

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
February 15, 2024

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

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

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

Topic: Town of Duanesburg's Planning Board Zoom Meeting

Time: This is a recurring meeting Meet anytime

Join Zoom Meeting

Meeting ID: 858 7403 2498

Passcode: 848175

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

Meeting ID: 858 7403 2498

Passcode: 848175

INTRODUCTION BY CHAIRPERSON JEFFERY SCHMITT

OPEN FORUM

SKETCH PLAN REVIEW:

PUBLIC HEARINGS:

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

Comments: _____

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

Comments: _____

OLD BUSINESS:

#23-19 Samuelson, Thomas: SBL#67.05-2-13.1 (H) located at 6928 Duanesburg Rd is seeking a special use permit to convert existing residential building back to a two-family dwelling under section 9.4(8) of the Town of Duanesburg Zoning Ordinance.

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

Comments: _____

#24-2 Kruger Energy: SBL#65.00-2-15.11, SBL#65.00-2-15.2, and SBL#65.00-2-43 (R-2) located at 909 Alexander Rd is seeking a special use permit and lot line adjustment under Local Law 2 of 2016 of the Town of Duanesburg Subdivision Ordinance and Local Law 1 of 2023 of the Town of Duanesburg Zoning Ordinance.

Comments: _____

#24-3 Parkview at Ticonderoga LLC: SBL#65.00-1-19.1, (C-2) located at 9811-9815 Western Turnpike is seeking a special use permit and major subdivision under section 12.4 (26)(28)(34) of the Town Of Duanesburg Zoning Ordinance and section 3.5 Major Subdivision of the Town of Duanesburg Subdivision Ordinance.

Comments: _____

NEW BUSINESS:

#23-22 Hoffman Jr, Joseph: SBL#43.00-1-2, (R-2), located at 382 Braman Corners Rd is seeking a lot line adjustment under local law #2 of 2016 of the Town of Duanesburg Subdivision Ordinance.

Comments: _____

#24-1 Miller, Zachary: SBL#35.09-2-10, (L-1), located at 766 S Shore Rd is seeking a special use permit to construct a two-family dwelling under section 7.1.4(1) of the Town of Duanesburg Zoning Ordinance.

Comments: _____

Other:

Minute Approval:

January 18, 2024 PLANNING BOARD MEETING MINUTES:

Approved: Yes _____ No: _____

ADJOURNMENT

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



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

TOWN OF DUANESBURG
SCHENECTADY COUNTY

NOTICE OF PUBLIC HEARING

LEGAL NOTICE NOTICE OF PUBLIC HEARING PLANNING BOARD TOWN OF DUANESBURG

PLEASE TAKE NOTICE, THAT THE PLANNING BOARD OF THE TOWN OF
DUANESBURG, NEW YORK, WILL MEET AT THE TOWN HALL IN THE TOWN
OF DUANESBURG, 5853 WESTERN TURNPIKE, ON **FEBRUARY 15, 2024 AT**
7:00 PM FOR THE PURPOSE OF HEARING ALL PERSONS INTERESTED IN THE
APPLICATION OF:

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

Coryn VanDeusen

From: New York State Parks CRIS Application <cris.web@parks.ny.gov>
Sent: Thursday, January 18, 2024 10:31 AM
To: Coryn VanDeusen
Subject: NY SHPO: Initial Consultation Submission 3CGC1Y2QLYIO Created

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Initial Submission Created

The New York State Historic Preservation Office (SHPO) has assigned a token for a newly created initial submission.

New Initial Submission Token: 3CGC1Y2QLYIO

Project Type: Consultation

This token uniquely identifies this submission. Please retain the token for reference.

New York State Historic Preservation Office

Peebles Island State Park, P.O. Box 189, Waterford, NY 12188-0189

518-237-8643 | <https://parks.ny.gov/shpo>

CRIS: <https://cris.parks.ny.gov>

Are you registered to vote? [Register to vote online today](#). Moved recently? Update your information with the NYS Board of Elections. Not sure if you're registered to vote? [Search your voter registration status](#).

Who sent this email?

This email is a notification from the [New York State Cultural Resource Information System \(CRIS\)](#). CRIS is an online service administered by the [New York State Division for Historic Preservation](#), also known as the New York State Historic Preservation Office (SHPO), which is a division of [New York State Parks, Recreation & Historic Preservation](#).

This message pertains to a submission for a consultation project. Please see SHPO's [Environmental Review](#) web page for more information about the consultation process.

Why did I receive this email?

The submission's contact list includes your email address.

What do I need to do?

If you are the submitter, please complete the submission and send it to SHPO.

APPLICATION FOR THE PLANNING BOARD
TOWN OF DUANESBURG

Revised 04/12/2017

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



ORIGINAL

CHECKLIST OF REQUIRED INFORMATION:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Title of drawing. | <input checked="" type="checkbox"/> Septic system: Soil Investigation completed? |
| <input checked="" type="checkbox"/> Tax Map ID # | <input checked="" type="checkbox"/> Sewer System: Which district? |
| <input checked="" type="checkbox"/> Zoning district | <input type="checkbox"/> Basic SWPPP (1≥ & <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/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 REQUIRE both owners Signatures on the Application |
| <input checked="" type="checkbox"/> Green area/ landscaping | <u>Additional Requirements for Special Use Application:</u> |
| <input checked="" type="checkbox"/> Existing watercourses, wetlands, etc. | <input checked="" type="checkbox"/> New or existing building |
| <input checked="" type="checkbox"/> Contour Lines (increments of 10ft.) | <input checked="" type="checkbox"/> Business Plan, Hours of operation, & number of employees, floor plan, uses, lighting plan/ landscaping/signage |
| <input checked="" type="checkbox"/> Easements & Right of ways | <input type="checkbox"/> Parking, Handicap Spaces, & lighting plan |
| <input checked="" type="checkbox"/> Abutting Properties Wells/ Sewer Systems within 100ft. | |
| <input checked="" type="checkbox"/> Well/ Water system | |

Date October 20, 2023

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

Section _____ of _____ Ordinance.

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

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

Location of Property (if different from owners) _____
 Tax Map # 67.00-2-6.11 Zoning District C1 & R2

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

LANDS CONVEYED TO (REQUIRED FOR MERGERS) N/A
 Signature of receiving Property Owner N/A (AS APPEARS ON DEED!!)

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

Roger 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> (Roger Putnam – Power of Attorney) 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 _____

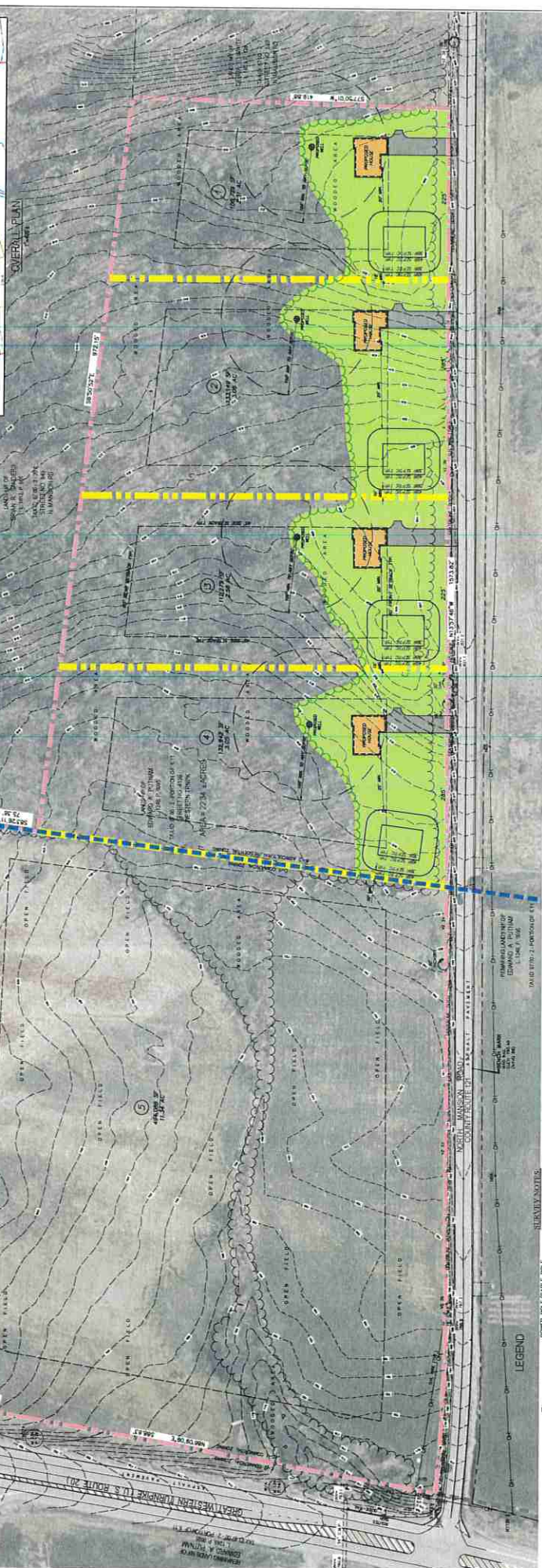
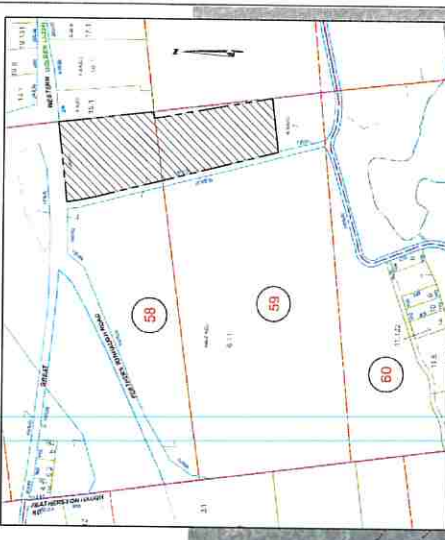
Signature of Owner (if other than applicant) _____

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.



MINOR SUBDIVISION OF A PART OF THE LANDS OWNED BY EDWARD A. PUTNAM STREET No. 418 WESTERN FREIGHTWAY MANASSAS ROAD COUNTY OF MONTGOMERY, STATE OF VIRGINIA PREPARED BY ABD ENGINEERS SURVEYORS 10101 WOODBRIDGE DRIVE, SUITE 100 FALLS CHURCH, VA 22041 PHONE: 703-261-1111 FAX: 703-261-1112 E-MAIL: info@abd-engineers.com WWW: www.abd-engineers.com DATE: 09/15/2023 SCALE: 1" = 40' SHEET: 1 OF 1	
PROJECT NO. 23-0001	DATE 09/15/2023

LEGEND

POWER POLE/CABLE TOWER
 RIGHT OF WAY WITHOUT ACCESS
 RIGHT OF WAY WITH ACCESS
 OVERHEAD ELECTRIC/CABLE
 EXISTING CENTERLINE
 CODE OF WOODS AREA
 ADJACENT PROPERTY LINE
 UNDEVELOPED PROPOSED PROPERTY LINE

REMARKS

1. EXISTING PROPERTY LINES AND ADJACENT PROPERTY LINES ARE SHOWN FOR REFERENCE ONLY. THIS PLAN IS NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE INFORMATION SHOWN HEREON. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE SITE AND HAS FOUND THAT THE INFORMATION SHOWN ON THIS PLAN IS A FAIR AND ACCURATE REPRESENTATION OF THE INFORMATION AVAILABLE TO HIM AT THE TIME OF HIS SURVEY. HE HAS NOT CONDUCTED A PHYSICAL SURVEY OF THE SITE AND HAS NOT MEASURED THE DISTANCES SHOWN ON THIS PLAN. HE HAS NOT CONDUCTED A SURVEY OF THE ADJACENT PROPERTY LINES AND HAS NOT MEASURED THE DISTANCES SHOWN ON THIS PLAN. HE HAS NOT CONDUCTED A SURVEY OF THE ADJACENT PROPERTY LINES AND HAS NOT MEASURED THE DISTANCES SHOWN ON THIS PLAN.

GENERAL NOTES

1. THE CLIENT HAS BEEN ADVISED THAT THE INFORMATION SHOWN ON THIS PLAN IS NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE INFORMATION SHOWN HEREON. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE SITE AND HAS FOUND THAT THE INFORMATION SHOWN ON THIS PLAN IS A FAIR AND ACCURATE REPRESENTATION OF THE INFORMATION AVAILABLE TO HIM AT THE TIME OF HIS SURVEY. HE HAS NOT CONDUCTED A PHYSICAL SURVEY OF THE SITE AND HAS NOT MEASURED THE DISTANCES SHOWN ON THIS PLAN. HE HAS NOT CONDUCTED A SURVEY OF THE ADJACENT PROPERTY LINES AND HAS NOT MEASURED THE DISTANCES SHOWN ON THIS PLAN.

LEGAL REFERENCE

THE INFORMATION SHOWN ON THIS PLAN IS NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE INFORMATION SHOWN HEREON. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE SITE AND HAS FOUND THAT THE INFORMATION SHOWN ON THIS PLAN IS A FAIR AND ACCURATE REPRESENTATION OF THE INFORMATION AVAILABLE TO HIM AT THE TIME OF HIS SURVEY. HE HAS NOT CONDUCTED A PHYSICAL SURVEY OF THE SITE AND HAS NOT MEASURED THE DISTANCES SHOWN ON THIS PLAN. HE HAS NOT CONDUCTED A SURVEY OF THE ADJACENT PROPERTY LINES AND HAS NOT MEASURED THE DISTANCES SHOWN ON THIS PLAN.

GENERAL PLAN

58
 59
 60



Call8n
 THE CITY OF
 Loudoun
 Loudoun Planning Board

ORIGINAL

LIBER 12487-10095

145-1569

This Indenture,

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

an 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,

EDWARD A. PUTNAM, residing at Route 20, Duaneburg, New York 12056

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.

RPISA
TAX MAP IDENT
SEC. 67.00 BLK. 2 LOT 6.11 1889

ORIGINAL

SCHEDULE "A"

USA 1248 10097

PARCEL NO. 1)

1571

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

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

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

LIBER

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 north-east corner of said Lot Number 57, and runs thence along the north bounds thereof, as the needle now points, North 88 degrees 20 minutes west 43 chains and 7 links to the northwest corner thereof; thence along the west bounds thereof South 2 degrees west 9 chains and 51 links to the center of the highway leading to Schenectady; thence along the center of said Creek Highway, 89 degrees 10 minutes east 4 chains and 61 links; and South 86 degrees and 35 minutes east 7 chains and 34 links; and South 81 degrees and 15 minutes east 7 chains and 60 links; and South 81 degrees and 10 minutes east 6 chains and 67 links; and North 88 degrees 40 minutes east 3 chains and 79 links; and North 79 degrees east 6 chains and 18 links, and North 77 degrees east 7 chains and 76 links to the east bounds of said lot; thence along the same North 7 chains and 82 links to the place of beginning, containing 42 acres 3 rods 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.

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map 1248 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 9.

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

PARCEL "A"

BEGINNING at a point on the Southerly boundary of the existing Guilderland-Duaneburg Part 2 Highway at the intersection of said boundary with the division line between the lands of David Miller, reputed owner on the East, and the lands of the late Mary C. Wright, former owner, on the west, said point being 23 plus or minus feet distant southerly measured at right angles from station 208 plus 64 plus or minus of the hereinafter described survey base line of the proposed reconstruction of the Guilderland-Duaneburg Part 2 State Highway No. 8097; thence southerly along said division line 9 plus or minus feet to a point 36 feet distant southerly measured at right angles from station 208 plus 62 plus or minus of said base line; thence N. 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

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1248 10099

a point 45 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° 4' 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 45 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 283° 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 480 feet to the center line

ORIGINAL

1574

1218-30100 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 104 acres of land.

The above described parcel being a portion of the premises conveyed by Edward McQuade, Mary K. McQuade, Alice McQuade and Margaret McQuade to Bozenkill Lake Corporation, ^{by deed} dated September 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 HESSIE E. COCKE 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 637 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 Mansion Road		
Brief Description of Proposed Action (include purpose or need): 4-lot residential subdivision of portion of parcel in R2 zone meeting all zoning requirements for single-family homes. Plus one commercial lot (11.34ac) in the C1 zone		
Name of Applicant/Sponsor: Edward Putnam (Roger Putnam - Power of Attorney)		Telephone: 518-1053 E-Mail: 188cycleshop@yahoo.com
Address: 242 Duane Lake Road		
City/PO: 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 E-Mail: joe@abdeng.com
Address: 411 Union Street		
City/PO: Schenectady	State: NY	Zip Code: 12035
Property Owner (if not same as sponsor): same as applicant / sponsor		Telephone: E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City 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? 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? 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? 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	1			
At completion of all phases	4			

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

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

D.2. Project Operations

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- If Yes:
- i. Total anticipated liquid waste generation per day: _____ 1,200 gallons/day
 - ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each):
Sanitary Waste _____

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

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

• Do existing sewer lines serve the project site? Yes No
 • Will a line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____
 v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

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

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 8,000 Square feet or 0.18 acres (impervious surface) approximately 2,000SF / lot
 _____ Square feet or 197 acres (parcel size)
 ii. Describe types of new point sources. Swales

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

 • If to surface waters, identify receiving water bodies or wetlands: _____
 N/A

 • Will stormwater runoff flow to adjacent properties? Yes No

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

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

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

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

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No
 If Yes:
 i. Estimate methane generation in tons/year (metric): _____
 ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No
 If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No
 If Yes:
 i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.
 ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____
 iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____
 iv. Does the proposed action include any shared use parking? Yes No
 v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____
 vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No
 vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No
 viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No
 If Yes: N/A
 i. Estimate annual electricity demand during operation of the proposed action: _____
 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

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

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

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

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No
 If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.
 i. Check all uses that occur on, adjoining and near the project site.
 Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Aquatic Other (specify): _____
 ii. If mix of uses, generally describe:

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

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

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

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

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

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

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

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

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

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

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

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

E.2. Natural Resources On or Near Project Site

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

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

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

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

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

e. Drainage status of project site soils:

<input type="checkbox"/> Well Drained:	_____ % of site
<input checked="" type="checkbox"/> Moderately Well Drained:	50 % of site
<input checked="" type="checkbox"/> Poorly Drained	50 % of site

f. Approximate proportion of proposed action site with slopes:

<input checked="" type="checkbox"/> 0-10%:	60 % of site
<input checked="" type="checkbox"/> 10-15%:	25 % of site
<input checked="" type="checkbox"/> 15% or greater:	15 % of site

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

h. Surface water features.

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

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

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

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

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

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

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

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

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

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

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

If Yes:
 i. Name of aquifer: _____

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? <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:	
<ul style="list-style-type: none"> • 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, 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? <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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, provide county plus district name/number: SCHE001	
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): 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? <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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input checked="" type="checkbox"/> Historic Building or District	
ii. Name: <u>Duane Mansion, North Mansion and Tenant House, Ferguson Farm Complex</u>	
iii. Brief description of attributes on which listing is based: <u>DEC Mapper</u>	
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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

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

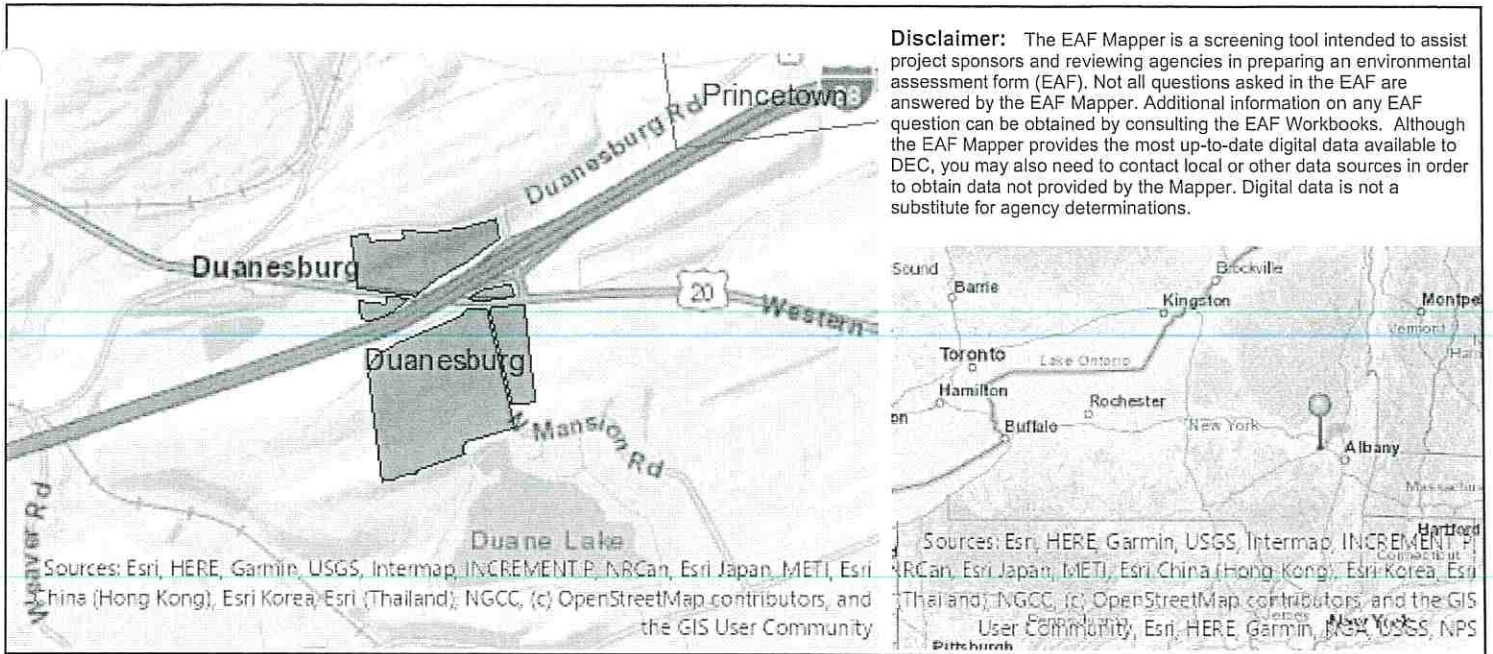
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name Joseph J. Bianchine, P.E Date October 20, 2023

Signature  Title Engineer



B.i.i [Coastal or Waterfront Area]	No
B.i.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.
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.i [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
2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No

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

NOTICE OF DETERMINATION
of the Town of Duanesburg

Date of Determination 10/23/23

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

Applicant EDWARD PUTNAM
Address 4136 WESTERN TRAIL
DUANESBURG, N.Y. 12056

Phone 518-895-1053 Zoning District C-1/R-2 SBL# 67.00-2-6.11

Description of Project: 5
SPLIT ONE BIG LOT INTO 4 SMALLER LOTS

Determination: PLANNING BOARD FOR PURPOSE OF MAJOR SUBDIVISION

Reason supporting determination: TOWN OF DUANESBURG SUBDIVISION ORDINANCE ADOPTED MARCH 9, 1995
SECTION 3.5 APPROVAL OF MAJOR SUBDIVISION

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

Code Enforcement Officer: Christy Putnam

ZONING COORDINATION REFERRAL

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

For Use By SCDEDP

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

FROM: Legislative Body
 Zoning Board of Appeals
 Planning Board

Municipality:
Town of Duanesburg

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

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

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

Special Permit
 Use Variance
 Area Variance
 Other (specify) _____

NOV 09 2023

Economic Development
and Planning Dept.

PUBLIC HEARING OR MEETING DATE: 11/16/23

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

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

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

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

SUBMITTED BY:

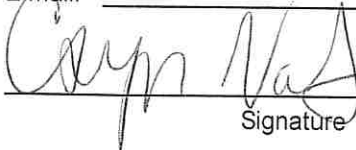
Name: Coryn VanDeusen

Title: Planning/Zoning Clerk

Address: 5853 Western Turnpike Duanesburg, NY 12056

E-mail: cvandeusen@duanesburg.net

Phone: (518) 895-2040


Signature

Date: 11/06/2023



PLANNING & ZONING COORDINATION REFERRAL

Case No. D-24-23

Applicant Edward Putnam

Referring Officer Coryn VanDeusen

Municipality Duanesburg

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

RECOMMENDATION

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

*Approve of the proposal.

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

Modify/Conditionally Approve. Conditions:

Advisory Note:

Disapprove. Reason:

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

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

11/20/23
Date

Ray Gillen, Commissioner
Economic Development and Planning

December 5th, 2023

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

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

Dear Sir/Madam:

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

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

Very truly yours,

Jeff Schmitt
Town of Duanesburg Planning Board Chair

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

The Schenectady County Planning Department

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

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

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

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



LEGEND

- 1. POINT POLY/CABLE POLE
- 2. RIGHT OF WAY WITHOUT ACCESS
- 3. RIGHT OF WAY WITH ACCESS
- 4. OVERHEAD ELECTRICITY/CABLE
- 5. EXISTING CONTIGUOUS
- 6. EDGE OF MOORED AREA
- 7. ADJACENT PROPERTY LINE
- 8. PROPERTY BOUNDARIES
- 9. PROPERTY LINE

UTILITY NOTES

1. EXISTING UTILITY LOCATIONS ARE SHOWN FOR INFORMATION PURPOSES ONLY. THE LOCATION OF UTILITIES IS NOT GUARANTEED.
2. THE MAP SHOWS THE LOCATION OF UTILITIES AS SHOWN ON THE RECORD DRAWING.
3. THE LOCATION OF UTILITIES IS NOT GUARANTEED.
4. THE LOCATION OF UTILITIES IS NOT GUARANTEED.
5. THE LOCATION OF UTILITIES IS NOT GUARANTEED.
6. THE LOCATION OF UTILITIES IS NOT GUARANTEED.
7. THE LOCATION OF UTILITIES IS NOT GUARANTEED.
8. THE LOCATION OF UTILITIES IS NOT GUARANTEED.
9. THE LOCATION OF UTILITIES IS NOT GUARANTEED.

MAIN REFERENCE

TO BE USED FOR REFERENCE TO THE RECORD DRAWING AND THE RECORD DRAWING IS THE ONLY AUTHORITY FOR THE LOCATION OF UTILITIES.

GENERAL NOTES

1. THE CLIENT HAS BEEN ADVISED THAT THE INFORMATION SHOWN ON THIS MAP IS FOR INFORMATION PURPOSES ONLY AND IS NOT GUARANTEED.
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- 5. EXISTING CONTIGUOUS
- 6. EDGE OF MOORED AREA
- 7. ADJACENT PROPERTY LINE
- 8. PROPERTY BOUNDARIES
- 9. PROPERTY LINE



SITE LOCATION MAP

N.T.S.

OVERALL LANDS OF
 OF A SUBDIVISION OF A PORTION OF LANDS NOW OR FORMERLY OF
 EDWARD A. PUTNAM
 TAX MAP ID# 67-00-2-6,11
 STREET No. 459 WESTERN PIPE AND NORTH MAINS/ROAD
 TOWN OF BROWNSVILLE, STATE OF TEXAS

EDWARD A. PUTNAM & ASSOCIATES
 2010 WESTERN PIPE AND NORTH MAINS/ROAD
 BROWNSVILLE, TEXAS 77801
 TEL: 409-833-1111
 FAX: 409-833-1112

ABD ENGINEERS
 2010 WESTERN PIPE AND NORTH MAINS/ROAD
 BROWNSVILLE, TEXAS 77801
 TEL: 409-833-1111
 FAX: 409-833-1112

Cal811
 LOCAL GOVERNMENT
 1-800-4-A-CALL

BASIC EROSION AND SEDIMENT CONTROL POLICY

FOR

PUTNAM SUBDIVISION
4136 Western TPKE and North Mansion Road
Town of Duanesburg
Schenectady County, New York

Prepared For:

Edward A. Putnam
242 Duane Lake Road
Duanesburg, NY 12056

January 22, 2024

Project No. 5668A

Prepared By:

Joseph J. Bianchini, P.E.
ABD Engineers, LLP
411 Union Street
Schenectady, NY 12305
(518) 377-0315

**BASIC
EROSION AND SEDIMENT CONTROL POLICY
FOR
PUTNAM SUBDIVISION
4136 WESTERN TPKE & NORTH MANSION ROAD
TOWN OF DUANESBURG, SCHENECTADY COUNTY**

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**BASIC
EROSION AND SEDIMENT CONTROL POLICY
FOR
PUTNAM SUBDIVISION
4136 WESTERN TPKE & NORTH MANSION ROAD
TOWN OF DUANESBURG, SCHENECTADY COUNTY**

Mr. Edward Putnam is subdividing a portion of his Land totaling approximately 22.34 acres located at 4136 Western Turnpike Road in the Town of Duanesburg into five (5) parcels. The northern portion of the parcel is located within the Town C-1 Commercial zone and the southern portion of the of the parcel is located within the Town's R-2 Agricultural / Residential zone.

