notify the regional water engineer, in writing, concerning any deactivated lagoons or other actual or potential discharges to ground water which may exist at the site.

(2) Proper management and/or removal of all residual materials (collected grit and screenings, scums, sand bed material, and dried or liquid sludges), as well as filter media, and all other solids from the treatment process that may remain in the abandoned treatment works is required.

(i) The permittee shall submit to the regional water engineer proof of ownership of or contractual arrangement with an operation or operations permitted to manage all such waste materials. A contract with a hauler will only be accepted as proof of proper waste management if documentation of management at an approved site or sites is included. In addition, all necessary State or Federal permits/approvals must accompany the submission.

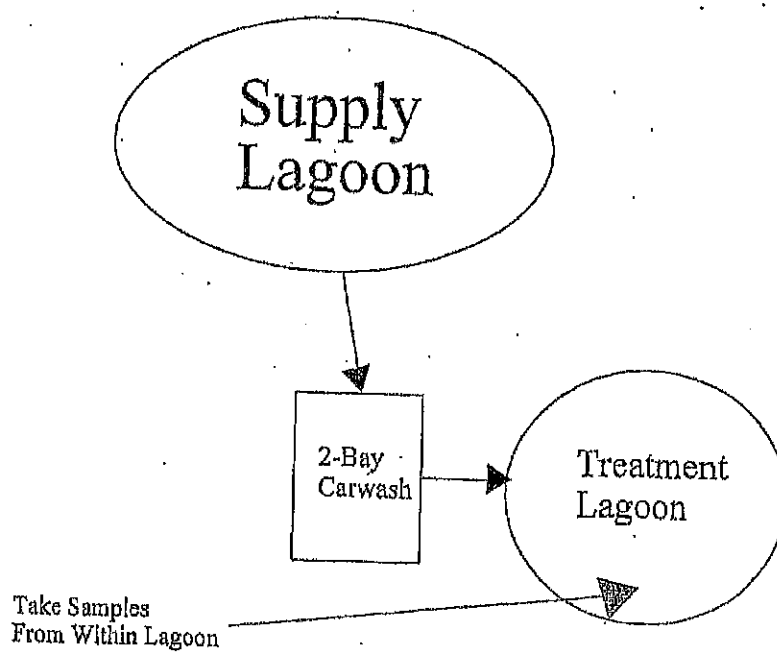
(ii) All residual material shall be removed within 180 calendar days after the system is taken out of service. Proof of proper residuals management shall be submitted to the regional water engineer within 30 calendar days after their removal. The dates of removal and quantities removed shall be specified.

(d) Upon satisfaction of closure requirements specified in subdivision (c) of this section, the regional water engineer shall be contacted, in writing, to schedule a final site inspection of any disposal system which had a SPDES discharge permit to verify that influent and effluent pipes have been sealed and that all solid and residual materials related to the treatment process have been removed.

MONITORING LOCATIONS

The permittee shall take samples and measurements, to comply with the monitoring requirements specified in this permit, at the location(s) specified below:

Flow Schematic



PARTNERS
JOSEPH J. BIANCHINI, P.E.
LUIGI A. PALLESCHI, P.E.
ROBERT D. DAVIS, JR., P.L.S.

ABD ENGINEERS & SURVEYORS
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 ORIGINAL

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May 16, 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,

As you know ABD Engineers & Surveyors did not request this public hearing, it was scheduled by the Planning Board without representation by the client. At the time we were in the process of obtaining further clarification from NYSDOT and NYSDEC regarding the project. Now, in an effort to satisfy the Planning Board's concern over stormwater discharge to the existing drainage swale at located at the southeast corner of the applicants parcel we are proposing an alternative that will send all runoff from the parking area to the existing pond adjacent to the Wishy Wash facility. Runoff from the hill to the north of the site will continue to be diverted from the parking lot via the existing swale and discharge to the Blaise parcel and eventually to the stream that runs under NYS Route 20, as it always has. However, all runoff from the crushed stone parking lot will be treated within the proposed bioretention and overflow from the 10 & 100-year storm events will be conveyed to the existing modified pond. The applicant is proposing to lower the pond by approximately 4-feet. This will allow for more than adequate storage for the 100-year storm event. An outlet control structure will be installed in the pond using a 2" pvc outlet that will release runoff from the 100-year storm event at a very slow rate of 0.12 cfs down the west end of the Wishy Wash access road. We feel this option should alleviate the Town's concern regarding drainage to the east. Please see below for our response to Prime AE comments.

In response to the new comments (*in italics*), (previous comments unaltered font) of Doug Cole of Prime AE of April 12, 2023, we respond as follows (**in bold**):

FEAF - Please note that previous comments, FEAF # 1, 2, 3 & 4, have been satisfied.

5. *The Applicant has provided an answer to question D.2.d.v. that was previously left blank, however, we ask them to clarify whether the treatment process currently in place for the wash water has capacity for the extra 400 gpd proposed for this expansion. The Applicant provided a response in their letter that states that the system "has the capacity to treat up to 3,000 gallons per day, which is more than the expected total water usage of 400-gpd for the car/truck wash. The additional flow was previously stated to be 400 gpd, so the applicant should state the new total expected water use for comparison with the system capacity of 3,000 gpd. A copy of the SPDES permit for this discharge should also be provided. A revised FEAF with this information should be provided for review and confirmation the response has been added.*

Max 50% increase, or 200gpd to 600gpd per SPDES permit ID no. 0122891, see attached permit receipt.

6. *The Applicant has provided an answer to question D.2.d.vi. that was previously left blank, however, we ask them to clarify whether the treatment process currently in place for the wash water has capacity for the extra 400 gpd proposed for this expansion. See comment 5 above.*

This is a DEC issue and if needed a 4th tank will be added.

9. *Question D.2.j. is answered that the proposed action will NOT result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services. However, since the project is adding a wash bay, truck queuing area and food vender truck, it appears that there would be an increase in use of the facility, which should be quantified for the record. The applicant should provide data on existing use of the facility, so that the stated increase of "about 20-30 vehicles per day" can be verified as a "minimal" increase as indicated.*

See attached page two of Donald Zee, PC's letter to the Planning Board from May 14, 2021.

Site Plan- Please note that previous comments, Site Plan # 1, 2, 3, 5, 6 & 7, have been satisfied.

2. The proposed bioretention practice shows a 6" underdrain pipe to daylight discharging to the south of the facility onto lands of the applicant and a 12" HDPE outlet pipe and emergency spillway from the facility are shown exiting to the east onto lands of Thomas into an existing drainage swale which then flows through lands of Chilton prior to joining a stream that flows under NYS Route 20 near Gage Road. We have learned that a similar gravel parking area project was reviewed and approved by the Planning Board last year with a different stormwater design that kept all stormwater discharges on site, however, the design was not constructed as approved and the Town Permit was rescinded. In the December 15, 2021 letter to Dale Warner from Brett Steenburgh, P.E. regarding neighbor property flooding due to prior work performed on the gravel parking area, we located a statement attributed to Jamie Malcolm, NYSDEC Region 4 which said he "suggested that they maintain the existing drainage pattern and drain the pad to the southeast corner and not try to create the swale towards the car wash driveway and down US Route 20 ... as it may cause problems within the highway drainage system and inundate the existing culverts under the driveways of Wren and Chilton." We have not verified this statement with Mr. Malcolm, however, it is in keeping with NYSDEC requirements that the project design must ensure that there is no increase in runoff from a new development project and that there are no adverse effects downstream of the project. We understand that a bioretention practice has been designed to mitigate the offsite impacts of this project, however, since there are own issues with the current drainage pattern, we ask that the applicant provide additional information why the original plan to keep discharges on site are not practical if proper stormwater management practices are put into place to mitigate effects on the Route 20 drainage system and neighboring driveway culverts. Please also refer to our further comments on the stormwater design in the Drainage Narrative section of this letter. We have read the response to this comment in the 10/7/22 response letter from ABD, which did not answer the question above. Additionally, there are still concerns as noted below:

See revised stormwater plan. We are proposing to lower the existing pond by about 4-feet. By doing so, more than adequate storage will be provided for the 100-yr storm event. An outlet control structure is proposed with a 2-inch PVC discharge to slowly release the 100-year storm at slow flow rate of 0.12 cfs.

2b. Review of the Stormwater Design Manual (SWDM) shows that Bioretention is an acceptable practice for water quality treatment but is not to be used for water quantity control. An appropriate quantity control practice needs to be included for this project. Please refer to comment 5.e under SWPPP section.

The existing pond will be used for quantity control. Please see the new stormwater management design.

2c. The anticipated water quantity control practice could be situated at the southwest corner of the gravel parking area. The stormwater design point would be changed to the culvert under Route 20 and the applicant/owner would have full control over the stormwater management system up to the point it empties into the ditch at Western Turnpike. The applicant responded that the "quantity control will be handled via a dry detention basin", however, we see no such structure on the site plan.

See response to comment 2b above.

4. The Site Plan shows that the proposed additional bay is encroaching more than 20 feet into the 40-foot side lot setback; however, the Applicant has indicated they have a setback variance. Please provide a copy of the approved variance. We acknowledge that the Applicant has made the request for a copy of the approved variance from the Town, however, we have not been provided this document for review to date. To date we have not received a copy of the variance.

8. The plans appear to be missing the required grass filter strip between the stone diaphragm and Bioretention practice for pretreatment of direct runoff from the parking lot. The Stormwater Design Manual section referenced for Design Guidance of filtering systems in the applicants response states that "Adequate pretreatment for bioretention systems should incorporate all of the following: (2) grass filter strip below a level spreader or grass channel. (b) gravel diaphragm and (c) a mulch layer." ('Adequate' and 'all' are underlined for emphasis). The grass filter strip will catch fines and keep the stone diaphragm from clogging and becoming ineffective. Not required. "Should" is defined in the manual as meaning a recommendation. Also, the detail from the manual you provided in your letter shows the stone diaphragm upstream from the grass filter strip, therefore, having no benefit on the stone diaphragm.

9. The Drainage Narrative in Appendix E of the SWPPP, page 3, states that "Two new trenches are proposed along the edge of pavement that will collect stormwater from the asphalt surface. There is a negligible difference in runoff volume generated from the existing impervious crusher run stone and proposed impervious asphalt." The plans show a 12" pipe outlet from the stone trench without any treatment practices associated with this concentrated flow. The plans and SWPPP should be revised to include the proper stormwater treatment for a redevelopment project in this area of the site. We disagree with the applicant that this is not a case of redevelopment. As stated in the SDM in Chapter 9, redevelopment includes reconstruction of existing impervious surfaces. Please review section 9.2.1 of the SDM and accordingly size or describe the WQv practices to meet the requirements. This is not a case of redevelopment. The applicant is only proposing to pave the existing gravel, not reconstruct or add new impervious to the area.

10. Please label the proposed stone swale along the eastern edge of the parking lot on the site plan.

The existing stone swale is labeled on the enclosed plans. There is no proposed stone swale on the plans.

11. Please indicate the swale which the 6" underdrain feeds into on the site plan. The swale is defined by the existing contours shown.

SWPPP- Please note that previous comments, SWPPP # 1, & 3 through 10, have been satisfied.

2. The "Project Description" section should include a mention of which type of construction project is being proposed (i.e., which table does the project fall under in Appendix B of the NYSDEC SPDES General Permit). Applicant needs to mention "this project requires the preparation of a SWPPP which includes post-construction stormwater management practices". We agree that commercial projects fall under Table 2 of Appendix B and thereby requires both Sediment and Erosion Control practices as well as Post-Construction Stormwater practices. The applicant still needs to include the following in the Project Description: "this project requires the preparation of a SWPPP which includes postconstruction stormwater management practices"

This is now noted in the SWPPP, but doesn't providing a SWPPP with postconstruction stormwater management practices listed in the provided SWPPP make it clear that a SWPPP is required? Seems a bit redundant.

Drainage Narrative & Stormwater Calculations (Appendix E of the SWPPP) Please
Please note that previous comments, Drainage Narrative # 1, 2, 3, 4 & 6, have been satisfied.

5. The following points need to be incorporated for the bioretention practice:

a. A flow regulator/flow splitter is needed as per the NYS SWDM to divert the Water Quality Volume (WQv) to the filtering practice and allow larger flows to bypass the practice. As the Bioretention practice is for water quality only, a regulator or flow splitter is required to direct flow to the water quantity control practice. The draft 2022 SWDM does not appear to require a flow splitter if the practice is designed with the proper pretreatment features.

As stated in my last letter, a flow splitter is not required when conveying stormwater via sheet flow to the bioretention area, it is only required when conveying stormwater via closed pipe system. The new design now provides 12" pipe is set at the peak elevation of the WQv, therefore, releasing larger storms from the bioretention area.

b. The bioretention practice requires pretreatment as specified in the Stormwater Design Manual. What is the pretreatment practice proposed ahead of the bioretention area? The applicant has added a pre-treatment stone trench, however, a grass buffer is also required. The stone diaphragm volume calculations should also be provided for review. Please refer to comment no. 8 under "Site Plan".

Please refer to my response to your comment no. 8.

d. Provide the details of the bioretention outlet structure that will be used to release flows below the predevelopment rate through the 12" outlet pipe. As the Bioretention practice is for water quality only, how is the water quantity being handled? Clarification is still required regarding which practice is proposed to be used for treating water quantity.

See above responses and new stormwater management design.

e. Provide ponding depths in addition to elevations for 1, 10 and 100 year storm events on the Bioretention Detail. As the Bioretention practice is for water quality only, how is the water quantity being handled? The response provided by the applicant is acknowledged. However, according to the Stormwater Design Manual, bioretention practices are used for water quality treatment and not quantity (bioretention is listed for water quality treatment under Table 3.3 of the Stormwater Design Manual).

See above responses and new stormwater management design.

7. For the proposed eastern swale and off-site conveyance, the applicant should provide a detailed survey of the swale from the stormwater practice discharge to the Route 20 ditch, develop a profile and sections showing depths of flow at the design storm events and verify the amount of reshaping that is necessary. The applicant will need to obtain a permanent easement of adequate width for the length of the off-site drainage swale through the neighboring properties and extending to the Route 20 ROW so that they can perform the necessary reshaping and future maintenance of the stormwater discharge from the site.

Please see the new stormwater management design enclosed. An easement is not necessary due to riparian rights and the new design.

8. Please correct stone trench to stone "berm" on page three of the Drainage Narrative since the stone berm is being removed and replaced with the bioretention practice. Please clarify if it is incorrect.

Revised.

9. The post drainage conditions exhibit mentions that in subcatchment 1C there is a flow of 0.2 CFS and 0.22 CFS for the 10 and 100-year storm events which are directed to design point 2. However, the drainage narrative suggests that all flow generated from a 10 year and 100-year storm event would flow to design point 1. Please clarify.

Please see revised drainage narrative regarding new stormwater management design.

10. The post drainage conditions exhibit lists the 1-year CFS for 1B as 2.33 while the in-text table lists it as 2.53. Please clarify.

See revised table.

11. Please correct "1B- U.D" to "1C- U.D" in the table for design point 2 in the drainage narrative

See revised table.

12. The area mentioned on the post drainage conditions exhibit for subcatchment 1B is 2.9 acres when the area for the same subcatchment for post development conditions in the HydroCAD model is calculated to be 2.75 acres. Please confirm which is correct and accordingly modify.

See revised drainage map – 2.75 acres is the correct acreage, which was modeled in HydroCAD.

13. Please clarify why the runoff generated for pre and post conditions for subcatchment 3A and 3B are the same considering the surface is changing from gravel (CN = 0.91) to pavement (CN = 0.98). Additionally, please provide the HydroCAD model sheets for subcatchment 3A and 3B.

Please see enclosed SWPPP for HydroCAD model sheets. The reason the runoff generated did not change is because the difference in CN values are very small that it does not change the weighted CN value of 0.80 for subcatchment 3B. Subcatchment 3A does not change from pre to post as there is no change in impervious in this subcatchment area.

Architectural Plans- Please note that previous comments, Architectural plans # 1 been satisfied.

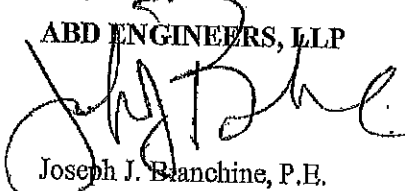
Enclosed are the following;

1. Twelve (12) copies of this Letter dated May 16, 2023.
2. Twelve (12) copies of the updated site plans Rev. 3 dated May 16, 2023.
3. Twelve (12) copies of the revised LEAF.
4. Three (3) copies of the Stormwater Pollution Prevention Plan (revised 5/15/23).
5. One (1) copy of NYSDEC SPDES Permit no 0122891 receipt.
6. One (1) copy of page 2 of Donald Zee, PC letter dated May 14, 2021.

Should you require anything else or have any questions, please do not hesitate to contact me. We would greatly appreciate being scheduled to present this to the Planning Board at the May 18th Public Hearing. Please advise me as to the required fee.