Lots 1,2, 3, & 4, will be developed for residential purposes, and each will require disturbance less than one acre for a house, well and a septic system. Lots 1 through 4 will be located within the Town's R-2 Agricultural / Residential zone. Lot 5, located withing the Town's C-1 Commercial zone, will remain vacant.

As the four (4) new residential Lots are developed, silt fencing will be installed on the down slope side, temporary ditches and a temporary sediment basin will be installed, a concrete washout pit will be dug and the area will be stabilized by seeding and mulching per the Basic Stormwater Pollution Prevention Plan (SWPPP) details and specifications.

The total soil disturbance is more than 1 acre but less than 5 acres (about 3.0± acres) as the homes are built. Therefore, a Notice of Intent (NOI) is required by the NYSDEC Phase 2 Stormwater regulations and a Basic Stormwater Pollution Prevention Plan (SWPPP). After the homes are built and the ground stabilized, then a Notice of Termination (NOT) can be filed.

Disturbance of soils during construction will include site grading, cellar excavation, trenching for utilities, installing a septic system, installing a driveway and landscaping. Erosion and sediment controls will include as a minimum the use of the following:

1. Silt fence downhill of all disturbed areas until soils are stabilized by reseeded, mulch, etc.
2. Installation of a stabilized construction entrance at the driveway.
3. Temporary sediment basins for runoff until swales are stabilized.
4. Installing a temporary concrete wash out area.

Details of suggested methods of installation of the above and inspection requirements are attached.

Construction Sequence

Phase 1

1. The limits of clearing and grading will be identified.
2. Silt fence is to be installed in locations shown on the plans at all down slope areas.
3. A stabilized entrance is to be installed.
4. Trees will be cleared.
5. Topsoil to be stripped and stockpiled. Any temporary stockpiles to be left longer than 14 days are to be seeded and mulched or removed from site.
6. Installation of check dams and temporary sediment basins.
7. Installation of fill material.
8. Rough grading of site to drain.
9. Seed and mulch.
10. Grass to be established prior to any silt fencing being removed.

APPENDIX A
NYSDEC CONSTRUCTION ACTIVITY
PERMIT NO. GP-0-20-001

APPENDIX B

- EROSION CONTROL NOTES**
- STABILIZED CONSTRUCTION ENTRANCE FOR RESIDENTIAL SITE**
- SILT FENCE**
- STONE CHECK DAM**
- STANDARDS AND SPECIFICATIONS FOR LAND GRADING**
- STANDARDS AND SPECIFICATIONS FOR TOPSOILING**
- STANDARDS AND SPECIFICATIONS FOR MULCHING**
- STANDARDS AND SPECIFICATIONS FOR TEMPORARY CONSTRUCTION AREA SEEDINGS**

APPENDIX A
NYSDEC CONSTRUCTION ACTIVITY
PERMIT NO. GP-0-20-001



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES

From

CONSTRUCTION ACTIVITY

Permit No. GP-0-20-001

Issued Pursuant to Article 17, Titles 7, 8 and Article 70 of the Environmental Conservation Law

Pursuant to Section 402 of the Clean Water Act (CWA), stormwater discharges from certain construction activities are unlawful unless they are authorized by a National Pollutant Discharge Elimination System (NPDES) permit or by a state permit program.

An owner or operator of a construction activity that is eligible for coverage under this permit must obtain coverage prior to the commencement of construction activity.

*Note: The italicized words/phrases within this permit are defined in Appendix A.

Effective Date: January 29, 2020

Expiration Date: January 28, 2025

John J. Ferguson
Chief Permit Administrator

Authorized Signature [Handwritten Signature] Date: 1-28-20

Address: NYS DEC
Division of Environmental Permits
625 Broadway, 4th Floor
Albany, N.Y. 12233-1750

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM CONSTRUCTION ACTIVITIES

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A. Permit Application

This permit authorizes stormwater discharges to surface waters of the State from the following construction activities identified within 40 CFR Parts 122.29(b)(14)(x), 122.29(b)(15)(i) and 122.29(b)(15)(ii), provided all of the eligibility provisions of this permit are met:

1. Construction activities involving soil disturbances of one (1) or more acres, including disturbances of less than one acre that are part of a larger common plan of development or sale that will ultimately disturb one or more acres of land, excluding routine maintenance activity that is performed to maintain the original line and grade, hydraulic capacity or original purpose of a facility;
2. Construction activities involving soil disturbances of less than one (1) acre where the Department has determined that a SPDES permit is required for stormwater discharges based on the potential for contribution to a violation of a water quality standard or for significant contribution of pollutants to surface waters of the State;
3. Construction activities located in the watershed(s) identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.

B. Effluent Limitations Applicable to Discharges from Construction Activities

Discharges authorized by this permit must achieve, at a minimum, the effluent limitations in Part I.B.1. (a) – (f) of this permit. These limitations represent the degree of effluent reduction attainable by the application of best practicable technology currently available.

1. Erosion and Sediment Control Requirements - The owner or operator must select, design, install, implement and maintain control measures to minimize the discharge of pollutants and prevent a violation of the water quality standards. The selection, design, installation, implementation, and maintenance of these control measures must meet the non-numeric effluent limitations in Part I.B.1.(a) – (f) of this permit and be in accordance with the New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016, using sound engineering judgment. Where control measures are not designed in conformance with the design criteria included in the technical standard, the owner or operator must include in the Stormwater Pollution Prevention Plan ("SWPPP") the reason(s) for the

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listed in Appendix E or is located in one of the watersheds listed in Appendix C, the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the current soil disturbance activity ceased. See Appendix A for definition of Temporarily Ceased.

- c. Dewatering. Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, must be managed by appropriate control measures.
- d. Pollution Prevention Measures. Design, install, implement, and maintain effective pollution prevention measures to minimize the discharge of pollutants and prevent a violation of the water quality standards. At a minimum, such measures must be designed, installed, implemented and maintained to:
 - (i) Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. This applies to washing operations that use clean water only. Soaps, detergents and solvents cannot be used;
 - (ii) Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, hazardous and toxic waste, and other materials present on the site to precipitation and to stormwater. Minimization of exposure is not required in cases where the exposure to precipitation and to stormwater will not result in a discharge of pollutants, or where exposure of a specific material or product poses little risk of stormwater contamination (such as final products and materials intended for outdoor use); and
 - (iii) Prevent the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures.
- e. Prohibited Discharges. The following discharges are prohibited:
 - (i) Wastewater from washout of concrete;
 - (ii) Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;

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deviation or alternative design and provide information which demonstrates that the deviation or alternative design is equivalent to the technical standard.

- a. Erosion and Sediment Controls. Design, install and maintain effective erosion and sediment controls to minimize the discharge of pollutants and prevent a violation of the water quality standards. At a minimum, such controls must be designed, installed and maintained to:
 - (i) Minimize soil erosion through application of runoff control and soil stabilization control measure to minimize pollutant discharges;
 - (ii) Control stormwater discharges, including both peak flowrates and total stormwater volume, to minimize channel and streambank erosion and scour in the immediate vicinity of the discharge points;
 - (iii) Minimize the amount of soil exposed during construction activity;
 - (iv) Minimize the disturbance of steep slopes;
 - (v) Minimize sediment discharges from the site;
 - (vi) Provide and maintain natural buffers around surface waters, direct stormwater to vegetated areas and maximize stormwater infiltration to reduce pollutant discharges, unless infeasible;
 - (vii) Minimize soil compaction. Minimizing soil compaction is not required where the intended function of a specific area of the site dictates that it be compacted;
 - (viii) Unless infeasible, preserve a sufficient amount of topsoil to complete soil restoration and establish a uniform, dense vegetative cover; and
 - (ix) Minimize dust. On areas of exposed soil, minimize dust through the appropriate application of water or other dust suppression techniques to control the generation of pollutants that could be discharged from the site.
- b. Soil Stabilization. In areas where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures must be initiated by the end of the next business day and completed within fourteen (14) days from the date the current soil disturbance activity ceased. For construction sites that directly discharge to one of the 303(d) segments

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- (iii) Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance;
 - (iv) Soaps or solvents used in vehicle and equipment washing; and
 - (v) Toxic or hazardous substances from a spill or other release.
- f. Surface Outlets. When discharging from basins and impoundments, the outlets shall be designed, constructed and maintained in such a manner that sediment does not leave the basin or impoundment and that erosion at or below the outlet does not occur.

C. Post-construction Stormwater Management Practice Requirements

1. The owner or operator of a construction activity that requires post-construction stormwater management practices pursuant to Part III.C. of this permit must select, design, install, and maintain the practices to meet the performance criteria in the New York State Stormwater Management Design Manual ("Design Manual"), dated January 2015, using sound engineering judgment. Where post-construction stormwater management practices ("SMPs") are not designed in conformance with the performance criteria in the Design Manual, the owner or operator must include in the SWPPP the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is equivalent to the technical standard.
2. The owner or operator of a construction activity that requires post-construction stormwater management practices pursuant to Part III.C. of this permit must design the practices to meet the applicable sizing criteria in Part I.C.2.a., b., c. or d. of this permit.

a. Sizing Criteria for New Development

- (i) Runoff Reduction Volume ("RRV"): Reduce the total Water Quality Volume ("WQv") by application of RR techniques and standard SMPs with RRV capacity. The total WQv shall be calculated in accordance with the criteria in Section 4.2 of the Design Manual.
- (ii) Minimum RRV and Treatment of Remaining Total WQv: Construction activities that cannot meet the criteria in Part I.C.2.a.(i) of this permit due to site limitations shall direct runoff from all newly constructed impervious areas to a RR technique or standard SMP with RRV capacity unless infeasible. The specific site limitations that prevent the reduction of 100% of the WQv shall be documented in the SWPPP.

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For each impervious area that is not directed to a RR technique or standard SMP with RRv capacity, the SWPPP must include documentation which demonstrates that all options were considered and for each option explains why it is considered infeasible.

In no case shall the runoff reduction achieved from the newly constructed impervious areas be less than the Minimum RRv as calculated using the criteria in Section 4.3 of the Design Manual. The remaining portion of the total WQv that cannot be reduced shall be treated by application of standard SMPs.

- (iii) Channel Protection Volume ("Cpv"): Provide 24 hour extended detention of the post-developed 1-year, 24-hour storm event, remaining after runoff reduction. The Cpv requirement does not apply when:
 - (1) Reduction of the entire Cpv is achieved by application of runoff reduction techniques or infiltration systems, or
 - (2) The site discharges directly to tidal waters, or fifth order or larger streams.
- (iv) Overbank Flood Control Criteria ("Qp"): Requires storage to attenuate the post-development 10-year, 24-hour peak discharge rate (Qp) to predevelopment rates. The Qp requirement does not apply when:
 - (1) the site discharges directly to tidal waters or fifth order or larger streams, or
 - (2) A downstream analysis reveals that overbank control is not required.
- (v) Extreme Flood Control Criteria ("Qf"): Requires storage to attenuate the post-development 100-year, 24-hour peak discharge rate (Qf) to predevelopment rates. The Qf requirement does not apply when:
 - (1) the site discharges directly to tidal waters or fifth order or larger streams, or
 - (2) A downstream analysis reveals that overbank control is not required.

b. Sizing Criteria for New Development in Enhanced Phosphorus Removal Watershed

- (i) Runoff Reduction Volume (RRv): Reduce the total Water Quality Volume (WQv) by application of RR techniques and standard SMPs with RRv capacity. The total WQv is the runoff volume from the 1-year, 24 hour design storm over the post-developed watershed and shall be

calculated in accordance with the criteria in Section 10.3 of the Design Manual.

- (ii) Minimum RRv and Treatment of Remaining Total WQv: Construction activities that cannot meet the criteria in Part I.C.2.b.(i) of this permit due to site limitations shall direct runoff from all newly constructed impervious areas to a RR technique or standard SMP with RRv capacity unless infeasible. The specific site limitations that prevent the reduction of 100% of the WQv shall be documented in the SWPPP. For each impervious area that is not directed to a RR technique or standard SMP with RRv capacity, the SWPPP must include documentation which demonstrates that all options were considered and for each option explains why it is considered infeasible.

In no case shall the runoff reduction achieved from the newly constructed impervious areas be less than the Minimum RRv as calculated using the criteria in Section 10.3 of the Design Manual. The remaining portion of the total WQv that cannot be reduced shall be treated by application of standard SMPs.

- (iii) Channel Protection Volume (Cpv): Provide 24 hour extended detention of the post-developed 1-year, 24-hour storm event, remaining after runoff reduction. The Cpv requirement does not apply when:
 - (1) Reduction of the entire Cpv is achieved by application of runoff reduction techniques or infiltration systems, or
 - (2) The site discharges directly to tidal waters, or fifth order or larger streams.
- (iv) Overbank Flood Control Criteria (Qp): Requires storage to attenuate the post-development 10-year, 24-hour peak discharge rate (Qp) to predevelopment rates. The Qp requirement does not apply when:
 - (1) the site discharges directly to tidal waters or fifth order or larger streams, or
 - (2) A downstream analysis reveals that overbank control is not required.
- (v) Extreme Flood Control Criteria (Qf): Requires storage to attenuate the post-development 100-year, 24-hour peak discharge rate (Qf) to predevelopment rates. The Qf requirement does not apply when:
 - (1) the site discharges directly to tidal waters or fifth order or larger streams, or
 - (2) A downstream analysis reveals that overbank control is not required.

c. Sizing Criteria for Redevelopment Activity

- (i) Water Quality Volume (WQv): The WQv treatment objective for redevelopment activity shall be addressed by one of the following options. Redevelopment activities located in an Enhanced Phosphorus Removal Watershed (see Part III.B.3. and Appendix C of this permit) shall calculate the WQv in accordance with Section 10.3 of the Design Manual. All other redevelopment activities shall calculate the WQv in accordance with Section 4.2 of the Design Manual
 - (1) Reduce the existing impervious cover by a minimum of 25% of the total disturbed, impervious area. The Soil Restoration criteria in Section 5.1.6 of the Design Manual must be applied to all newly created pervious areas, or
 - (2) Capture and treat a minimum of 25% of the WQv from the disturbed, impervious area by the application of standard SMPs, or reduce 25% of the WQv from the disturbed, impervious area by the application of RR techniques or standard SMPs with RRv capacity, or
 - (3) Capture and treat a minimum of 75% of the WQv from the disturbed, impervious area as well as any additional runoff from tributary areas by application of the alternative practices discussed in Sections 9.3 and 9.4 of the Design Manual, or
 - (4) Application of a combination of 1, 2 and 3 above that provide a weighted average of at least two of the above methods. Application of this method shall be in accordance with the criteria in Section 9.2.1(B) (IV) of the Design Manual.

If there is an existing post-construction stormwater management practice located on the site that captures and treats runoff from the impervious area that is being disturbed, the WQv treatment option selected must, at a minimum, provide treatment equal to the treatment that was being provided by the existing practice(s) if that treatment is greater than the treatment required by options 1 – 4 above.

- (ii) Channel Protection Volume (Cpv): Not required if there are no changes to hydrology that increase the discharge rate from the project site.
- (iii) Overbank Flood Control Criteria (Qp): Not required if there are no changes to hydrology that increase the discharge rate from the project site.
- (iv) Extreme Flood Control Criteria (Qf): Not required if there are no changes to hydrology that increase the discharge rate from the project site.

d. Sizing Criteria for Combination of Redevelopment Activity and New Development

Construction projects that include both New Development and Redevelopment Activity shall provide post-construction stormwater management controls that meet the sizing criteria calculated as an aggregate of the Sizing Criteria in Part I.C.2.a. or b. of this permit for the New Development portion of the project and Part I.C.2.c of this permit for Redevelopment Activity portion of the project.

D. Maintaining Water Quality

The Department expects that compliance with the conditions of this permit will control discharges necessary to meet applicable water quality standards. It shall be a violation of the ECL for any discharge to either cause or contribute to a violation of water quality standards as contained in Parts 700 through 705 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York, such as:

1. There shall be no increase in turbidity that will cause a substantial visible contrast to natural conditions;
2. There shall be no increase in suspended, colloidal or settleable solids that will cause deposition or impair the waters for their best usages; and
3. There shall be no residue from oil and floating substances, nor visible oil film, nor globules of grease.

If there is evidence indicating that the stormwater discharges authorized by this permit are causing, have the reasonable potential to cause, or are contributing to a violation of the water quality standards, the owner or operator must take appropriate corrective action in accordance with Part IV.C.5. of this general permit and document in accordance with Part IV.C.4. of this general permit. To address the water quality standard violation the owner or operator may need to provide additional information, include and implement appropriate controls in the SWPPP to correct the problem, or obtain an individual SPDES permit.

If there is evidence indicating that despite compliance with the terms and conditions of this general permit it is demonstrated that the stormwater discharges authorized by this permit are causing or contributing to a violation of water quality standards, or if the Department determines that a modification of the permit is necessary to prevent a violation of water quality standards, the authorized discharges will no longer be eligible for coverage under this permit. The Department may require the owner or operator to obtain an individual SPDES permit to continue discharging.

E. Eligibility Under This General Permit

1. This permit may authorize all discharges of stormwater from construction activity to surface waters of the State and groundwaters except for ineligible discharges identified under subparagraph F. of this Part.
2. Except for non-stormwater discharges explicitly listed in the next paragraph, this permit only authorizes stormwater discharges, including stormwater runoff, snowmelt runoff, and surface runoff and drainage, from construction activities.
3. Notwithstanding paragraphs E. 1 and E.2 above, the following non-stormwater discharges are authorized by this permit, those listed in 6 NYCRR 750-1.2(a)(29)(vi), with the following exception: "Discharges from firefighting activities are authorized only when the firefighting activities are emergencies/unplanned", waters to which other components have not been added that are used to control dust in accordance with the SWPPP, and uncontaminated discharges from construction site de-watering operations. All non-stormwater discharges must be identified in the SWPPP. Under all circumstances, the owner or operator must still comply with water quality standards in Part I.D of this permit.
4. The owner or operator must maintain permit eligibility to discharge under this permit. Any discharges that are not compliant with the eligibility conditions of this permit are not authorized by the permit and the owner or operator must either apply for a separate permit to cover those ineligible discharges or take steps necessary to make the discharge eligible for coverage.

F. Activities Which Are Ineligible for Coverage Under This General Permit

All of the following are **not** authorized by this permit:

1. Discharges after construction activities have been completed and the site has undergone final stabilization;
2. Discharges that are mixed with sources of non-stormwater other than those expressly authorized under subsection E.3. of this Part and identified in the SWPPP required by this permit;
3. Discharges that are required to obtain an individual SPDES permit or another SPDES general permit pursuant to Part VII.K. of this permit;
4. Construction activities or discharges from construction activities that may adversely affect an endangered or threatened species unless the owner or

operator has obtained a permit issued pursuant to 6 NYCRR Part 132 for the project or the Department has issued a letter of non-jurisdiction for the project. All documentation necessary to demonstrate eligibility shall be maintained on site in accordance with Part II.D.2 of this permit.

5. Discharges which either cause or contribute to a violation of water quality standards adopted pursuant to the ECL and its accompanying regulations;
6. Construction activities for residential, commercial and institutional projects:
 - a. Where the discharges from the construction activities are tributary to waters of the state classified as AA or AA-s; and
 - b. Which are undertaken on land with no existing impervious cover; and
 - c. Which disturb one (1) or more acres of land designated on the current United States Department of Agriculture (USDA) Soil Survey as Soil Slope Phase "D", (provided the map unit name is inclusive of slopes greater than 25%), or Soil Slope Phase "E" or "F" (regardless of the map unit name), or a combination of the three designations.
7. Construction activities for linear transportation projects and linear utility projects.
 - a. Where the discharges from the construction activities are tributary to waters of the state classified as AA or AA-s; and
 - b. Which are undertaken on land with no existing impervious cover; and
 - c. Which disturb two (2) or more acres of land designated on the current USDA Soil Survey as Soil Slope Phase "D" (provided the map unit name is inclusive of slopes greater than 25%), or Soil Slope Phase "E" or "F" (regardless of the map unit name), or a combination of the three designations.

8. Construction activities that have the potential to affect an historic property, unless there is documentation that such impacts have been resolved. The following documentation necessary to demonstrate eligibility with this requirement shall be maintained on site in accordance with Part II.D.2 of this permit and made available to the Department in accordance with Part VII.F of this permit.
 - a. Documentation that the construction activity is not within an archeologically sensitive area indicated on the sensitivity map, and that the construction activity is not located on or immediately adjacent to a property listed or determined to be eligible for listing on the National or State Registers of Historic Places, and that there is no new permanent building on the construction site within the following distances from a building, structure, or object that is more than 50 years old, or if there is such a new permanent building on the construction site within those parameters that NYS Office of Parks, Recreation and Historic Preservation (OPRHP), a Historic Preservation Commission of a Certified Local Government, or a qualified preservation professional has determined that the building, structure, or object more than 50 years old is not historically/archeologically significant.

- 1-5 acres of disturbance - 20 feet
- 5-20 acres of disturbance - 50 feet
- 20+ acres of disturbance - 100 feet, or

- b. DEC consultation form sent to OPRHP, and copied to the NYS DEC Agency Historic Preservation Officer (APO), and
 - (i) the State Environmental Quality Review (SEQR) Environmental Assessment Form (EAF) with a negative declaration or the Findings Statement, with documentation of OPRHP's agreement with the resolution, or
 - (ii) documentation from OPRHP that the construction activity will result in No Impact; or
 - (iii) documentation from OPRHP providing a determination of No Adverse Impact; or
 - (iv) a Letter of Resolution signed by the owner/operator, OPRHP and the DEC APO which allows for this construction activity to be eligible for coverage under the general permit in terms of the State Historic Preservation Act (SHPA), or
- c. Documentation of satisfactory compliance with Section 106 of the National Historic Preservation Act for a collocated project area;

- (i) No Affect
- (ii) No Adverse Affect
- (iii) Executed Memorandum of Agreement, or

d. Documentation that:

- (i) SHPA Section 14.09 has been completed by NYS DEC or another state agency.

9. Discharges from construction activities that are subject to an existing SPDES individual or general permit where a SPDES permit for construction activity has been terminated or denied; or where the owner or operator has failed to renew an expired individual permit.

Part II. PERMIT COVERAGE

A. How to Obtain Coverage

1. An owner or operator of a construction activity that is not subject to the requirements of a regulated, traditional land use control MS4 must first prepare a SWPPP in accordance with all applicable requirements of this permit and then submit a completed Notice of Intent (NOI) to the Department to be authorized to discharge under this permit.
2. An owner or operator of a construction activity that is subject to the requirements of a regulated, traditional land use control MS4 must first prepare a SWPPP in accordance with all applicable requirements of this permit and then have the SWPPP reviewed and accepted by the regulated, traditional land use control MS4 prior to submitting the NOI to the Department. The owner or operator shall have the "MS4 SWPPP Acceptance" form signed in accordance with Part VII.H., and then submit that form along with a completed NOI to the Department.
3. The requirement for an owner or operator to have its SWPPP reviewed and accepted by the regulated, traditional land use control MS4 prior to submitting the NOI to the Department does not apply to an owner or operator that is obtaining permit coverage in accordance with the requirements in Part II.F. (Change of Owner or Operator) or where the owner or operator of the construction activity is the regulated, traditional land use control MS4. This exemption does not apply to construction activities subject to the New York City Administrative Code.

B. Notice of Intent (NOI) Submittal

1. Prior to December 21, 2020, an owner or operator shall use either the electronic (eNOI) or paper version of the NOI that the Department prepared. Both versions of the NOI are located on the Department's website (<http://www.dec.ny.gov/>). The paper version of the NOI shall be signed in accordance with Part VII.H. of this permit and submitted to the following address:

NOTICE OF INTENT
NYS DEC, Bureau of Water Permits
625 Broadway, 4th Floor
Albany, New York 12233-3505
2. Beginning December 21, 2020 and in accordance with EPA's 2015 NPDES Electronic Reporting Rule (40 CFR Part 127), the owner or operator must submit the NOI electronically using the Department's online NOI.
3. The owner or operator shall have the SWPPP preparer sign the "SWPPP Preparer Certification" statement on the NOI prior to submitting the form to the Department.
4. As of the date the NOI is submitted to the Department, the owner or operator shall make the NOI and SWPPP available for review and copying in accordance with the requirements in Part VII.F. of this permit.

C. Permit Authorization

1. An owner or operator shall not commence construction activity until their authorization to discharge under this permit goes into effect.
2. Authorization to discharge under this permit will be effective when the owner or operator has satisfied all of the following criteria:
 - a. project review pursuant to the State Environmental Quality Review Act ("SEQRA") have been satisfied, when SEQRA is applicable. See the Department's website (<http://www.dec.ny.gov/>) for more information.
 - b. where required, all necessary Department permits subject to the Uniform Procedures Act ("UPA") (see 6 NYCRR Part 621), or the equivalent from another New York State agency, have been obtained, unless otherwise notified by the Department pursuant to 6 NYCRR 621.3(a)(4). Owners or operators of construction activities that are required to obtain UPA permits

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must submit a preliminary SWPPP to the appropriate DEC Permit Administrator at the Regional Office listed in Appendix F at the time all other necessary UPA permit applications are submitted. The preliminary SWPPP must include sufficient information to demonstrate that the construction activity qualifies for authorization under this permit.

- c. the final SWPPP has been prepared, and
 - d. a complete NOI has been submitted to the Department in accordance with the requirements of this permit.
3. An owner or operator that has satisfied the requirements of Part II.C.2 above will be authorized to discharge stormwater from their construction activity in accordance with the following schedule:
 - a. For construction activities that are not subject to the requirements of a regulated, traditional land use control MS4:
 - (i) Five (5) business days from the date the Department receives a complete electronic version of the NOI (eNOI) for construction activities with a SWPPP that has been prepared in conformance with the design criteria in the technical standard referenced in Part III.B.1 and the performance criteria in the technical standard referenced in Parts III.B., 2 or 3, for construction activities that require post-construction stormwater management practices pursuant to Part III.C., or
 - (ii) Sixty (60) business days from the date the Department receives a complete NOI (electronic or paper version) for construction activities with a SWPPP that has not been prepared in conformance with the design criteria in technical standard referenced in Part III.B.1, or, for construction activities that require post-construction stormwater management practices pursuant to Part III.C., the performance criteria in the technical standard referenced in Parts III.B., 2 or 3, or;
 - (iii) Ten (10) business days from the date the Department receives a complete paper version of the NOI for construction activities with a SWPPP that has been prepared in conformance with the design criteria in the technical standard referenced in Part III.B.1 and the performance criteria in the technical standard referenced in Parts III.B., 2 or 3, for construction activities that require post-construction stormwater management practices pursuant to Part III.C.

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- b. For construction activities that are subject to the requirements of a regulated, traditional land use control MS4:
 - (i) Five (5) business days from the date the Department receives both a complete electronic version of the NOI (eNOI) and signed "MS4 SWPPP Acceptance" form, or
 - (ii) Ten (10) business days from the date the Department receives both a complete paper version of the NOI and signed "MS4 SWPPP Acceptance" form.
4. Coverage under this permit authorizes stormwater discharges from only those areas of disturbance that are identified in the NOI. If an owner or operator wishes to have stormwater discharges from future or additional areas of disturbance authorized, they must submit a new NOI that addresses that phase of the development, unless otherwise notified by the Department. The owner or operator shall not commence construction activity on the future or additional areas until their authorization to discharge under this permit goes into effect in accordance with Part II.C. of this permit.