Very truly yours,

ABD ENGINEERS, LLP


Joseph J. Blanchine, P.E.
Partner

JJB;clv
CC: (via email)
Spiro Kagag w/ encl.
Don Zee w/ encl.
Doug Cole w/ encl.
Theresa Bakner w/ encl.
5461A-05162023



Albany Office
100 Great Oaks Boulevard | Suite 114 | Albany, New York 12203
P: 518.382.1774

April 12, 2023

Jeffrey Schmitt, Planning Board Chairman
Town of Duanesburg
5853 Western Turnpike
Duanesburg, NY 12056

Re: **Ultimate Wisby Wash (Spiro Kagas)**
Site Plan Application - Car Wash Addition
Our Project No. GNY02WD-22492

Dear Mr. Schmitt :

We are in receipt of the comment response letter dated 1/18/2023, Steenburgh Construction Inspection Letter dated 12/15/2021, Amended Site Plan dated 1/14/2023, revised Site Plan dated 1/18/2023, revised Stormwater Pollution Prevention Plan (SWPPP) dated 1/18/2023, Pre Drainage Conditions Exhibit dated 1/12/2023, and New York State Stormwater Management Design Manual Section 6.4.2. This project, located at 9938 Western Turnpike in the Town of Duanesburg (53.00-1-29.21) on 4.75+/- acres, proposes the construction of a crusher run staging area for trucks waiting to be washed, construction of a 985 SF truck wash bay, installation of a movable food service van for take-out only, and associated grading and drainage for stormwater management. Based on a review of the documents we provide the following comments:

FEAF

1. ~~In the Brief Description of the Proposed Action, the word 'temporary' is used to describe the crusher run staging area where trucks will wait to be washed. The word temporary should be removed, as the crusher run staging area is meant to be permanent and the remainder of the sentence adequately describes the procedure. The Applicant has removed the word 'temporary' from the project description and clarified the word was meant in reference to the temporary waiting of the trucks and not the crusher run. No further comments.~~
2. ~~The Applicant has left question D.1. unanswered. We ask the Applicant to provide the general nature of the proposed action. The Applicant has provided the general nature of the proposed action, satisfying our comment.~~
3. ~~The Applicant has indicated in question D.1.c. that the proposed action is an expansion of an existing project or use but has only provided the percentage of expansion. We ask that the Applicant provide the units in the blank as '1 wash bay' instead of 'N/A' to their answer to question D.1.c.i. The Applicant has provided the number of units for the proposed expansion as one wash bay. No further comments.~~
4. ~~The FEAF indicates that 400 additional gallons of water supply is needed for this project. The applicant should answer question D.2.e.vi. with the maximum pumping capacity of the private well. The applicant has addressed the comment by stating that the wells produce 5 +/- gpm. No further comments.~~
5. The Applicant has provided an answer to question D.2.d.v. that was previously left blank, however, we ask them to clarify whether the treatment process currently in place for the washwater has capacity for the extra 400 gpd proposed for this expansion. **The Applicant provided a response in their letter that states that the system "has the capacity to treat up to 3,000 gallons per day, which is more than the expected total water usage of 400-gpd for the car/truck wash. The additional flow**



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was previously stated to be 400 gpd, so the applicant should state the new total expected water use for comparison with the system capacity of 3,000 gpd. A copy of the SPDES permit for this discharge should also be provided. A revised FEAR with this information should be provided for review and confirmation the response has been added.

6. The Applicant has provided an answer to question D.2.d.vi. that was previously left blank, however, we ask them to clarify whether the treatment process currently in place for the wastewater has capacity for the extra 400 gpd proposed for this expansion. *See comment 5 above.*
7. ~~The Applicant has left question D.2.e.ii. unanswered. We ask the Applicant to describe the types of new point sources or stormwater runoff. Question D.2.e.iii. states that there will be on-site bioretention and that stormwater runoff will flow onto adjacent properties after treatment and flow reduction. The applicant has addressed the comment. No further comments.~~
8. ~~In question D.2.m., it asks if the action would produce noise that would exceed the existing ambient noise levels during construction, operation, or both. We ask the Applicant to review their answer, as the action of constructing a new wash bay would produce noise during construction that is over the current ambient levels, and answer the subsequent questions D.2.m.i. and D.2.m.ii. The Applicant has revised their answer to reflect that there will be construction noise above the current ambient levels from 7am-7pm Monday to Saturday for approximately three months. No further comments.~~
9. Question D.2.j. is answered that the proposed action will NOT result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services. However, since the project is adding a wash bay, truck queuing area and food vendor truck, it appears that there would be an increase in use of the facility, which should be quantified for the record. *The applicant should provide data on existing use of the facility, so that the stated increase of "about 20-30 vehicles per day" can be verified as a "minimal" increase as indicated.*

Site Plan

1. ~~The Site Plan drawing set does not include an Erosion and Sediment Control Plan showing the required elements in the SWPPP. We acknowledge that that Applicant has provided the Erosion and Sediment Control Plan within the Site Plan. The applicant has provided Erosion and Sediment Control Plan on Sheet 2 of 3 in the Plan Set. No further comments.~~
2. The proposed bioretention practice shows a 6" underdrain pipe to daylight discharging to the south of the facility onto lands of the applicant and a 12" HDPE outlet pipe and emergency spillway from the facility are shown exiting to the east onto lands of Thomas into an existing drainage swale which then flows through lands of Chilton prior to joining a stream that flows under NYS Route 20 near Gage Road. We have learned that a similar gravel parking area project was reviewed and approved by the Planning Board last year with a different stormwater design that kept all stormwater discharges on site, however, the design was not constructed as approved and the Town Permit was rescinded. In the December 15, 2021 letter to Dale Warner from Brett Steenburgh, P.E. regarding neighbor property flooding due to prior work performed on the gravel parking area, we located a statement attributed to Jamie Malcolm, NYSDEC Region 4 which said he "suggested that they maintain the existing drainage pattern and drain the pad to the southeast corner and not try to create the swale towards the car wash driveway and down US Route 20 ... as it may cause problems within the highway drainage system and inundate the existing culverts under the driveways of Wren and Chilton." We have not verified this statement with Mr. Malcolm, however, it is in keeping with NYSDEC requirements that the project design must ensure that there is no increase in runoff from a new development project and that there are no adverse effects downstream of the project. We understand that a bioretention practice has



been designed to mitigate the offsite impacts of this project, however, since there are known issues with the current drainage pattern, we ask that the applicant provide additional information why the original plan to keep discharges on site are not practical if proper stormwater management practices are put into place to mitigate effects on the Route 20 drainage system and neighboring driveway culverts. Please also refer to our further comments on the stormwater design in the Drainage Narrative section of this letter. *We have read the response to this comment in the 10/7/22 response letter from ABD, which did not answer the question above. Additionally, there are still concerns as noted below:*

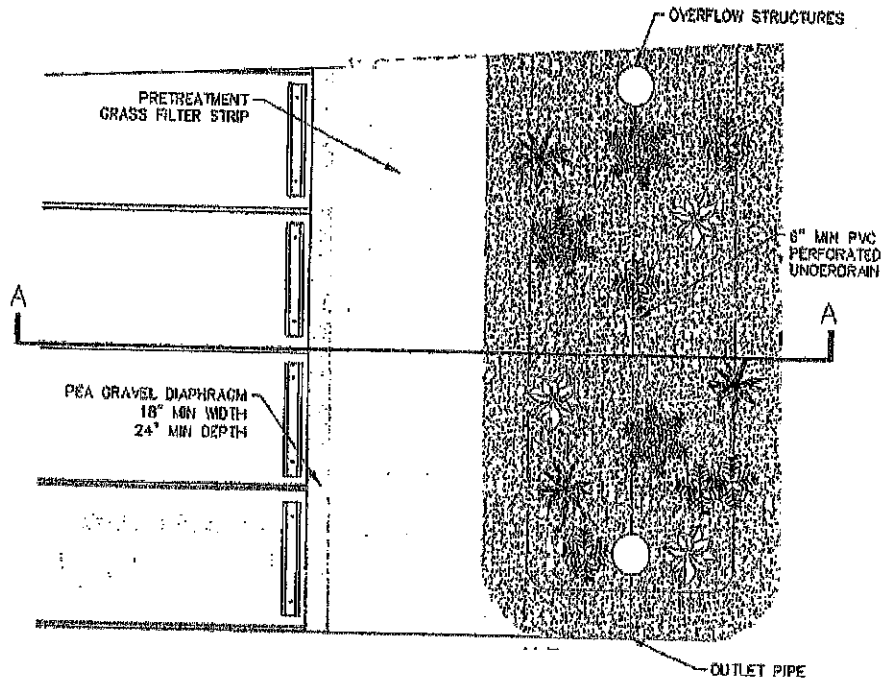
- a. There needs to be test pit data that shows the proposed bottom of the Bioretention practice will be at least 2 feet above the high groundwater table. There is a note on the detail for the practice about using a poly-liner if the separation cannot be met, but this should be known at this point in the process. *The applicant has stated that groundwater is expected 18" below the surface and that is why a poly-liner has been selected. We accept this response.*
 - b. Review of the Stormwater Design Manual (SWDM) shows that Bioretention is an acceptable practice for water quality treatment but is not to be used for water quantity control. An appropriate quantity control practice needs to be included for this project. *Please refer to comment 5.e under SWPPP section.*
 - c. The anticipated water quantity control practice could be situated at the southwest corner of the gravel parking area. The stormwater design point would be changed to the culvert under Route 20 and the applicant/owner would have full control over the stormwater management system up to the point it empties into the ditch at Western Turnpike. *The applicant responded that the "quantity control will be handled via a dry detention basin", however, we see no such structure on the site plan.*
3. *We ask the Applicant to verify if the white pines shown on the Site Plan Sheet 1/3 are already present on the site (as seen on recent aerial imagery of the site) as screening to the lands adjacent to the proposed project, owned by Patrick Wren and note as existing on the plan. The Applicant has indicated that 2, possibly 3 of the 14 Norway Spruce planted on the project site have died. The plans now include a note to remove dead trees and plant new ones. No further comments.*
 4. *The Site Plan shows that the proposed additional bay is encroaching more than 20 feet into the 40-foot side lot setback, however, the Applicant has indicated they have a setback variance. Please provide a copy of the approved variance. We acknowledge that the Applicant has made the request for a copy of the approved variance from the Town, however, we have not been provided this document for review to date.*
 5. *The Site Plan does not provide the total floor area of the proposed new truck bay area required in the Town Zoning Ordinance. We ask that this be added to the plan as well as the floor area of the existing facility. The Applicant has identified the total square footage of the proposed new truck bay as 985' SF on the Site Plan. No further comments.*
 6. *On the Site Details Sheet 3/3, the cross section shows a proposed 4-foot solid fence on 2-foot concrete blocks, screened by white pines. This appears to meet the Town Zoning Ordinance maximum fence height of 6 feet. We ask the Applicant to provide the design and materials for the solid fence to confirm that it is compatible with the general surroundings. The Applicant has provided details on the proposed fence. We find that the proposed fence meets the Town Zoning Ordinance maximum fence height of 6 feet and the stockade style fencing is compatible with the general surroundings.*
 7. *We ask the Applicant to verify that no new signage is proposed as part of the action. If additional signage is proposed, we ask that the location, size, design and construction materials of all proposed*



- signs be provided. The Applicant has verified that no new signage is proposed. If any new signage is proposed on this project, the details must be submitted for review prior to final Application approval.
8. The plans appear to be missing the required grass filter strip between the stone diaphragm and Bioretention practice for pretreatment of direct runoff from the parking lot. *The Stormwater Design Manual section referenced for Design Guidance of filtering systems in the applicants response states that "Adequate pretreatment for bioretention systems should incorporate all of the following: (2) grass filter strip below a level spreader or grass channel. (b) gravel diaphragm and (c) a mulch layer."* (*'Adequate' and 'all' are underlined for emphasis*). The grass filter strip will catch fines and keep the stone diaphragm from clogging and becoming ineffective.

Filtration Bioretention (F-5)

Filtration bioretention areas are shallow stormwater control that utilize vegetation and engineered filter media to capture and treat stormwater runoff, then return it to the conveyance system through a perforated underdrain system.



9. The Drainage Narrative in Appendix E of the SWPPP, page 3, states that "Two new trenches are proposed along the edge of pavement that will collect stormwater from the asphalt surface. There is a negligible difference in runoff volume generated from the existing impervious crusher run stone and proposed impervious asphalt." The plans show a 12" pipe outlet from the stone trench without any treatment practices associated with this concentrated flow. The plans and SWPPP should be revised to include the proper stormwater treatment for a redevelopment project in this area of the site. *We disagree with the applicant that this is not a case of redevelopment. As stated in the SDM in Chapter 9, redevelopment includes reconstruction of existing impervious surfaces. Please review section 9.2.1 of the SDM and accordingly size or describe the WQ practices to meet the requirements.*



10. Please label the proposed stone swale along the eastern edge of the parking lot on the site plan.
11. Please indicate the swale which the 6" underdrain feeds into on the site plan.

SWPPP

1. ~~The total area being disturbed needs to be clearly stated under "Project Description". The end of the section mentions the prior disturbance but should include the proposed new disturbance for a complete project total. The applicant has addressed the comment.~~
2. The "Project Description" section should include a mention of which type of construction project is being proposed (i.e., which table does the project fall under in Appendix B of the NYSDEC SPDES General Permit). *Applicant needs to mention "this project requires the preparation of a SWPPP which includes post-construction stormwater management practices". We agree that commercial projects fall under Table 2 of Appendix B and thereby requires both Sediment and Erosion Control practices as well as Post-Construction Stormwater practices. The applicant still needs to include the following in the Project Description: "this project requires the preparation of a SWPPP which includes post-construction stormwater management practices"*
3. Please clarify whether the existing stormwater underdrains below the 8" crusher run will be abandoned/demolished. The applicant has advised that the pipe will be 'destroyed' by the new construction. The Drainage Narrative mentions that the existing three (3) drain tiles under the parking lot "were terminated in order to prevent future runoff to the Wren property." The location of this termination should be shown on the plans and the end of the pipes confirmed to be sealed in the field. *The applicant has addressed the comment. No further comment.*
4. The surface area of the adjacent parking lot which will be overlaid with asphalt needs to be stated in the "Project Description" section. ~~The applicant needs to mention the surface area of the parking lot which will be overlaid with asphalt. (15,776 SQ. FT. has not been incorporated)~~ *The applicant has addressed the comment. No further comments*
5. Section 2.2 does not provide any description for "rock outlet protection" which is listed as a proposed permanent structural practice in the NOI. *The applicant has addressed the comment. No further comments.*
6. Please provide more details regarding how often sanitary waste shall be cleaned. *The applicant has addressed the comment stating that the recycling tanks are pumped out every 2 to 4 months, as needed. No further comments.*
7. Please specify the waterbody which would receive any potential pollutant discharges under section 6.0. We acknowledge your response in the letter. However, the information was not included in the SWPPP under Section 6.0. *The applicant has addressed the comment. No further comments.*
8. Under section 7.0, the maintenance guidelines specify that sediment needs to be cleaned from the basin when it accumulates to more than 1 inch. How will this be measured? *The applicant has addressed the comment by stating that it will be a visual inspection to determine sediment depth. No further comments*
9. Please add the following under Stormwater Management Maintenance requirements: *The applicant has addressed all subpoint. No further comments*
 - a. ~~Vegetation within the basin shall be limited to 18 inches~~
 - b. ~~Basin outlet devices shall be cleaned/repared when drawdown times exceed 36 hours~~



- ~~6. Areas devoid of mulch shall be re-mulched on an annual basis.~~
10. The MS4 SWPPP Acceptance Form contained in Appendix B can be removed, as the Town of Duaneburg is not a MS4 community. Question number 43 of the NOI will need to be revised as well. *The applicant needs to revise the response to Q.43 of NOI to reflect that the project is not subject to MS4 requirements. The response was revised by the applicant. No further comment.*

Drainage Narrative & Stormwater Calculations (Appendix E of the SWPPP)

1. ~~Please include a list of WQv improvement practices (wet swale, grass lined swale, bioretention, etc.) which are proposed to be used along with the practice number/identification from NYS Stormwater Design Manual. The applicant has addressed the comment by stating Bioretention (F-5) for WQv treatment. No further comments.~~
2. ~~The Time of Concentration (Tc) flow path is not shown on the Post-Development Drainage Plan and needs to be added. Please check if the Tc for Post Area 1A will be faster than the pre-development flow from this area, as the flow will be concentrated along the northerly berm and conveyed easterly to the swale and ultimately Design Point #1. The applicant has addressed the comment. No further comments.~~
3. ~~Please clarify where stormwater flows from the bioretention practice once it surfaces from the underdrain outlet. Are erosion control practices needed? The applicant has addressed the comments and included the respective details for outlet protection of the existing ditch. No further comments.~~
4. ~~The Construction Inspection Checklist from Appendix F of the NYS Stormwater Design Manual (SWDM) needs to be included and referenced as an Appendix. The applicant has addressed the comment. No further comments~~
5. The following points need to be incorporated for the bioretention practice:
 - a. ~~A flow regulator/flow splitter is needed as per the NYS SWDM to divert the Water Quality Volume (WQv) to the filtering practice and allow larger flows to bypass the practice. As the Bioretention practice is for water quality only, a regulator or flow splitter is required to direct flow to the water quantity control practice. The draft 2022 SWDM does not appear to require a flow splitter if the practice is designed with the proper pretreatment features.~~
 - b. The bioretention practice requires pretreatment as specified in the Stormwater Design Manual. What is the pretreatment practice proposed ahead of the bioretention area? *The applicant has added a pre-treatment stone trench, however, a grass buffer is also required. The stone diaphragm volume calculations should also be provided for review. Please refer to comment no. 8 under "Site Plan".*
 - c. ~~Please clearly state treatment capacity of bioretention practice. Verify that 75% of the WQv prior to filtration can be held in the practice. The Bioretention Worksheet is provided in Appendix E.~~
 - d. ~~Provide the details of the bioretention outlet structure that will be used to release flows below the predevelopment rate through the 12" outlet pipe. As the Bioretention practice is for water quality only, how is the water quantity being handled? Clarification is still required regarding which practice is proposed to be used for treating water quantity.~~
 - e. ~~Provide ponding depths in addition to elevations for 1, 10 and 100 year storm events on the Bioretention Detail. As the Bioretention practice is for water quality only, how is the water quantity being handled? The response provided by the applicant is acknowledged. However, according to the Stormwater Design Manual, bioretention practices are used for water~~



quality treatment and not quantity (bioretention is listed for water quality treatment under Table 3.3 of the Stormwater Design Manual).

6. The following points need to be incorporated for the proposed new diversion swale in north:
 - a. ~~Provide a construction detail and section of proposed swale. The applicant has addressed the comment stating that the existing swales will be reshaped for this project. No further comments.~~
 - b. ~~Provide a detail to show that the proposed swale can safely convey 10-year storm event and still maintain 6" freeboard. The applicant has addressed the comment. No further comments.~~
 - c. ~~Need to include maintenance of swales in the body of the SWPPP. The applicant has addressed the comments with a new detail in the plan sheets. No further comments.~~
 - d. ~~Need to provide description of the design of the swale in the body of the SWPPP. The response letter mentions that it was added. Please direct us to the exact location the design criteria of the diversion swale were added to the Drainage Narrative. The applicant has answered our comment. No further comments.~~
7. *For the proposed eastern swale and off-site conveyance, the applicant should provide a detailed survey of the swale from the stormwater practice discharge to the Route 20 ditch, develop a profile and sections showing depths of flow at the design storm events and verify the amount of reshaping that is necessary. The applicant will need to obtain a permanent easement of adequate width for the length of the off-site drainage swale through the neighboring properties and extending to the Route 20 ROW so that they can perform the necessary reshaping and future maintenance of the stormwater discharge from the site.*
8. *Please correct stone trench to stone "berm" on page three of the Drainage Narrative since the stone berm is being removed and replaced with the bioretention practice. Please clarify if it is incorrect.*
9. *The post drainage conditions exhibit mentions that in subcatchment 1C there is a flow of 0.2 CFS and 0.22 CFS for the 10 and 100-year storm events which are directed to design point 2. However, the drainage narrative suggests that all flow generated from a 10 year and 100-year storm event would flow to design point 1. Please clarify.*
10. *The post drainage conditions exhibit lists the 1-year CFS for 1B as 2.33 while the in-text table lists it as 2.53. Please clarify.*
11. *Please correct "1B- U.D" to "1C- U.D" in the table for design point 2 in the drainage narrative*
12. *The area mentioned on the post drainage conditions exhibit for subcatchment 1B is 2.9 acres when the area for the same subcatchment for post development conditions in the HydroCAD model is calculated to be 2.75 acres. Please confirm which is correct and accordingly modify.*
13. *Please clarify why the runoff generated for pre and post conditions for subcatchment 3A and 3B are the same considering the surface is changing from gravel (CN = 0.91) to pavement (CN = 0.98). Additionally, please provide the HydroCAD model sheets for subcatchment 3A and 3B.*

Architectural Plans

1. ~~The Architectural Plans do not clearly provide the total height of the proposed new truck bay. We ask the Applicant to provide the total height on the Front Elevation drawing to determine if this corresponds with the 20' +/- stated in the FEAF. The Applicant has provided plans and elevations that show the total height of the proposed new wash bay is 23 feet, 6 inches. The total height is below the Town Zoning Ordinance maximum building height of 42 feet in zone C-1 Commercial. Question D.1.g has been amended in the revised FEAF reflecting this change.~~



If you have any questions, please feel free to contact me.

Sincerely,
KB Group of NY, Inc. dba PRIME AE Group of NY

Douglas P. Cole

Douglas P. Cole, PE
Senior Director of Engineering

cc: Carol Sowycz, Planning & Zoning Clerk
Joseph Blanchine, P.E., ABD Engineers LLP



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DEDICATED
RESPONSIVE
PROFESSIONAL

January 18, 2023

Re: **Wishy Wash**
9938 Western Turnpike
Town of Duanesburg
Project # 5461A

Town of Duanesburg
Planning Board Chairman Jeffery Schmitt &
Planning Board Members
5853 Western Turnpike
Duanesburg, NY 12056

As requested, ABD Engineers, LLP has reviewed and analyzed the impacts of redirecting stormwater discharges to the west, down the Wishy Wash driveway and then to the east in the NYSDOT ditch to the NYSDOT culvert under Route 20. The enclosed exhibit shows the westerly 29± acre drainage area to the ditch on the north side of Route 20. The flow from this ditch must flow through the two 18-inch culverts under the Wishy Wash Driveways then through a 24 inch CMP to a catch basin on the west side of the driveway for 9866 Route 20, Lands of Patrick Wren and then exits the catch basin east through a 24-inch concrete pipe to the drainage course flowing to the NYSDOT culvert under Route 20. The expected flows to this ditch at the easterly culvert under the Wishy Wash driveway are 1 year 9.89± CFS, 10 year 26.91± CFS, and 100 year 60.37± CFS. The existing culvert and the downstream driveway culvert/pipe have an expected capacity of about 4 CFs or enough for not even a 1-year storm event without surcharging the pipe and ditch. Therefore, we cannot direct any more flow to the NYSDOT ditch on the north side of Route 20.

I have also reviewed the plan prepared by Brett Steenburgh, P.E. and his drainage report (copy attached). Neither of these indicated to me that he stated the stormwater discharge could be directed to the Wishy Wash driveway. His plan and his report show the discharge going in a similar fashion as we are proposing.

We have shown the bioretention practice underdrain to day light to the easterly ditch along the Wishy Wash driveway. This discharge is approximately equal to the predevelopment flow that would cross the driveway of the Wren property overland to the northerly Route 20 ditch. Therefore, we are not adding to the expected flow of the northerly Route 20 ditch, and we are redirecting the flow to the Wren property which should help dry up their land.

We have also reevaluated our stormwater design and verified that we are not increasing the 1,10-, & 100-year predevelopment flow rates to the discharge point and to the existing drainage course along the Thomas property and at the rear of the Chilton property.

As previously stated, the ditch on the Chilton property needs to be cleared of vegetation so that there is a proper swale to the existing small stream flowing to the NYSDOT Route 20 culvert. My client has previously offered to assist in the clearing work.

In summary, discharging all stormwater to the west and down the Wishy Wash easterly driveway ditch is not practical nor desirable and will lead to increased flooding on NYS Route 20. Draining (not dumping) the stormwater discharge to the east per pre-development condition and as designed will not increase the 1,10, & 100-year flows in that direction, with adding a bioretention system with an underdrain system is the only practical solution to stormwater discharge.

In response to the comments (*in italics*) of Doug Cole of Prime AE of October 19, 2022, we respond as follows (**in bold**):

FEAF

1. *The Applicant has removed the word 'temporary' from the project description and clarified the word was meant in reference to the temporary waiting of the trucks and not the crusher run. No further comments.*
No response required.
2. *The applicant has provided the general nature of the proposed action, satisfying our comment.*
No response required.
3. *The applicant has provided the number of units for the proposed expansion as one wash bay. No further comments.*
No response required.
4. *The applicant has addressed the comment by stating that the well produces 5 +/- gpm. No further comments.*
No response required.

5. *The applicant has provided an answer to question D.2.d.v that was previously left blank, however, we ask them to clarify whether the treatment process currently in place for the washwater has capacity for the extra 400 gpd proposed for the expansion.*
The treatment system for the existing car / truck wash has three 1,000-gallon tanks in series and has the capacity to treat up to 3,000 gallons per day, which is more than the expected total water usage of 400-gpd for the car / truck wash.
6. *The applicant has provided an answer to question D.2.d.v.i that was previously left blank, however, we ask them to clarify whether the treatment process currently in place for the washwater has capacity for the extra 400 gpd proposed for the expansion.*
See response no. 5 above.
7. *The applicant has addressed the comment. No further comments.*
No response required.
8. *The Applicant has revised their answer to reflect that there will be construction noise above the current ambient levels from 7am-7pm Monday to Saturday for approximately three months. No further comments.*
No response required.
9. *Question D.2.j. is answered that the proposed action will NOT result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services. However, since the project is adding a wash bay, truck queuing area and food vender truck, it appears that there would be an increase in use of the facility, which should be quantified for the record.*
There will be an minimal increase in the use of the facility in the amount of about 20-30 vehicles per day.

Site Plan:

1. *The applicant has provided Erosion and Sediment Control Plan on Sheet 2 of 3 in the plan set. No further comments.*
No response required.

2. The proposed bioretention practice shows a 6" underdrain pipe to daylight discharging to the south of the facility onto lands of the applicant and a 12" HDPE outlet pipe and emergency spillway from the facility are shown exiting to the east onto lands of Thomas into an existing drainage swale which then flows through lands of Chilton prior to joining a stream that flows under NYS Route 20 near Gage Road. We have learned that a similar gravel parking area project was reviewed and approved by the Planning Board last year with a different stormwater design that kept all stormwater discharges on site, however, the design was not constructed as approved and the Town Permit was rescinded. In the December 15, 2021 letter to Dale Warner from Brett Steenburgh, P.E. regarding neighbor property flooding due to prior work performed on the gravel parking area, we located a statement attributed to Jamie Malcolm, NYSDEC Region 4 which said he "suggested that they maintain the existing drainage pattern and drain the pad to the southeast corner and not try to create the swale towards the car wash driveway and down US Route 20 ... as it may cause problems within the highway drainage system and inundate the existing culverts under the driveways of Wren and Chilton." We have not verified this statement with Mr. Malcolm, however, it is in keeping with NYSDEC requirements that the project design must ensure that there is no increase in runoff from a new development project and that there are no adverse effects downstream of the project. We understand that a bioretention practice has been designed to mitigate the offsite impacts of this project, however, since there are known issues with the current drainage pattern, we ask the applicant to provide additional information why the original plan to keep discharges on site are not practical if proper stormwater management practices are put into place to mitigate effects on the Route 20 drainage system and neighboring driveway culverts. Please also refer to our further comments on the stormwater design in the Drainage Narrative section of this letter. We have read the response to this comment in the 10/7/22 response letter from ABD, which did not answer the question above. Additionally, there are still concerns as noted below:

a. There needs to be test pit data that shows the proposed bottom of the Bioretention practice will be at least 2 feet above the high groundwater table. There is a note on the detail for the practice about using a poly-liner if the separation cannot be met, but this should be known at this point in the process.

A poly-liner is proposed as indicated on the enclosed plans. We know ground water to be approximately 18" from the surface.

- b. *Review of the Stormwater Design Manual (SWDM) shows that Bioretention is an acceptable practice for water quality treatment but is not to be used for water quantity control. An appropriate quantity control practice needs to be included for this project.*

Section 6.4.2 of the NYSDEC Stormwater Manual requires that flows conveyed to the filtering practice via storm drain system be provided with a flow splitter diversion structure. However, the proposed design conveys runoff to the bioretention via sheet flow. The bioretention system, as proposed, is designed to treat the 1-year storm (WQv), allowing it to pond to an elevation of 882.72, approximately 3" above the bioretention basin bottom (elevation 882.5). A 6" culvert is proposed at an elevation 882.75, slightly above the 1-year storm peak elevation. This will allow the 10 and 100-year storm events to slowly discharge, at a rate less than preexisting conditions, to the existing swale along the Thomas property. Attached for your review is section 6.4.2 and figure K-5: On-line versus Off-line Schematic of the NYSDEC Stormwater Manual.

- c. *The anticipated water quantity control practice could be situated at the southwest corner of the gravel parking area, which would put the discharge point back to the prior approved location. The stormwater design point would be changed to the culvert under Route 20 and the applicant/owner would have full control over the stormwater management system up to the point it empties into the ditch at Western Turnpike.*

As stated above, quantity control will be handled via a dry detention basin, which will slowly discharge the 10 & 100-year flows, at a rate less than preexisting conditions, to the existing drainage swale that runs along the Thomas property. This is the natural drainage course of the property, and the design will not adversely affect the existing swale. The drainage swale along Route 20 handles a large drainage area and is known to have issues in and around the Wishy Wash site and Wren property. Additionally, it has been stated many times that the drainage swale along the Thomas property needs to be cleaned of debris, sediment and overgrown vegetation, which the applicant has stated he would assist with doing. Nevertheless, the proposed stormwater design complies with the requirements of NYSDEC stormwater manual.

3. *The Applicant has indicated that 2, possibly 3 of the 14 Norway Spruce planted on the project site have died. Any trees which have died need to be replanted/replaced.*

It is noted on the enclosed plans to have any dead trees removed and replaced.

4. *We acknowledge that the Applicant has made the request for a copy of the approved variance from the Town and will provide review and comment once received.*
No response required.
5. *The applicant has identified the total square footage of the proposed new truck bas as 985' SF on the site plan. No further comments.*
No response required.
6. *The Applicant has provided details on the proposed fence. We find that the proposed fence meets the Town Zoning Ordinance maximum fence height of 6 feet and the stockade style fencing is compatible with the general surroundings.*
No response required.
7. *The Applicant has verified that no new signage is proposed. If any new signage is proposed on this project, the details must be submitted for review prior to final Application approval.*
No response required.
8. *The plans appear to be missing the required grass filter strip between the tone diaphragm and bioretention practice for pretreatment of direct runoff from the parking lot. Section 6.4.3 of the NYSDEC Stormwater manual only recommends the use of a grass filter strip along with other pretreatment measure as "design guidance", the manual does NOT require it. The stone trench diaphragm is adequately sized to handle the required pretreatment. Attached for your review is section 6.4.3 of the NYSDEC Stormwater Manual.*
9. *The Drainage Narrative in Appendix E of the SWPPP, page 3, states that "Two new trenches are proposed along the edge of pavement that will collect stormwater from the asphalt surface. There is a negligible difference in runoff volume generated from the existing impervious crusher run stone and proposed impervious asphalt." The plans show a 12" pipe outlet from the stone trench without any treatment practices associated with this concentrated flow. The plans and SWPPP should be revised to include the proper stormwater treatment for a redevelopment project in this area of the site. The 12" pipe is existing, the construction of the stone trench will end just before the outlet of the pipe. The applicant's proposal to pave the existing hard packed gravel drive and constructing the building addition will not add additional impervious surfaces to the site and does not constitute as redevelopment.*

SWPPP:

1. *The applicant has addressed the comment.*
No response required.
2. *We agree that commercial projects fall under Table 2 of Appendix B and thereby requires both Sediment and Erosion Control practices as well as Post-Construction Stormwater practices.*
No response required.
3. *The applicant has advised that the pipe will be 'destroyed' by the new construction. The Drainage Narrative mentions that the existing three (3) drain tiles under the parking lot "were terminated in order to prevent future runoff to the Wren property." The location of this termination should be shown on the plans and the end of the pipes confirmed to be sealed in the field.*
The applicant and his contractor cut and capped the tile drains during construction. ABD is not aware of the exact location of the termination of the drains. However, they will be dug up and capped further back as part of the construction of the bioretention area.
4. *The surface area of the adjacent parking lot which will be overlaid with asphalt needs to be stated in the "Project Description" section. The applicant needs to mention the surface area of the parking lot which will be overlaid with asphalt. (16,776 SQ. FT. has not been incorporated).*
This has been added to the project description section of the SWPPP.
5. *The applicant has addressed the comments. No further comments.*
No response required.
6. *The applicant has addressed the comment stating that the recycling tanks are pumped out every 2 to 4 months, as needed. No further comments.*
No response required.
7. *We acknowledge your response in the letter; However, the information was not included in the SWPPP under Section 6.0*
Please see section 6.1 of the SWPPP.
8. *The applicant has addressed the comment by stating that it will be a visual inspection to determine sediment depth. No further comments.*
No response required.

9. *The applicant has addressed all subpoints. No further comments.*
No response required.

10. *The applicant needs to revise the response to Q.43 of the NOI to reflect that the project is not subject to MS4 requirements.*
The question has been revised.

Drainage Narrative & Stormwater Calculations (Appendix E of the SWPPP):

1. *The applicant has addressed the comment by stating bioretention (F-5) for WQv treatment.*
No further comments.
No response required.

2. *The applicant has addressed the comment. No further comments.*
No response required.

3. *The applicant has addressed the comments and included the respective details for outlet protection of the existing ditch. No further comments.*
No response required.

4. *The applicant has addressed the comment. No further comments.*
No response required.

5. *The following points need to be incorporated for the bioretention practice:*

- a. *A flow regulator/flow splitter is needed as per the NYS SWDM to divert the Water Quality Volume (WQv) to the filtering practice and allow larger flows to bypass the practice. As the Bioretention practice is for water quality only, a regulator or flow splitter is required to direct flow to the water quantity control practice. As state above, this is not require for sheet flow conveyance, only closed system drain pipe conveyance. Please refer to my response to your comment number 2.b under the site plan section above.*

- b. The bioretention practice requires pretreatment as specified in the Stormwater Design Manual. What is the pretreatment practice proposed ahead of the bioretention area? The applicant has added a pre-treatment stone trench, however, a grass buffer is also required. The stone diaphragm volume calculations should also be provided for review.

As stated above this is only a recommendation NOT a requirement. Please refer to my response to your comment number 2.c under the site plane section above.

- c. The bioretention worksheet is provided in Appendix E.
No response required.

- d. As the bioretention practice is for water quality only, how is the water quantity being handled?

Addressed above, no response required.

- e. As the bioretention practice is for water quality only, how is the water quantity being handled?