D. General Requirements For Owners or Operators With Permit Coverage

1. The owner or operator shall ensure that the provisions of the SWPPP are implemented from the commencement of construction activity until all areas of disturbance have achieved final stabilization and the Notice of Termination ("NOT") has been submitted to the Department in accordance with Part V. of this permit. This includes any changes made to the SWPPP pursuant to Part III.A.4. of this permit.
2. The owner or operator shall maintain a copy of the General Permit (GP-0-20-001), NOI, NOI Acknowledgment Letter, SWPPP, MS4 SWPPP Acceptance form, inspection reports, responsible contractor's or subcontractor's certification statement (see Part III.A.6.), and all documentation necessary to demonstrate eligibility with this permit at the construction site until all disturbed areas have achieved final stabilization and the NOT has been submitted to the Department. The documents must be maintained in a secure location, such as a job trailer, on-site construction office, or mailbox with lock. The secure location must be accessible during normal business hours to an individual performing a compliance inspection.
3. The owner or operator of a construction activity shall not disturb greater than five (5) acres of soil at any one time without prior written authorization from the Department or, in areas under the jurisdiction of a regulated, traditional

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use control MS4, the regulated, traditional land use control MS4 (provided the regulated, traditional land use control MS4 is not the owner or operator of the construction activity). At a minimum, the owner or operator must comply with the following requirements in order to be authorized to disturb greater than five (5) acres of soil at any one time:

- a. The owner or operator shall have a qualified inspector conduct at least two (2) site inspections in accordance with Part IV.C. of this permit every seven (7) calendar days, for as long as greater than five (5) acres of soil remain disturbed. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.
 - b. In areas where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the current soil disturbance activity ceased. The soil stabilization measures selected shall be in conformance with the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016.
 - c. The owner or operator shall prepare a phasing plan that defines maximum disturbed area per phase and shows required cuts and fills.
 - d. The owner or operator shall install any additional site-specific practices needed to protect water quality.
 - e. The owner or operator shall include the requirements above in their SWPPP.
4. In accordance with statute, regulations, and the terms and conditions of this permit, the Department may suspend or revoke an owner's or operator's coverage under this permit at any time if the Department determines that the SWPPP does not meet the permit requirements or consistent with Part VII.K.
 5. Upon a finding of significant non-compliance with the practices described in the SWPPP or violation of this permit, the Department may order an immediate stop to all activity at the site until the non-compliance is remedied. The stop work order shall be in writing, describe the non-compliance in detail, and be sent to the owner or operator.
 6. For construction activities that are subject to the requirements of a regulated, traditional land use control MS4, the owner or operator shall notify the

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regulated, traditional land use control MS4 in writing of any planned amendments or modifications to the post-construction stormwater management practice component of the SWPPP required by Part III.A. 4. and 5. of this permit. Unless otherwise notified by the regulated, traditional land use control MS4, the owner or operator shall have the SWPPP amendments or modifications reviewed and accepted by the regulated, traditional land use control MS4 prior to commencing construction of the post-construction stormwater management practice.

E. Permit Coverage for Discharges Authorized Under GP-0-15-002

1. Upon renewal of SPDES General Permit for Stormwater Discharges from Construction Activity (Permit No. GP-0-15-002), an owner or operator of a construction activity with coverage under GP-0-15-002, as of the effective date of GP-0-20-001, shall be authorized to discharge in accordance with GP-0-20-001, unless otherwise notified by the Department.

An owner or operator may continue to implement the technical/design components of the post-construction stormwater management controls provided that such design was done in conformance with the technical standards in place at the time of initial project authorization. However, they must comply with the other, non-design provisions of GP-0-20-001.

F. Change of Owner or Operator

1. When property ownership changes or when there is a change in operational control over the construction plans and specifications, the original owner or operator must notify the new owner or operator, in writing, of the requirement to obtain permit coverage by submitting a NOI with the Department. For construction activities subject to the requirements of a regulated, traditional land use control MS4, the original owner or operator must also notify the MS4, in writing, of the change in ownership at least 30 calendar days prior to the change in ownership.
2. Once the new owner or operator obtains permit coverage, the original owner or operator shall then submit a completed NOT with the name and permit identification number of the new owner or operator to the Department at the address in Part II.B.1. of this permit. If the original owner or operator maintains ownership of a portion of the construction activity and will disturb soil, they must maintain their coverage under the permit.
3. Permit coverage for the new owner or operator will be effective as of the date the Department receives a complete NOI, provided the original owner or

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- a. whenever there is a change in design, construction, or operation at the construction site that has or could have an effect on the discharge of pollutants;
 - b. to address issues or deficiencies identified during an inspection by the qualified inspector, the Department or other regulatory authority; and
 - c. to document the final construction conditions.
5. The Department may notify the owner or operator at any time that the SWPPP does not meet one or more of the minimum requirements of this permit. The notification shall be in writing and identify the provisions of the SWPPP that require modification. Within fourteen (14) calendar days of such notification, or as otherwise indicated by the Department, the owner or operator shall make the required changes to the SWPPP and submit written notification to the Department that the changes have been made. If the owner or operator does not respond to the Department's comments in the specified time frame, the Department may suspend the owner's or operator's coverage under this permit or require the owner or operator to obtain coverage under an individual SPDES permit in accordance with Part II.D.4. of this permit.
 6. Prior to the commencement of construction activity, the owner or operator must identify the contractor(s) and subcontractor(s) that will be responsible for installing, constructing, repairing, replacing, inspecting and maintaining the erosion and sediment control practices included in the SWPPP; and the contractor(s) and subcontractor(s) that will be responsible for constructing the post-construction stormwater management practices included in the SWPPP. The owner or operator shall have each of the contractors and subcontractors identify at least one person from their company that will be responsible for implementation of the SWPPP. This person shall be known as the trained contractor. The owner or operator shall ensure that at least one trained contractor is on site on a daily basis when soil disturbance activities are being performed.

The owner or operator shall have each of the contractors and subcontractors identified above sign a copy of the following certification statement below before they commence any construction activity:

"I hereby certify under penalty of law that I understand and agree to comply with the terms and conditions of the SWPPP and agree to implement any corrective actions identified by the qualified inspector during a site inspection. I also understand that the owner or operator must comply with

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operator was not subject to a sixty (60) business day authorization period that has not expired as of the date the Department receives the NOI from the new owner or operator

Part III. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

A. General SWPPP Requirements

1. A SWPPP shall be prepared and implemented by the owner or operator of each construction activity covered by this permit. The SWPPP must document the selection, design, installation, implementation and maintenance of the control measures and practices that will be used to meet the effluent limitations in Part I.B. of this permit and where applicable, the post-construction stormwater management practice requirements in Part I.C. of this permit. The SWPPP shall be prepared prior to the submittal of the NOI. The NOI shall be submitted to the Department prior to the commencement of construction activity. A copy of the completed, final NOI shall be included in the SWPPP.
2. The SWPPP shall describe the erosion and sediment control practices and where required, post-construction stormwater management practices that will be used and/or constructed to reduce the pollutants in stormwater discharges and to assure compliance with the terms and conditions of this permit. In addition, the SWPPP shall identify potential sources of pollution which may reasonably be expected to affect the quality of stormwater discharges.
3. All SWPPPs that require the post-construction stormwater management practice component shall be prepared by a qualified professional that is knowledgeable in the principles and practices of stormwater management and treatment.
4. The owner or operator must keep the SWPPP current so that it at all times accurately documents the erosion and sediment controls practices that are being used or will be used during construction, and all post-construction stormwater management practices that will be constructed on the site. At a minimum, the owner or operator shall amend the SWPPP, including construction drawings:
 - a. whenever the current provisions prove to be ineffective in minimizing pollutants in stormwater discharges from the site;

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the terms and conditions of the most current version of the New York State Pollutant Discharge Elimination System ("SPDES") general permit for stormwater discharges from construction activities and that it is unlawful for any person to cause or contribute to a violation of water quality standards. Furthermore, I am aware that there are significant penalties for submitting false information, that I do not believe to be true, including the possibility of fine and imprisonment for knowing violations"

In addition to providing the certification statement above, the certification page must also identify the specific elements of the SWPPP that each contractor and subcontractor will be responsible for and include the name and title of the person providing the signature; the name and title of the trained contractor responsible for SWPPP implementation; the name, address and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification statement is signed. The owner or operator shall attach the certification statement(s) to the copy of the SWPPP that is maintained at the construction site. If new or additional contractors are hired to implement measures identified in the SWPPP after construction has commenced, they must also sign the certification statement and provide the information listed above.

7. For projects where the Department requests a copy of the SWPPP or inspection reports, the owner or operator shall submit the documents in both electronic (PDF only) and paper format within five (5) business days, unless otherwise notified by the Department.

B. Required SWPPP Contents

1. Erosion and sediment control component - All SWPPPs prepared pursuant to this permit shall include erosion and sediment control practices designed in conformance with the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016. Where erosion and sediment control practices are not designed in conformance with the design criteria included in the technical standard, the owner or operator must demonstrate equivalence to the technical standard. At a minimum, the erosion and sediment control component of the SWPPP shall include the following:
 - a. Background information about the scope of the project, including the location, type and size of project

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- b. A site map/construction drawing(s) for the project, including a general location map. At a minimum, the site map shall show the total site area, all improvements, areas of disturbance, areas that will not be disturbed, existing vegetation, on-site and adjacent off-site surface water(s), floodplain/floodway boundaries, wetlands and drainage patterns that could be affected by the construction activity, existing and final contours, locations of different soil types with boundaries, material, waste, borrow or equipment storage areas located on adjacent properties, and location(s) of the stormwater discharge(s).
- c. A description of the soil(s) present at the site, including an identification of the Hydrologic Soil Group (HSG);
- d. A construction phasing plan and sequence of operations describing the intended order of construction activities, including clearing and grubbing, excavation and grading, utility and infrastructure installation and any other activity at the site that results in soil disturbance;
- e. A description of the minimum erosion and sediment control practices to be installed or implemented for each construction activity that will result in soil disturbance. Include a schedule that identifies the timing of initial placement or implementation of each erosion and sediment control practice and the minimum time frames that each practice should remain in place or be implemented;
- f. A temporary and permanent soil stabilization plan that meets the requirements of this general permit and the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016, for each stage of the project, including initial land clearing and grubbing to project completion and achievement of final stabilization;
- g. A site map/construction drawing(s) showing the specific location(s), size(s), and length(s) of each erosion and sediment control practice;
- h. The dimensions, material specifications, installation details, and operation and maintenance requirements for all erosion and sediment control practices. Include the location and sizing of any temporary sediment basins and structural practices that will be used to divert flows from exposed soils;
- i. A maintenance inspection schedule for the contractor(s) identified in Part III.A.6. of this permit, to ensure continuous and effective operation of the erosion and sediment control practices. The maintenance inspection

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schedule shall be in accordance with the requirements in the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016;

- j. A description of the pollution prevention measures that will be used to control litter, construction chemicals and construction debris from becoming a pollutant source in the stormwater discharge;
- k. A description and location of any stormwater discharges associated with industrial activity other than construction at the site, including, but not limited to, stormwater discharges from asphalt plants and concrete plants located on the construction site; and
- l. Identification of any elements of the design that are not in conformance with the design criteria in the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016. Include the reason for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is equivalent to the technical standard.

2. Post-construction stormwater management practice component – The owner or operator of any construction project identified in Table 2 of Appendix B as needing post-construction stormwater management practices shall prepare a SWPPP that includes practices designed in conformance with the applicable sizing criteria in Part I.C.2.a., c. or d. of this permit and the performance criteria in the technical standard, New York State Stormwater Management Design Manual dated January 2015

Where post-construction stormwater management practices are not designed in conformance with the performance criteria in the technical standard, the owner or operator must include in the SWPPP the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is equivalent to the technical standard.

The post-construction stormwater management practice component of the SWPPP shall include the following:

- a. Identification of all post-construction stormwater management practices to be constructed as part of the project, include the dimensions, material specifications and installation details for each post-construction stormwater management practice;

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- b. A site map/construction drawing(s) showing the specific location and size of each post-construction stormwater management practice;
- c. A Stormwater Modeling and Analysis Report that includes:
 - (i) Map(s) showing pre-development conditions, including watershed/subcatchments boundaries, flow paths/routing, and design points;
 - (ii) Map(s) showing post-development conditions, including watershed/subcatchments boundaries, flow paths/routing, design points and post-construction stormwater management practices;
 - (iii) Results of stormwater modeling (i.e. hydrology and hydraulic analysis) for the required storm events. Include supporting calculations (model runs), methodology, and a summary table that compares pre and post-development runoff rates and volumes for the different storm events;
 - (iv) Summary table, with supporting calculations, which demonstrates that each post-construction stormwater management practice has been designed in conformance with the sizing criteria included in the Design Manual;
 - (v) Identification of any sizing criteria that is not required based on the requirements included in Part I.C. of this permit; and
 - (vi) Identification of any elements of the design that are not in conformance with the performance criteria in the Design Manual. Include the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is equivalent to the Design Manual;
- d. Soil testing results and locations (test pits, borings);
- e. Infiltration test results, when required; and
- f. An operations and maintenance plan that includes inspection and maintenance schedules and actions to ensure continuous and effective operation of each post-construction stormwater management practice. The plan shall identify the entity that will be responsible for the long term operation and maintenance of each practice.

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3. Enhanced Phosphorus Removal Standards - All construction projects identified in Table 2 of Appendix B that are located in the watersheds identified in Appendix C shall prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the applicable sizing criteria in Part I.C.2. b., c. or d. of this permit and the performance criteria. Enhanced Phosphorus Removal Standards included in the Design Manual. At a minimum, the post-construction stormwater management practice component of the SWPPP shall include items 2.a - 2.f. above.

C. Required SWPPP Components by Project Type

Unless otherwise notified by the Department, owners or operators of construction activities identified in Table 1 of Appendix B are required to prepare a SWPPP that only includes erosion and sediment control practices designed in conformance with Part III B.1 of this permit. Owners or operators of the construction activities identified in Table 2 of Appendix B shall prepare a SWPPP that also includes post-construction stormwater management practices designed in conformance with Part III.B.2 or 3 of this permit.

Part IV. INSPECTION AND MAINTENANCE REQUIREMENTS

A. General Construction Site Inspection and Maintenance Requirements

1. The owner or operator must ensure that all erosion and sediment control practices (including pollution prevention measures) and all post-construction stormwater management practices identified in the SWPPP are inspected and maintained in accordance with Part IV B. and C. of this permit.
2. The terms of this permit shall not be construed to prohibit the State of New York from exercising any authority pursuant to the ECL, common law or federal law, or prohibit New York State from taking any measures, whether civil or criminal, to prevent violations of the laws of the State of New York or protect the public health and safety and/or the environment.

B. Contractor Maintenance Inspection Requirements

1. The owner or operator of each construction activity identified in Tables 1 and 2 of Appendix B shall have a trained contractor inspect the erosion and sediment control practices and pollution prevention measures being implemented within the active work area daily to ensure that they are being maintained in effective operating condition at all times. If deficiencies are identified, the contractor shall

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begin implementing corrective actions within one business day and shall complete the corrective actions in a reasonable time frame.

2. For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and temporary stabilization measures have been applied to all disturbed areas, the trained contractor can stop conducting the maintenance inspections. The trained contractor shall begin conducting the maintenance inspections in accordance with Part IV.B.1 of this permit as soon as soil disturbance activities resume.
3. For construction sites where soil disturbance activities have been shut down with partial project completion, the trained contractor can stop conducting the maintenance inspections if all areas disturbed as of the project shutdown date have achieved final stabilization and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational.

C. Qualified Inspector Inspection Requirements

The owner or operator shall have a qualified inspector conduct site inspections in conformance with the following requirements:

[Note: The trained contractor identified in Part III A.8. and IV.B. of this permit cannot conduct the qualified inspector site inspections unless they meet the qualified inspector qualifications included in Appendix A. In order to perform these inspections, the trained contractor would have to be a:

- licensed Professional Engineer,
- Certified Professional in Erosion and Sediment Control (CPESC),
- New York State Erosion and Sediment Control Certificate Program holder
- Registered Landscape Architect, or
- someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided they have received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity].

1. A qualified inspector shall conduct site inspections for all construction activities identified in Tables 1 and 2 of Appendix B, with the exception of:
 - a. the construction of a single family residential subdivision with 25% or less impervious cover at total site build-out that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres and is not located

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- d. For construction sites where soil disturbance activities have been shut down with partial project completion, the qualified inspector can stop conducting inspections if all areas disturbed as of the project shutdown date have achieved final stabilization and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational. The owner or operator shall notify the DOW Water (SPDES) Program contact at the Regional Office (see contact information in Appendix F) or, in areas under the jurisdiction of a regulated, traditional land use control MS4, the regulated, traditional land use control MS4 (provided the regulated, traditional land use control MS4 is not the owner or operator of the construction activity) in writing prior to the shutdown. If soil disturbance activities are not resumed within 2 years from the date of shutdown, the owner or operator shall have the qualified inspector perform a final inspection and certify that all disturbed areas have achieved final stabilization, and all temporary, structural erosion and sediment control measures have been removed, and that all post-construction stormwater management practices have been constructed in conformance with the SWPPP by signing the "Final Stabilization" and "Post-Construction Stormwater Management Practice" certification statements on the NOT. The owner or operator shall then submit the completed NOT form to the address in Part II.B.1 of this permit.
 - e. For construction sites that directly discharge to one of the 303(d) segments listed in Appendix E or is located in one of the watersheds listed in Appendix C, the qualified inspector shall conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.
3. At a minimum, the qualified inspector shall inspect all erosion and sediment control practices and pollution prevention measures to ensure integrity and effectiveness, all post-construction stormwater management practices under construction to ensure that they are constructed in conformance with the SWPPP, all areas of disturbance that have not achieved final stabilization, all points of discharge to natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the construction site, and all points of discharge from the construction site.
 4. The qualified inspector shall prepare an inspection report subsequent to each and every inspection. At a minimum, the inspection report shall include and/or address the following:

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in one of the watersheds listed in Appendix C and not directly discharging to one of the 303(d) segments listed in Appendix E,

- b. the construction of a single family home that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres and is not located in one of the watersheds listed in Appendix C and not directly discharging to one of the 303(d) segments listed in Appendix E,
- c. construction on agricultural property that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres; and
- d. construction activities located in the watersheds identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.

2. Unless otherwise notified by the Department, the qualified inspector shall conduct site inspections in accordance with the following timetable:

- a. For construction sites where soil disturbance activities are on-going, the qualified inspector shall conduct a site inspection at least once every seven (7) calendar days.
- b. For construction sites where soil disturbance activities are on-going and the owner or operator has received authorization in accordance with Part II.D.3 to disturb greater than five (5) acres of soil at any one time, the qualified inspector shall conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.
- c. For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and temporary stabilization measures have been applied to all disturbed areas, the qualified inspector shall conduct a site inspection at least once every thirty (30) calendar days. The owner or operator shall notify the DOW Water (SPDES) Program contact at the Regional Office (see contact information in Appendix F) or, in areas under the jurisdiction of a regulated, traditional land use control MS4, the regulated, traditional land use control MS4 (provided the regulated, traditional land use control MS4 is not the owner or operator of the construction activity) in writing prior to reducing the frequency of inspections.

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- a. Date and time of inspection;
- b. Name and title of person(s) performing inspection;
- c. A description of the weather and soil conditions (e.g. dry, wet, saturated) at the time of the inspection;
- d. A description of the condition of the runoff at all points of discharge from the construction site. This shall include identification of any discharges of sediment from the construction site. Include discharges from conveyance systems (i.e. pipes, culverts, ditches, etc.) and overland flow;
- e. A description of the condition of all natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the construction site which receive runoff from disturbed areas. This shall include identification of any discharges of sediment to the surface waterbody;
- f. Identification of all erosion and sediment control practices and pollution prevention measures that need repair or maintenance;
- g. Identification of all erosion and sediment control practices and pollution prevention measures that were not installed properly or are not functioning as designed and need to be reinstalled or replaced;
- h. Description and sketch of areas with active soil disturbance activity, areas that have been disturbed but are inactive at the time of the inspection, and areas that have been stabilized (temporary and/or final) since the last inspection;
- i. Current phase of construction of all post-construction stormwater management practices and identification of all construction that is not in conformance with the SWPPP and technical standards;
- j. Corrective action(s) that must be taken to install, repair, replace or maintain erosion and sediment control practices and pollution prevention measures; and to correct deficiencies identified with the construction of the post-construction stormwater management practice(s).
- k. Identification and status of all corrective actions that were required by previous inspection, and

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- i. Digital photographs, with date stamp, that clearly show the condition of all practices that have been identified as needing corrective actions. The *qualified inspector* shall attach paper color copies of the digital photographs to the inspection report being maintained onsite within seven (7) calendar days of the date of the inspection. The *qualified inspector* shall also take digital photographs, with date stamp, that clearly show the condition of the practice(s) after the corrective action has been completed. The *qualified inspector* shall attach paper color copies of the digital photographs to the inspection report that documents the completion of the corrective action work within seven (7) calendar days of that inspection.
- 5. Within one business day of the completion of an inspection, the *qualified inspector* shall notify the *owner or operator* and appropriate contractor or subcontractor identified in Part III A.3. of this permit of any corrective actions that need to be taken. The contractor or subcontractor shall begin implementing the corrective actions within one business day of this notification and shall complete the corrective actions in a reasonable time frame.
- 6. All inspection reports shall be signed by the *qualified inspector*. Pursuant to Part II D.2. of this permit, the inspection reports shall be maintained on site with the SWPPP.

- b. Planned shutdown with partial project completion - All soil disturbance activities have ceased; and all areas disturbed as of the project shutdown date have achieved *final stabilization*; and all temporary, structural erosion and sediment control measures have been removed; and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational.
- c. A new *owner or operator* has obtained coverage under this permit in accordance with Part II F. of this permit.
- d. The *owner or operator* obtains coverage under an alternative SPDES general permit or an individual SPDES permit.

3. For construction activities meeting subdivision 2a. or 2b. of this Part, the *owner or operator* shall have the *qualified inspector* perform a final site inspection prior to submitting the NOT. The *qualified inspector* shall, by signing the "Final Stabilization" and "Post-Construction Stormwater Management Practice Certification" statements on the NOT, certify that all the requirements in Part V.A.2.a. or b. of this permit have been achieved.

4. For construction activities that are subject to the requirements of a *regulated, traditional land use control MS4* and meet subdivision 2a. or 2b. of this Part, the *owner or operator* shall have the *regulated, traditional land use control MS4* sign the "MS4 Acceptance" statement on the NOT in accordance with the requirements in Part VII.H. of this permit. The *regulated, traditional land use control MS4* official, by signing this statement, has determined that it is acceptable for the *owner or operator* to submit the NOT in accordance with the requirements of this Part. The *regulated, traditional land use control MS4* can make this determination by performing a final site inspection themselves or by accepting the *qualified inspector's* final site inspection certification(s) required in Part V.A.3. of this permit.

5. For construction activities that require post-construction stormwater management practices and meet subdivision 2a. of this Part, the *owner or operator* must, prior to submitting the NOT, ensure one of the following:

- a. the post-construction stormwater management practice(s) and any right-of-way(s) needed to maintain such practice(s) have been deeded to the municipality in which the practice(s) is located.

Part V. TERMINATION OF PERMIT COVERAGE

A. Termination of Permit Coverage

- 1. An *owner or operator* that is eligible to terminate coverage under this permit must submit a completed NOT form to the address in Part II B.1 of this permit. The NOT form shall be one which is associated with this permit, signed in accordance with Part VII.H of this permit.
- 2. An *owner or operator* may terminate coverage when one or more the following conditions have been met:
 - a. Total project completion - All construction activity identified in the SWPPP has been completed; and all areas of disturbance have achieved *final stabilization*; and all temporary, structural erosion and sediment control measures have been removed; and all post-construction stormwater management practices have been constructed in conformance with the SWPPP and are operational.

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- b. an executed maintenance agreement is in place with the municipality that will maintain the post-construction stormwater management practice(s).
- c. for post-construction stormwater management practices that are privately owned, the *owner or operator* has a mechanism in place that requires operation and maintenance of the practice(s) in accordance with the operation and maintenance plan, such as a deed covenant in the *owner or operator's* deed of record.
- d. for post-construction stormwater management practices that are owned by a public or private institution (e.g. school, university, hospital), government agency or authority, or public utility; the *owner or operator* has policy and procedures in place that ensures operation and maintenance of the practices in accordance with the operation and maintenance plan.

Part VI. REPORTING AND RETENTION RECORDS

A. Record Retention

The *owner or operator* shall retain a copy of the NOI, NOI Acknowledgment Letter, SWPPP, MS4 SWPPP Acceptance form and any inspection reports that were prepared in conjunction with this permit for a period of at least five (5) years from the date that the Department receives a complete NOT submitted in accordance with Part V. of this general permit.

B. Addresses

With the exception of the NOI, NOT, and MS4 SWPPP Acceptance form (which must be submitted to the address referenced in Part II B.1 of this permit), all written correspondence requested by the Department, including individual permit applications, shall be sent to the address of the appropriate DOW Water (SPDES) Program contact at the Regional Office listed in Appendix F.

Part VII. STANDARD PERMIT CONDITIONS

A. Duty to Comply

The *owner or operator* must comply with all conditions of this permit. All contractors and subcontractors associated with the project must comply with the terms of the SWPPP. Any non-compliance with this permit constitutes a violation of the Clean Water

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Act (CWA) and the ECL and is grounds for an enforcement action against the *owner or operator* and/or the contractor/subcontractor; permit revocation, suspension or modification; or denial of a permit renewal application. Upon a finding of significant non-compliance with this permit or the applicable SWPPP, the Department may order an immediate stop to all construction activity at the site until the non-compliance is remedied. The stop work order shall be in writing, shall describe the non-compliance in detail, and shall be sent to the *owner or operator*.

If any human remains or archaeological remains are encountered during excavation, the *owner or operator* must immediately cease, or cause to cease, all construction activity in the area of the remains and notify the appropriate Regional Water Engineer (RWE). Construction activity shall not resume until written permission to do so has been received from the RWE.

B. Continuation of the Expired General Permit

This permit expires five (5) years from the effective date. If a new general permit is not issued prior to the expiration of this general permit, an *owner or operator* with coverage under this permit may continue to operate and discharge in accordance with the terms and conditions of this general permit, if it is extended pursuant to the State Administrative Procedure Act and 6 NYCRR Part 621, until a new general permit is issued.

C. Enforcement

Failure of the *owner or operator*, its contractors, subcontractors, agents and/or assigns to strictly adhere to any of the permit requirements contained herein shall constitute a violation of this permit. There are substantial criminal, civil, and administrative penalties associated with violating the provisions of this permit. Fines of up to \$37,500 per day for each violation and imprisonment for up to fifteen (15) years may be assessed depending upon the nature and degree of the offense.

D. Need to Halt or Reduce Activity Not a Defense

It shall not be a defense for an *owner or operator* in an enforcement action that it would have been necessary to halt or reduce the construction activity in order to maintain compliance with the conditions of this permit.

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E. Duty to Mitigate

The owner or operator and its contractors and subcontractors shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

F. Duty to Provide Information

The owner or operator shall furnish to the Department, within a reasonable specified time period of a written request, all documentation necessary to demonstrate eligibility and any information to determine compliance with this permit or to determine whether cause exists for modifying or revoking this permit, or suspending or denying coverage under this permit, in accordance with the terms and conditions of this permit. The NOI, SWPPP and inspection reports required by this permit are public documents that the owner or operator must make available for review and copying by any person within five (5) business days of the owner or operator receiving a written request by any such person to review these documents. Copying of documents will be done at the requester's expense.