As designed the existing truck / trailer food service cart area will drain via sheet flow to a pea stone gravel diaphragm just above the bioretention / detention area. The pea stone diaphragm provides "first flush" treatment of the stormwater runoff. The bioretention provides further treatment for the 1-year storm. The 10 and 100-year storm events are stored in the bioretention area start discharging to the Thomas property after the 1-year after the 1-year storm event and continue to discharge to the Thomas property at a rate less than the predeveloped flow rates. The storage volume over the 1-year flow will occur within the bioretention and will provide extra treatment for the 10 and 100-year storm events. It also further reduces the flow to the Thomas property.

6. The following points need to be incorporated for the proposed new diversion swale in the north "

- a. The applicant has addressed the comment stating that the existing swales will be reshaped for this project. No further comments.

No response required.

- b. The applicant has addressed the comment. No further comments.

No response required.

- c. The applicant has addressed the comment with a new detail in the plan sheets. No further comments.

No response required.

7. Need to provide description of the design of the swale in the body of the SWPPP. The response letter mentions that it was added. Please direct us to the exact location the design criteria of the diversion swale were added to the Drainage Narrative.
A description of the swale can be found in the summary section of the Drainage narrative.

Architectural Plans:

1. The Applicant has provided plans and elevations that show the total height of the proposed new wash bay is 23 feet, 6 inches. The total height is below the Town Zoning Ordinance maximum building height of 42 feet in zone C-1 Commercial. Question D.1.g has been amended in the revised FEAF reflecting this change.
No response required.

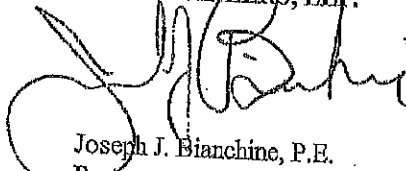
Enclosed are:

1. Twelve (12) copies of this Letter dated 1/18/23.
2. Twelve (12) copies Pre-Drainage Conditions Exhibit.
3. Twelve (12) copies of Brett Steenburgh's Drainage Report dated December 15, 2023
4. Twelve (12) copies of Brett Steenburgh's design Amended Site Plan Ultimate Wash Car / Truck.
5. Twelve (12) copies of the updated site plans Rev. 3 dated 1/18/23
6. Three (3) copies of the Stormwater Pollution Prevention Plan (revised 1/18/2023).
7. Three (3) copies of Section 6.4.2, 6.4.3, & Appendix K-5: On-line Versus Off-line schematic, of the NYSDEC Stormwater Manual.

Electronic copies of the above will be forwarded to Melissa Deffer.

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

Very truly yours,
ABD ENGINEERS, LLP.


Joseph J. Bianchine, P.E.
Partner

We would be pleased to present this information again to the Planning Board at your next meeting.

CC: Spiro Kagag w/encl.
Don Zee w/encl.
Doug Cole w/encl.

5461A-01182023

Brett L. Steenburgh, P.E., PLLC

2882 Rosendale Road
Niskayuna, NY 12309
(518) 865-0675

December 15, 2021

Town of Duaneburg
Building Department
5853 Western Turnpike
Duaneburg, NY 12056

Re: The Ultimate Wishy Wash

Attn: Dale Warner

Dear Dale:

This has been notified that there have been several concerns regarding the construction of the truck parking area adjacent to The Ultimate Wishy Wash car wash. On Monday December 13, 2021 we performed a field inspection of the construction with the owner and contractor to discuss the issues raised as well as field changes that occurred. The following is a summary of these issues and discussions:

- During clearing and grubbing three drain tiles running north to south through the parcel were discovered. The drain tiles discharged at the adjoining property line with lands of Wren. These drain tiles were terminated to prevent future runoff to the adjoin property. The termination now drains into the drainage swale around the pad. It is our understanding that you inspected the site with Spiro and the contractor when the drain tiles were located.
- It was determined upon clearing that the existing grade at the southeast corner of the pad was significantly lower than the grade at the southwest corner and the natural flow of drainage flows northwest to southeast across the meadow.
- Jamie Malcolm, P.E. from the New York State Department of Environmental Conservation visited the site after receiving complaints from the neighbors. I was told that Mr. Malcolm suggested that they maintain the existing drainage pattern and drain the pad to the southeast corner and not try to create the swale towards the car wash driveway and down to US Route 20. He stated that it may cause problems within the highway drainage system and inundate the existing culverts under the driveways of Wren and Chilton. He also requested that the diversion ditch around the parking area be filled with crushed stone to prevent erosion.



**CIVIL ENGINEERING
ENVIRONMENTAL ENGINEERING
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Our inspection revealed that the crusher run parking area has been graded to pitch to the southeast corner as suggested above. While we do not have an issue with this construction we will need to verify that we are not discharging stormwater at a rate greater than the existing rate to this location. We reviewed the discharge location to verify that there is a defined drainage channel off the site. Currently there is an existing swale that runs north to south along the Wishy Wash / Thomas common property line. This swale turns east at the common property corner of Wishy Wash, Thomas, Wren and Chilton and parallels the rear of the Chilton property line to the existing stream channel. The preliminary walk of the channel revealed that there is adequate capacity and pitch to convey the stormwater to the existing stream channel and under US Route 20. However, there are a few areas where lawn debris should be removed from the swale to assure maximum flow.

The owner will need to provide attenuation on the existing crusher run pad to assure that the rate of runoff to this swale does not exceed the pre-development rate of runoff. While we do not have this design modification at this time we have instructed the contractor to install a stone berm along the southeast corner of the parking area to attenuate the runoff until the design can be finalized. The berm will be 18" high and not compacted to allow the stormwater to slowly weep off the pad.

The other outstanding item that we identified during our visit was the lack of a gate to prevent overnight parking as requested by the planning board. The owner has indicated that the gate has been ordered is on backorder due to issues with the supply chain but it will be installed as soon as it is received.

I will continue to work to prepare the stormwater attenuation plan for the parking area. Once we have completed that design we will forward it to you for review prior to implementation. However it is our opinion that the actions the owner is currently taking at our request will prevent any downstream impacts.

If you have any questions please feel free to contact me.

Sincerely
Brett L. Steenburgh, P.E.



6.4.1 Feasibility

Design Guidance

- Most stormwater filters require four to six feet of head, depending on site configuration and land area available. The perimeter sand filter (F-3), however, can be designed to function with as little as 18" to 24" of head.
- The recommended maximum contributing area to an individual stormwater filtering system is usually less than 10 acres. In some situations, larger areas may be acceptable.
- Sand and organic filtering systems are generally applied to land uses with a high percentage of impervious surfaces. Sites with imperviousness less than 75% will require full sedimentation pretreatment techniques.

6.4.2 Conveyance

Required Elements

- If runoff is delivered by a storm drain pipe or is along the main conveyance system, the filtering practice shall be designed off-line (see Appendix K).
- An overflow shall be provided within the practice to pass a percentage of the WQ_v to a stabilized water course. In addition, overflow for the ten-year storm shall be provided to a non-erosive outlet point (i.e., prevent downstream slope erosion).
- A flow regulator (or flow splitter/diversion structure) shall be supplied to divert the WQ_v to the filtering practice, and allow larger flows to bypass the practice.
- Stormwater filters shall be equipped with a minimum 4" perforated pipe underdrain (6" is preferred) in a gravel layer. A permeable filter fabric shall be placed between the gravel layer and the filter media.
- Require a minimum 2' separation between the filter bottom and groundwater.

6.4.3 Pretreatment

Required Elements

- Dry or wet pretreatment shall be provided prior to filter media equivalent to at least 25% of the computed WQ_v . The typical method is a sedimentation basin that has a length to width ratio of 1.5:1. The Camp-Hazen equation is used to compute the required surface area for sand and organic filters requiring full sedimentation for pretreatment (WSDE, 1992) as follows:
- The required sedimentation basin area is computed using the following equation:

$$A_s = -1 * \left(\frac{Q_0}{W} \right) \ln(1 - E)$$

Where:

New York State Stormwater Management Design Manual

Chapter 6: Performance Criteria

Section 6.4 Stormwater Filtering Systems

A_s	=	Sedimentation basin surface area (ft ²)
E	=	sediment trap efficiency (use 90%)
W	=	particle settling velocity (ft/sec) use 0.0004 ft/sec for imperviousness (I) ≤ 75% use 0.0033 ft/sec for I > 75%
Q_0	=	Discharge rate from basin = (WQ _v /24 hr/3600s)
WQ _v	=	Water Quality Volume (cf)

This equation reduces to:

$$A_s = (0.066) (WQ_v) \text{ ft}^2 \text{ for } I \leq 75\%$$

$$A_s = (0.0081) (WQ_v) \text{ ft}^2 \text{ for } I > 75\%$$

Design Guidance

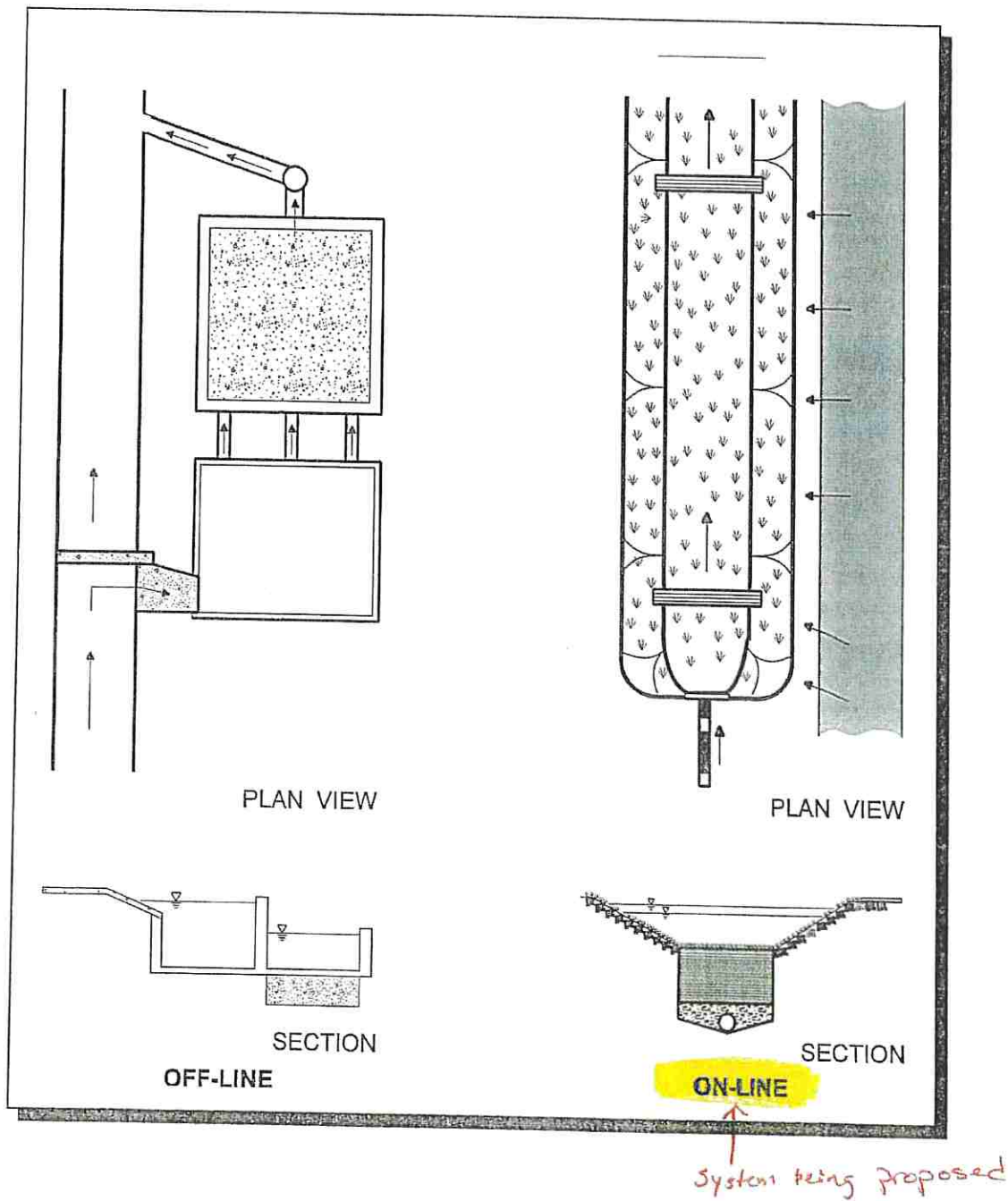
- Adequate pretreatment for bioretention systems should incorporate all of the following: (a) grass filter strip below a level spreader or grass channel, (b) gravel diaphragm and (c) a mulch layer.
- The grass filter strip should be sized using the guidelines in Table 6.2.

Table 6.2 Guidelines for Filter Strip Pretreatment Sizing								
Parameter	Impervious Parking Lots				Residential Lawns			
Maximum Inflow Approach Length (ft.)	35		75		75		150	
Filter Strip Slope	≤ 2%	≥ 2%	≤ 2%	≥ 2%	≤ 2%	≥ 2%	≤ 2%	≥ 2%
Filter Strip Minimum Length	10'	15'	20'	25'	10'	12'	15'	18'

- The grass channel should be sized using the following procedure:
 - Determine the channel length needed to treat the WQ_v, using sizing techniques described in the Grass Channel Fact Sheet (Chapter 5).
 - Determine the volume directed to the channel for pretreatment
 - Determine the channel length by multiplying the length determined in step 1 above by the ratio of the volume in step 2 to the WQ_v.

6.4.4 Treatment

Figure K.5 On-Line Versus Off-Line Schematic



Jeffrey Schmitt, Planning Board Chair
Chris Parslow, Town Planner
Bryn VanDeusen, Clerk
Terresa 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 NOVEMBER 16, 2023 AT
7:00 PM FOR THE PURPOSE OF HEARING ALL PERSONS INTERESTED IN THE
APPLICATION OF:

#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.

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

ZONING COORDINATION REFERRAL ORIGINAL

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 10-17-23
Case No. D-21-23
Returned 10-25-23

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

Received

Schenectady County

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

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

OCT 17 2023

Economic Development
and Planning Dept.

PUBLIC HEARING OR MEETING DATE: 10/19/2023

SUBJECT: #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

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:

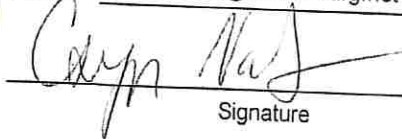
Name: Coryn VanDeusen

Title: Planning/Zoning/Building Clerk

Address: 5853 Western Turnpike Duanesburg, NY 12056

E-mail: cvandeusen@duanesburg.net

Phone: (518) 895-2040



Signature

Date: 10/11/2023



PLANNING & ZONING COORDINATION REFERRAL

Case No. D-21-23

Applicant Michael Walpole

Referring Officer Coryn VanDeusen

Municipality Duanesburg

Considerations: Regarding an existing residence on an 8.3 acre parcel, requesting a special use permit to construct a second residence (barn with living quarters). The applicant is proposing to use the existing septic system and well for the second residence. Located on the east side of Mill Point Road approximately 400' south of the County line.

RECOMMENDATION

Receipt of zoning referral is acknowledged on October 17, 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:

The type and condition of the existing septic system needs to be identified to ensure that the wastewater treatment system is up to code. Construction of the new residence/dwelling requires that the wastewater treatment system comply with existing code for septic system construction. An evaluation should also be conducted by an engineer to determine if the system is designed to accommodate additional flows of a second residence.

☐ 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.

10/24/22
Date

Ray Gillen
Ray Gillen, Commissioner
Economic Development and Planning

APPLICATION FOR THE PLANNING BOARD
TOWN OF DUANESBURG

Revised 04/12/2017

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



ORIGINAL

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 Walls/ 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 (5 acres or more)
- ☐ Storm Water Control Plan
- ☒ Short or long EAF www.dec.ny.gov/ea/finapper/
- ☐ 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

23-21

Date 10/5/2023

Application type: ☐ Major Subdv ☐ Minor Subdv ☒ Special Use Permit ☐ Site/ Sketch Plan Review ☐ LotLine Adjust
Proposal: Construction of a 2880 SF +/- Barn to include occupied living space. Special Use permit for second residence on same property until point when existing single family home is demolished. Section _____ of _____ Ordinance.

Present Owner: Michael Walpole (AS APPEARS ON DEED!!)
Address: 796 Mill Point Rd Delanson, NY Zip code: 12053
Phone # (required) 518-365-9181

Applicants Name (if different): _____ Phone# (required) _____
Location of Property (if different from owners) _____
Tax Map # 32.00-1-3 Zoning District R-2

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 Duanesburg to walk the property for the purposes of conducting a site review.

[Signature] Date 10/5/23
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

Agricultural Data Statement

Date: 10/5/23

ORIGINAL

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>Michael Walpole</u>	Name: _____
Address: <u>796 Mill Point Rd.</u>	_____
<u>Delanson, NY 12053</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:
Construction of a 2880 SF +/- Barn to include occupied living space
Special use permit application for second residence on same property
until point at which existing residence will eventually be demolished.
3. Location of project: Address: 796 Mill Point Rd. Delanson, NY 12053
Tax Map Number (TMP) 32.00-1-3
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: _____	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]
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.

NOTICE OF DETERMINATION
of the Town of Duanesburg



ORIGINAL

Date of Determination 10/5/23

Application of MICHAEL WALPOLE under section
8.4 (8) of the (Village of Delanson/Town of Duanesburg)
ZONING Ordinance.

Applicant MICHAEL WALPOLE
Address 796 MILL POINT RD
DELANSON N.Y. 12053

Phone 518-365-9181 Zoning District R-2 SBL# 5200-1-3

Description of
Project: CONSTRUCTION of 2800 SQA +/- BARN TO INCLUDE OCCUPED
LIVING SPACE.