G. Other Information

When the owner or operator becomes aware that they failed to submit any relevant facts, or submitted incorrect information in the NOI or in any of the documents required by this permit, or have made substantive revisions to the SWPPP (e.g. the scope of the project changes significantly, the type of post-construction stormwater management practice(s) changes, there is a reduction in the sizing of the post-construction stormwater management practice, or there is an increase in the disturbance area or impervious area), which were not reflected in the original NOI submitted to the Department, they shall promptly submit such facts or information to the Department using the contact information in Part II.A. of this permit. Failure of the owner or operator to correct or supplement any relevant facts within five (5) business days of becoming aware of the deficiency shall constitute a violation of this permit.

H. Signatory Requirements

1. All NOIs and NOTs shall be signed as follows:

a. For a corporation these forms shall be signed by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:

superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position) and,

c. The written authorization shall include the name, title and signature of the authorized representative and be attached to the SWPPP.

3. All inspection reports shall be signed by the qualified inspector that performs the inspection.

4. The MS4 SWPPP Acceptance form shall be signed by the principal executive officer or ranking elected official from the regulated, traditional land use control MS4, or by a duly authorized representative of that person.

It shall constitute a permit violation if an incorrect and/or improper signatory authorizes any required forms, SWPPP and/or inspection reports.

I. Property Rights

The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations. Owners or operators must obtain any applicable conveyances, easements, licenses and/or access to real property prior to commencing construction activity.

J. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

K. Requirement to Obtain Coverage Under an Alternative Permit

1. The Department may require any owner or operator authorized by this permit to apply for and/or obtain either an individual SPDES permit or another SPDES general permit. When the Department requires any discharger authorized by a general permit to apply for an individual SPDES permit, it shall notify the discharger in writing that a permit application is required. This notice shall

(ii) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or

(iii) the manager of one or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations. The manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

b. For a partnership or sole proprietorship these forms shall be signed by a general partner or the proprietor, respectively; or

c. For a municipality, State, Federal, or other public agency these forms shall be signed by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:

(i) the chief executive officer of the agency, or

(ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

2. The SWPPP and other information requested by the Department shall be signed by a person described in Part VII.H.1. of this permit or by a duly authorized representative of that person. A person is a duly authorized representative only if:

a. The authorization is made in writing by a person described in Part VII.H.1. of this permit;

b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field,

include a brief statement of the reasons for this decision, an application form, a statement setting a time frame for the owner or operator to file the application for an individual SPDES permit, and a deadline, not sooner than 180 days from owner or operator receipt of the notification letter, whereby the authorization to discharge under this general permit shall be terminated. Applications must be submitted to the appropriate Permit Administrator at the Regional Office. The Department may grant additional time upon demonstration, to the satisfaction of the Department, that additional time to apply for an alternative authorization is necessary or where the Department has not provided a permit determination in accordance with Part 621 of this Title.

2. When an individual SPDES permit is issued to a discharger authorized to discharge under a general SPDES permit for the same discharge(s), the general permit authorization for outfalls authorized under the individual SPDES permit is automatically terminated on the effective date of the individual permit unless termination is earlier in accordance with 6 NYCRR Part 750.

L. Proper Operation and Maintenance

The owner or operator shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the owner or operator to achieve compliance with the conditions of this permit and with the requirements of the SWPPP.

M. Inspection and Entry

The owner or operator shall allow an authorized representative of the Department, EPA, applicable county health department, or, in the case of a construction site which discharges through an MS4, an authorized representative of the MS4 receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the owner's or operator's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;

2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit, and

3. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment), practices or operations regulated or required by this permit.
4. Sample or monitor at reasonable times, for purposes of assuring permit compliance or as otherwise authorized by the Act or ECL, any substances or parameters at any location.

N. Permit Actions

This permit may, at any time, be modified, suspended, revoked, or renewed by the Department in accordance with 6 NYCRR Part 621. The filing of a request by the owner or operator for a permit modification, revocation and reissuance, termination, a notification of planned changes or anticipated noncompliance does not limit, diminish and/or stay compliance with any terms of this permit.

O. Definitions

Definitions of key terms are included in Appendix A of this permit.

P. Re-Opener Clause

1. If there is evidence indicating potential or realized impacts on water quality due to any stormwater discharge associated with construction activity covered by this permit, the owner or operator of such discharge may be required to obtain an individual permit or alternative general permit in accordance with Part VII.K. of this permit or the permit may be modified to include different limitations and/or requirements.
2. Any Department initiated permit modification, suspension or revocation will be conducted in accordance with 6 NYCRR Part 621, 6 NYCRR 750-1.18, and 6 NYCRR 750-1.20.

Q. Penalties for Falsification of Forms and Reports

In accordance with 6 NYCRR Part 750-2.4 and 750-2.5, any person who knowingly makes any false material statement, representation, or certification in any application, record, report or other document filed or required to be maintained under this permit, including reports of compliance or noncompliance shall, upon conviction, be punished in accordance with ECL §71-1933 and or Articles 175 and 210 of the New York State Penal Law.

R. Other Permits

Nothing in this permit relieves the owner or operator from a requirement to obtain any other permits required by law.

APPENDIX A – Acronyms and Definitions

Acronyms

APO – Agency Preservation Officer
 BMP – Best Management Practice
 CPESC – Certified Professional in Erosion and Sediment Control
 Cpv – Channel Protection Volume
 CWA – Clean Water Act (or the Federal Water Pollution Control Act, 33 U.S.C. §1251 et seq)
 DOW – Division of Water
 EAF – Environmental Assessment Form
 ECL – Environmental Conservation Law
 EPA – U. S. Environmental Protection Agency
 HSG – Hydrologic Soil Group
 MS4 – Municipal Separate Storm Sewer System
 NOI – Notice of Intent
 NOT – Notice of Termination
 NPDES – National Pollutant Discharge Elimination System
 OPRHP – Office of Parks, Recreation and Historic Places
 Of – Extreme Flood
 Qp – Overbank Flood
 RRV – Runoff Reduction Volume
 RWE – Regional Water Engineer
 SEQR – State Environmental Quality Review
 SEQRA – State Environmental Quality Review Act
 SHPA – State Historic Preservation Act
 SPDES – State Pollutant Discharge Elimination System
 SWPPP – Stormwater Pollution Prevention Plan
 TMDL – Total Maximum Daily Load
 UPA – Uniform Procedures Act
 USDA – United States Department of Agriculture
 WQv – Water Quality Volume

APPENDIX A

Definitions

All definitions in this section are solely for the purposes of this permit.

Agricultural Building – a structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products; excluding any structure designed, constructed or used, in whole or in part, for human habitation, as a place of employment where agricultural products are processed, treated or packaged, or as a place used by the public.

Agricultural Property – means the land for construction of a barn, agricultural building, silo, stockyard, pen or other structural practices identified in Table II in the "Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State" prepared by the Department in cooperation with agencies of New York Nonpoint Source Coordinating Committee (dated June 2007).

Alter Hydrology from Pre to Post-Development Conditions - means the post-development peak flow rate(s) has increased by more than 5% of the pre-developed condition for the design storm of interest (e.g. 10 yr and 100 yr).

Combined Sewer - means a sewer that is designed to collect and convey both "sewage" and "stormwater".

Commence (Commencement of) Construction Activities - means the initial disturbance of soils associated with clearing, grading or excavation activities; or other construction related activities that disturb or expose soils such as demolition, stockpiling of fill material, and the initial installation of erosion and sediment control practices required in the SWPPP. See definition for "Construction Activity(ies)" also.

Construction Activity(ies) - means any clearing, grading, excavation, filling, demolition or stockpiling activities that result in soil disturbance. Clearing activities can include, but are not limited to, logging equipment operation, the cutting and skidding of trees, stump removal and/or brush root removal. Construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of a facility.

Construction Site – means the land area where construction activity(ies) will occur. See definition for "Commence (Commencement of) Construction Activities" and "Larger Common Plan of Development or Sale" also.

Dewatering – means the act of draining rainwater and/or groundwater from building foundations, vaults or excavations/trenches.

Direct Discharge (to a specific surface waterbody) - means that runoff flows from a construction site by overland flow and the first point of discharge is the specific surface waterbody, or runoff flows from a construction site to a separate storm sewer system

and the first point of discharge from the separate storm sewer system is the specific surface waterbody.

Discharge(s) - means any addition of any pollutant to waters of the State through an outlet or point source.

Embankment - means an earthen or rock slope that supports a road/highway.

Endangered or Threatened Species - see 6 NYCRR Part 182 of the Department's rules and regulations for definition of terms and requirements.

Environmental Conservation Law (ECL) - means chapter 43-B of the Consolidated Laws of the State of New York, entitled the Environmental Conservation Law.

Equivalent (Equivalence) - means that the practice or measure meets all the performance, longevity, maintenance, and safety objectives of the technical standard and will provide an equal or greater degree of water quality protection.

Final Stabilization - means that all soil disturbance activities have ceased and a uniform, perennial vegetative cover with a density of eighty (80) percent over the entire pervious surface has been established; or other equivalent stabilization measures, such as permanent landscape mulches, rock rip-rap or washed/crushed stone have been applied on all disturbed areas that are not covered by permanent structures, concrete or pavement.

General SPDES permit - means a SPDES permit issued pursuant to 6 NYCRR Part 750-1.21 and Section 70-0117 of the ECL authorizing a category of discharges.

Groundwater(s) - means waters in the saturated zone. The saturated zone is a subsurface zone in which all the interstices are filled with water under pressure greater than that of the atmosphere. Although the zone may contain gas-filled interstices or interstices filled with fluids other than water, it is still considered saturated.

Historic Property - means any building, structure, site, object or district that is listed on the State or National Registers of Historic Places or is determined to be eligible for listing on the State or National Registers of Historic Places.

Impervious Area (Cover) - means all impervious surfaces that cannot effectively infiltrate rainfall. This includes paved, concrete and gravel surfaces (i.e. parking lots, driveways, roads, runways and sidewalks), building rooftops and miscellaneous impervious structures such as patios, pools, and sheds.

Infeasible - means not technologically possible, or not economically practicable and achievable in light of best industry practices.

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Larger Common Plan of Development or Sale - means a contiguous area where multiple separate and distinct construction activities are occurring, or will occur, under one plan. The term "plan" in "larger common plan of development or sale" is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, marketing plan, advertisement, drawing, permit application, State Environmental Quality Review Act (SEQRA) environmental assessment form or other documents, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating that construction activities may occur on a specific plot.

For discrete construction projects that are located within a larger common plan of development or sale that are at least 1/4 mile apart, each project can be treated as a separate plan of development or sale provided any interconnecting road, pipeline or utility project that is part of the same "common plan" is not concurrently being disturbed.

Minimize - means reduce and/or eliminate to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practices.

Municipal Separate Storm Sewer (MS4) - a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

- (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to surface waters of the State;
- (ii) Designed or used for collecting or conveying stormwater;
- (iii) Which is not a combined sewer; and
- (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

National Pollutant Discharge Elimination System (NPDES) - means the national system for the issuance of wastewater and stormwater permits under the Federal Water Pollution Control Act (Clean Water Act).

Natural Buffer - means an undisturbed area with natural cover running along a surface water (e.g. wetland, stream, river, lake, etc.).

New Development - means any land disturbance that does not meet the definition of Redevelopment Activity included in this appendix.

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Appendix A

New York State Erosion and Sediment Control Certificate Program - a certificate program that establishes and maintains a process to identify and recognize individuals who are capable of developing, designing, inspecting and maintaining erosion and sediment control plans on projects that disturb soils in New York State. The certificate program is administered by the New York State Conservation District Employees Association.

NOI Acknowledgment Letter - means the letter that the Department sends to an owner or operator to acknowledge the Department's receipt and acceptance of a complete Notice of Intent. This letter documents the owner's or operator's authorization to discharge in accordance with the general permit for stormwater discharges from construction activity.

Nonpoint Source - means any source of water pollution or pollutants which is not a discrete conveyance or point source permitted pursuant to Title 7 or 8 of Article 17 of the Environmental Conservation Law (see ECL Section 17-1403).

Overbank - means flow events that exceed the capacity of the stream channel and spill out into the adjacent floodplain.

Owner or Operator - means the person, persons or legal entity which owns or leases the property on which the construction activity is occurring, an entity that has operational control over the construction plans and specifications, including the ability to make modifications to the plans and specifications; and/or an entity that has day-to-day operational control of those activities at a project that are necessary to ensure compliance with the permit conditions.

Performance Criteria - means the design criteria listed under the "Required Elements" sections in Chapters 5, 6 and 10 of the technical standard, New York State Stormwater Management Design Manual, dated January 2015. It does not include the Sizing Criteria (i.e. WQv, RRV, Cpv, Qp and Qf) in Part I.C.2. of the permit.

Point Source - means any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, vessel or other floating craft, or landfill leachate collection system from which pollutants are or may be discharged.

Pollutant - means dredged spoil, filter-backwash, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand and industrial, municipal, agricultural waste and ballast discharged into water; which may cause or might reasonably be expected to cause pollution of the waters of the state in contravention of the standards or guidance values adopted as provided in 6 NYCRR Parts 700 et seq.

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Appendix A

Qualified Inspector - means a person that is knowledgeable in the principles and practices of erosion and sediment control, such as a licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, New York State Erosion and Sediment Control Certificate Program holder or other Department endorsed individual(s).

It can also mean someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided that person has training in the principles and practices of erosion and sediment control. Training in the principles and practices of erosion and sediment control means that the individual working under the direct supervision of the licensed Professional Engineer or Registered Landscape Architect has received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity. After receiving the initial training, the individual working under the direct supervision of the licensed Professional Engineer or Registered Landscape Architect shall receive four (4) hours of training every three (3) years.

It can also mean a person that meets the *Qualified Professional* qualifications in addition to the *Qualified Inspector* qualifications.

Note: Inspections of any post-construction stormwater management practices that include structural components, such as a dam for an impoundment, shall be performed by a licensed Professional Engineer.

Qualified Professional - means a person that is knowledgeable in the principles and practices of stormwater management and treatment, such as a licensed Professional Engineer, Registered Landscape Architect or other Department endorsed individual(s). Individuals preparing SWPPPs that require the post-construction stormwater management practice component must have an understanding of the principles of hydrology, water quality management practice design, water quantity control design, and, in many cases, the principles of hydraulics. All components of the SWPPP that involve the practice of engineering, as defined by the NYS Education Law (see Article 145), shall be prepared by, or under the direct supervision of, a professional engineer licensed to practice in the State of New York.

Redevelopment Activity(ies) - means the disturbance and reconstruction of existing impervious area, including impervious areas that were removed from a project site within five (5) years of preliminary project plan submission to the local government (i.e. site plan, subdivision, etc.).

Regulated, Traditional Land Use Control MS4 - means a city, town or village with land use control authority that is authorized to discharge under New York State DEC's

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SPDES General Permit For Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s) or the City of New York's Individual SPDES Permit for their Municipal Separate Storm Sewer Systems (NY-0287890).

Routine Maintenance Activity - means *construction activity* that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of a facility, including, but not limited to:

- Re-grading of gravel roads or parking lots,
- Cleaning and shaping of existing roadside ditches and culverts that maintains the approximate original line and grade, and hydraulic capacity of the ditch,
- Cleaning and shaping of existing roadside ditches that does not maintain the approximate original grade, hydraulic capacity and purpose of the ditch if the changes to the line and grade, hydraulic capacity or purpose of the ditch are installed to improve water quality and quantity controls (e.g. installing grass lined ditch),
- Placement of aggregate shoulder backing that stabilizes the transition between the road shoulder and the ditch or *embankment*,
- Full depth milling and filling of existing asphalt pavements, replacement of concrete pavement slabs, and similar work that does not expose soil or disturb the bottom six (6) inches of subbase material,
- Long-term use of equipment storage areas at or near highway maintenance facilities,
- Removal of sediment from the edge of the highway to restore a previously existing sheet-flow drainage connection from the highway surface to the highway ditch or *embankment*,
- Existing use of Canal Corp owned upland disposal sites for the canal, and
- Replacement of curbs, gutters, sidewalks and guide rail posts.

Site limitations - means site conditions that prevent the use of an infiltration technique and or infiltration of the total WQV. Typical site limitations include: seasonal high groundwater, shallow depth to bedrock, and soils with an infiltration rate less than 0.5 inches/hour. The existence of site limitations shall be confirmed and documented using actual field testing (i.e. test pits, soil borings, and infiltration test) or using information from the most current United States Department of Agriculture (USDA) Soil Survey for the County where the project is located.

Sizing Criteria - means the criteria included in Part I.C.2 of the permit that are used to size post-construction stormwater management control practices. The criteria include, Water Quality Volume (WQv), Runoff Reduction Volume (RRV), Channel Protection Volume (Cpv), Overbank Flood (Qp), and Extreme Flood (Qf).

State Pollutant Discharge Elimination System (SPDES) - means the system established pursuant to Article 17 of the ECL and 6 NYCRR Part 750 for issuance of permits authorizing discharges to the waters of the state.

training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity. After receiving the initial training, the *trained contractor* shall receive four (4) hours of training every three (3) years.

It can also mean an employee from the contracting (construction) company, identified in Part III.A.6., that meets the *qualified inspector* qualifications (e.g. licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, New York State Erosion and Sediment Control Certificate Program holder, or someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided they have received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity).

The *trained contractor* is responsible for the day to day implementation of the SWPPP.

Uniform Procedures Act (UPA) Permit - means a permit required under 6 NYCRR Part 621 of the Environmental Conservation Law (ECL), Article 70.

Water Quality Standard - means such measures of purity or quality for any waters in relation to their reasonable and necessary use as promulgated in 6 NYCRR Part 700 et seq.

Sleep Slope - means land area designated on the current United States Department of Agriculture ("USDA") Soil Survey as Soil Slope Phase "D", (provided the map unit name is inclusive of slopes greater than 25%), or Soil Slope Phase E or F, (regardless of the map unit name), or a combination of the three designations.

Streambank - as used in this permit, means the terrain alongside the bed of a creek or stream. The bank consists of the sides of the channel, between which the flow is confined.

Stormwater Pollution Prevention Plan (SWPPP) - means a project specific report, including construction drawings, that among other things, describes the construction activity(ies), identifies the potential sources of pollution at the *construction site*, describes and shows the stormwater controls that will be used to control the pollutants (i.e. erosion and sediment controls; for many projects, includes post-construction stormwater management controls); and identifies procedures the *owner or operator* will implement to comply with the terms and conditions of the permit. See Part III of the permit for a complete description of the information that must be included in the SWPPP.

Surface Waters of the State - shall be construed to include lakes, bays, sounds, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic ocean within the territorial seas of the state of New York and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters that do not combine or effect a junction with natural surface waters), which are wholly or partially within or bordering the state or within its jurisdiction. Waters of the state are further defined in 6 NYCRR Parts 800 to 941.

Temporarily Ceased - means that an existing disturbed area will not be disturbed again within 14 calendar days of the previous soil disturbance.

Temporary Stabilization - means that exposed soil has been covered with material(s) as set forth in the technical standard, New York Standards and Specifications for Erosion and Sediment Control, to prevent the exposed soil from eroding. The materials can include, but are not limited to, mulch, seed and mulch, and erosion control mats (e.g. jute twisted yarn, excelsior wood fiber mats).

Total Maximum Daily Loads (TMDLs) - A TMDL is the sum of the allowable loads of a single pollutant from all contributing point and *nonpoint* sources. It is a calculation of the maximum amount of a pollutant that a waterbody can receive on a daily basis and still meet *water quality standards*, and an allocation of that amount to the pollutant's sources. A TMDL stipulates wasteload allocations (WLAs) for *point* source discharges, load allocations (LAs) for *nonpoint* sources, and a margin of safety (MOS).

Trained Contractor - means an employee from the contracting (construction) company, identified in Part III.A.6., that has received four (4) hours of Department endorsed

APPENDIX B – Required SWPPP Components by Project Type

Table 1
Construction Activities that Require the Preparation of a SWPPP That Only Includes Erosion and Sediment Controls

<p>The following construction activities that involve soil disturbances of one (1) or more acres of land, but less than five (5) acres:</p> <ul style="list-style-type: none"> • Single family home <u>not</u> located in one of the watersheds listed in Appendix C or <u>not</u> directly discharging to one of the 303(d) segments listed in Appendix E • Single family residential subdivisions with 25% or less impervious cover at total site build-out and <u>not</u> located in one of the watersheds listed in Appendix C and <u>not</u> directly discharging to one of the 303(d) segments listed in Appendix E • Construction of a barn or other agricultural building, silo, stock yard or pen
<p>The following construction activities that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land:</p> <p>All construction activities located in the watersheds identified in Appendix D that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land.</p>
<p>The following construction activities that involve soil disturbances of one (1) or more acres of land:</p> <ul style="list-style-type: none"> • Installation of underground, linear utilities, such as gas lines, fiber-optic cable, cable TV, electric, telephone, sewer mains and water mains • Environmental enhancement projects, such as wetland mitigation projects, stormwater retention and stream restoration projects • Pond construction • Linear bike paths running through areas with vegetative cover, including bike paths surfaced with an impervious cover • Cross-country ski trails and walking/hiking trails • Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that are not part of residential, commercial or institutional development • Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that include incidental shoulder or curb work along an existing highway to support construction of the sidewalk, bike path or walking path • Slope stabilization projects • Slope flattening that changes the grade of the site, but does not significantly change the runoff characteristics

Table 1 (Continued) CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A SWPPP THAT ONLY INCLUDES EROSION AND SEDIMENT CONTROLS

The following construction activities that involve soil disturbances of one (1) or more acres of land:

- Spoil areas that will be covered with vegetation
- Vegetated open space projects (i.e. recreational parks, lawns, meadows, fields, flowerbed systems) including projects that *alter hydrology from pre to post development conditions*
- Athletic fields (natural grass) that do not include the construction or reconstruction of impervious area and do not *alter hydrology from pre to post development conditions*
- Demolition project where vegetation will be established, and no redevelopment is planned
- Overhead electric transmission line project that does not include the construction of permanent access roads or parking areas surfaced with impervious cover
- Structural practices as identified in Table 1 in the Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State – excluding projects that involve soil disturbances of greater than five acres and construction activities that include the construction or reconstruction of impervious area
- Temporary access roads, median crossovers, detour roads, lanes, or other temporary impervious areas that will be restored to pre-construction conditions once the construction activity is complete

Table 2 CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A SWPPP THAT INCLUDES POST-CONSTRUCTION STORMWATER MANAGEMENT PRACTICES

The following construction activities that involve soil disturbances of one (1) or more acres of land:

- Single family homes located in one of the watersheds listed in Appendix C or directly discharging to one of the 333(d) segments listed in Appendix E
- Single family homes that disturb five (5) or more acres of land
- Single family residential subdivisions located in one of the watersheds listed in Appendix C or directly discharging to one of the 333(d) segments listed in Appendix E
- Single family residential subdivisions that involve soil disturbances of between one (1) and five (5) acres of land with greater than 25% impervious cover at total site build-out
- Single family residential subdivisions that involve soil disturbances of five (5) or more acres of land and single family residential subdivisions that involve soil disturbances of less than five (5) acres that are part of a larger common plan of development or sale that will ultimately disturb five or more acres of land
- Multi-family residential developments, includes duplexes, townhomes, condominiums, senior housing complexes, apartment complexes, and mobile home parks
- Airports
- Amusement parks
- Breweries, disteries, and wineries, including establishments constructed on agricultural land
- Campgrounds
- Cemeteries that include the construction or reconstruction of impervious area (>5% of disturbed area) or *alter the hydrology from pre to post development conditions*
- Commercial developments
- Churches and other places of worship
- Construction of a barn or other *agricultural building* (e.g. silo) and structural practices as identified in Table 1 in the Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State that include the construction or reconstruction of impervious area, excluding projects that involve soil disturbances of less than five acres.
- Golf courses
- Institutional development, includes hospitals, prisons, schools and colleges
- Industrial facilities, includes industrial parks
- Landfills
- Municipal facilities, includes highway garages, transfer stations, office buildings, POTW's, water treatment plants, and water storage tanks
- Office complexes
- Playgrounds that include the construction or reconstruction of impervious area
- Sports complexes
- Racetracks, includes racetracks with earthen dirt surfaces
- Road construction or reconstruction, including roads constructed as part of the construction activities listed in Table 1

Table 2 (Continued) CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A SWPPP THAT INCLUDES POST-CONSTRUCTION STORMWATER MANAGEMENT PRACTICES

The following construction activities that involve soil disturbances of one (1) or more acres of land:

- Parking lot construction or reconstruction, including parking lots constructed as part of the construction activities listed in Table 1
- Athletic fields (natural grass) that include the construction or reconstruction of impervious area (>5% of disturbed area) or *alter the hydrology from pre to post development conditions*
- Athletic fields with artificial turf
- Permanent access roads, parking areas, substations, compressor stations and well drilling pads, surfaced with impervious cover, and constructed as part of an over-head electric transmission line project, wind-power project, cell tower project, oil or gas well drilling project, sewer or water main project or other linear utility project
- Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that are part of a residential, commercial or institutional development
- Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that are part of a highway construction or reconstruction project
- All other construction activities that include the construction or reconstruction of impervious area or *alter the hydrology from pre to post development conditions*, and are not listed in Table 1

APPENDIX C – Watersheds Requiring Enhanced Phosphorus Removal

Watersheds where owners or operators of construction activities identified in Table 2 of Appendix B must prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the Enhanced Phosphorus Removal Standards included in the technical standard, New York State Stormwater Management Design Manual ("Design Manual").

- Entire New York City Watershed located east of the Hudson River - Figure 1
- Onondaga Lake Watershed - Figure 2
- Greenwood Lake Watershed - Figure 3
- Oscawana Lake Watershed - Figure 4
- Kinderhook Lake Watershed - Figure 5

Figure 1 - New York City Watershed East of the Hudson

Appendix C

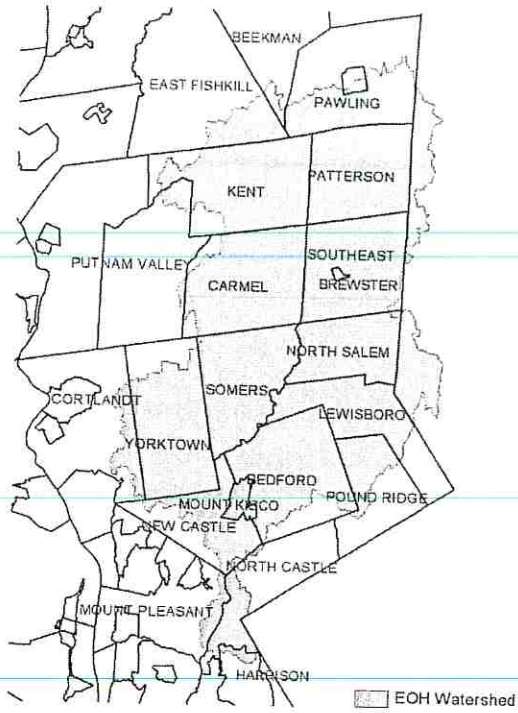


Figure 2 - Onondaga Lake Watershed

Appendix C



Figure 3 - Greenwood Lake Watershed

Appendix C

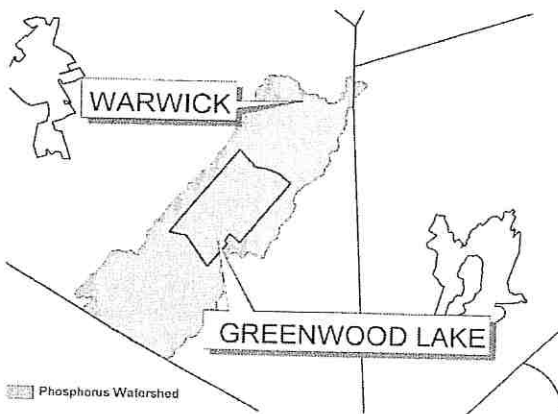


Figure 4 - Oscawana Lake Watershed

Appendix C

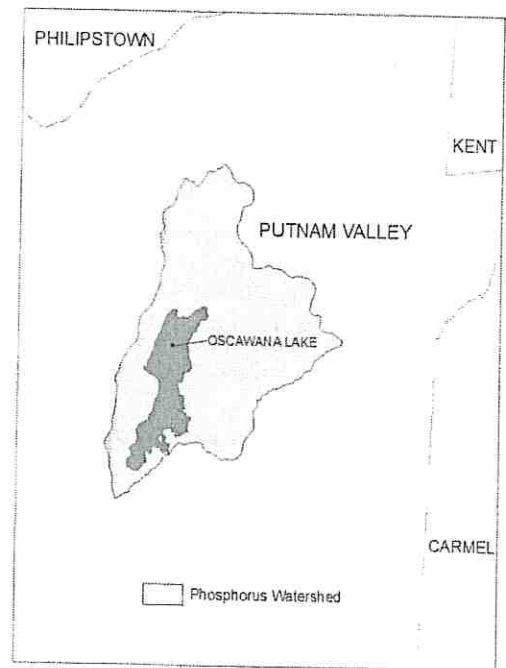
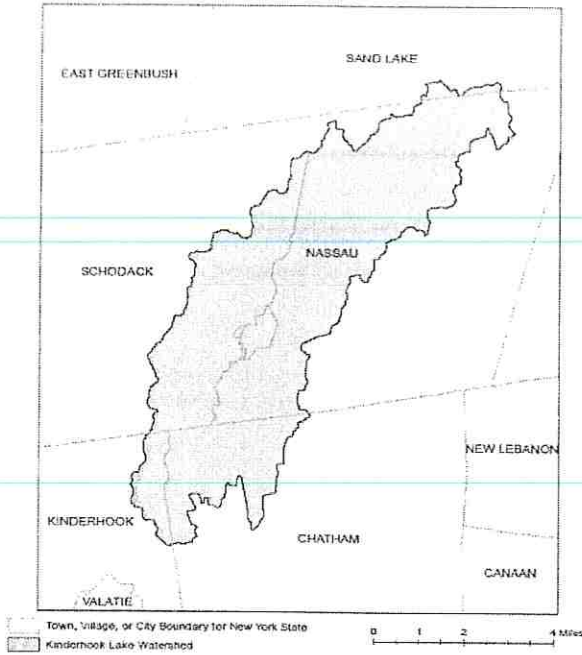


Figure 5 - Kinderhook Lake Watershed



APPENDIX D - Watersheds with Lower Disturbance Threshold

Watersheds where owners or operators of construction activities that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land must obtain coverage under this permit.