Determination:
SPECIAL USE TO ALLOW (2) SINGLE FAMILY DWELLINGS ON SAME LOT

Reason supporting determination:
TOWN of DUANESBURG ZONING ORDINANCE ADOPTED 4/1/15 SECTION 8.4(8)
DWELLING TWO FAMILY

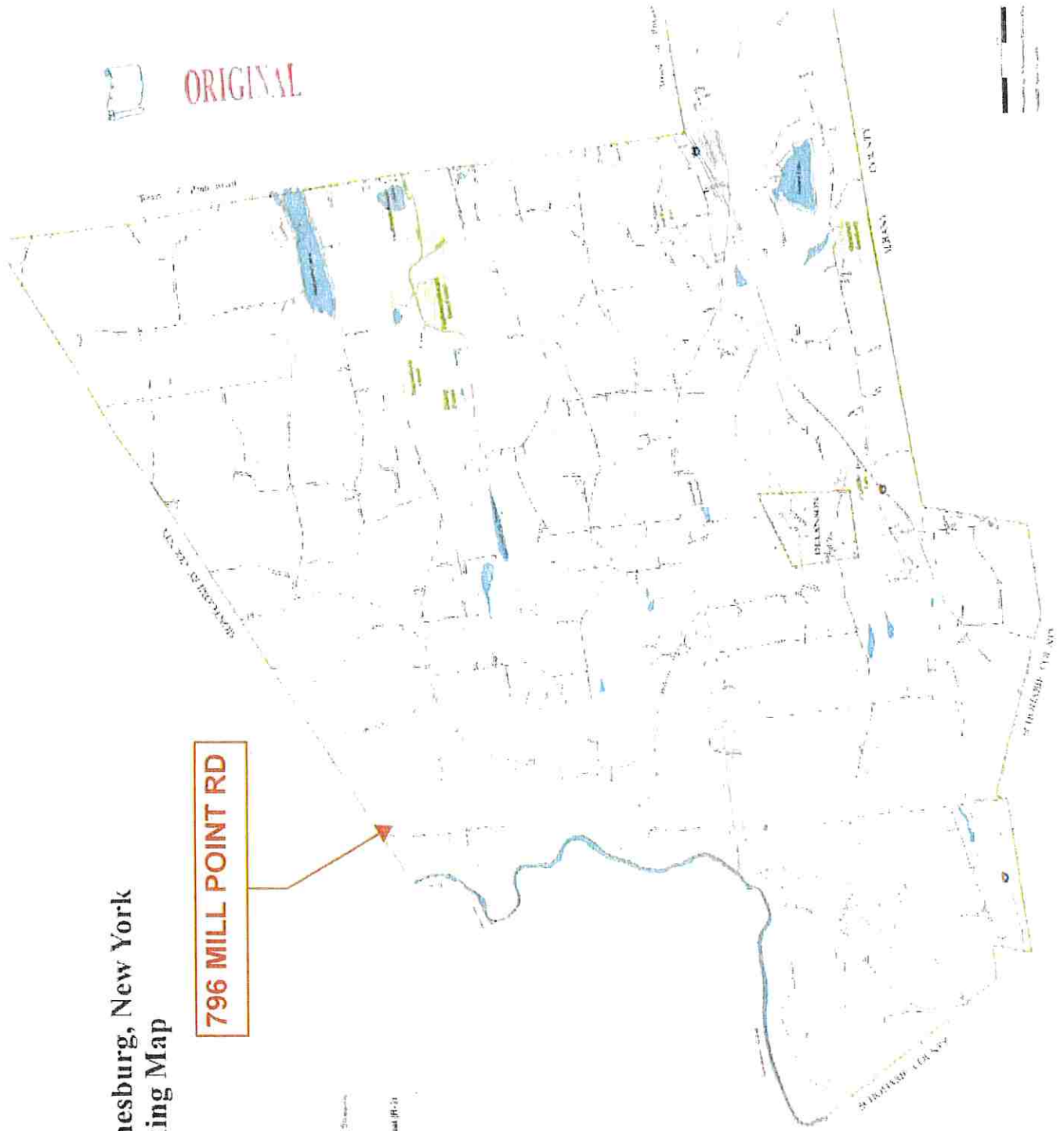
Action: Refer to <u>PLANNING BOARD</u> for the purpose of <u>SPECIAL USE</u>
--

Code Enforcement Officer: Cheryl Rubin

Town of Duanesburg, New York Zoning Map

796 MILL POINT RD

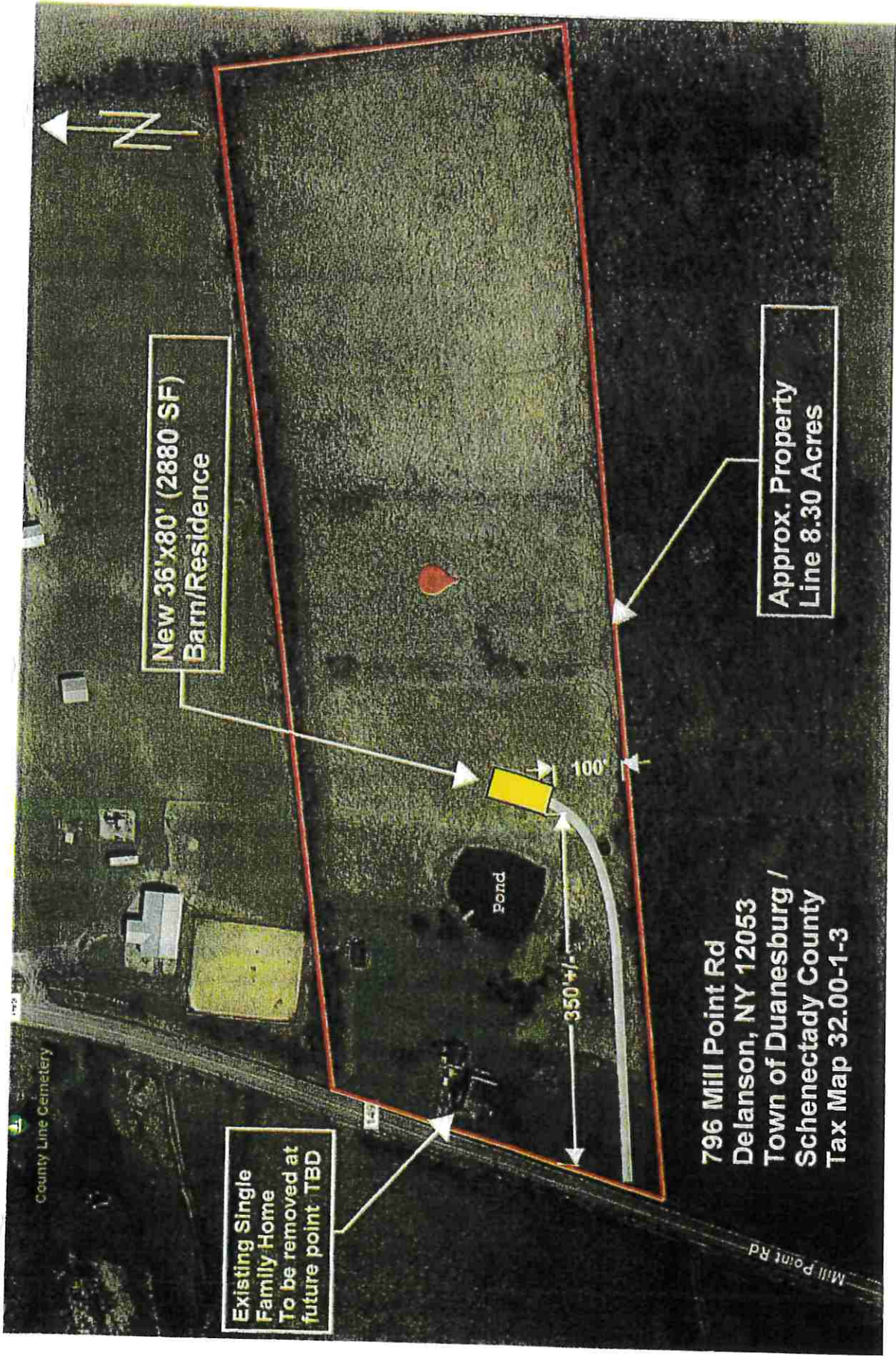
- Legend**
- Unincorporated
 - State
 - Lake, Pond, River and Stream
- Zoning Districts**
- Agricultural and Residential (R-1)
 - Commercial 1
 - Commercial 2
 - Industrial
 - Lake District 1
 - Lake District 2
 - Local Rural Plan
 - Residential
 - Water
 - Parks and Open Spaces
 - Paved



ORIGINAL



ORIGINAL





Similar to this with
modifications to
window/door layouts.
Garage doors on
gable end.



ORIGINAL

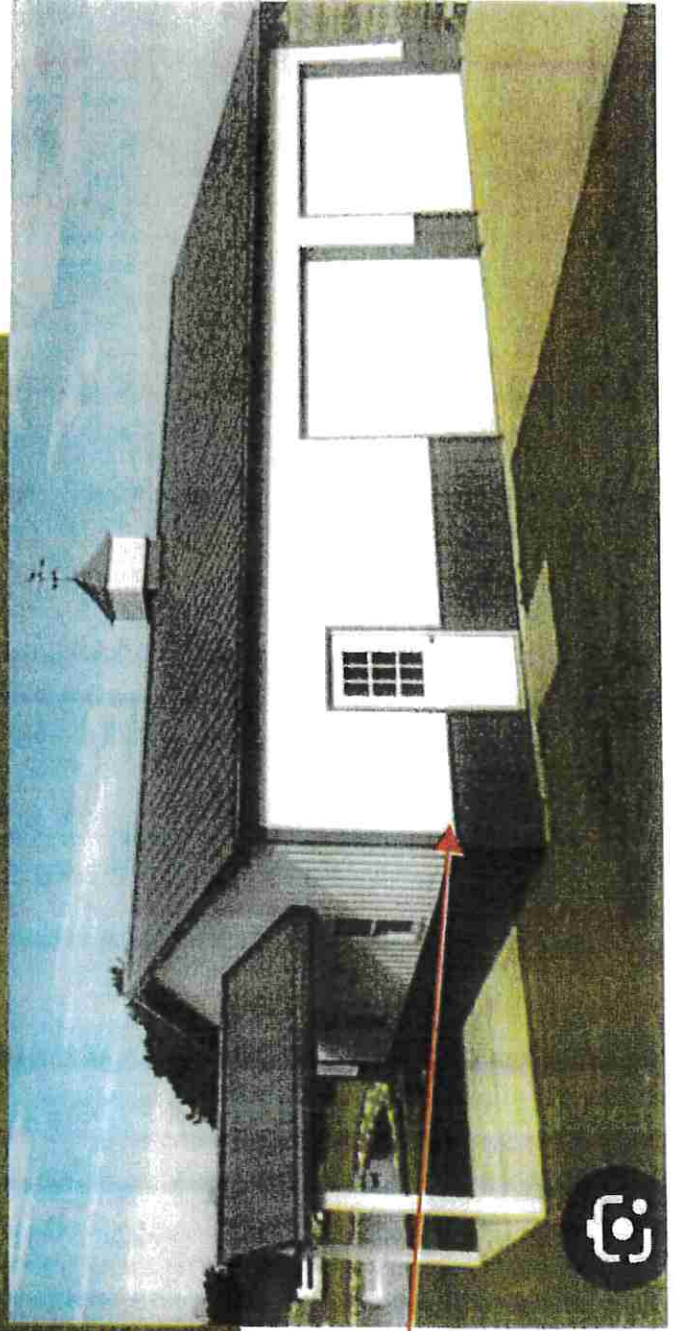
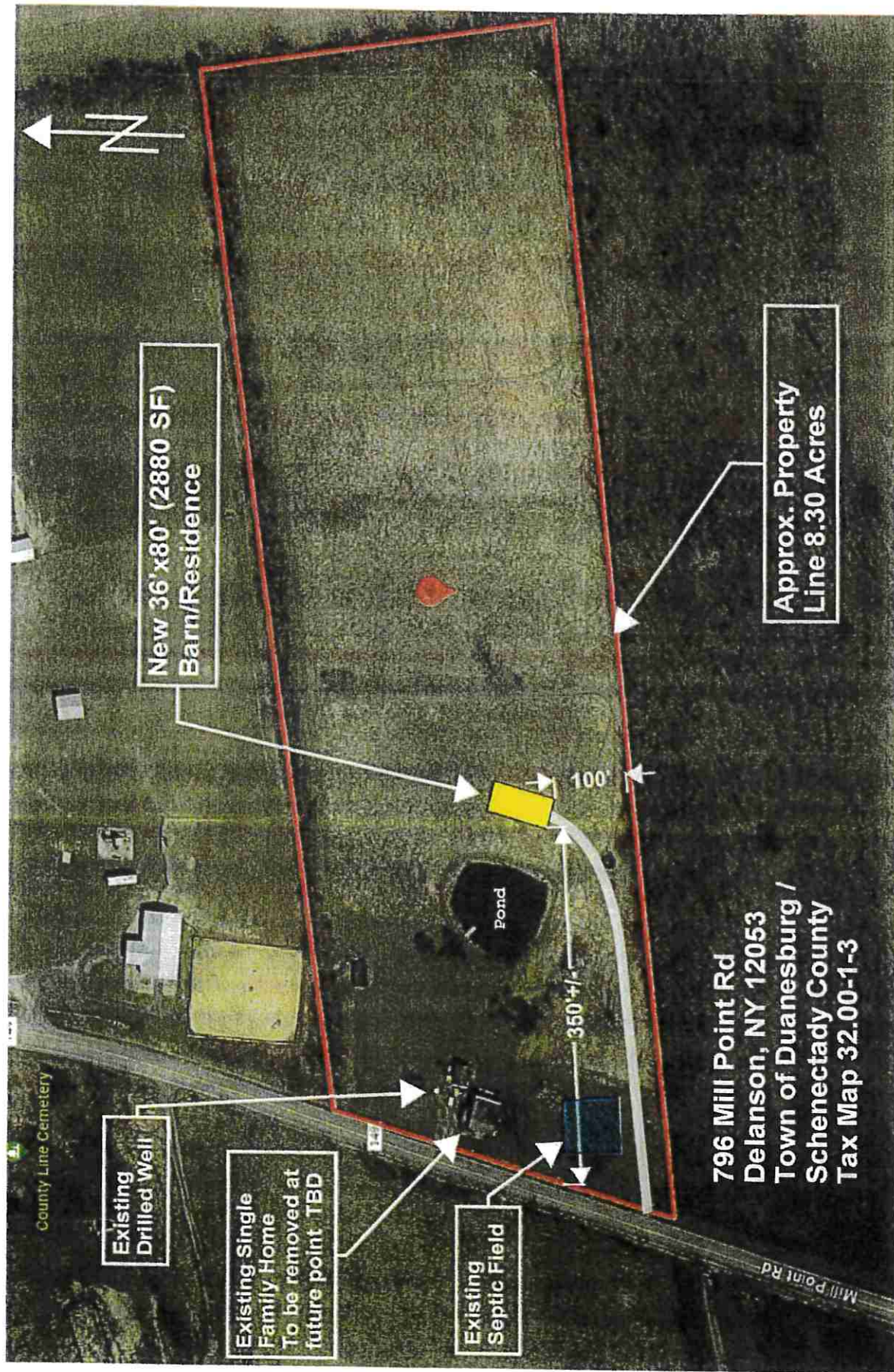


Photo of preferred
color selection
white with charcoal
gray roof/trim/wainscot



Alternate Option - Front porch roof



New 36'x80' (2880 SF)
Barn/Residence

Approx. Property
Line 8.30 Acres

796 Mill Point Rd
Delanson, NY 12053
Town of Duanesburg /
Schenectady County
Tax Map 32.00-1-3

Existing
Drilled Well

Existing Single
Family Home
To be removed at
future point TBD

Existing
Septic Field

Pond

100'

350' +/-

County Line Cemetery

Mill Point Rd

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/Pra 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 & 6)
- ☐ Full Storm Water Control Plan (6acres or more)
- ☐ Storm Water Control Plan
- ☒ Short or long EAP www.dec.ny.gov/eap/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 10-11-23

Application type: ☐ Major Subdv ☐ Minor Subdv ☐ Special Use Permit ☐ Site/ Sketch Plan Review ☒ LotLine Adjust
Proposal: Lot Line Adjustment. Combining two (2) existing parcels into a single lot and adding a portion of the adjacent lot into the proposed new single lot.

Section 8.2 of Permitted Uses Ordinance.

Present Owner: Joseph R. Hoffman Jr.
Frances A. Hoffman (AS APPEARS ON DEED)
Address: 382 Braman Corners Rd. Esopus Zip code: 12066
Phone # (required) 618-312-2835 -F
618-312-2836 -JR.

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

Location of Property (if different from owners) _____

Tax Map # 43.00-1-2 Zoning District Agricultural Residential (R-2)
43.00-1-1
43.00-1-3.4

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.

Joseph R. Hoffman Jr. Frances A. Hoffman Date 10/12/23
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

TOWN OF DUANESBURG

Application# 23-22

Agricultural Data Statement

Date: 10-11-23

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>Joseph Hoffman</u>	Name: _____
Address: <u>382 Braman Corners Rd</u>	_____
<u>Esperance NY</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:
Lot Line Adjustment. Combining two (2) existing parcels into a single lot and adding a portion of the adjacent lot into the proposed new single lot.
3. Location of project: Address: 382 Braman Corners Road Millers Corners Road
Tax Map Number (TMF) 43.00-1-1, 43.00-1-2, 43.00-1-3, 4
4. Is this parcel within an Agricultural District? YES NO (Check with your local
5. If YES, Agricultural District Number 1 (SCHE001) assessor if you do not know.)
6. Is this parcel actively farmed? YES NO 43.00-1-3, 4
7. List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

NAME: <u>Mark R. Weinheimer</u>	NAME: <u>Mario Scardino</u>
ADDRESS: <u>601 Millers Corners Road</u>	ADDRESS: <u>7676 STHWY 30</u>
<u>Delanson, NY 12053</u>	<u>Esperance NY 12066</u>
Is this parcel actively farmed? <u>YES</u> NO	Is this parcel actively farmed? <u>YES</u> NO
NAME: <u>William Rudesheim</u>	NAME: _____
ADDRESS: <u>602 Millers Corners Road</u>	ADDRESS: _____
<u>Delanson, NY 12053</u>	
Is this parcel actively farmed? <u>YES</u> NO	Is this parcel actively farmed? YES NO

Joseph R. Hoffman - James J. Hoffman
Signature of Applicant Signature of Owner (if other than applicant)

Reviewed by: _____

Date 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.

Short Environmental Assessment Form

Part 1 - Project Information

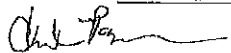
Instructions for Completing

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.

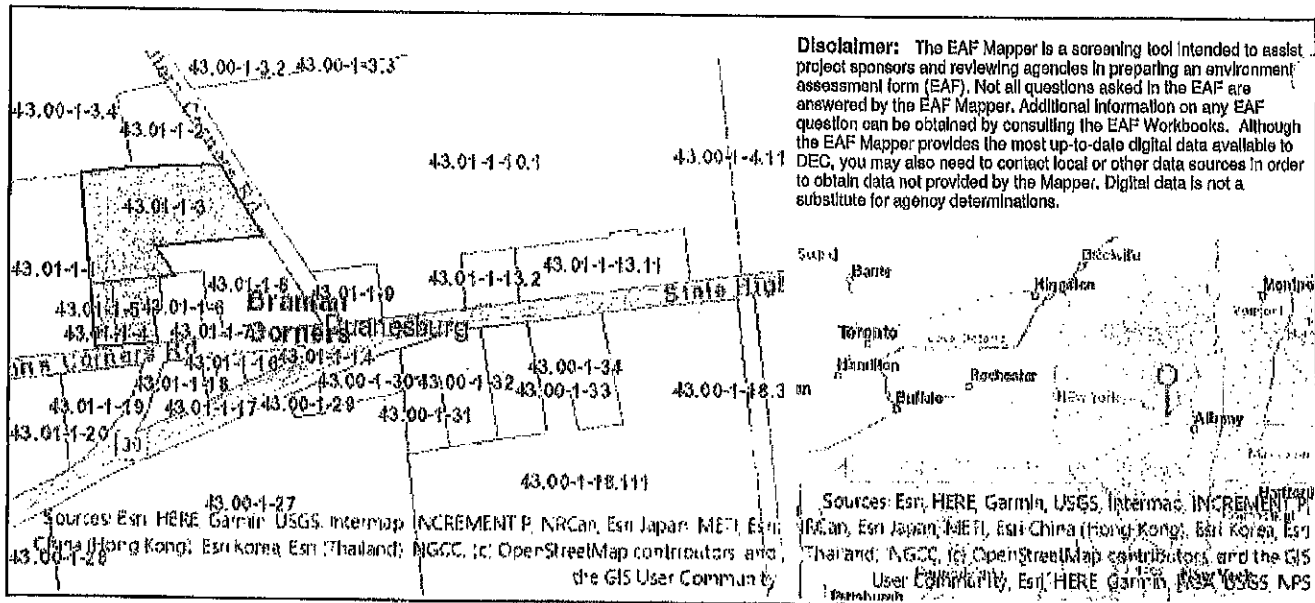
Part 1 - Project and Sponsor Information							
Name of Action or Project: Lot line Adjustment							
Project Location (describe, and attach a location map): 382 Braman Corners Road							
Brief Description of Proposed Action: The applicant proposed to combine two adjoining lots and take an area of an adjoining lot to make one lot.							
Name of Applicant or Sponsor: Joseph R. Hopfman		Telephone: 518-312-2835 E-Mail: regwagonfarms@gmail.com					
Address: 382 Bramans Corners Road							
City/PO: Esperance		State: NY	Zip Code: 12066				
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" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input 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:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			<u>34.29</u> acres <u>5</u> acres <u>34.29</u> acres				
4. Check all land uses that occur on, are adjoining or near the proposed action:							
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input 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 type="checkbox"/>	<input checked="" 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: _____ on-site well	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ on-site wastewater system	<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	
	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	
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: _____ _____ _____			

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 checked="" 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
	<input checked="" type="checkbox"/>	<input 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? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input checked="" type="checkbox"/>	<input 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:	NO	YES
	<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? If Yes, describe:	NO	YES
	<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? If Yes, describe:	NO	YES
	<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>Chad Pagan</u> Date: <u>10-16-23</u>		
Signature: <u></u> Title: <u>agent for applicant</u>		

PRINT FORM

Monday, October 16, 2023 9:19 AM



Part 1 / Question 7 [Critical Environmental Area] No

Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
<p>1. Is the property listed in the National Register of Historic Places or the State Register of Historic Places?</p> <p>2. Is the property eligible for listing in the National Register of Historic Places or the State Register of Historic Places?</p>	

Part 1 / Question 12b [Archeological Sites] No

Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies] Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.

Part 1 / Question 15 [Threatened or Endangered Animal] No

Part 1 / Question 16 [100 Year Flood Plain] No

Part 1 / Question 20 [Remediation Site] No

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: Lot Line Adjustment		
Project Location (describe, and attach a general location map): 382 Braman Corners Road		
Brief Description of Proposed Action (include purpose or need): The applicant proposed to merge two adjoining lots and take an area of the adjoining lot to on the norther boundary to create one lot.		
Name of Applicant/Sponsor: Joseph R. Hoffman		Telephone: 518-312-2835
		E-Mail: regwagonfarms@gmail.com
Address: 382 Bramans Cornerrs Road		
City/PO: Esperance	State: NY	Zip Code: 12066
Project Contact (if not same as sponsor; give name and title/role):		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 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	Town of Duaneburg Planning Board	10-17-23
c. City, Town or <input type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Duaneburg Assessor, Lot merger	10-17-23
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
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? ☐ 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. ☒ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

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? Duquesburg

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

Schenectady County Sheriff, New York State Police

c. Which fire protection and emergency medical services serve the project site?
FP003-Fire Protection 3

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)? Residential, Agricultural

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

34.29 acres.

b. Total acreage to be physically disturbed?

0.0 acres

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

34.29 acres

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

☐ Yes ☒ No

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

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

l. If No, anticipated period of construction:

months

ii. If Yes:

- Total number of phases anticipated

- Anticipated commencement date of phase 1 (including demolition)

month year

- Anticipated completion date of final phase

_____ month _____ year

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

f. Does the project include new residential uses? ☐ Yes ☒ 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	_____	_____	_____	_____
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? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐ Yes ☒ No
 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: _____ 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: _____ 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): _____

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

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? • Will a line extension within an existing district be necessary to serve the project? 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> • 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? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes: <ul style="list-style-type: none"> • 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes: <ul style="list-style-type: none"> 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)? _____ _____ <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ • Will stormwater runoff flow to adjacent properties? <input type="checkbox"/> Yes <input type="checkbox"/> No 	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? <input type="checkbox"/> Yes <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify: <ul style="list-style-type: none"> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes: <ul style="list-style-type: none"> 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) <input type="checkbox"/> Yes <input type="checkbox"/> No ii. In addition to emissions as calculated in the application, the project will generate: <ul style="list-style-type: none"> • _____ 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.

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ N/A • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ N/A • Saturday: _____ • 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:

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: _____

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.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.8	0.8	0
• Forested	15.2	15.2	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	5.69	5.69	0
• Agricultural (includes active orchards, field, greenhouse etc.)	12.4	12.4	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.20	0.20	0
• 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: _____

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? _____ >8 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:

Burdett-Sarliha	73 %
Illion	27 %
	%

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

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

f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: 70 % of site
☐ 10-15%: 29 % of site
☐ 15% or greater: 1 % 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 _____

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p><u>Deer, rabbits, turkey, snakes</u> _____</p> <p>_____</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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</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>_____</p> <p>_____</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>_____</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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>i. If Yes: acreage(s) on project site? _____</p> <p>ii. Source(s) of soil rating(s): _____</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>_____</p> <p>_____</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: Chapman Farmhouse, Braman, Joseph, House

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 Chad Pagan

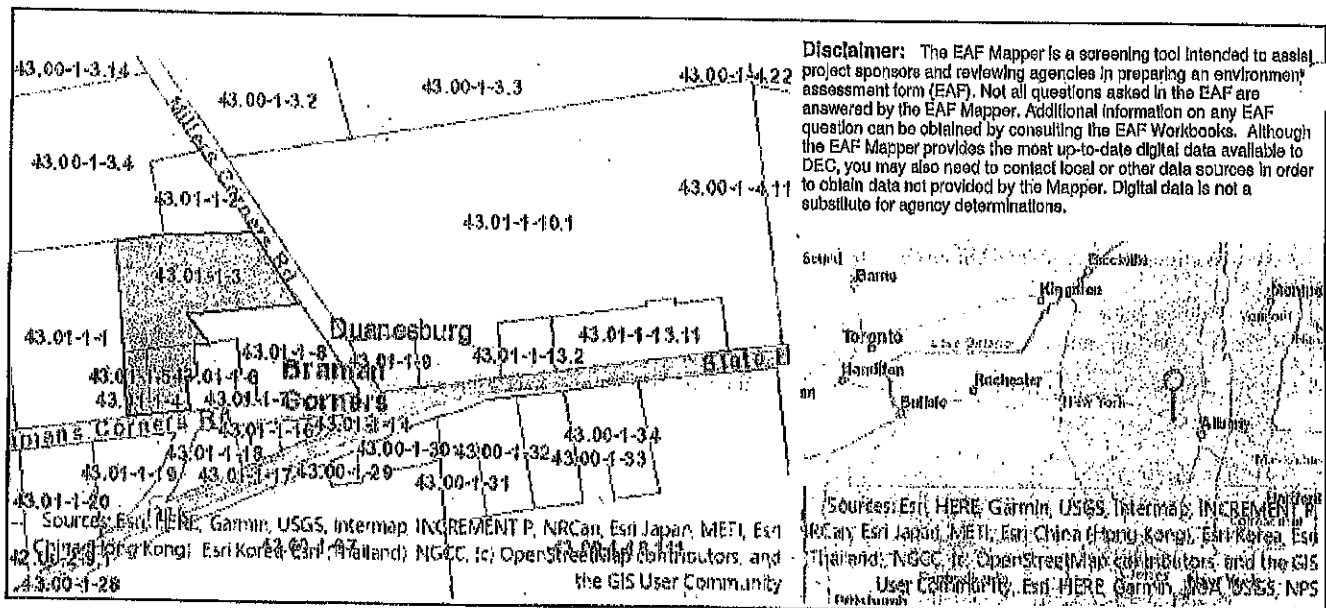
Date 10-17-23

Signature _____



Title Agent for applicant

PRINT FORM



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]	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]	Chapman Farmhouse, Braman, Joseph, House
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

APPLICATION FOR THE PLANNING BOARD
TOWN OF DUANESBURG

Revised 04/12/2017

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



ORIGINAL

CHECKLIST OF REQUIRED INFORMATION:

- | | |
|--|--|
| <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Title of drawing. <input checked="" type="checkbox"/> Tax Map ID # <input checked="" type="checkbox"/> Zoning district <input checked="" type="checkbox"/> Current Original Deed <input checked="" type="checkbox"/> NYS Survey (L.S. & P.E.) <input checked="" type="checkbox"/> North Arrow, scale (1"=100') <input checked="" type="checkbox"/> Boundaries of the property plotted and labeled to scale. <input checked="" type="checkbox"/> School District/Fire District <input checked="" type="checkbox"/> Green area/ landscaping <input checked="" type="checkbox"/> Existing watercourses, wetlands, etc. <input checked="" type="checkbox"/> Contour Lines (increments of 10ft.) <input checked="" type="checkbox"/> Easements & Right of ways <input checked="" type="checkbox"/> Abutting Properties Wells/ Sewer Systems within 100ft. <input checked="" type="checkbox"/> Well/ Water system | <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Septic system: Soil Investigation completed? <input checked="" type="checkbox"/> Sewer System: Which district? <input type="checkbox"/> Basic SWPPP (12 & 45) <input type="checkbox"/> Full Storm Water Control Plan (5acres or more) <input type="checkbox"/> Storm Water Control Plan <input checked="" type="checkbox"/> Short or long EAF www.dec.ny.gov/efmmapper/ <input type="checkbox"/> Street pattern: Traffic study needed? <input type="checkbox"/> All property Mergers REQUIRE both owners Signatures on the Application <p><u>Additional Requirements for Special Use Application:</u></p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> New or existing building <input checked="" type="checkbox"/> <u>Business Plan, Hours of operation, & number of employees, floor plan, uses, lighting plan/ landscaping/signage</u> <u>Parking, Handicap Spaces, & lighting plan</u> |
|--|--|

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

Jorge 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 Duanesburg to walk the property for the purposes of conducting a site review.

Jorge 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: <u>Edward Putnam</u> (<u>Roger Putnam – Power of Attorney</u>) Address: <u>252 Duane Lake Road</u> <u>Duanesburg NY, 12056</u>	Name: <u>Same as owner</u> _____ _____

- Type of Application: Special Use Permit; Site Plan Approval; Use Variance; Area Variance; ☒ Subdivision Approval (circle one or more)
- 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.
- Location of project: Address: 4136 Western TPK & North Mansion Road
Tax Map Number (TMP) 67.00-2-6.11
- Is this parcel within an Agricultural District? ☒ YES NO (Check with your local
- If YES, Agricultural District Number 114 assessor if you do not know.)
- Is this parcel actively farmed? YES ☒ NO
- 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: <u>Edward Putnam</u> 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.



LEGEND

SUMMARY

[illegible]

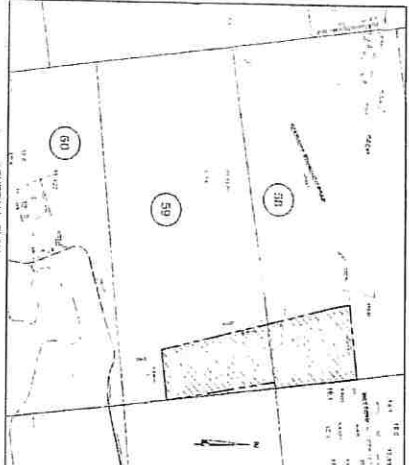
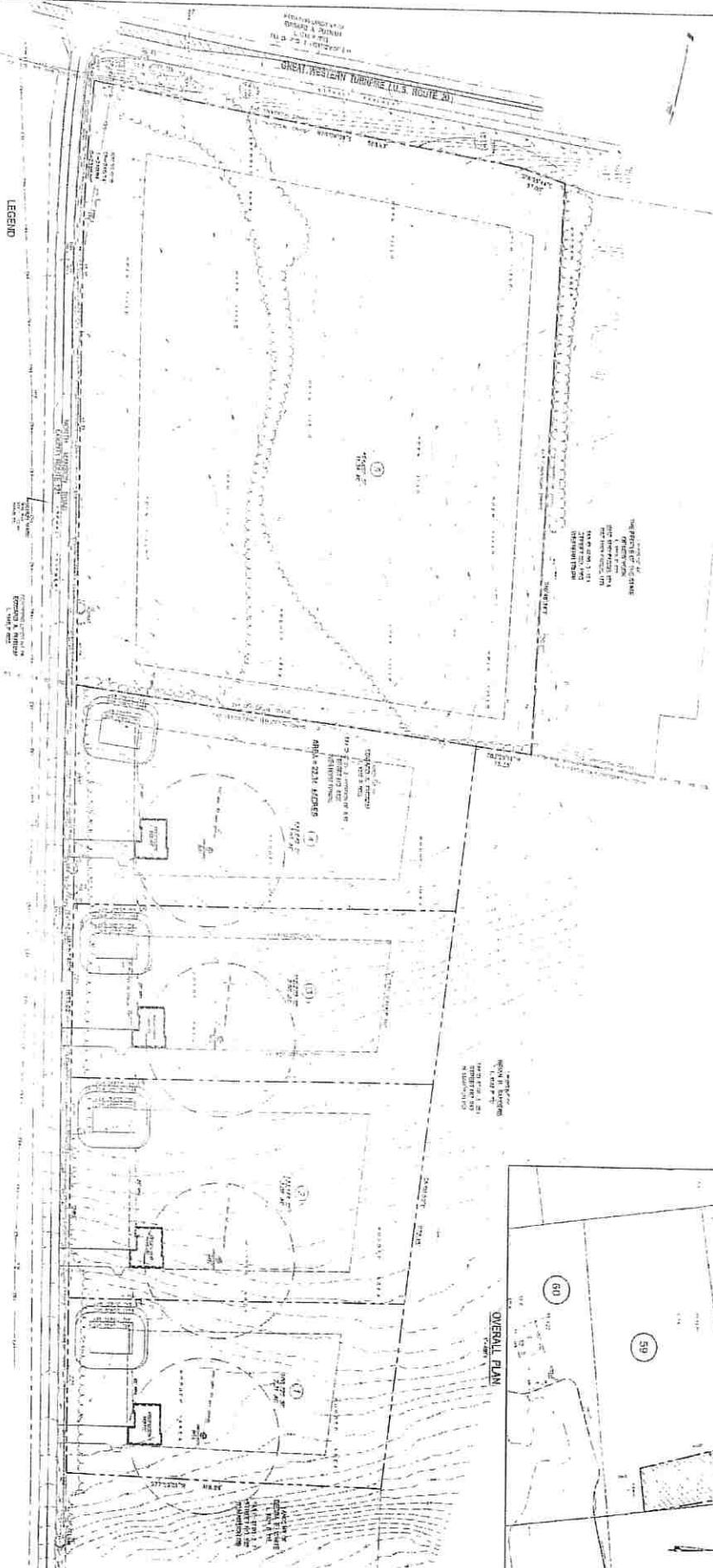
STATE FUNDING

[illegible]

SITE LOCATION MAP



MINOR SUBDIVISION OF
A PORTION OF LAND NOW OR FORMERLY OF
EDWARD A. PUTNAM
STREET NO. 4126 WESTERN DRIVE AND NORTH MANSON ROAD



ORIGINAL

145-1569

RLTSA
TAX MAP IDENT
SEC. 67.00 BLK. 2 LOT 6.11

FORM 5311 N.Y. DEED - EXECUTOR'S

89 5340

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

1248210095

This Indenture.