Entire New York City Watershed that is located east of the Hudson River - See Figure 1 in Appendix C

APPENDIX E - 303(d) Segments Impaired by Construction Related Pollutant(s)

List of 303(d) segments impaired by pollutants related to construction activity (e.g. silt, sediment or nutrients). The list was developed using "The Final New York State 2016 Section 303(d) List of Impaired Waters Requiring a TMDL/Other Strategy" dated November 2016. Owners or operators of single family home and single family residential subdivisions with 25% or less total impervious cover at total site build-out that involve soil disturbances of one or more acres of land, but less than 5 acres, and directly discharge to one of the listed segments below shall prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the New York State Stormwater Management Design Manual ("Design Manual"), dated January 2015.

COUNTY	WATERBODY	POLLUTANT
Albany	Ann Lee (Shakers) Pond, Stump Pond	Nutrients
Albany	Basic Creek Reservoir	Nutrients
Allegany	Amity Lake, Saunders Pond	Nutrients
Bronx	Long Island Sound, Bronx	Nutrients
Bronx	Van Cortlandt Lake	Nutrients
Broome	Fly Pond, Deer Lake, Sky Lake	Nutrients
Broome	Minor Tribs to Lower Susquehanna (north)	Nutrients
Broome	Whitney Point Lake/Reservoir	Nutrients
Cattaraugus	Allegheny River/Reservoir	Nutrients
Cattaraugus	Beaver (Alma) Lake	Nutrients
Cattaraugus	Case Lake	Nutrients
Cattaraugus	Lindico/Club Pond	Nutrients
Cayuga	Duck Lake	Nutrients
Cayuga	Little Sandus Bay	Nutrients
Chautauque	Bear Lake	Nutrients
Chautauque	Chadokoin River and tribs	Nutrients
Chautauque	Chautauque Lake, North	Nutrients
Chautauque	Chautauque Lake, South	Nutrients
Chautauque	Findley Lake	Nutrients
Chautauque	Hulbert/Clymer Pond	Nutrients
Clinton	Great Chazy River, Lower, Main Stem	Silt/Sediment
Clinton	Lake Champlain, Main Lake, Middle	Nutrients
Clinton	Lake Champlain, Main Lake, North	Nutrients
Columbia	Kinderhook Lake	Nutrients
Columbia	Robinson Pond	Nutrients
Cortland	Dean Pond	Nutrients

303(d) Segments Impaired by Construction Related Pollutant(s)

Dutchess	Fall Kill and tribs	Nutrients
Dutchess	Hillside Lake	Nutrients
Dutchess	Wappingers Lake	Nutrients
Dutchess	Wappingers Lake	Silt/Sediment
Erie	Beeman Creek and tribs	Nutrients
Erie	Ellicott Creek, Lower, and tribs	Silt/Sediment
Erie	Ellicott Creek, Lower, and tribs	Nutrients
Erie	Green Lake	Nutrients
Erie	Little Sister Creek, Lower, and tribs	Nutrients
Erie	Murder Creek, Lower, and tribs	Nutrients
Erie	Rush Creek and tribs	Nutrients
Erie	Scajaquada Crank, Lower, and tribs	Nutrients
Erie	Scajaquada Creek, Middle, and tribs	Nutrients
Erie	Scajaquada Creek, Upper, and tribs	Nutrients
Erie	South Branch Smoke Cr, Lower, and tribs	Silt/Sediment
Erie	South Branch Smoke Cr, Lower, and tribs	Nutrients
Essex	Lake Champlain, Main Lake, South	Nutrients
Essex	Lake Champlain, South Lake	Nutrients
Essex	Willboro Bay	Nutrients
Genesee	Bigelow Creek and tribs	Nutrients
Genesee	Black Creek, Middle, and minor tribs	Nutrients
Genesee	Black Creek, Upper, and minor tribs	Nutrients
Genesee	Bowen Brook and tribs	Nutrients
Genesee	LeRoy Reservoir	Nutrients
Genesee	Oak Orchard Cr, Upper, and tribs	Nutrients
Genesee	Tonawanda Creek, Middle, Main Stem	Nutrients
Greene	Schoharie Reservoir	Silt/Sediment
Greene	Sleepy Hollow Lake	Silt/Sediment
Herkimer	Steele Creek tribs	Silt/Sediment
Herkimer	Steele Creek tribs	Nutrients
Jefferson	Moon Lake	Nutrients
Kings	Hendrix Creek	Nutrients
Kings	Prospect Park Lake	Nutrients
Lewis	Mill Creek/South Branch, and tribs	Nutrients
Livingston	Christie Creek and tribs	Nutrients
Livingston	Conesus Lake	Nutrients
Livingston	Mill Creek and minor tribs	Silt/Sediment
Monroe	Black Creek, Lower, and minor tribs	Nutrients
Monroe	Buck Pond	Nutrients
Monroe	Cranberry Pond	Nutrients

303(d) Segments Impaired by Construction Related Pollutant(s)

Monroe	Lake Ontario Shoreline, Western	Nutrients
Monroe	Long Pond	Nutrients
Monroe	Mill Creek and tribs	Nutrients
Monroe	Mill Creek, Blue Pond Outlet, and tribs	Nutrients
Monroe	Minor Tribs to Rondout Bay	Nutrients
Monroe	Rochester Embayment - East	Nutrients
Monroe	Rochester Embayment - West	Nutrients
Monroe	Shipbuilders Creek and tribs	Nutrients
Monroe	Thomas Creek/White Brook and tribs	Nutrients
Nassau	Beaver Lake	Nutrients
Nassau	Camaans Pond	Nutrients
Nassau	East Meadow Brook, Upper, and tribs	Silt/Sediment
Nassau	East Rockaway Channel	Nutrients
Nassau	Grant Park Pond	Nutrients
Nassau	Hempstead Bay	Nutrients
Nassau	Hempstead Lake	Nutrients
Nassau	Hewlett Bay	Nutrients
Nassau	Hog Island Channel	Nutrients
Nassau	Long Island Sound, Nassau County Waters	Nutrients
Nassau	Massapequa Creek and tribs	Nutrients
Nassau	Milburn/Parsonage Creeks, Up, and tribs	Nutrients
Nassau	Reynolds Channel, west	Nutrients
Nassau	Tidal Tribs to Hempstead Bay	Nutrients
Nassau	Tribs (fresh) to East Bay	Nutrients
Nassau	Tribs (trash) to East Bay	Silt/Sediment
Nassau	Tribs to Smith/Halls Ponds	Nutrients
Nassau	Woodsmere Channel	Nutrients
New York	Harlem Meer	Nutrients
New York	The Lake in Central Park	Nutrients
Niagara	Bergholtz Creek and tribs	Nutrients
Niagara	Hyde Park Lake	Nutrients
Niagara	Lake Ontario Shoreline, Western	Nutrients
Niagara	Lake Ontario Shoreline, Western	Nutrients
Oneida	Balloo, Nail Creeks and tribs	Nutrients
Onondaga	Harbor Brook, Lower, and tribs	Nutrients
Onondaga	Lay Creek and tribs	Nutrients
Onondaga	Minor Tribs to Onondaga Lake	Nutrients
Onondaga	Ninemile Creek, Lower, and tribs	Nutrients
Onondaga	Onondaga Creek, Lower, and tribs	Nutrients
Onondaga	Onondaga Creek, Middle, and tribs	Nutrients

303(d) Segments Impaired by Construction Related Pollutant(s)

Onondaga	Onondaga Lake, northern end	Nutrients
Onondaga	Onondaga Lake, southern end	Nutrients
Ontario	Great Brook and minor tribs	Silt/Sediment
Ontario	Great Brook and minor tribs	Nutrients
Ontario	Hemlock Lake Outlet and minor tribs	Nutrients
Ontario	Honeye Lake	Nutrients
Orange	Greenwood Lake	Nutrients
Orange	Munkagen Brook and tribs	Nutrients
Orange	Orange Lake	Nutrients
Orleans	Lake Ontario Shoreline, Western	Nutrients
Orleans	Lake Ontario Shoreline, Western	Nutrients
Oswego	Lake Neotahwanta	Nutrients
Oswego	Pleasant Lake	Nutrients
Putnam	Bag Brook Reservoir	Nutrients
Putnam	Boyd Corners Reservoir	Nutrients
Putnam	Croton Falls Reservoir	Nutrients
Putnam	Overling Reservoir	Nutrients
Putnam	East Branch Reservoir	Nutrients
Putnam	Lake Carmel	Nutrients
Putnam	Middle Branch Reservoir	Nutrients
Putnam	Oscawana Lake	Nutrients
Putnam	Pulmer Lake	Nutrients
Putnam	West Branch Reservoir	Nutrients
Queens	Bergen Basin	Nutrients
Queens	Flushing Creek/Bay	Nutrients
Queens	Jamaica Bay, Eastern, and tribs (Queens)	Nutrients
Queens	Kissena Lake	Nutrients
Queens	Meadow Lake	Nutrients
Queens	Willow Lake	Nutrients
Rensselaer	Nassau Lake	Nutrients
Rensselaer	Snyders Lake	Nutrients
Richmond	Grasmere Lake/Bradys Pond	Nutrients
Rockland	Congers Lake, Swartout Lake	Nutrients
Rockland	Rockland Lake	Nutrients
Saratoga	Ballston Lake	Nutrients
Saratoga	Dwaas Kill and tribs	Silt/Sediment
Saratoga	Dwaas Kill and tribs	Nutrients
Saratoga	Lake Lonely	Nutrients
Saratoga	Sound Lake	Nutrients
Saratoga	Tribs to Lake Lonely	Nutrients

303(d) Segments Impaired by Construction Related Pollutant(s)

Schenectady	Collins Lake	Nutrients
Schenectady	Duane Lake	Nutrients
Schenectady	Marionville Lake	Nutrients
Schoharie	Engleville Pond	Nutrients
Schoharie	Summit Lake	Nutrients
Seneca	Reeder Creek and tribs	Nutrients
St.Lawrence	Black Lake Outlet/Black Lake	Nutrients
St.Lawrence	Fish Creek and minor tribs	Nutrients
Steuben	Smith Pond	Nutrients
Suffolk	Agawam Lake	Nutrients
Suffolk	Big/Little Fresh Ponds	Nutrients
Suffolk	Canaan Lake	Silt/Sediment
Suffolk	Canaan Lake	Nutrients
Suffolk	Flanders Bay, West/Lower Sawmill Creek	Nutrients
Suffolk	Fresh Pond	Nutrients
Suffolk	Great South Bay, East	Nutrients
Suffolk	Great South Bay, Middle	Nutrients
Suffolk	Great South Bay, West	Nutrients
Suffolk	Lake Rorkonkoma	Nutrients
Suffolk	Long Island Sound, Suffolk County, West	Nutrients
Suffolk	Mattituck (Maratooka) Pond	Nutrients
Suffolk	Meetinghouse/Terrys Creeks and tribs	Nutrients
Suffolk	Mill and Seven Ponds	Nutrients
Suffolk	Millers Pond	Nutrients
Suffolk	Moriches Bay, East	Nutrients
Suffolk	Moriches Bay, West	Nutrients
Suffolk	Pocnetic River, Lower, and tidal tribs	Nutrients
Suffolk	Quantuck Bay	Nutrients
Suffolk	Shinnecock Bay and inlet	Nutrients
Suffolk	Tidal tribs to West Moriches Bay	Nutrients
Sullivan	Bodine, Montgomery Lakes	Nutrients
Sullivan	Davies Lake	Nutrients
Sullivan	Evens Lake	Nutrients
Sullivan	Pleasure Lake	Nutrients
Tompkins	Cayuga Lake, Southern End	Nutrients
Tompkins	Cayuga Lake, Southern End	Silt/Sediment
Tompkins	Duessa Inlet, Upper, and tribs	Nutrients
Ulster	Ashtok Reservoir	Silt/Sediment
Ulster	Esopus Creek, Upper, and minor tribs	Silt/Sediment
Warren	Hague Brook and tribs	Silt/Sediment

303(d) Segments Impaired by Construction Related Pollutant(s)

Warren	Huddle/Finkla Brooks and tribs	Silt/Sediment
Warren	Indian Brook and tribs	Silt/Sediment
Warren	Lake George	Silt/Sediment
Warren	Tribs to L.George, Village of L. George	Silt/Sediment
Washington	Cossayuna Lake	Nutrients
Washington	Lake Champlain, South Bay	Nutrients
Washington	Tribs to L.George, East Shore	Silt/Sediment
Washington	Wood Cr/Champlain Canal and minor tribs	Nutrients
Wayne	Port Bay	Nutrients
Westchester	Amawalk Reservoir	Nutrients
Westchester	Blind Brook, Upper, and tribs	Silt/Sediment
Westchester	Cross River Reservoir	Nutrients
Westchester	Lake Katonah	Nutrients
Westchester	Lake Lincolndale	Nutrients
Westchester	Lake Menhagan	Nutrients
Westchester	Lake Mohagan	Nutrients
Westchester	Lake Shenorock	Nutrients
Westchester	Long Island Sound, Westchester (East)	Nutrients
Westchester	Mamaronck River, Lower	Silt/Sediment
Westchester	Mamaronck River, Upper, and minor tribs	Silt/Sediment
Westchester	Muscoot/Upper New Croton Reservoir	Nutrients
Westchester	New Croton Reservoir	Nutrients
Westchester	Paach Lake	Nutrients
Westchester	Reservoir No. 1 (Lake Isle)	Nutrients
Westchester	Saw Mill River, Lower, and tribs	Nutrients
Westchester	Saw Mill River, Middle, and tribs	Nutrients
Westchester	Sheldrake River and tribs	Silt/Sediment
Westchester	Sheldrake River and tribs	Nutrients
Westchester	Silver Lake	Nutrients
Westchester	Treatown Lake	Nutrients
Westchester	Triticus Reservoir	Nutrients
Westchester	Truesdale Lake	Nutrients
Westchester	Wallace Pond	Nutrients
Wyoming	Jaya Lake	Nutrients
Wyoming	Silver Lake	Nutrients

APPENDIX F – List of NYS DEC Regional Offices

Region	COUNTIES THE 2011 LOWER COUNTIES	DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) REGIONAL ADMINISTRATIVE	DIVISION OF WATER (DOW) WATER RESOURCES ADMINISTRATIVE
1	NASSAU AND SUFFOLK	50 CIRCLE ROAD STONY BROOK, NY 11790 TEL. (516) 444-6365	50 CIRCLE ROAD STONY BROOK, NY 11790-3409 TEL. (516) 444-0405
2	BROOK, KINGS, NEW YORK, QUEENS AND RICHMOND	1 HUNTERS POINT PLAZA, 47-40 21ST ST. LONG ISLAND CITY, NY 11101-5107 TEL. (718) 482-4997	1 HUNTERS POINT PLAZA, 47-40 21ST ST. LONG ISLAND CITY, NY 11101-5407 TEL. (718) 392-4932
3	DUTCHESS, ORANGE, PUTNAM, ROCKLAND, SULLIVAN, ULSTER AND WESTCHESTER	21 SOUTH PUTT CORNERS ROAD NEW PALM, NY 12561-1696 TEL. (845) 356-3059	100 HILLSIDE AVENUE, SUITE 1W WHITE PLAINS, NY 10603 TEL. (914) 428-2505
4	ALBANY, COLUMBIA, DELAWARE, GREENE, MONTGOMERY, OTSEGO, RENSSELAER, SCHENECTADY AND SCHWARZ	1150 NORTH WESTCOTT ROAD SCHENECTADY, NY 12306-2014 TEL. (518) 357-2009	1130 NORTH WESTCOTT ROAD SCHENECTADY, NY 12306-2014 TEL. (518) 357-2045
5	CLINTON, ESSEX, FRANKLIN, FULFON, HAMILTON, SARATOGA, WARREN AND WASHINGTON	1115 STATE ROUTE 56, PO BOX 296 RAVENHURST, NY 12077-0296 TEL. (518) 897-1234	232 GOLF COURSE ROAD WARRENBURG, NY 12885-1172 TEL. (518) 623-1209
6	HERKIMER, JEFFERSON, LEWIS, ONEIDA AND ST. LAWRENCE	STATE OFFICE BUILDING 317 WASHINGTON STREET WATERTOWN, NY 13601-3737 TEL. (315) 735-2245	STATE OFFICE BUILDING 207 GENESEE STREET UTICA, NY 13501-2885 TEL. (315) 793-2554
7	BROOME, CAYUGA, CHEMUNG, CORTLAND, MADISON, ONONDAGA, OSWEGO, TIOGA AND TOMPKINS	615 ERIE BLVD. WEST SYRACUSE, NY 13204-2400 TEL. (315) 426-7438	615 ERIE BLVD. WEST SYRACUSE, NY 13204-2400 TEL. (315) 426-7500
8	CHEMUNG, GENESEE, LIVINGSTON, MONROE, ONTARIO, ORLEANS, SCHUYLER, SENECA, STUBEN, WAYNE AND YATES	6274 EAST AVON-LIMA ROAD AVON, NY 14414-9519 TEL. (518) 226-2466	6274 EAST AVON-LIMA RD. AVON, NY 14414-9519 TEL. (518) 226-2466
9	ALLEGANY, CATTARAUGUS, CHAUTAUQUA, ERIE, NIAGARA AND WYOMING	270 MICHIGAN AVENUE BUFFALO, NY 14203-2999 TEL. (716) 851-7165	270 MICHIGAN AVENUE BUFFALO, NY 14203-2999 TEL. (716) 851-7070

APPENDIX B

- EROSION CONTROL NOTES**
- STABILIZED CONSTRUCTION ENTRANCE FOR RESIDENTIAL SITE**
- SILT FENCE**
- STONE CHECK DAM**
- STANDARDS AND SPECIFICATIONS FOR LAND GRADING**
- STANDARDS AND SPECIFICATIONS FOR TOPSOILING**
- STANDARDS AND SPECIFICATIONS FOR MULCHING**
- STANDARDS AND SPECIFICATIONS FOR TEMPORARY CONSTRUCTION AREA SEEDINGS**

Erosion Control Notes

The owner and contractor shall comply with the Stormwater Pollution Prevention Plan (SWPPP) prepared for this project and as a minimum implement the following erosion and sediment control measures:

1. Construction and maintenance of erosion and sediment control measures in accordance with the New York State standards and specifications for erosion and sediment control.
2. Installation of erosion and sediment control measures as shown on the plans or details and as needed during the general course of work.
3. Soil erosion will occur after every rainfall until turf is established. It shall be the contractor's responsibility to repair erosion after every rainfall. Failure to repair minor erosion will result in major erosion and possibly pavement and structure failure. Prior to site disturbance, erosion and sediment control measures shall be in-place.
4. Temporary installation of stabilized construction entrance pads at all location where construction vehicles will enter onto public streets. All public streets to be inspected and maintained clear of soil accumulation.
5. Excavation work carried out during periods of inclement weather shall require additional erosion control measures as may be necessary based on conditions.
6. Additional erosion control methods including soil stabilization mats. Placement of stone. Placement of soil may be required due to climatic conditions (excess rain, etc.)
7. Stabilization of disturbance areas to be paved by compaction and application of subbase within one month after utilities are installed.
8. Vegetative stabilization of disturbed areas to be seeded including R.O.W. and easements within two weeks of final grading.
9. Plans show temporary soil erosion and stabilization measures which shall be maintained until all areas are stabilized.
10. The contractor shall be responsible to seed and mulch (or hydroseed) and to provide an adequate water source and hoses for germination of the seed.
11. If the contractor elects not to install imported topsoil or spread topsoil from the site the seeding may not establish itself or may be subject to stress failure. The owner shall take complete responsibility for establishing the lawn by proper water and fertilizing.

STANDARD AND SPECIFICATIONS FOR STABILIZED CONSTRUCTION ACCESS



Definition & Scope

A stabilized pad of aggregate underlain with geotextile located at any point where traffic will be entering or leaving a construction site to or from a public right-of-way, street, alley, sidewalk, or parking area. The purpose of stabilized construction access is to reduce or eliminate the tracking of sediment onto public rights-of-way or streets.

Conditions Where Practice Applies

A stabilized construction access shall be used at all points of construction ingress and egress.

Design Criteria

See Figure 2.1 on page 2.31 for details.

Aggregate Size: Use a matrix of 1-4 inch stone, or reclaimed or recycled concrete equivalent.

Thickness: Not less than six (6) inches.

Width: 12-foot minimum but not less than the full width of points where ingress or egress occurs. 24-foot minimum if there is only one access to the site.

Length: As required, but not less than 50 feet (except on a single residence lot where a 30 foot minimum would apply).

Geotextile: To be placed over the entire area to be covered with aggregate. Filter cloth will not be required on a single-family residence lot. Piping of surface water under entrance shall be provided as required. If piping is impossible, a mountable berm with 5:1 slopes will be permitted.

Criteria for Geotextile: The geotextile shall be woven or nonwoven fabric consisting only of continuous chain polymeric filaments or yarns of polyester. The fabric shall be

inert to commonly encountered chemicals, hydro-carbons, mildew, rot resistant, and conform to the fabric properties as shown:

Fabric Properties ³	Light Duty ¹ Roads Grade Sub- grade	Heavy Duty ² Haul Roads Rough Graded	Test Meth- od
Grab Tensile Strength (lbs)	200	220	ASTM D1682
Elongation at Failure (%)	50	60	ASTM D1682
Mullen Burst Strength (lbs)	190	430	ASTM D3786
Puncture Strength (lbs)	40	125	ASTM D751 Modified
Equivalent	40-80	40-80	US Std Sieve
Opening Size			CW-02215
Aggregate Depth	6	10	-

¹Light Duty Road: Area sites that have been graded to subgrade and where most travel would be single axle vehicles and an occasional multi-axle truck. Acceptable materials are Trevira Spunbond 1115, Mirafi 100X, Typar 3401, or equivalent.

²Heavy Duty Road: Area sites with only rough grading, and where most travel would be multi-axle vehicles. Acceptable materials are Trevira Spunbond 1135, Mirafi 600X, or equivalent.

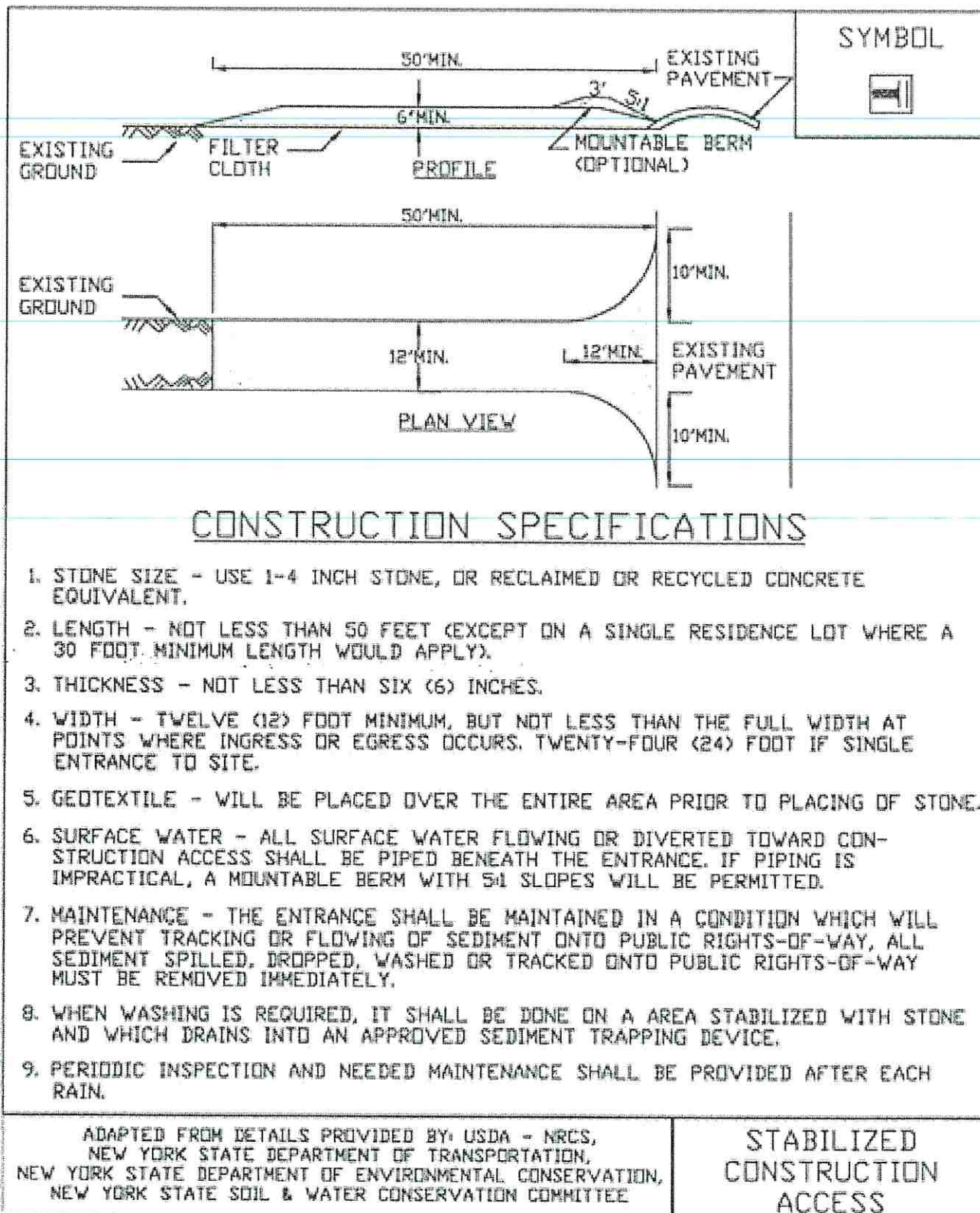
³Fabrics not meeting these specifications may be used only when design procedure and supporting documentation are supplied to determine aggregate depth and fabric strength.

Maintenance

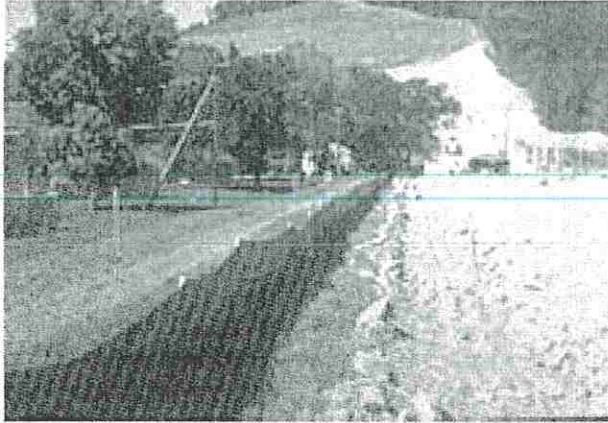
The access shall be maintained in a condition which will prevent tracking of sediment onto public rights-of-way or streets. This may require periodic top dressing with additional aggregate. All sediment spilled, dropped, or washed onto public rights-of-way must be removed immediately.

When necessary, wheels must be cleaned to remove sediment prior to entrance onto public rights-of-way. When washing is required, it shall be done on an area stabilized with aggregate, which drains into an approved sediment-trapping device. All sediment shall be prevented from entering storm drains, ditches, or watercourses.

Figure 2.1
Stabilized Construction Access



STANDARD AND SPECIFICATIONS FOR SILT FENCE



Definition & Scope

A **temporary** barrier of geotextile fabric installed on the contours across a slope used to intercept sediment laden runoff from small drainage areas of disturbed soil by temporarily ponding the sediment laden runoff allowing settling to occur. The maximum period of use is limited by the ultraviolet stability of the fabric (approximately one year).

Conditions Where Practice Applies

A silt fence may be used subject to the following conditions:

1. Maximum allowable slope length and fence length will not exceed the limits shown in the Design Criteria for the specific type of silt fence used ; and
2. Maximum ponding depth of 1.5 feet behind the fence; and
3. Erosion would occur in the form of sheet erosion; and
4. There is no concentration of water flowing to the barrier; and
5. Soil conditions allow for proper keying of fabric, or other anchorage, to prevent blowouts.

Design Criteria

1. Design computations are not required for installations of 1 month or less. Longer installation periods should be designed for expected runoff.
2. All silt fences shall be placed as close to the disturbed area as possible, but at least 10 feet from the toe of a slope steeper than 3H:1V, to allow for maintenance and

roll down. The area beyond the fence must be undisturbed or stabilized.

3. The type of silt fence specified for each location on the plan shall not exceed the maximum slope length and maximum fence length requirements shown in the following table:

Slope	Steepness	Slope Length/Fence Length (ft.)		
		Standard	Reinforced	Super
<2%	< 50:1	300/1500	N/A	N/A
2-10%	50:1 to 10:1	125/1000	250/2000	300/2500
10-20%	10:1 to 5:1	100/750	150/1000	200/1000
20-33%	5:1 to 3:1	60/500	80/750	100/1000
33-50%	3:1 to 2:1	40/250	70/350	100/500
>50%	> 2:1	20/125	30/175	50/250

Standard Silt Fence (SF) is fabric rolls stapled to wooden stakes driven 16 inches in the ground.

Reinforced Silt Fence (RSF) is fabric placed against welded wire fabric with anchored steel posts driven 16 inches in the ground.

Super Silt Fence (SSF) is fabric placed against chain link fence as support backing with posts driven 3 feet in the ground.

4. Silt fence shall be removed as soon as the disturbed area has achieved final stabilization.

The silt fence shall be installed in accordance with the appropriate details. Where ends of filter cloth come together, they shall be overlapped, folded and stapled to prevent sediment bypass. Butt joints are not acceptable. A detail of the silt fence shall be shown on the plan. See Figure 5.30 on page 5.56 for Reinforced Silt Fence as an example of details to be provided.

Criteria for Silt Fence Materials

1. Silt Fence Fabric: The fabric shall meet the following specifications unless otherwise approved by the appropriate erosion and sediment control plan approval authority. Such approval shall not constitute statewide acceptance.

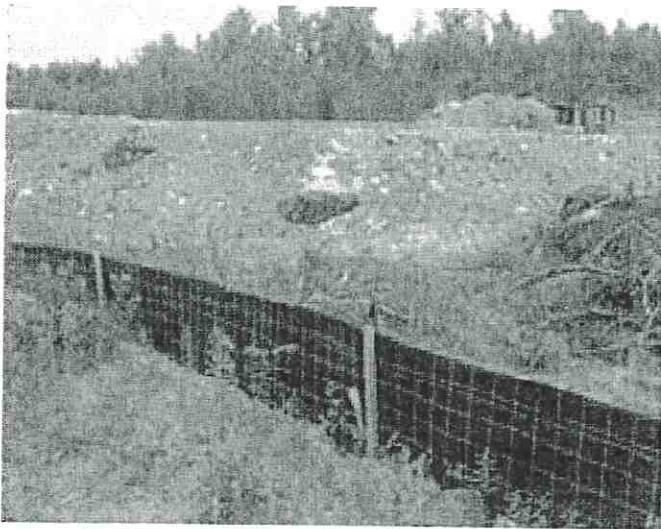
Super Silt Fence

Fabric Properties	Minimum Acceptable Value	Test Method
Grab Tensile Strength (lbs)	110	ASTM D 4632
Elongation at Failure (%)	20	ASTM D 4632
Mullen Burst Strength (PSI)	300	ASTM D 3786
Puncture Strength (lbs)	60	ASTM D 4833
Minimum Trapezoidal Tear Strength (lbs)	50	ASTM D 4533
Flow Through Rate (gal/min/sf)	25	ASTM D 4491
Equivalent Opening Size	40-80	US Std Sieve ASTM D 4751
Minimum UV Residual (%)	70	ASTM D 4355

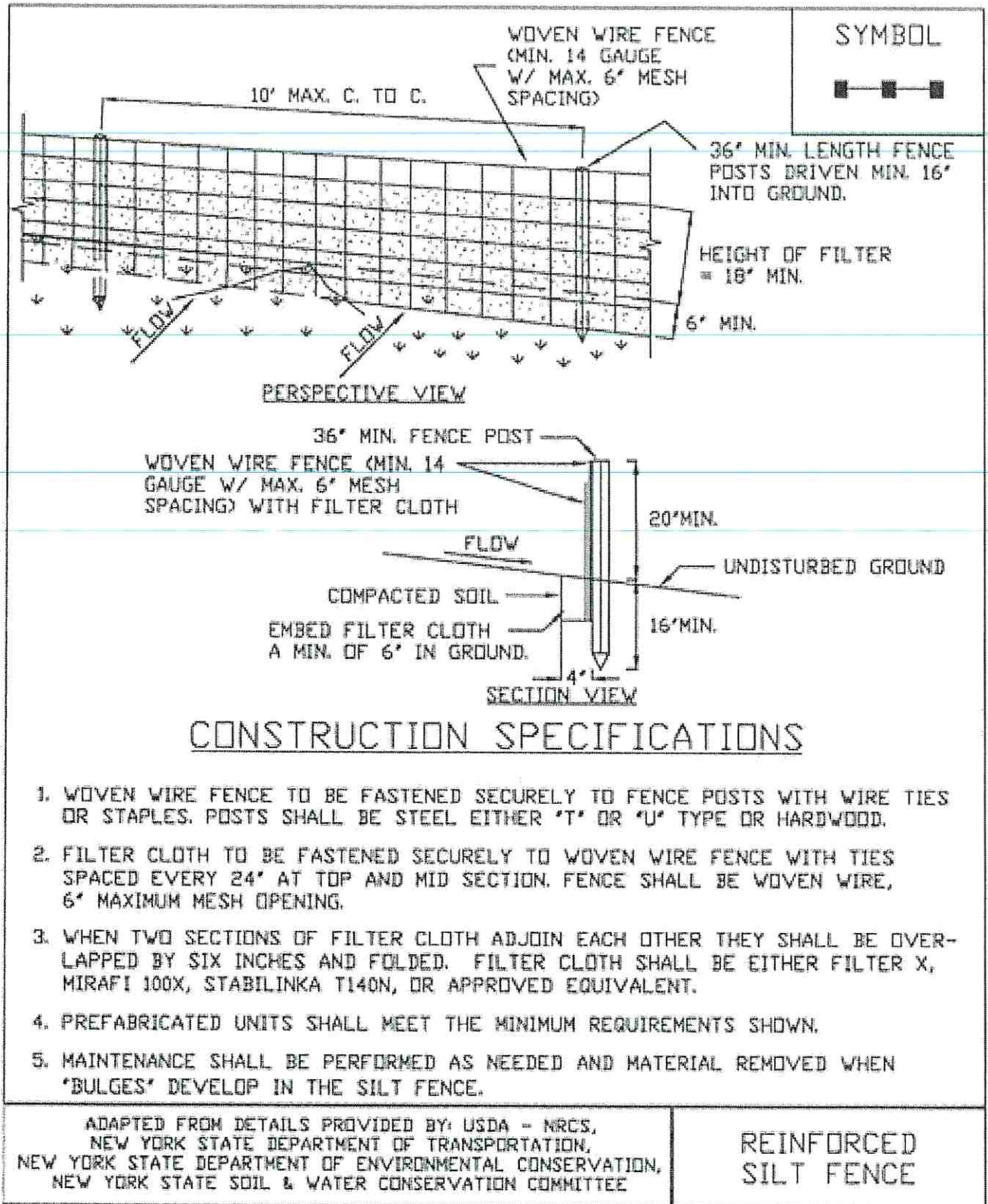


2. Fence Posts (for fabricated units): The length shall be a minimum of 36 inches long. Wood posts will be of sound quality hardwood with a minimum cross sectional area of 3.5 square inches. Steel posts will be standard T and U section weighing not less than 1.00 pound per linear foot. Posts for super silt fence shall be standard chain link fence posts.
3. Wire Fence for reinforced silt fence: Wire fencing shall be a minimum 14 gage with a maximum 6 in. mesh opening, or as approved.
4. Prefabricated silt fence is acceptable as long as all material specifications are met.

Reinforced Silt Fence



**Figure 5.30
Reinforced Silt Fence**



STANDARD AND SPECIFICATIONS FOR CHECK DAM



Therefore:

$$S = \frac{h}{s}$$

Where: S = spacing interval (ft.)
h = height of check dam (ft.)
s = channel slope (ft./ft.)

Example:

For a channel with and 2 ft. high stone they are spaced as

$$S = \frac{2 \text{ ft}}{0.04 \frac{\text{ft}}{\text{ft}}} = 50 \text{ ft}$$

a 4% slope check dams, follows:

Definition & Scope

Small barriers or dams constructed of stone, bagged sand or gravel, or other durable materials across a drainage way to reduce erosion in a drainage channel by reducing the velocity of flow in the channel.

Conditions Where Practice Applies

This practice is used as a **temporary** and, in some cases, a **permanent** measure to limit erosion by reducing velocities in open channels that are degrading or subject to erosion or where permanent stabilization is impractical due to short period of usefulness and time constraints of construction.

Design Criteria

Drainage Area: Maximum drainage area above the check dam shall not exceed two (2) acres.

Height: Not greater than 2 feet. Center shall be maintained 9 inches lower than abutments at natural ground elevation.

Side Slopes: Shall be 2:1 or flatter.

Spacing: The check dams shall be spaced as necessary in the channel so that the crest of the downstream dam is at the elevation of the toe of the upstream dam. This spacing is equal to the height of the check dam divided by the channel slope.

For stone check dams: Use a well graded stone matrix 2 to 9 inches in size (NYS – DOT Light Stone Fill meets these requirements).

The overflow of the check dams will be stabilized to resist erosion that might be caused by the check dam. See Figure 3.1 on page 3.3 for details.

Check dams should be anchored in the channel by a cutoff trench 1.5 ft. wide and 0.5 ft. deep and lined with filter fabric to prevent soil migration.

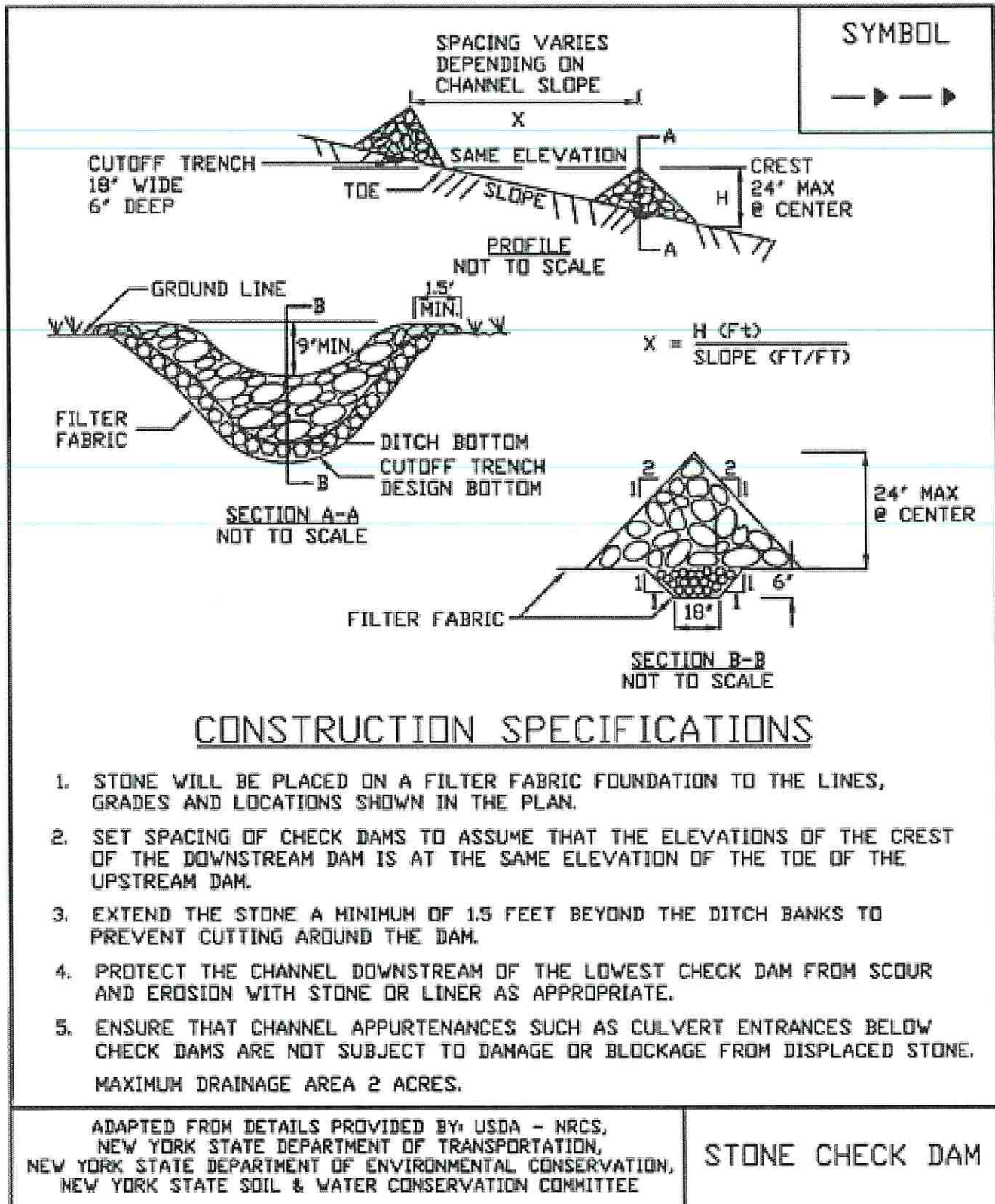
For filter sock or fiber roll check dams: The check dams will be anchored by staking the dam to the earth contact surface. The dam will extend to the top of the bank. The check dam will have a splash apron of NYS DOT #2 crushed stone extending a minimum 3 feet downstream from the dam and 1 foot up the sides of the channel. The compost and materials for a filter sock check dam shall meet the requirements shown in the standard for Compost Filter Sock on page 5.7.

Maintenance

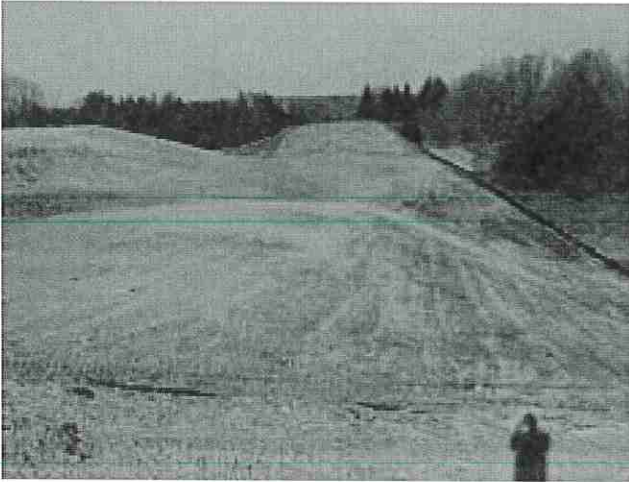
The check dams should be inspected after each runoff event. Correct all damage immediately. If significant erosion has occurred between structures, a liner of stone or other suitable material should be installed in that portion of the channel or additional check dams added.

Remove sediment accumulated behind the dam as needed to allow channel to drain through the stone check dam and prevent large flows from carrying sediment over the dam.

**Figure 3.1
Stone Check Dam Detail**



STANDARD AND SPECIFICATIONS FOR LANDGRADING



Definition & Scope

Permanent reshaping of the existing land surface by grading in accordance with an engineering topographic plan and specification to provide for erosion control and vegetative establishment on disturbed, reshaped areas.

Design Criteria

The grading plan should be based upon the incorporation of building designs and street layouts that fit and utilize existing topography and desirable natural surrounding to avoid extreme grade modifications. Information submitted must provide sufficient topographic surveys and soil investigations to determine limitations that must be imposed on the grading operation related to slope stability, effect on adjacent properties and drainage patterns, measures for drainage and water removal, and vegetative treatment, etc.

Many municipalities and counties have regulations and design procedures already established for land grading and cut and fill slopes. Where these requirements exist, they shall be followed.

The plan must show existing and proposed contours of the area(s) to be graded. The plan shall also include practices for erosion control, slope stabilization, safe disposal of runoff water and drainage, such as waterways, lined ditches, reverse slope benches (include grade and cross section), grade stabilization structures, retaining walls, and surface and subsurface drains. The plan shall also include phasing of these practices. The following shall be incorporated into the plan:

1. Provisions shall be made to safely convey surface runoff to storm drains, protected outlets, or to stable water courses to ensure that surface runoff will not

damage slopes or other graded areas; see standards and specifications for Grassed Waterway, Diversion, or Grade Stabilization Structure.

2. Cut and fill slopes that are to be stabilized with grasses shall not be steeper than 2:1. When slopes exceed 2:1, special design and stabilization consideration are required and shall be adequately shown on the plans. (Note: Where the slope is to be mowed, the slope should be no steeper than 3:1, although 4:1 is preferred because of safety factors related to mowing steep slopes.)
3. Reverse slope benches or diversion shall be provided whenever the vertical interval (height) of any 2:1 slope exceeds 20 feet; for 3:1 slope it shall be increased to 30 feet and for 4:1 to 40 feet. Benches shall be located to divide the slope face as equally as possible and shall convey the water to a stable outlet. Soils, seeps, rock outcrops, etc., shall also be taken into consideration when designing benches.
 - A. Benches shall be a minimum of six feet wide to provide for ease of maintenance.
 - B. Benches shall be designed with a reverse slope of 6:1 or flatter to the toe of the upper slope and with a minimum of one foot in depth. Bench gradient to the outlet shall be between 2 percent and 3 percent, unless accompanied by appropriate design and computations.
 - C. The flow length within a bench shall not exceed 800 feet unless accompanied by appropriate design and computations; see Standard and Specifications for Diversion on page 3.9
4. Surface water shall be diverted from the face of all cut and/or fill slopes by the use of diversions, ditches and swales or conveyed downslope by the use of a designed structure, except where:
 - A. The face of the slope is or shall be stabilized and the face of all graded slopes shall be protected from surface runoff until they are stabilized.
 - B. The face of the slope shall not be subject to any concentrated flows of surface water such as from natural drainage ways, graded ditches, downspouts, etc.
 - C. The face of the slope will be protected by anchored stabilization matting, sod, gravel, riprap, or other stabilization method.

5. Cut slopes occurring in ripable rock shall be serrated as shown in Figure 4.9 on page 4.26. The serrations shall be made with conventional equipment as the excavation is made. Each step or serration shall be constructed on the contour and will have steps cut at nominal two-foot intervals with nominal three-foot horizontal shelves. These steps will vary depending on the slope ratio or the cut slope. The nominal slope line is 1 ½: 1. These steps will weather and act to hold moisture, lime, fertilizer, and seed thus producing a much quicker and longer-lived vegetative cover and better slope stabilization. Overland flow shall be diverted from the top of all serrated cut slopes and carried to a suitable outlet.
6. Subsurface drainage shall be provided where necessary to intercept seepage that would otherwise adversely affect slope stability or create excessively wet site conditions.
7. Slopes shall not be created so close to property lines as to endanger adjoining properties without adequately protecting such properties against sedimentation, erosion, slippage, settlement, subsidence, or other related damages.
8. Fill material shall be free of brush, rubbish, rocks, logs, stumps, building debris, and other objectionable material. It should be free of stones over two (2) inches in diameter where compacted by hand or mechanical tampers or over eight (8) inches in diameter where compacted by rollers or other equipment. Frozen material shall not be placed in the fill nor shall the fill material be placed on a frozen foundation.
9. Stockpiles, borrow areas, and spoil shall be shown on the plans and shall be subject to the provisions of this Standard and Specifications.
10. All disturbed areas shall be stabilized structurally or vegetatively in compliance with the Permanent Construction Area Planting Standard on page 4.42.
4. Areas to be filled shall be cleared, grubbed, and stripped of topsoil to remove trees, vegetation, roots, or other objectionable material.
5. Areas that are to be topsoiled shall be scarified to a minimum depth of four inches prior to placement of topsoil.
6. All fills shall be compacted as required to reduce erosion, slippage, settlement, subsidence, or other related problems. Fill intended to support buildings, structures, and conduits, etc., shall be compacted in accordance with local requirements or codes.
7. All fill shall be placed and compacted in layers not to exceed 9 inches in thickness.
8. Except for approved landfills or nonstructural fills, fill material shall be free of frozen particles, brush, roots, sod, or other foreign objectionable materials that would interfere with, or prevent, construction of satisfactory fills.
9. Frozen material or soft, mucky or highly compressible materials shall not be incorporated into fill slopes or structural fills.
10. Fill shall not be placed on saturated or frozen surfaces.
11. All benches shall be kept free of sediment during all phases of development.
12. Seeps or springs encountered during construction shall be handled in accordance with the Standard and Specification for Subsurface Drain on page 3.48 or other approved methods.
13. All graded areas shall be permanently stabilized immediately following finished grading.
14. Stockpiles, borrow areas, and spoil areas shall be shown on the plans and shall be subject to the provisions of this Standard and Specifications.

Construction Specifications

See Figures 4.9 and 4.10 for details.

1. All graded or disturbed areas, including slopes, shall be protected during clearing and construction in accordance with the erosion and sediment control plan until they are adequately stabilized.
2. All erosion and sediment control practices and measures shall be constructed, applied and maintained in accordance with the erosion and sediment control plan and these standards.
3. Topsoil required for the establishment of vegetation shall be stockpiled in amount necessary to complete finished grading of all exposed areas.