November Nineteen Hundred and Eighty-Nine Made the 30th day of
Between EDWARD A. PUTNAM, residing at Route 20, Duanesburg, 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, Duanesburg, 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.

D ORIGINAL

SCHEDULE "A"

12487 10057

1571
(PARCEL NO. 1)

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. G. 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 G. 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

506 PAGE 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 northeast 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 "O" 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 203 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 203 plus 62 plus or minus of said base line; thence N. 36° 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

ORIGINAL

12481-10099

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a point 75 feet distant northerly measured at right angles from station 218 plus 70 of said base line; thence N. 79° 53' W. 648 feet to a point 50 feet distant northerly measured at right angles from station 225 plus 25 of said base line; thence N. 77° 41' W. 475 feet to a point 46 feet distant northerly measured at right angles from station 229 plus 99 of said base line; thence N. 76° 53' W. 635 feet to a point 75 feet distant northerly measured at right angles from station 236 plus 34 of said base line; thence N. 78° 42' W. 241 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 the lands now or formerly of Earl W. Liddle, on the west, the last mentioned point being 37 feet distant northerly measured at right angles from station 238 plus 75 of the said base line; thence southerly along said division line 1 plus or minus feet to a point on the northerly boundary of said existing highway, the last mentioned point being 36 plus or minus feet distant northerly measured at right angles from station 238 plus 75 plus or minus of said base line; thence easterly along the last mentioned boundary of said existing highway 2006 plus or minus feet to the point of beginning, being 0.50 acres more or less.

The above mentioned survey base line is a portion of the 1931 survey base line for the said proposed reconstruction of the Guilderland-Duanesburg Part 2 State Highway No. 8097, County of Schenectady, as shown on Map on file in the Office of the Clerk of Schenectady County, and is described as follows: BEGINNING at station 205 plus 00; thence AZ. 273° 19' 1525 feet to station 220 plus 25; thence AZ. 278° 40' 275 feet to station 223 plus 00; thence AZ 233° 25' 700 feet to station 230 plus 00; thence AZ 283° 12' 900 feet to station 239 plus 00, all of which is shown on map on file in the Office of the Clerk of the County of Schenectady.

The real property herein intended to be conveyed is the real property obtained by John A. Ferguson in 1848 from John A. Pell, et al, and obtained by John Ferguson in 1866 from Catharine McGue and husband, except property conveyed by said Ferguson and wife to William Liddle in 1866, and further excepting real property deeded to the County of Schenectady by Mary C. Wright in 1930, and further excepting two parcels of real property recently taken by the County of Schenectady for reconstruction of the Guilderland-Duanesburg Part 2 State Highway No. 8097.

The premises herein conveyed constitute all the real property which the grantors herein, to-wit: Winifred Cullings Wright and Martha Frances Wright obtained by inheritance through the estates of their mother, Mary C. Wright, in 1940, and their father, George Wright, in 1940, with the exception of the parcels more recently taken by the County of Schenectady for reconstruction of said highway.

(PARCEL NO. 2)

that tract, piece or parcel of land situate in the Town of Duanesburg, Schenectady County, New York, lying southerly of U. S. Route 20 and lying part easterly and part westerly of North Mansion Road and further bounded and described as follows: BEGINNING at the point of intersection of the center line of North Mansion Road with the southerly line of lands of Putnam and runs thence along said line of Putnam, easterly about 570 feet to the intersection of stone wall; thence southerly along the westerly line of lands of DeForest about 920 feet to a point; thence westerly along the northerly line of lands of Noble, about 460 feet to the center line

1574
1248-10100 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,

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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 1930 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 10 1/2 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 26th, 1940, and recorded in the Schenectady County Clerk's office August 16th, 1941, in Book 461 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/F 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): 4136 Western TPKE Road and North Manson 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
Address: 242 Duane Lake Road		E-Mail: 188cycleshop@yahoo.com
City/PO: Duanesburg	State: New York	Zip Code: 12056
Project Contact (if not same as sponsor; give name and title/role): Joseph J. Blanchine, P.E - ABD Engineer, LLP,		Telephone: 518-377-0315
Address: 411 Union Street		E-Mail: joe@abdeng.com
City/PO: Schenectady	State: NY	Zip Code: 12035
Property Owner (if not same as sponsor): same as applicant / sponsor		Telephone:
Address:		E-Mail:
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 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? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input checked="" 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. ☒ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

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? 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?

If Yes, show numbers of units proposed.

☒ Yes ☐ No

	<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)?

☐ Yes ☒ No

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? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

☐ Yes ☒ No

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: 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?

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 1/4 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: _____

N/A

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: _____ 7-6
- Saturday: _____ 7-2
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____ 24/7
- Saturday: _____ 24/7
- Sunday: _____ 24/7
- Holidays: _____ 24/7

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:
Residential style lighting

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☒ Yes ☐ No
 Describe: Some tree removal is required.

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): N/A

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: N/A
 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: _____

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 covertsypes on the project site. project site consists of 22.3+/- portion of parcel on east side of North Mansion Road

Land use or Covertypes	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?

If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %

☐ Yes ☒ No

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?

If Yes, describe: _____

☐ Yes ☒ No

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: _____

m. Identify the predominant wildlife species that occupy or use the project site:
Typical rural / suburban wildlife

n. Does the project site contain a designated significant natural community? ☐ Yes ☒ 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? ☒ Yes ☐ No
 If Yes:
 i. Species and listing (endangered or threatened):
Northern Long-eared Bat, Bald Eagle

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? ☐ Yes ☒ No
 If Yes:
 i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☒ 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? ☒ Yes ☐ No
 If Yes, provide county plus district name/number: SCHE001

b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☒ No
 i. If Yes: acreage(s) on project site: _____
 ii. Source(s) of soil rating(s): USDA Web Soil Survey

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☒ No
 If Yes:
 i. Nature of the natural landmark: ☐ Biological Community ☐ 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? ☐ Yes ☒ 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: 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.

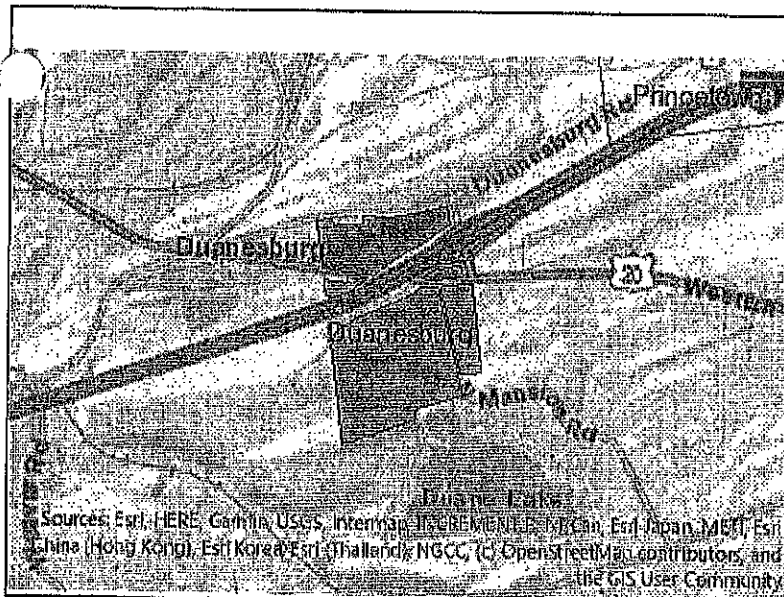
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

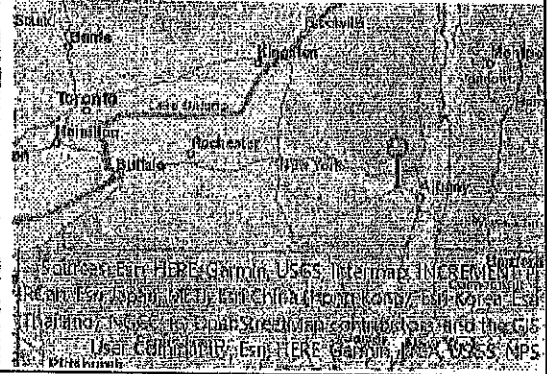
I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Joseph J. Blanchine, P.E Date October 20, 2023
Signature  Title Engineer

PRINT FORM



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.



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.n. [Over Flow Flooding]	No
E.2.i. [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 Duanesburg

Date of Determination 11/1/25

Application of JOHN + RENE DERGOSITS under section LOCAL LAW #2 OF 2016 of the (Village of Delanson Town of Duanesburg)
SUBDIVISION Ordinance.

Applicant JOHN + RENE DERGOSITS
Address 863 TURNBULL RD
DELANSON N.Y.

Phone _____ Zoning District R-2 SBL# 65-00-2-29

Description of
Project: ADJUST SOUTH LOT LINE, SECTION BEING SOLD TO NEIGHBOR

Determination:
PLANNING BOARD FOR LOT LINE ADJUSTMENT

Reason supporting determination:
LOCAL LAW #2 OF 2016 SUBDIVISION ORDINANCE UNDER
SECTION LOT LINE ADJUSTMENT.

Action: Refer to <u>PLANNING BOARD</u> for the purpose of <u>LOT LINE ADJUSTMENT</u>
--

Code Enforcement Officer: Cheryl Parker

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/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 10/30/2023

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

Proposal: Provide 0.08 acres to Martins to eliminate their encroachment on my property

Section _____ of _____ Ordinance.

Present Owner: John R. and Irene Derosa (AS APPEARS ON DEED!!)

Address: 863 Turnbull Road, Delson Zip code: 12053

Phone # (required) 518/895-8462

Applicants Name (if different): _____

Phone# (required) _____

Location of Property (if different from owners) _____

Tax Map # 65-2-29 Zoning District R-2

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 10/30/2023

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

**Proposed Deed Description of a portion of Lands of
John R. and Irene Dergosits
To be conveyed and merged with Lands of
Donald J. and Cynthia A. Martin**

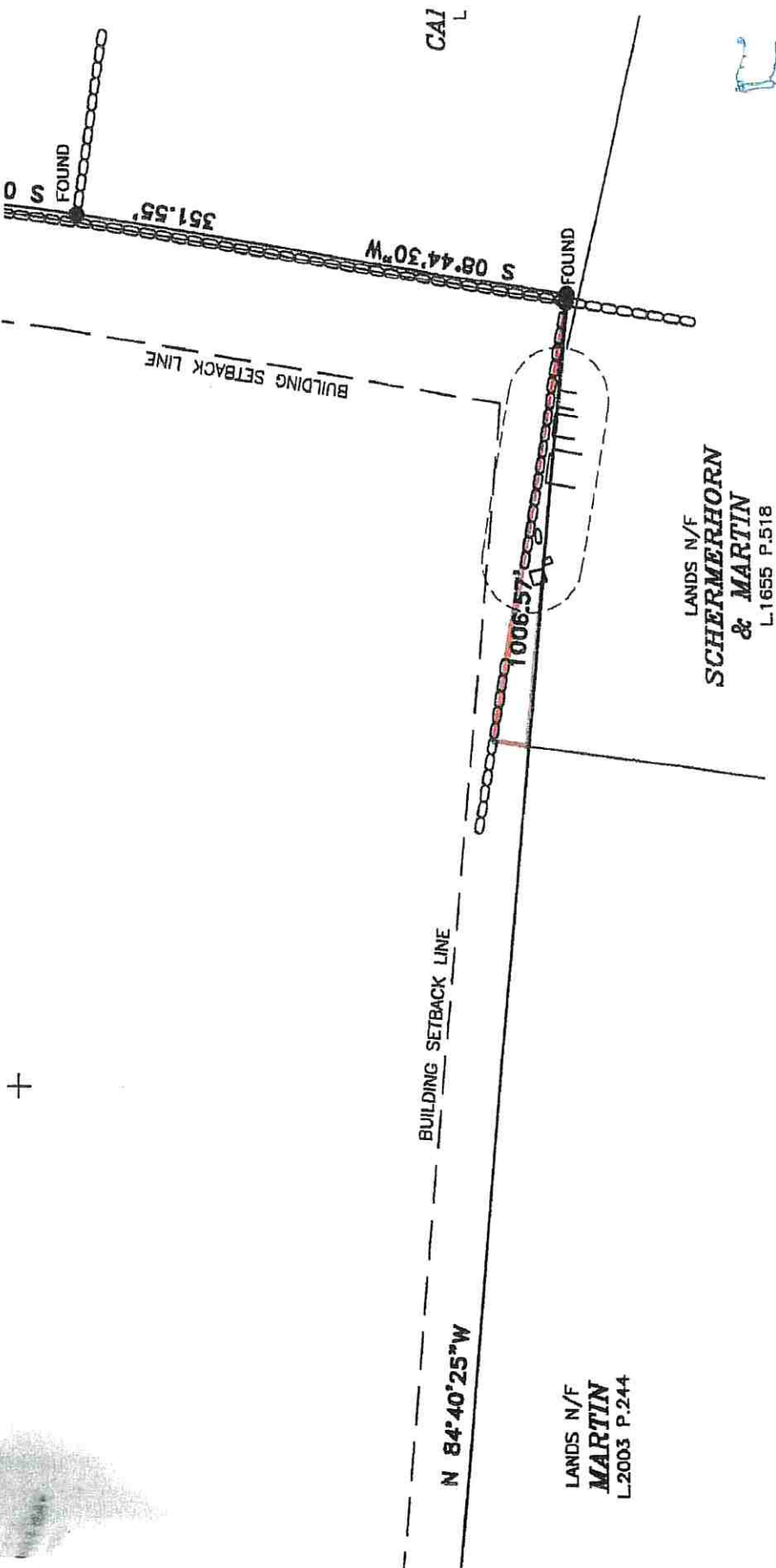
Beginning at an iron pin found at the northeasterly corner of Lands of Martin (L.1894 P.476) and running thence along Lands of said Martin N 84°22'35"W 300.00' to a J. D. Crum capped iron pin;

Thence the following 2 courses through Lands of Dergosits (L.1375 P.60)

1. N 05°37'25"E 23.94' to a J. D. Crum capped iron pin;
2. S 79°48'50"E 300.95' to the point or place of beginning.

Said parcel contains 0.082 Acres of Land.

23001LLA Deso



ORIGINAL

OWNER:
JOHN R. and IRENE DERGOSITS
863 TURNBULL ROAD
DELANSON, NY 12053

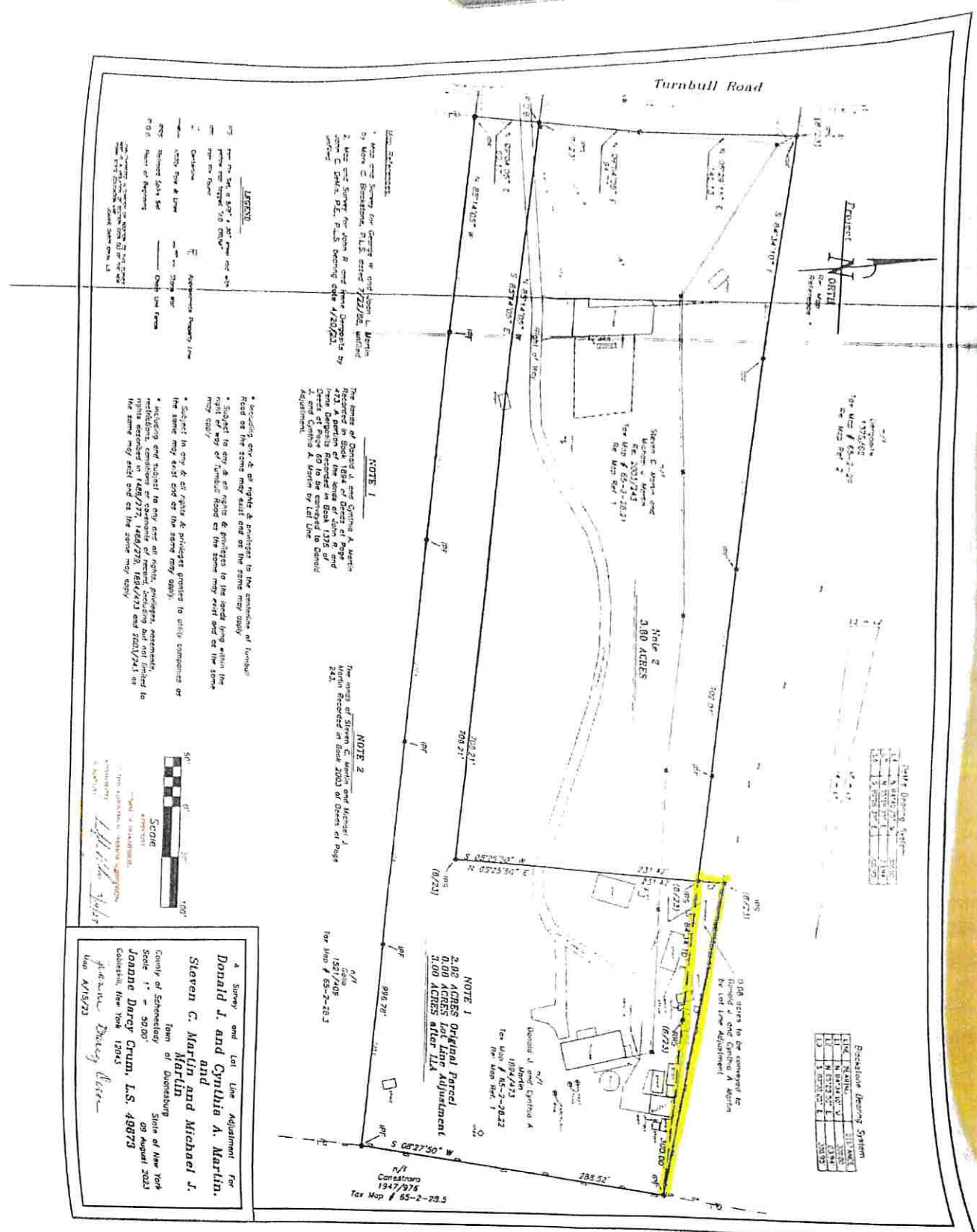
TOWN OF DANFORTH APPROVAL

ZONING DISTRICT INFORMATION:

R-2, AGRICULTURAL & RESIDENTIAL

LOT SIZE, Minimum	100,000 SQ. FT.
LOT WIDTH, Minimum	200 FT.
LOT DEPTH, Minimum	200 FT.
LOT COVERAGE, Maximum	25%
FRONT SETBACK, Minimum	80 FT.
SIDE SETBACK, Minimum	40 FT.
REAR SETBACK, Minimum	80 FT.
BUILDING HEIGHT, Max.	2.5 STORIES or 35 FT.