Figure 4.9
Typical Section of Serrated Cut Slope

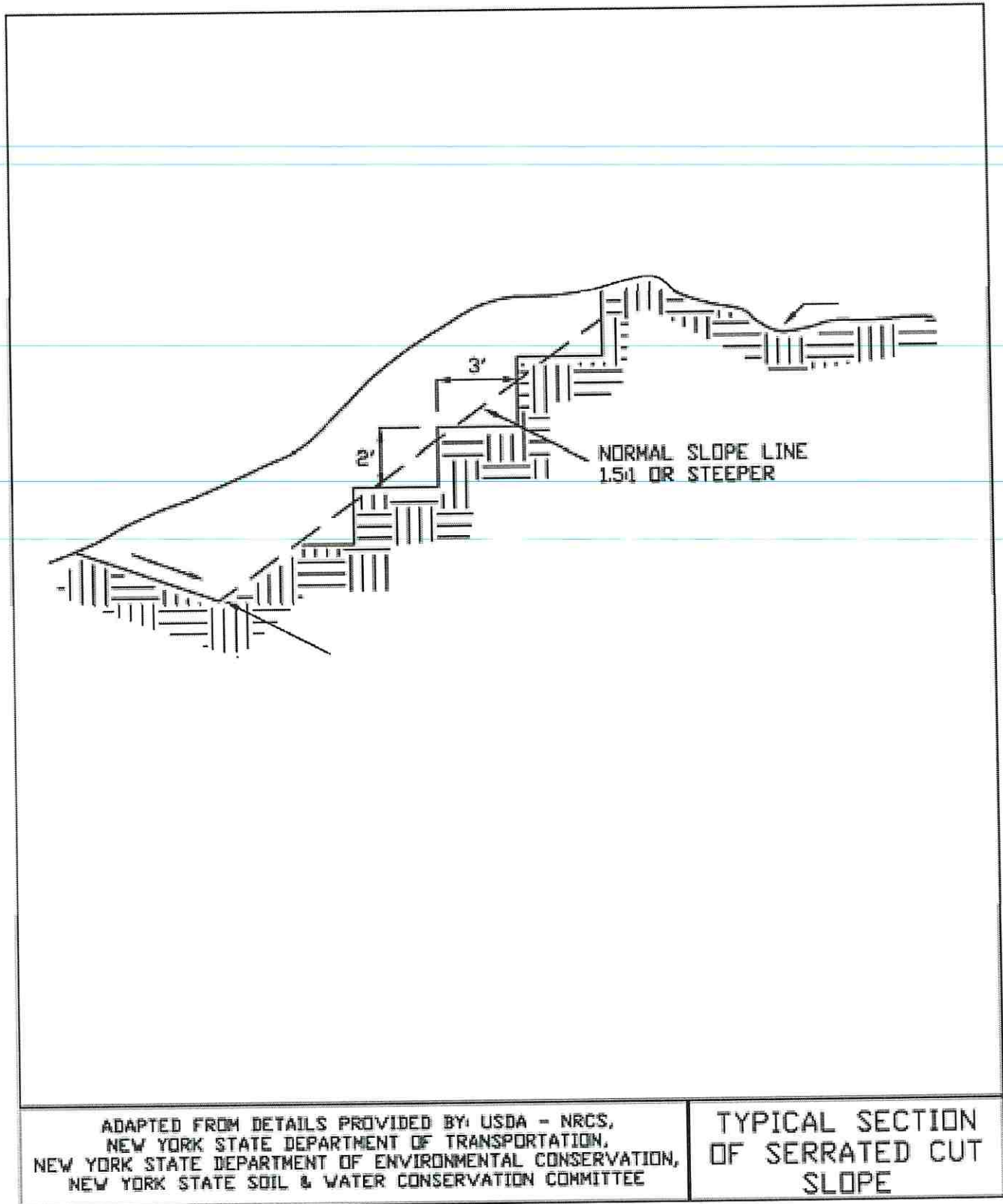


Figure 4.10
Landgrading

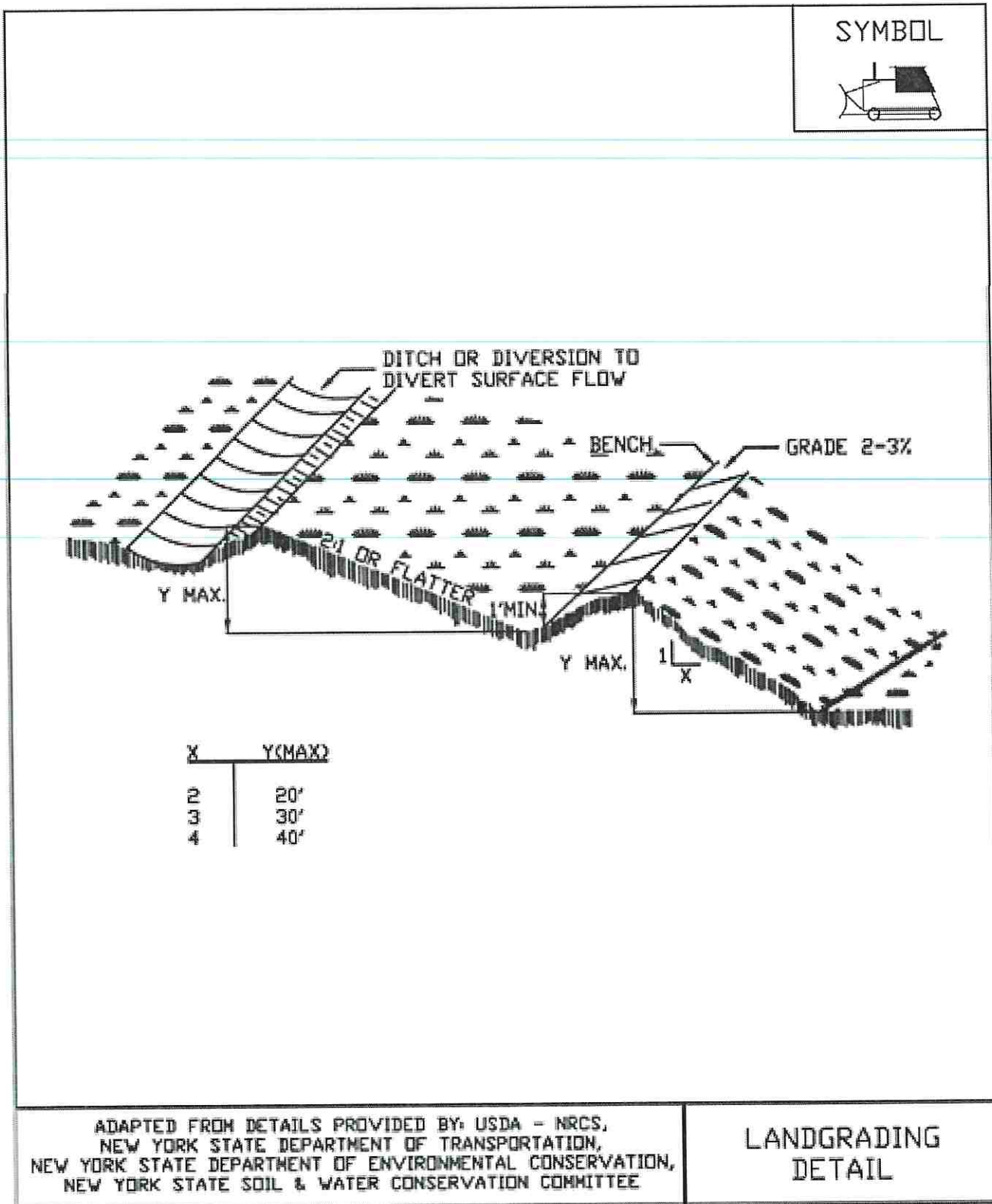
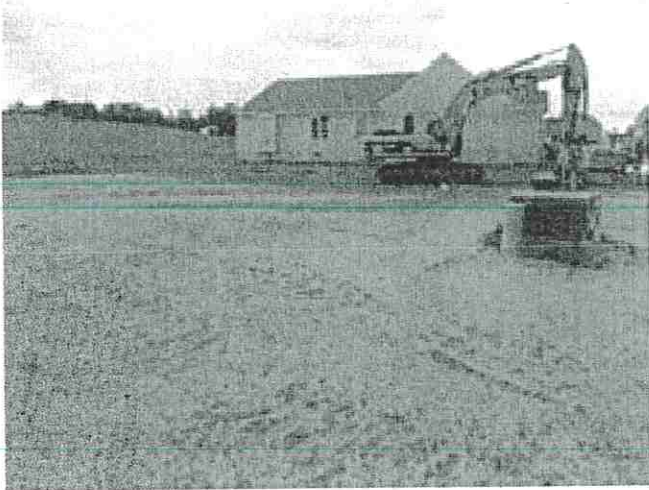


Figure 4.11
Landgrading - Construction Specifications

<u>CONSTRUCTION SPECIFICATIONS</u>	
<ol style="list-style-type: none"> 1. ALL GRADED OR DISTURBED AREAS INCLUDING SLOPES SHALL BE PROTECTED DURING CLEARING AND CONSTRUCTION IN ACCORDANCE WITH THE APPROVED EROSION AND SEDIMENT CONTROL PLAN UNTIL THEY ARE PERMANENTLY STABILIZED. 2. ALL SEDIMENT CONTROL PRACTICES AND MEASURES SHALL BE CONSTRUCTED, APPLIED AND MAINTAINED IN ACCORDANCE WITH THE APPROVED EROSION AND SEDIMENT CONTROL PLAN. 3. TOPSOIL REQUIRED FOR THE ESTABLISHMENT OF VEGETATION SHALL BE STOCKPILED IN AMOUNT NECESSARY TO COMPLETE FINISHED GRADING OF ALL EXPOSED AREAS. 4. AREAS TO BE FILLED SHALL BE CLEARED, GRUBBED, AND STRIPPED OF TOPSOIL TO REMOVE TREES, VEGETATION, ROOTS OR OTHER OBJECTIONABLE MATERIAL. 5. AREAS WHICH ARE TO BE TOPSOILED SHALL BE SCARIFIED TO A MINIMUM DEPTH OF FOUR INCHES PRIOR TO PLACEMENT OF TOPSOIL. 6. ALL FILLS SHALL BE COMPACTED AS REQUIRED TO REDUCE EROSION, SLIPPAGE, SETTLEMENT, SUBSIDENCE OR OTHER RELATED PROBLEMS. FILL INTENDED TO SUPPORT BUILDINGS, STRUCTURES AND CONDUITS, ETC. SHALL BE COMPACTED IN ACCORDANCE WITH LOCAL REQUIREMENTS OR CODES. 7. ALL FILL SHALL BE PLACED AND COMPACTED IN LAYERS NOT TO EXCEED 9 INCHES IN THICKNESS. 8. EXCEPT FOR APPROVED LANDFILLS, FILL MATERIAL SHALL BE FREE OF FROZEN PARTICLES, BRUSH, ROOTS, SOD, OR OTHER FOREIGN OR OTHER OBJECTIONABLE MATERIALS THAT WOULD INTERFERE WITH OR PREVENT CONSTRUCTION OF SATISFACTORY FILLS. 9. FROZEN MATERIALS OR SOFT, MUCKY OR HIGHLY COMPRESSIBLE MATERIALS SHALL NOT BE INCORPORATED IN FILLS. 10. FILL SHALL NOT BE PLACED ON SATURATED OR FROZEN SURFACES. 11. ALL BENCHES SHALL BE KEPT FREE OF SEDIMENT DURING ALL PHASES OF DEVELOPMENT. 12. SEEPS OR SPRINGS ENCOUNTERED DURING CONSTRUCTION SHALL BE HANDLED IN ACCORDANCE WITH THE STANDARD AND SPECIFICATION FOR SUBSURFACE DRAIN OR OTHER APPROVED METHOD. 13. ALL GRADED AREAS SHALL BE PERMANENTLY STABILIZED IMMEDIATELY FOLLOWING FINISHED GRADING. 14. STOCKPILES, BORROW AREAS AND SPOIL AREAS SHALL BE SHOWN ON THE PLANS AND SHALL BE SUBJECT TO THE PROVISIONS OF THIS STANDARD AND SPECIFICATION. 	<p style="margin: 0;">LANDGRADING SPECIFICATIONS</p>
<p style="margin: 0; font-size: small;">ADAPTED FROM DETAILS PROVIDED BY: USDA - NRCS, NEW YORK STATE DEPARTMENT OF TRANSPORTATION, NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, NEW YORK STATE SOIL & WATER CONSERVATION COMMITTEE</p>	

STANDARD AND SPECIFICATIONS FOR TOPSOILING



Definition & Scope

Spreading a specified quality and quantity of topsoil materials on graded or constructed subsoil areas to provide acceptable plant cover growing conditions, thereby reducing erosion; to reduce irrigation water needs; and to reduce the need for nitrogen fertilizer application.

Conditions Where Practice Applies

Topsoil is applied to subsoils that are droughty (low available moisture for plants), stony, slowly permeable, salty or extremely acid. It is also used to backfill around shrub and tree transplants. This standard does not apply to wetland soils.

Design Criteria

1. Preserve existing topsoil in place where possible, thereby reducing the need for added topsoil.
2. Conserve by stockpiling topsoil and friable fine textured subsoils that must be stripped from the excavated site and applied after final grading where vegetation will be established. Topsoil stockpiles must be stabilized. Stockpile surfaces can be stabilized by vegetation, geotextile or plastic covers. This can be aided by orientating the stockpile lengthwise into prevailing winds.
3. Refer to USDA Natural Resource Conservation Service soil surveys or soil interpretation record sheets for further soil texture information for selecting appropriate design topsoil depths.

Site Preparation

1. As needed, install erosion and sediment control practices such as diversions, channels, sediment traps, and stabilizing measures, or maintain if already installed.
2. Complete rough grading and final grade, allowing for depth of topsoil to be added.
3. Scarify all compact, slowly permeable, medium and fine textured subsoil areas. Scarify at approximately right angles to the slope direction in soil areas that are steeper than 5 percent. Areas that have been overly compacted shall be decompact in accordance with the Soil Restoration Standard.
4. Remove refuse, woody plant parts, stones over 3 inches in diameter, and other litter.

Topsoil Materials

1. Topsoil shall have at least 6 percent by weight of fine textured stable organic material, and no greater than 20 percent. Muck soil shall not be considered topsoil.
2. Topsoil shall have not less than 20 percent fine textured material (passing the NO. 200 sieve) and not more than 15 percent clay.
3. Topsoil treated with soil sterilants or herbicides shall be so identified to the purchaser.
4. Topsoil shall be relatively free of stones over 1 1/2 inches in diameter, trash, noxious weeds such as nut sedge and quackgrass, and will have less than 10 percent gravel.
5. Topsoil containing soluble salts greater than 500 parts per million shall not be used.
6. Topsoil may be manufactured as a mixture of a mineral component and organic material such as compost.

Application and Grading

1. Topsoil shall be distributed to a uniform depth over the area. It shall not be placed when it is partly frozen, muddy, or on frozen slopes or over ice, snow, or standing water puddles.
2. Topsoil placed and graded on slopes steeper than 5 percent shall be promptly fertilized, seeded, mulched, and stabilized by "tracking" with suitable equipment.
3. Apply topsoil in the amounts shown in Table 4.7 below:

Table 4.7 - Topsoil Application Depth

Site Conditions	Intended Use	Minimum Topsoil Depth
1. Deep sand or loamy sand	Mowed lawn	6 in.
	Tall legumes, unmowed	2 in.
	Tall grass, unmowed	1 in.
2. Deep sandy loam	Mowed lawn	5 in.
	Tall legumes, unmowed	2 in.
	Tall grass, unmowed	none
3. Six inches or more: silt loam, clay loam, loam, or silt	Mowed lawn	4 in.
	Tall legumes, unmowed	1 in.
	Tall grass, unmowed	1 in.

STANDARD AND SPECIFICATIONS FOR MULCHING



Definition and Scope

Applying coarse plant residue or chips, or other suitable materials, to cover the soil surface to provide initial erosion control while a seeding or shrub planting is establishing. Mulch will conserve moisture and modify the surface soil temperature and reduce fluctuation of both. Mulch will prevent soil surface crusting and aid in weed control. Mulch can also be used alone for temporary stabilization in non-growing months. Use of stone as a mulch could be more permanent and should not be limited to non-growing months.

Conditions Where Practice Applies

On soils subject to erosion and on new seedings and shrub plantings. Mulch is useful on soils with low infiltration rates by retarding runoff.

Criteria

Site preparation prior to mulching requires the installation of necessary erosion control or water management practices and drainage systems.

Slope, grade and smooth the site to fit needs of selected mulch products.

Remove all undesirable stones and other debris to meet the needs of the anticipated land use and maintenance required.

Apply mulch after soil amendments and planting is accomplished or simultaneously if hydroseeding is used.

Select appropriate mulch material and application rate or material needs. Hay mulch shall not be used in wetlands or in areas of permanent seeding. Clean straw mulch is preferred alternative in wetland application. Determine local availability.

Select appropriate mulch anchoring material.

NOTE: The best combination for grass/legume establishment is straw (cereal grain) mulch applied at 2 ton/acre (90 lbs./1000sq.ft.) and anchored with wood fiber mulch (hydromulch) at 500 – 750 lbs./acre (11 – 17 lbs./1000 sq. ft.). The wood fiber mulch must be applied through a hydroseeder immediately after mulching.



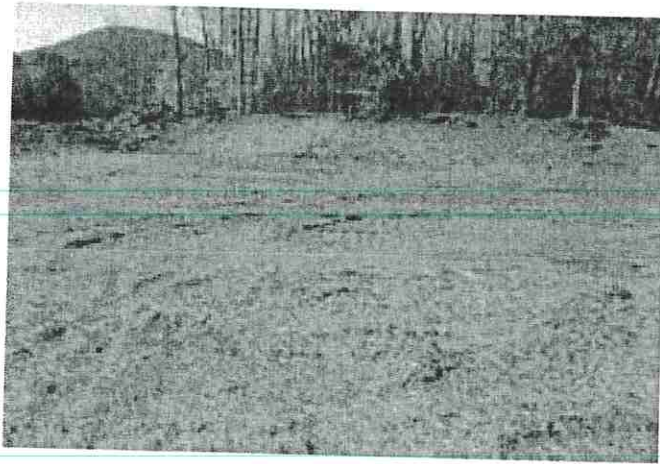
Table 4.2
Guide to Mulch Materials, Rates, and Uses

Mulch Material	Quality Standards	per 1000 Sq. Ft.	per Acre	Depth of Application	Remarks
Wood chips or shavings	Air-dried. Free of objectionable coarse material	500-900 lbs.	10-20 tons	2-7"	Used primarily around shrub and tree plantings and recreation trails to inhibit weed competition. Resistant to wind blowing. Decomposes slowly.
Wood fiber cellulose (partly digested wood fibers)	Made from natural wood usually with green dye and dispersing agent	50 lbs.	2,000 lbs.	—	Apply with hydromulcher. No tie down required. Less erosion control provided than 2 tons of hay or straw.
Gravel, Crushed Stone or Slag	Washed; Size 2B or 3A—1 1/2"	9 cu. yds.	405 cu. yds.	3"	Excellent mulch for short slopes and around plants and ornamentals. Use 2B where subject to traffic. (Approximately 2,000 lbs./cu. yd.). Frequently used over filter fabric for better weed control.
Hay or Straw	Air-dried; free of undesirable seeds & coarse materials	90-100 lbs. 2-3 bales	2 tons (100-120 bales)	cover about 90% surface	Use small grain straw where mulch is maintained for more than three months. Subject to wind blowing unless anchored. Most commonly used mulching material. Provides the best micro-environment for germinating seeds.
Jute twisted yarn	Undyed, unbleached plain weave. Warp 78 ends/yd., Weft 41 ends/ yd. 60-90 lbs./roll	48" x 50 yds. or 48" x 75 yds.	—	—	Use without additional mulch. Tie down as per manufacturers specifications. Good for center line of concentrated water flow.
Excelsior wood fiber mats	Interlocking web of excelsior fibers with photodegradable plastic netting	4' x 112.5' or 8' x 112.5'	—	—	Use without additional mulch. Excellent for seeding establishment. Anchor as per manufacturers specifications. Approximately 72 lbs./roll for excelsior with plastic on both sides. Use two sided plastic for centerline of waterways.
Straw or coconut fiber, or combination	Photodegradable plastic net on one or two sides	Most are 6.5 ft. x 3.5 ft.	81 rolls	—	Designed to tolerate higher velocity water flow, centerlines of waterways, 60 sq. yds. per roll.

Table 4.3
Mulch Anchoring Guide

Anchoring Method or Material	Kind of Mulch to be Anchored	How to Apply
1. Peg and Twine	Hay or straw	After mulching, divide areas into blocks approximately 1 sq. yd. in size. Drive 4-6 pegs per block to within 2" to 3" of soil surface. Secure mulch to surface by stretching twine between pegs in criss-cross pattern on each block. Secure twine around each peg with 2 or more tight turns. Drive pegs flush with soil. Driving stakes into ground tightens the twine.
2. Mulch netting	Hay or straw	Staple the light-weight paper, jute, wood fiber, or plastic nettings to soil surface according to manufacturer's recommendations. Should be biodegradable. Most products are not suitable for foot traffic.
3. Wood cellulose fiber	Hay or straw	Apply with hydroseeder immediately after mulching. Use 500 lbs. wood fiber per acre. Some products contain an adhesive material ("tackifier"), possibly advantageous.
4. Mulch anchoring tool	Hay or straw	Apply mulch and pull a mulch anchoring tool (blunt, straight discs) over mulch as near to the contour as possible. Mulch material should be "tucked" into soil surface about 3".
5. Tackifier	Hay or straw	Mix and apply polymeric and gum tackifiers according to manufacturer's instructions. Avoid application during rain. A 24-hour curing period and a soil temperature higher than 45 ^o Fahrenheit are required.

STANDARD AND SPECIFICATIONS FOR TEMPORARY CONSTRUCTION AREA SEEDING



Definition & Scope

Providing temporary erosion control protection to disturbed areas and/or localized critical areas for an interim period by covering all bare ground that exists as a result of construction activities or a natural event. Critical areas may include but are not limited to steep excavated cut or fill slopes and any disturbed, denuded natural slopes subject to erosion.

Conditions Where Practice Applies

Temporary seedings may be necessary on construction sites to protect an area, or section, where final grading is complete, when preparing for winter work shutdown, or to provide cover when permanent seedings are likely to fail due to mid-summer heat and drought. The intent is to provide temporary protective cover during temporary shutdown of construction and/or while waiting for optimal planting time.

Criteria

Water management practices must be installed as appropriate for site conditions. The area must be rough graded and slopes physically stable. Large debris and rocks are usually removed. Seedbed must be seeded within 24 hours of disturbance or scarification of the soil surface will be necessary prior to seeding.

Fertilizer or lime are not typically used for temporary seedings.

IF: Spring or summer or early fall, then seed the area with ryegrass (annual or perennial) at 30 lbs. per acre (Approximately 0.7 lb./1000 sq. ft. or use 1 lb./1000 sq. ft.).

IF: Late fall or early winter, then seed Certified 'Aroostook' winter rye (cereal rye) at 100 lbs. per acre (2.5 lbs./1000 sq. ft.).

Any seeding method may be used that will provide uniform application of seed to the area and result in relatively good soil to seed contact.

Mulch the area with hay or straw at 2 tons/acre (approx. 90 lbs./1000 sq. ft. or 2 bales). Quality of hay or straw mulch allowable will be determined based on long term use and visual concerns. Mulch anchoring will be required where wind or areas of concentrated water are of concern. Wood fiber hydromulch or other sprayable products approved for erosion control (nylon web or mesh) may be used if applied according to manufacturers' specification. Caution is advised when using nylon or other synthetic products. They may be difficult to remove prior to final seeding and can be a hazard to young wildlife species.

APPENDIX C
NOTICE OF INTENT (NOI),
NOTICE OF TERMINATION (NOT) &
CONTRACTOR'S CERTIFICATION

NOI for coverage under Stormwater General Permit for Construction Activity

version 1.37

(Submission #: HQ0-T6PJ-5MGZ4, version 1)

Details

Originally Started By ABD Engineers

Alternate Identifier Putnam Subdivision

Submission ID HQ0-T6PJ-5MGZ4

Submission Reason New

Status Draft

Form Input

Owner/Operator Information

Owner/Operator Name (Company/Private Owner/Municipality/Agency/Institution, etc.)
Edward Putnam

Owner/Operator Contact Person Last Name (NOT CONSULTANT)
Putnam

Owner/Operator Contact Person First Name
Edward

Owner/Operator Mailing Address
242 Duane Lake Road

City
Duanesburg

State
New York

Zip
12056

Phone

518-895-1053

Email

I88CYCKESHOP@YAHOO.COM

Federal Tax ID

N/A

If the owner/operator is an organization, provide the Federal Tax ID number, or Employer Identification Number (EIN), in the format xx-xxxxxxx. If the owner/operator is an individual and not an organization, enter "Not Applicable" or "N/A" and do not provide the individual's social security number.

Project Location**Project/Site Name**

Putnam Subdivision

Street Address (Not P.O. Box)

4136 Western TPKE

Side of Street

South

City/Town/Village (THAT ISSUES BUILDING PERMIT)

Duanesburg

State

NY

Zip

12056

DEC Region

4

The DEC Region must be provided. Please use the NYSDEC Stormwater Interactive Map (<https://gisservices.dec.ny.gov/gis/stormwater/>) to confirm which DEC Region this site is located in. To view the DEC Regions, click on "Other Useful Reference Layers" on the left side of the map, then click on "DEC Administrative Boundary." Zoom out as needed to see the Region boundaries.

For projects that span multiple Regions, please select a primary Region and then provide the additional Regions as a note in Question 39.

County
SCHENECTADY

Name of Nearest Cross Street
North Mansion Road

Distance to Nearest Cross Street (Feet)
0

Project In Relation to Cross Street
NONE PROVIDED

Tax Map Numbers Section-Block-Parcel
67.00-2-6.11

Tax Map Numbers
N/A

If the project does not have tax map numbers (e.g. linear projects), enter "Not Applicable" or "N/A".

1. Coordinates

Provide the Geographic Coordinates for the project site. The two methods are:

- Navigate to the project location on the map (below) and click to place a marker and obtain the XY coordinates.
- The "Find Me" button will provide the lat/long for the person filling out this form. Then pan the map to the correct location and click the map to place a marker and obtain the XY coordinates.

Navigate to your location and click on the map to get the X,Y coordinates
42.756523,-74.119631

Project Details

2. What is the nature of this project?
New Construction

For the purposes of this eNOI, "New Construction" refers to any project that does not involve the disturbance of existing impervious area (i.e. 0 acres). If existing impervious area will be disturbed on the project site, it is considered redevelopment with either increase in impervious area or no increase in impervious area.

3. Select the predominant land use for both pre and post development conditions.

Pre-Development Existing Landuse

Forest

Post-Development Future Land Use

Single Family Subdivision (Please answer 3a)

3a. If Single Family Subdivision was selected in question 3, enter the number of subdivision lots.

4

4. In accordance with the larger common plan of development or sale, enter the total project site acreage, the acreage to be disturbed and the future impervious area (acreage)within the disturbed area.

*** ROUND TO THE NEAREST TENTH OF AN ACRE. ***

Total Site Area (acres)

22.3

Total Area to be Disturbed (acres)

3.0

Existing Impervious Area to be Disturbed (acres)

0.0

Future Impervious Area Within Disturbed Area (acres)

0.5

5. Do you plan to disturb more than 5 acres of soil at any one time?

No

6. Indicate the percentage (%) of each Hydrologic Soil Group(HSG) at the site.

A (%)

0

B (%)

0

C (%)

7.6

D (%)

92.4

7. Is this a phased project?

Yes

8. Enter the planned start and end dates of the disturbance activities.**Start Date**

04/01/2024

End Date

04/01/2025

9. Identify the nearest surface waterbody(ies) to which construction site runoff will discharge.

Unnamed tributary to Norman Kill

Drainage ditches and storm sewer systems are not considered surface waterbodies. Please identify the surface waterbody that they discharge to. If the nearest surface waterbody is unnamed, provide a description of the waterbody, such as, "Unnamed tributary to Niagara River."

9a. Type of waterbody identified in question 9?

Stream/Creek Off Site

Other Waterbody Type Off Site Description

N/A

9b. If "wetland" was selected in 9A, how was the wetland identified?

NONE PROVIDED

10. Has the surface waterbody(ies) in question 9 been identified as a 303(d) segment in Appendix E of GP-0-20-001?

No

11. Is this project located in one of the Watersheds identified in Appendix C of GP-0-20-001?

No

12. Is the project located in one of the watershed areas associated with AA and AA-S classified waters?

No

Please use the DEC Stormwater Interactive Map (<https://gisservices.dec.ny.gov/gis/stormwater/>) to confirm if this site is located in one of the watersheds of an AA or AA-S classified water. To view the watershed areas, click on "Permit Related Layers" on the left side of the map, then click on "Class AA AAS Watersheds."

If No, skip question 13.

13. Does this construction activity disturb land with no existing impervious cover and where the Soil Slope Phase is identified as D (provided the map unit name is inclusive of slopes greater than 25%), E or F on the USDA Soil Survey?

NONE PROVIDED

If Yes, what is the acreage to be disturbed?

NONE PROVIDED

14. Will the project disturb soils within a State regulated wetland or the protected 100 foot adjacent area?

No

15. Does the site runoff enter a separate storm sewer system (including roadside drains, swales, ditches, culverts, etc)?

Yes

16. What is the name of the municipality/entity that owns the separate storm sewer system?

Town of Duanesburg

17. Does any runoff from the site enter a sewer classified as a Combined Sewer?

No

18. Will future use of this site be an agricultural property as defined by the NYS Agriculture and Markets Law?

No

19. Is this property owned by a state authority, state agency, federal government or local government?

No

20. Is this a remediation project being done under a Department approved work plan? (i.e. CERCLA, RCRA, Voluntary Cleanup Agreement, etc.)

No

Required SWPPP Components

21. Has the required Erosion and Sediment Control component of the SWPPP been developed in conformance with the current NYS Standards and Specifications for Erosion and Sediment Control (aka Blue Book)?

Yes

22. Does this construction activity require the development of a SWPPP that includes the post-construction stormwater management practice component (i.e. Runoff Reduction, Water Quality and Quantity Control practices/techniques)?

No

If you answered No in question 22, skip question 23 and the Post-construction Criteria and Post-construction SMP Identification sections.

23. Has the post-construction stormwater management practice component of the SWPPP been developed in conformance with the current NYS Stormwater Management Design Manual?

NONE PROVIDED

24. The Stormwater Pollution Prevention Plan (SWPPP) was prepared by:
Professional Engineer (P.E.)

SWPPP Preparer

ABD Engineers & Surveyors, LLP

Contact Name (Last, First)

Bianchine, Joseph

Mailing Address

411 Union St.

City

Schenectady

State

NY

Zip

12305

Phone

5183700315

Email

joe@abdeng.com

Download SWPPP Preparer Certification Form

Please take the following steps to prepare and upload your preparer certification form:

- 1) Click on the link below to download a blank certification form
- 2) The certified SWPPP preparer should sign this form
- 3) Scan the signed form
- 4) Upload the scanned document

[Download SWPPP Preparer Certification Form](#)

Please upload the SWPPP Preparer Certification

NONE PROVIDED

Comment

NONE PROVIDED

Erosion & Sediment Control Criteria

25. Has a construction sequence schedule for the planned management practices been prepared?

Yes

26. Select all of the erosion and sediment control practices that will be employed on the project site:

Temporary Structural

Stabilized Construction Entrance

Sediment Traps

Sediment Basin

Silt Fence

Temporary Swale

Check Dams

Biotechnical

None

Vegetative Measures

Mulching

Seeding

Sodding

Topsoiling

Permanent Structural

None

Other

NONE PROVIDED

Post-Construction Criteria

*** IMPORTANT:** Completion of Questions 27-39 is not required if response to Question 22 is No.

27. Identify all site planning practices that were used to prepare the final site plan/layout for the project.

NONE PROVIDED

27a. Indicate which of the following soil restoration criteria was used to address the requirements in Section 5.1.6("Soil Restoration") of the Design Manual (2010 version).
NONE PROVIDED

28. Provide the total Water Quality Volume (WQv) required for this project (based on final site plan/layout). (Acre-feet)

NONE PROVIDED

29. Post-construction SMP Identification

Use the Post-construction SMP Identification section to identify the RR techniques (Area Reduction), RR techniques (Volume Reduction) and Standard SMPs with RRv Capacity that were used to reduce the Total WQv Required (#28).