HE
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RECEIVING
BY
DATE



NOTICE OF DETERMINATION
of the Town of Duanesburg

Date of Determination 11/1/85

Application of JOSEPH SETHI under section _____
_____ of the (Village of Delanson/ Town of Duanesburg)
_____ Ordinance.

Applicant JOSEPH SETHI
Address 810-218 BATTLE ST.
PATRICKSVILLE 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:

- | | |
|---|---|
| <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± & <5) |
| <input checked="" type="checkbox"/> Current Original Deed | <input type="checkbox"/> Full Storm Water Control Plan (5acres 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/efm/mapper/ |
| <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 | 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"/> <u>Business Plan, Hours of operation, & number of employees, floor plan, uses, lighting plan/ landscaping/signage</u> |
| <input checked="" type="checkbox"/> Easements & Right of ways | <u>Parking, Handicap Spaces, & lighting plan</u> |
| <input checked="" type="checkbox"/> Abutting Properties Walls/ Sewer Systems within 100ft. | |
| <input checked="" type="checkbox"/> Wall/ Water system | |

Date 10-31-23

Application type: ☐ Major Subdv ☐ Minor Subdv ☒ Special Use Permit ☐ Site/Sketch Plan Review ☐ LotLine Adjust
Proposal: Remove Restriction ON COOLING

Section _____ of _____ Ordinance.

Present Owner: Mr. Joseph SEITZ (AS APPEARS ON DEED!!)
Address: 216 218 Batters St 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!

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>Mr. Joseph SETH</u>	Name: _____
Address: <u>216-218 Carter 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 Carter St

Tax Map Number (TMP) 35-05-1-19.2

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: _____ 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]
Signature of Applicant

[Signature]
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.

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 BATTER ST.
PATERSONVILLE 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: Clifford Polak

APPLICATION FOR THE PLANNING BOARD
TOWN OF DUANESBURG

Revised 04/12/2017

*****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 (1± & <5) |
| <input checked="" type="checkbox"/> Current Original Deed | <input type="checkbox"/> Full Storm Water Control Plan (5acres 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.dsc.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"/> <u>Business Plan, Hours of operation, & number of employees, floor plan, uses, lighting plan/ landscaping/signage</u> |
| <input checked="" type="checkbox"/> Easements & Right of ways | <u>Parking, Handicap Spaces, & lighting plan</u> |
| <input checked="" type="checkbox"/> Abutting Properties Wells/ Sewer Systems within 100ft. | |
| <input checked="" type="checkbox"/> Well/ Water system | |

Date 10-31-23

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

Proposal: US Bann and Property For Religious Ceremonies

Phase 2 Build New Church

Section _____ of _____ Ordinance.

Present Owner: Rev JOSEPH SERTIS (AS APPEARS ON DEED!)

Address: 216-218 BATH ST Zip code: 12137

Phone # (required) 5

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 Duanesburg 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>Rev Joseph Stern</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: _____ 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.

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 CLEANLINE INC.</u>	Name	<u>HOWARD DAVOL</u>
Address	<u>3251 WESTERN TURNPIKE DUNESBORO, NY 12056</u>	Address	<u>229 VISHAR FERRY RD. LEXINGTON, NY 12150</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 (T.M.) 67.00-3-19.21
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. If all farm operations within 500 feet of your parcel, attach a diagram showing if necessary.

NAME <u>EDWARD PETERSON</u>	NAME <u>BRIAN SANDERS</u>
ADDRESS <u>4130 WESTERN TURNPIKE DUNESBORO, NY</u>	ADDRESS <u>4130 WESTERN TURNPIKE DUNESBORO, NY</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 (other than applicant)

Reviewed by _____ Date _____
Date P. Warner _____ Date _____

Revised 4/4/17

FARM NOTE

Farm operations 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.

CHECKLIST OF REQUIRED INFORMATION:

- | | | | |
|-------------------------------------|--|-------------------------------------|---|
| <input checked="" type="checkbox"/> | Title of drawing | <input type="checkbox"/> | Septic system Soil investigation completed? |
| <input checked="" type="checkbox"/> | Tax Map ID# | <input checked="" type="checkbox"/> | Sewer System Within district? |
| <input checked="" type="checkbox"/> | Zoning district | <input type="checkbox"/> | Basic SWPPP (1 to 5 < 5) |
| <input checked="" type="checkbox"/> | Current Digital Deed | <input type="checkbox"/> | Full Storm Water Control Plan (Separate 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 online EAF www.dec.ny.gov/efaf/mapaen/ |
| <input checked="" type="checkbox"/> | Boundaries of the property plotted and labeled (if separate) | <input type="checkbox"/> | Street pattern, Traffic study needed? |
| <input checked="" type="checkbox"/> | School District/Fire District | <input type="checkbox"/> | All property Managers <u>REQUIRE</u> both owners' Signatures on the Application |
| <input checked="" type="checkbox"/> | Green areas/landscaping | | |
| <input checked="" type="checkbox"/> | Existing watercourses, wetlands, etc. | | |
| <input checked="" type="checkbox"/> | Contour Lines (increments of 10') | | |
| <input checked="" type="checkbox"/> | Basements & Right of ways | | |
| <input checked="" type="checkbox"/> | Adjoining Properties Water/Sewer Systems (if 100') | | |
| <input checked="" type="checkbox"/> | Well/Water system | | |
- Additional Requirements for Special Use Application:
- | | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | New or existing building |
| <input checked="" type="checkbox"/> | Business Plan, Hours of operation, & number of employees, floor plan, uses, lighting plan/landscaping/signage, Parking, Handicap Spaces, & lighting plan |

Date: 11/6/23

Application type ☐ Major ☐ Minor ☐ Transfer ☒ General ☐ Other ☐ Pre-req.

Section _____ of _____ Ordinance _____

Present Owner HOWARD DAIGLE (AS APPEARS ON DEED)

Address 224 V. SHER FERRY RD Zip code 12158

Phone # required: 508-855-1771 Fax: 508-855-1771

513-7277

Applicant's Name and Address: NCI

Phone required: 715-209-1577

Location of Project: Highway from road 3851 west to rd 2626

$$7 \times 12 = 63 \quad 3 \times 19 = 21 \quad 7 \times 19 = 21 \quad 21$$

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

LANDS CONVEYED TO REQUIRED FOR MERGERS

Signature of Purchasing Property Owner: _____ HAS APPEARS ON DEED

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. The Applicant hereby certifies that the owner of the above property is fully authorized in writing by the owner of record to make this application. Furthermore, by signing this application, the owner or representative for the representative of the Town of Tazewell, certifies that the property for the purpose of infilling a site review.

Scott Greschner

Date: 11/6/23

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

ALL APPLICATION FEES ARE NON-REFUNDABLE!

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1

(Fc office at 100)

Application fee paid _____ Check# _____ Received By _____ Date _____

☐ Approved ☐ Disapproved ☐ Refer to Code Enforcement Section of _____ of _____, 19____

© 2002 Blackwell Science Ltd

Plenary Chairperson

Date: _____

Code Enforcement

125.

Short Environmental Assessment Form **Part 1 - Project Information**


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: NORTHERN CLEARING INC. 3851 WESTERN TURNPIKE, DUNESBURG, NY			
Project Location (describe, and attach a location map): EXPANSION OF EXISTING COMMERCIAL USE			
Brief Description of Proposed Action: 3851 WESTERN TURNPIKE, DUNESBURG, NY NORTHERN CLEARING INC. (NCI) OPERATES A COMMERCIAL/ INDUSTRIAL AND BUSINESS. THIS PROJECT INCLUDES THE EXPANSION OF THE OPERATIONS ON THE CURRENT SITE FOR EXTERIOR MATERIALS STORAGE AND VEHICLE AND EQUIPMENT LAYDOWN AREAS.			
Name of Applicant or Sponsor: NORTHERN CLEARING INC.		Telephone: 715-209-1579	
Address: 3851 WESTERN TURNPIKE, DUNESBURG, NY		E-Mail:	
City/PO: DUNESBURG,		State: NY	Zip Code: 12056
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.		NO <input checked="" type="checkbox"/>	YES <input 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:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		16.05 acres	
b. Total acreage to be physically disturbed?		8.05 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		16.05 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?	NO	YES
Northern Long-eared Bat, Ba...	<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 type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, briefly describe:	DISCHARGE TO EXISTING ROADSIDE SWALES.	
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 type="checkbox"/>	<input checked="" type="checkbox"/>
STORMWATER DETENTION		
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: FRANCIS G. PALUMBO, RLA Date: 11/6/23		
Signature:  Title: PROJECT LANDSCAPE ARCH.		

PRINT FORM

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 Workbook. 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 12110 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 Vlachos Ferry Road, Rexford, 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
Duanesburg, 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 &
Dhruva 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
03° 43' 20" East, 18.84 feet to the point of intersection of said Southerly line with the
Westerly line of Lands of Felles as conveyed in Book 1068 of Deeds at Page 647, thence
along the Westerly, Southerly, and Easterly lines of Lands of Felles the following three
(3) courses: 1.) South 03° 43' 46" East 281.67 feet to a point, thence 2.) North 86°
16' 30" 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, 131.89 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, North 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° 16' 10"
West, 1008.38 feet to the point of intersection of said Northerly line with the Easterly line
of Lands of said Cadwell & Dhruva, thence along said Easterly line, North 03° 46' 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 VanCulder & 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 1348 of Deeds at Page 238.

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;

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SEC 672003-2232

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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 resolve the consideration for this conveyance and will hold the right to receive 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-Toth
Kiki S. Garg-Toth
Amy P. Garg
Amy 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-Toth, 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.

GUSTAW I. GORZAL JR.
No. 1034136
Notary Public, State of New York
Qualified in Albany County
Commission Expires 7/31/2006

[Signature]
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 Amy 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.

GUSTAW I. GORZAL JR.
No. 1034136
Notary Public, State of New York
Qualified in Albany County
My Commission Expires 7/31/2006

[Signature]
NOTARY PUBLIC, State of New York

Record and Return to:

Neil Weiner, Esq.
646 Plank Road, Suite 200
Clifton Park, New York 12065

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



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

TOWN OF DUANESBURG
SCHENECTADY COUNTY

Town of Duanesburg
Planning Board Minutes
October 19, 2023
Final Copy

MEMBERS PRESENT:

Jeffery Schmitt- Chairperson, Elizabeth Novak, 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 October 19, 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, Novak yes, Walpole yes. **Approved.**

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

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

SKETCH PLAN REVIEW:

PUBLIC HEARINGS:

#23-16 Balog, Chris & Nicole: SBL# 65.00-1-22.111, (C-1) located at 10057 Western Turnpike is seeking a special use permit to convert an existing commercial structure to a residential structure under section 11.4(9) Dwelling, Multifamily (10) Dwelling, Single Family, Consisting of a minimum gross floor area of 60 sq. ft., (11) Dwelling, two family.

Schmitt/Walpole made a motion to open the public hearing for Balog.

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

Mr. Balog stated that they are requesting a special use permit to convert the commercial building into a one-bedroom home. Mr. Balog is awaiting a perc test. This is a SEQRA type 2 action and is an approved negative declaration. The septic system is in the design phase

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and is going to be used to support both dwellings. A siphon system is going to be used in the septic plan. Mr. Balog states that he filled a 30,000-gallon pool with the system previously. He also states that there is adequate parking for both dwellings as the old parking lot for the commercial building will be used residentially. Lance Manus, engineer for this application, advised that the NYS Health Dept. states that any system must complete soil testing and have at least 12 inches of usable soil.

Harris/Novak made a motion to close the public hearing for Balog.

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

Harris/Walpole made a motion to approve the Balog application pending well testing and wastewater treatment system approval in accordance with the county septic design.

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

#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. Joe Bianchine, representing Spiro Kagas, advised the board that he got notice from the Town of Duanesburg engineer pertaining to a small rain garden and a bio retention system such as a grass filter strip that he is still waiting to hear back from DEC on as to whether they are classifying the application as redevelopment. Mr. Kagas needs a variance for side setbacks and if it was not done previously, they will do so for approval of this application. Mr. Bianchine advised the board that he nor the applicant or DEC feel as if the sediment testing that was asked for at the September meeting is necessary. Mr. Bianchine also advised that a need for a SPEDY's permit would be eliminated with use of their proposed plan with the fourth tank. The board advised that they still would like the sediment tested to know what is going to be sealed in. Such testing may consist of metals, semi volatiles, 82-60, 82-70, and PFAs. Patrick Wren, 9866 Western Turnpike, and Lance Manus, 143 Albert Rd, both made comments in support of the sediment testing so that neighboring properties can have peace of mind. Mr. Bianchine advised the board that no further water will be disturbing the east side/neighbors with the implantation of their proposed plan. Alicia Kagas stated that she is unsure of when they plan to incorporate the food truck into their plans. The board advised removing the food truck from the plans for now and updating the site plan. The board advised that they would like the town engineer present and/or town planner to meet with the applicants for a preconstruction meeting.

Patrick Wren submitted comments regarding this application. Please see attached. Mrs. Kagas advised that the car wash has been operating for 24 hours but was previously unmanned and people came and went as needed. One comment Wren made was regarding 24/7 lighting and the board has already amended the special use permit regarding noise after a certain time and the lighting can be limited too. The current sign is in question as well. Town planner, Chris Parslow, states that the permanent sign is in regulation, but there is a vinyl banner that is attached below the permanent sign. The board advised the applicant that the vinyl banner would need to be removed or within compliance and referred to the town planner regarding the sign.

Novak/Houghton made a motion to continue the public hearing to the November 16th meeting for the Spiro Kagas application.

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

NEW BUSINESS:

#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.

Kelli Desnoyers states that the existing dwelling will be demolished upon completion of the second dwelling. Kelli Desnoyers states that an engineer is to come out and inspect the current septic and well and advise Mr. Walpole as to whether he can use the existing set up. 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/Hoffman made a motion to set a public hearing for the special use permit for the Michael Walpole application to November 16th, 2023.

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

OLD BUSINESS:

#23-20 McCauley, Lewis & Stephanie: SBL#67.00-1-2.12 (R-2) located at 192 Crosier Rd is proposing to split one 11-acre parcel into two parcels.

The applicant states that the property with the house currently on it is to be sold and the other half is to be later developed by her son into a residential lot. The board questioned if a wetland buffer had been documented. Chad Pagan, Ingalls Associate, states that he used the wetland delineation flags already noted on DEC mapper. A flag lot was depicted to give the property road frontage. The town advised the applicant that they should do the lot line adjustment first and then come back later to subdivide with clear plans and wetland delineation. The town attorney advised that the septic and well be within the 5 acres when the lot line adjustment is completed.

Harris/Novak made a motion to refer the lot line adjustment to Chris Parslow, town planner.

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

OTHER:

The board members discussed annual training of four hours per year. The town attorney advised the board members that they will be getting an email about a new local law pertaining to septic. Residents will have to get their septic systems inspected in the L-2 district, Duane Lake district, prior to transfer. Town planner, Chris Parslow, informed the board that Dollar General is still running on a temporary CO because of well issues and questioned how long a temporary CO can be in place. The board advised that the issue of a temporary CO isn't a planning board concern, but it does need to be looked in to and suggested reaching out to NYS.

MINUTE APPROVAL:

Hoffman/Novak made a motion to approve the September 21, 2023, Planning Board minutes.

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

ADJOURNMENT:

Harris/Hoffman made a motion to adjourn.

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