Identify the SMPs to be used by providing the total impervious area that contributes runoff to each technique/practice selected. For the Area Reduction Techniques, provide the total contributing area (includes pervious area) and, if applicable, the total impervious area that contributes runoff to the technique/practice.

Note: Redevelopment projects shall use the Post-Construction SMP Identification section to identify the SMPs used to treat and/or reduce the WQv required. If runoff reduction techniques will not be used to reduce the required WQv, skip to question 33a after identifying the SMPs.

30. Indicate the Total RRv provided by the RR techniques (Area/Volume Reduction) and Standard SMPs with RRv capacity identified in question 29. (acre-feet)
NONE PROVIDED

31. Is the Total RRv provided (#30) greater than or equal to the total WQv required (#28)?
NONE PROVIDED

If Yes, go to question 36. If No, go to question 32.

32. Provide the Minimum RRv required based on HSG. [Minimum RRv Required = (P) (0.95) (Ai) / 12, Ai=(s) (Aic)] (acre-feet)
NONE PROVIDED

32a. Is the Total RRv provided (#30) greater than or equal to the Minimum RRv Required (#32)?
NONE PROVIDED

If Yes, go to question 33.

Note: Use the space provided in question #39 to summarize the specific site limitations and justification for not reducing 100% of WQv required (#28). A detailed evaluation of the specific site limitations and justification for not reducing 100% of the WQv required (#28) must also be included in the SWPPP.

If No, sizing criteria has not been met; therefore, NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria.

33. SMPs

Use the Post-construction SMP Identification section to identify the Standard SMPs and, if applicable, the Alternative SMPs to be used to treat the remaining total WQv (=Total WQv Required in #28 - Total RRv Provided in #30).

Also, provide the total impervious area that contributes runoff to each practice selected.

NOTE: Use the Post-construction SMP Identification section to identify the SMPs used on Redevelopment projects.

33a. Indicate the Total WQv provided (i.e. WQv treated) by the SMPs identified in question #33 and Standard SMPs with RRv Capacity identified in question #29. (acre-feet)

NONE PROVIDED

Note: For the standard SMPs with RRv capacity, the WQv provided by each practice = the WQv calculated using the contributing drainage area to the practice - provided by the practice. (See Table 3.5 in Design Manual)

34. Provide the sum of the Total RRv provided (#30) and the WQv provided (#33a).

NONE PROVIDED

35. Is the sum of the RRv provided (#30) and the WQv provided (#33a) greater than or equal to the total WQv required (#28)?

NONE PROVIDED

If Yes, go to question 36.

If No, sizing criteria has not been met; therefore, NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria.

36. Provide the total Channel Protection Storage Volume (CPv required and provided or select waiver (#36a), if applicable.

CPv Required (acre-feet)

NONE PROVIDED

CPv Provided (acre-feet)

NONE PROVIDED

36a. The need to provide channel protection has been waived because:

NONE PROVIDED

37. Provide the Overbank Flood (Qp) and Extreme Flood (Qf) control criteria or select waiver (#37a), if applicable.

Overbank Flood Control Criteria (Qp)

Pre-Development (CFS)

NONE PROVIDED

Post-Development (CFS)

NONE PROVIDED

Total Extreme Flood Control Criteria (Qf)

Pre-Development (CFS)

NONE PROVIDED

Post-Development (CFS)
NONE PROVIDED

37a. The need to meet the Qp and Qf criteria has been waived because:
NONE PROVIDED

38. Has a long term Operation and Maintenance Plan for the post-construction stormwater management practice(s) been developed?
NONE PROVIDED

If Yes, Identify the entity responsible for the long term Operation and Maintenance
NONE PROVIDED

39. Use this space to summarize the specific site limitations and justification for not reducing 100% of WQv required (#28). (See question #32a) This space can also be used for other pertinent project information.
NONE PROVIDED

Post-Construction SMP Identification

Runoff Reduction (RR) Techniques, Standard Stormwater Management Practices (SMPs) and Alternative SMPs

Identify the Post-construction SMPs to be used by providing the total impervious area that contributes runoff to each technique/practice selected. For the Area Reduction Techniques, provide the total contributing area (includes pervious area) and, if applicable, the total impervious area that contributes runoff to the technique/practice.

RR Techniques (Area Reduction)

Round to the nearest tenth

Total Contributing Acres for Conservation of Natural Area (RR-1)
NONE PROVIDED

Total Contributing Impervious Acres for Conservation of Natural Area (RR-1)
NONE PROVIDED

Total Contributing Acres for Sheetflow to Riparian Buffers/Filter Strips (RR-2)
NONE PROVIDED

Total Contributing Impervious Acres for Sheetflow to Riparian Buffers/Filter Strips (RR-2)
NONE PROVIDED

Total Contributing Acres for Tree Planting/Tree Pit (RR-3)
NONE PROVIDED

Total Contributing Impervious Acres for Tree Planting/Tree Pit (RR-3)
NONE PROVIDED

Total Contributing Acres for Disconnection of Rooftop Runoff (RR-4)
NONE PROVIDED

RR Techniques (Volume Reduction)

Total Contributing Impervious Acres for Disconnection of Rooftop Runoff (RR-4)
NONE PROVIDED

Total Contributing Impervious Acres for Vegetated Swale (RR-5)
NONE PROVIDED

Total Contributing Impervious Acres for Rain Garden (RR-6)
NONE PROVIDED

Total Contributing Impervious Acres for Stormwater Planter (RR-7)
NONE PROVIDED

Total Contributing Impervious Acres for Rain Barrel/Cistern (RR-8)
NONE PROVIDED

Total Contributing Impervious Acres for Porous Pavement (RR-9)
NONE PROVIDED

Total Contributing Impervious Acres for Green Roof (RR-10)
NONE PROVIDED

Standard SMPs with RRv Capacity

Total Contributing Impervious Acres for Infiltration Trench (I-1)
NONE PROVIDED

Total Contributing Impervious Acres for Infiltration Basin (I-2)
NONE PROVIDED

Total Contributing Impervious Acres for Dry Well (I-3)
NONE PROVIDED

Total Contributing Impervious Acres for Underground Infiltration System (I-4)
NONE PROVIDED

Total Contributing Impervious Acres for Bioretention (F-5)
NONE PROVIDED

Total Contributing Impervious Acres for Dry Swale (O-1)
NONE PROVIDED

Standard SMPs

Total Contributing Impervious Acres for Micropool Extended Detention (P-1)
NONE PROVIDED

Total Contributing Impervious Acres for Wet Pond (P-2)
NONE PROVIDED

Total Contributing Impervious Acres for Wet Extended Detention (P-3)
NONE PROVIDED

Total Contributing Impervious Acres for Multiple Pond System (P-4)
NONE PROVIDED

Total Contributing Impervious Acres for Pocket Pond (P-5)
NONE PROVIDED

Total Contributing Impervious Acres for Surface Sand Filter (F-1)
NONE PROVIDED

Total Contributing Impervious Acres for Underground Sand Filter (F-2)
NONE PROVIDED

Total Contributing Impervious Acres for Perimeter Sand Filter (F-3)
NONE PROVIDED

Total Contributing Impervious Acres for Organic Filter (F-4)
NONE PROVIDED

Total Contributing Impervious Acres for Shallow Wetland (W-1)
NONE PROVIDED

Total Contributing Impervious Acres for Extended Detention Wetland (W-2)
NONE PROVIDED

Total Contributing Impervious Acres for Pond/Wetland System (W-3)
NONE PROVIDED

Total Contributing Impervious Acres for Pocket Wetland (W-4)
NONE PROVIDED

Total Contributing Impervious Acres for Wet Swale (O-2)
NONE PROVIDED

Alternative SMPs (DO NOT INCLUDE PRACTICES BEING USED FOR PRETREATMENT ONLY)

Total Contributing Impervious Area for Hydrodynamic
NONE PROVIDED

Total Contributing Impervious Area for Wet Vault
NONE PROVIDED

Total Contributing Impervious Area for Media Filter
NONE PROVIDED

"Other" Alternative SMP?
NONE PROVIDED

Total Contributing Impervious Area for "Other"
NONE PROVIDED

Provide the name and manufacturer of the alternative SMPs (i.e. proprietary practice(s)) being used for WQv treatment.

Note: Redevelopment projects which do not use RR techniques, shall use questions 28, 29, 33 and 33a to provide SMPs used, total WQv required and total WQv provided for the project.

Manufacturer of Alternative SMP
NONE PROVIDED

Name of Alternative SMP
NONE PROVIDED

Other Permits

40. Identify other DEC permits, existing and new, that are required for this project/facility.
Individual SPDES

If SPDES Multi-Sector GP, then give permit ID
NONE PROVIDED

If Other, then identify
NONE PROVIDED

41. Does this project require a US Army Corps of Engineers Wetland Permit?
No

If "Yes," then indicate Size of Impact, in acres, to the nearest tenth
NONE PROVIDED

42. If this NOI is being submitted for the purpose of continuing or transferring coverage under a general permit for stormwater runoff from construction activities, please indicate the former SPDES number assigned.
NONE PROVIDED

MS4 SWPPP Acceptance

43. Is this project subject to the requirements of a regulated, traditional land use control MS4?

No

If No, skip question 44

44. Has the "MS4 SWPPP Acceptance" form been signed by the principal executive officer or ranking elected official and submitted along with this NOI?
NONE PROVIDED

MS4 SWPPP Acceptance Form Download

Download form from the link below. Complete, sign, and upload.
[MS4 SWPPP Acceptance Form](#)

MS4 Acceptance Form Upload

NONE PROVIDED

Comment

NONE PROVIDED

Owner/Operator Certification

Owner/Operator Certification Form Download

Download the certification form by clicking the link below. Complete, sign, scan, and upload the form.

[Owner/Operator Certification Form \(PDF, 45KB\)](#)

Upload Owner/Operator Certification Form

NONE PROVIDED

Comment

NONE PROVIDED



Owner/Operator Certification Form

SPDES General Permit For Stormwater Discharges From Construction Activity (GP-0-20-001)

Project/Site Name: Putnam Subdivision

eNOI Submission Number: HQ0-T6PJ-5MGZ4

eNOI Submitted by: Owner/Operator SWPPP Preparer Other

Certification Statement - Owner/Operator

I have read or been advised of the permit conditions and believe that I understand them. I also understand that, under the terms of the permit, there may be reporting requirements. I hereby certify that this document and the corresponding documents were prepared under my direction or supervision. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I further understand that coverage under the general permit will be identified in the acknowledgment that I will receive as a result of submitting this NOI and can be as long as sixty (60) business days as provided for in the general permit. I also understand that, by submitting this NOI, I am acknowledging that the SWPPP has been developed and will be implemented as the first element of construction, and agreeing to comply with all the terms and conditions of the general permit for which this NOI is being submitted.

Owner/Operator First Name _____ M.I. _____ Last Name _____

Signature _____

Date _____



SWPPP Preparer Certification Form

*SPDES General Permit for Stormwater
Discharges From Construction Activity
(GP-0-20-001)*

Project Site Information

Project/Site Name

Putnam Subdivision

Owner/Operator Information

Owner/Operator (Company Name/Private Owner/Municipality Name)

Edward Putnam

Certification Statement – SWPPP Preparer

I hereby certify that the Stormwater Pollution Prevention Plan (SWPPP) for this project has been prepared in accordance with the terms and conditions of the GP-0-20-001. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of this permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Joseph

First name

J.

MI

Bianchine

Last Name

Signature

Date

New York State Department of Environmental Conservation
Division of Water
625 Broadway, 4th Floor
Albany, New York 12233-3505

(NOTE: Submit completed form to address above)

NOTICE OF TERMINATION for Storm Water Discharges Authorized
under the SPDES General Permit for Construction Activity

Please indicate your permit identification number: NYR _____

I. Owner or Operator Information

1. Owner/Operator Name: Edward Putnam

2. Street Address: 242 Duane Lake Road

3. City/State/Zip: Duanesburg, NY 12056

4. Contact Person: Edward Putnam

4a. Telephone:

4b. Contact Person E-Mail:

II. Project Site Information

5. Project/Site Name: Putnam Subdivision

6. Street Address: 4136 Western TPKE

7. City/Zip: Duanesburg, NY 12056

8. County: Schenectady

III. Reason for Termination

9a. All disturbed areas have achieved final stabilization in accordance with the general permit and SWPPP. *Date final stabilization completed (month/year): _____

9b. Permit coverage has been transferred to new owner/operator. Indicate new owner/operator's permit identification number: NYR _____
(Note: Permit coverage can not be terminated by owner identified in I.1. above until new owner/operator obtains coverage under the general permit)

9c. Other (Explain on Page 2)

IV. Final Site Information:

10a. Did this construction activity require the development of a SWPPP that includes post-construction stormwater management practices? yes no (If no, go to question 10f.)

10b. Have all post-construction stormwater management practices included in the final SWPPP been constructed? yes no (If no, explain on Page 2)

10c. Identify the entity responsible for long-term operation and maintenance of practice(s)?

**NOTICE OF TERMINATION for Storm Water Discharges Authorized under the
SPDES General Permit for Construction Activity - continued**

10d. Has the entity responsible for long-term operation and maintenance been given a copy of the operation and maintenance plan required by the general permit? yes no

10e. Indicate the method used to ensure long-term operation and maintenance of the post-construction stormwater management practice(s):

- Post-construction stormwater management practice(s) and any right-of-way(s) needed to maintain practice(s) have been deeded to the municipality.
- Executed maintenance agreement is in place with the municipality that will maintain the post-construction stormwater management practice(s).
- For post-construction stormwater management practices that are privately owned, a mechanism is in place that requires operation and maintenance of the practice(s) in accordance with the operation and maintenance plan, such as a deed covenant in the owner or operator's deed of record.
- For post-construction stormwater management practices that are owned by a public or private institution (e.g. school, university or hospital), government agency or authority, or public utility; policy and procedures are in place that ensures operation and maintenance of the practice(s) in accordance with the operation and maintenance plan.

10f. Provide the total area of impervious surface (i.e. roof, pavement, concrete, gravel, etc.) constructed within the disturbance area? _____
(acres)

11. Is this project subject to the requirements of a regulated, traditional land use control MS4? yes
 no

(If Yes, complete section VI - "MS4 Acceptance" statement

V. Additional Information/Explanation:

(Use this section to answer questions 9c. and 10b., if applicable)

VI. MS4 Acceptance - MS4 Official (principal executive officer or ranking elected official) or Duly Authorized Representative (Note: Not required when 9b. is checked -transfer of coverage)

I have determined that it is acceptable for the owner or operator of the construction project identified in question 5 to submit the Notice of Termination at this time.

Printed Name: _____

Title/Position: _____

Signature: _____

Date: _____

**NOTICE OF TERMINATION for Storm Water Discharges Authorized under the
SPDES General Permit for Construction Activity - continued**

VII. Qualified Inspector Certification - Final Stabilization:

I hereby certify that all disturbed areas have achieved final stabilization as defined in the current version of the general permit, and that all temporary, structural erosion and sediment control measures have been removed. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name:

Title/Position:

Signature:

Date:

VIII. Qualified Inspector Certification - Post-construction Stormwater Management Practice(s):

I hereby certify that all post-construction stormwater management practices have been constructed in conformance with the SWPPP. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name:

Title/Position:

Signature:

Date:

IX. Owner or Operator Certification

I hereby certify that this document was prepared by me or under my direction or supervision. My determination, based upon my inquiry of the person(s) who managed the construction activity, or those persons directly responsible for gathering the information, is that the information provided in this document is true, accurate and complete. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name:

Title/Position:

Signature:

Date:

APPENDIX D
EROSION AND SEDIMENT CONTROL PLAN

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



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

TOWN OF DUANESBURG
SCHENECTADY COUNTY

NOTICE OF PUBLIC HEARING

LEGAL NOTICE NOTICE OF PUBLIC HEARING PLANNING BOARD TOWN OF DUANESBURG

PLEASE TAKE NOTICE, THAT THE PLANNING BOARD OF THE TOWN OF
DUANESBURG, NEW YORK, WILL MEET AT THE TOWN HALL IN THE TOWN
OF DUANESBURG, 5853 WESTERN TURNPIKE, ON **FEBRUARY 15, 2024 AT**
7:00 PM FOR THE PURPOSE OF HEARING ALL PERSONS INTERESTED IN THE
APPLICATION OF:

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

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

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			
FLEA MARKET AND FARMERS MARKET			
Name of Action or Project:			
TO OPERATE A RETAL FLEA AND FARMERS MARKET			
Project Location (describe, and attach a location map):			
5140 WESTERN TPK, NORTH SIDE R+20 & R+7 INTERSECTION			
Brief Description of Proposed Action:			
PROVIDE 25 FARMERS MARKET BOOTHS AND 30 FLEA MARKET BOOTHS			
Name of Applicant or Sponsor:		Telephone: 518-478-1071	
RALPH THOMAS		E-Mail: ARATEDCONSTRUCTION@GMAIL.COM	
Address:			
883 SMITH RD, WORCESTER, NY.			
City/PO:		State:	Zip Code:
WORCESTER, NY		NY	12197
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval: SPECIAL USE PERMIT DUANESBURG PLANNING BOARD		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		1.6 acres	
b. Total acreage to be physically disturbed?		1.6 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		5.31 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 type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<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? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>PORTA POTTYS</u> _____	NO	YES	
	<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? 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?	NO	YES	
	<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? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

Shoreline Forest Agricultural/grasslands Early mid-successional
 Wetland Urban Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?
 Northern Long-eared Bat

NO	YES
<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?
 If Yes,

a. Will storm water discharges flow to adjacent properties?

NO	YES
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?

NO	YES
<input type="checkbox"/>	<input checked="" type="checkbox"/>

If Yes, briefly describe:
EXISTING LOT CATCH BASIN DRAINAGE

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:

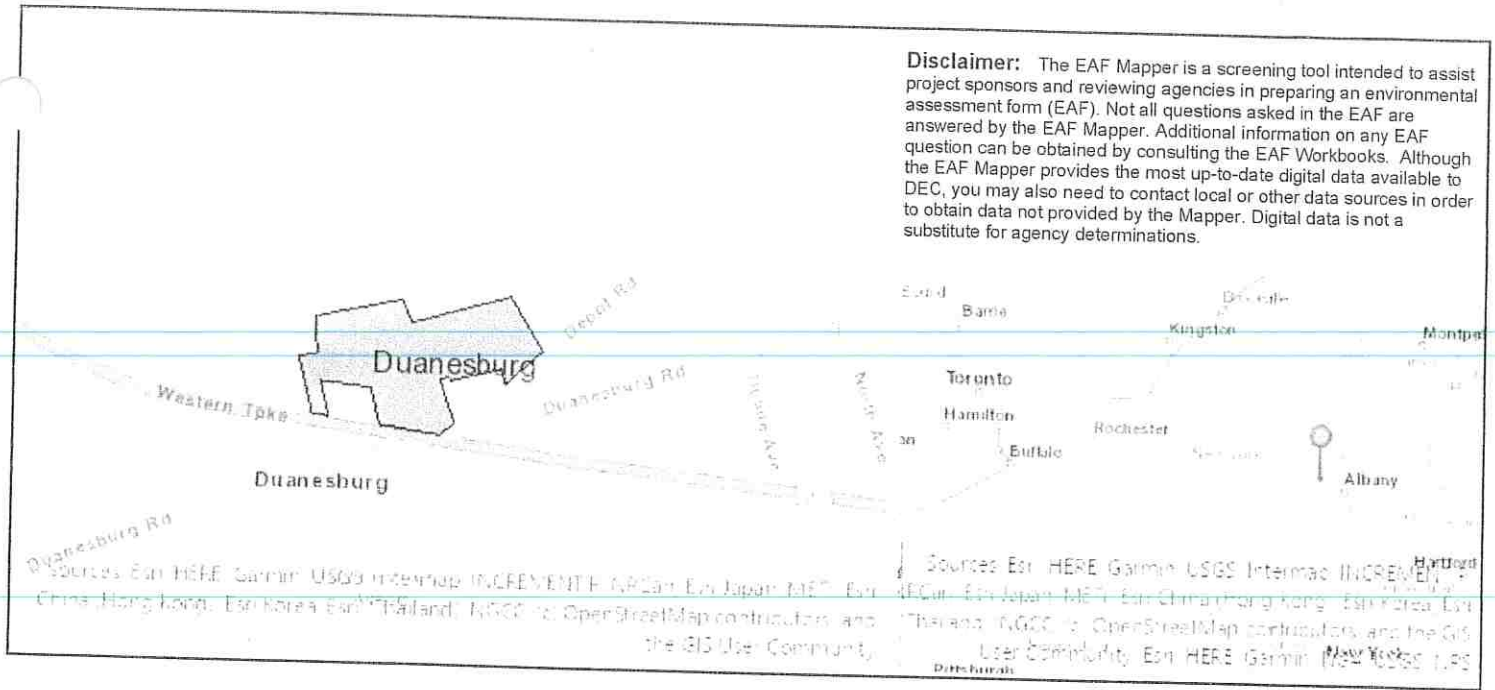
NO	YES
<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Ralph Thomas Date: 2/15/24 ↑

Signature: [Handwritten Signature] Title: 2/15/24

PRINT FORM



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 [Archeological Sites]	Yes
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]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Northern Long-eared Bat
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

ZONING COORDINATION REFERRAL

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

For Use By SCDEDP

Received 12-13-23
Case No. D-31-23
Returned 1-16-24

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)

DEC 13 2023

Economic Development
and Planning Dept.

PUBLIC HEARING OR MEETING DATE: 12/21/2023

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

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:

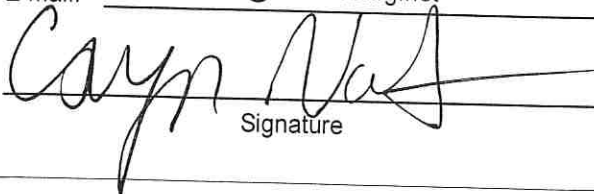
Name: Coryn VanDeusen

Title: Building/Planning/Zoning Clerk

Address: 5853 Western Turnpike Duanesburg, NY 12056

E-mail: cvandusen@duanesburg.net

Phone: (518) 895-2040


Signature

Date: 12/07/23



PLANNING & ZONING COORDINATION REFERRAL

Case No. D-31-23

Applicant Ralph Thomas

Referring Officer Coryn VanDeusen

Municipality Duanesburg

Considerations: Regarding a 2.5 acre lot, requesting a special use permit to operate an outdoor flea/farmers market. Located on the north side of Western Turnpike at the intersection with SR 7. The lot also provides parking for the adjoining diner.

RECOMMENDATION

Receipt of zoning referral is acknowledged on December 13, 2023. Please be advised that the undersigned Commissioner of Economic Development and Planning of the County of Schenectady (having under the Schenectady County Charter the powers and duties of a County Planning Board) has reviewed the proposed action stated on the opposite side of this form and makes the following recommendations:

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

Advisory Note:

Disapprove. Reason:

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

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

1/2/24
Date

[Signature]
Ray Gillen, Commissioner
Economic Development and Planning

Duanesburg Flea Market - Farmers Market

Opening - 1st Saturday in May

Closing - Last Saturday in October

Hours of Operation - 8:00 AM to 3:00 PM

Vendors responsible for weighted down
their tents.

Vendors who set up on Saturday must
remove everything at end of day.

Out Houses will be cleaned weekly.

Trash cans will be emptied at end of
day, and dumpster will be picked up
weekly.

NOTICE OF DETERMINATION
of the Town of Duanesburg

Date of Determination 12/5/23

Application of LREA LOT LLC / Ralph Thomas under section 9.4 (17) of the (Village of Delanson / Town of Duanesburg)
ZONING Ordinance.

Applicant LREA LOT LLC / Ralph Thomas
Address 5740 WESTERN TURNPIKE
DUANESBURG N.Y. 12056

Phone _____ Zoning District H SBL# 67.05-1-8.1

Description of Project: FLEA MARKET - FARMERS MARKET

Determination: SPECIAL USE PERMIT

Reason supporting determination:
TOWN of DUANESBURG ZONING ORDINANCE ADOPTED 6/14/15
SECTION 9.4 (17) USES PERMITTED BY SPECIAL USE PERMIT
"SHOPPING CENTER"

Action: Refer to PLANNING BOARD for the purpose of SPECIAL USE

Code Enforcement Officer: Cliff Polow

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

CHECKLIST OF REQUIRED INFORMATION:

- Title of drawing.
 - Tax Map ID #
 - Zoning district
 - Current Original Deed
 - NYS Survey (L.S. & P.E.)
 - North Arrow, scale (1"=100'),
 - Boundaries of the property plotted and labeled to scale.
 - School District/Fire District
 - Green area/ landscaping
 - Existing watercourses, wetlands, etc.
 - Contour Lines (increments of 10ft.)
 - Easements & Right of ways
 - Abutting Properties Wells/ Sewer Systems within 100ft.
 - Well/ Water system
 - Septic system: Soil investigation completed?
 - Sewer System: Which district?
 - Basic SWPPP (1≥ & <5)
 - Full Storm Water Control Plan (5acres or more)
 - Storm Water Control Plan
 - Short or long EAF www.dec.ny.gov/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 8-23-2023

Application type: Major Subdv Minor Subdv Special Use Permit Site/ Sketch Plan Review LotLine Adjust
Proposal: Flea Market - farmers Market

Section _____ of _____ Ordinance.

Present Owner: Luis Patino LREALOT, LLC
Address: 5140 Western Turnpike Zip code: 12056
Phone # (required) 518 2313081
(AS APPEARS ON DEED!!)

Applicants Name (if different): Ralph Thomas Phone# (required) 607-206-4704
Location of Property (if different from owners)
Tax Map # 67.05-1-8.1 Zoning District H3

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

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

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

Ralph Thomas Date 8-23-2023
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

Agricultural Data Statement

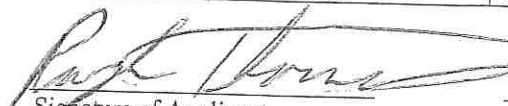
Date: 8-23-2023

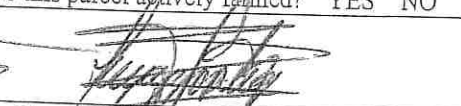
Instructions: Per § 305-a of the New York State Agriculture and Markets Law, any application for a special use permit, site plan approval, use variance or a subdivision approval requiring municipal review and approval would occur on property within a New York State Certified Agricultural District containing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

Applicant	* Owner if Different from Applicant
Name: <u>Ralph Thomas</u>	Name: <u>LREA LOT, LLC</u>
Address: <u>883 Smith Rd.</u>	<u>514 WESTERN TPKE</u>
<u>Worcester, NY 12197</u>	<u>P.O. BOX 09</u>
	<u>DUANESBURG NY 12056</u>

1. Type of Application: Special Use Permit Site Plan Approval; Use Variance; Area Variance; Subdivision Approval (circle one or more)
2. Description of proposed project:
Flea Market - Farmers Market
3. Location of project: Address: Duanesburg Diner - 5156 Western Turnpike Duanesburg
Tax Map Number (TMP) 67.05-1-8-1
4. Is this parcel within an Agricultural District? YES NO (Check with your local assessor if you do not know.)
5. If YES, Agricultural District Number _____
6. Is this parcel actively farmed? YES NO
7. List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES <input type="checkbox"/> NO <input type="checkbox"/>
NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES <input type="checkbox"/> NO <input type="checkbox"/>	NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES <input type="checkbox"/> NO <input type="checkbox"/>


Signature of Applicant


Signature of Owner (if other than applicant)

Reviewed by: Dale R. Warner

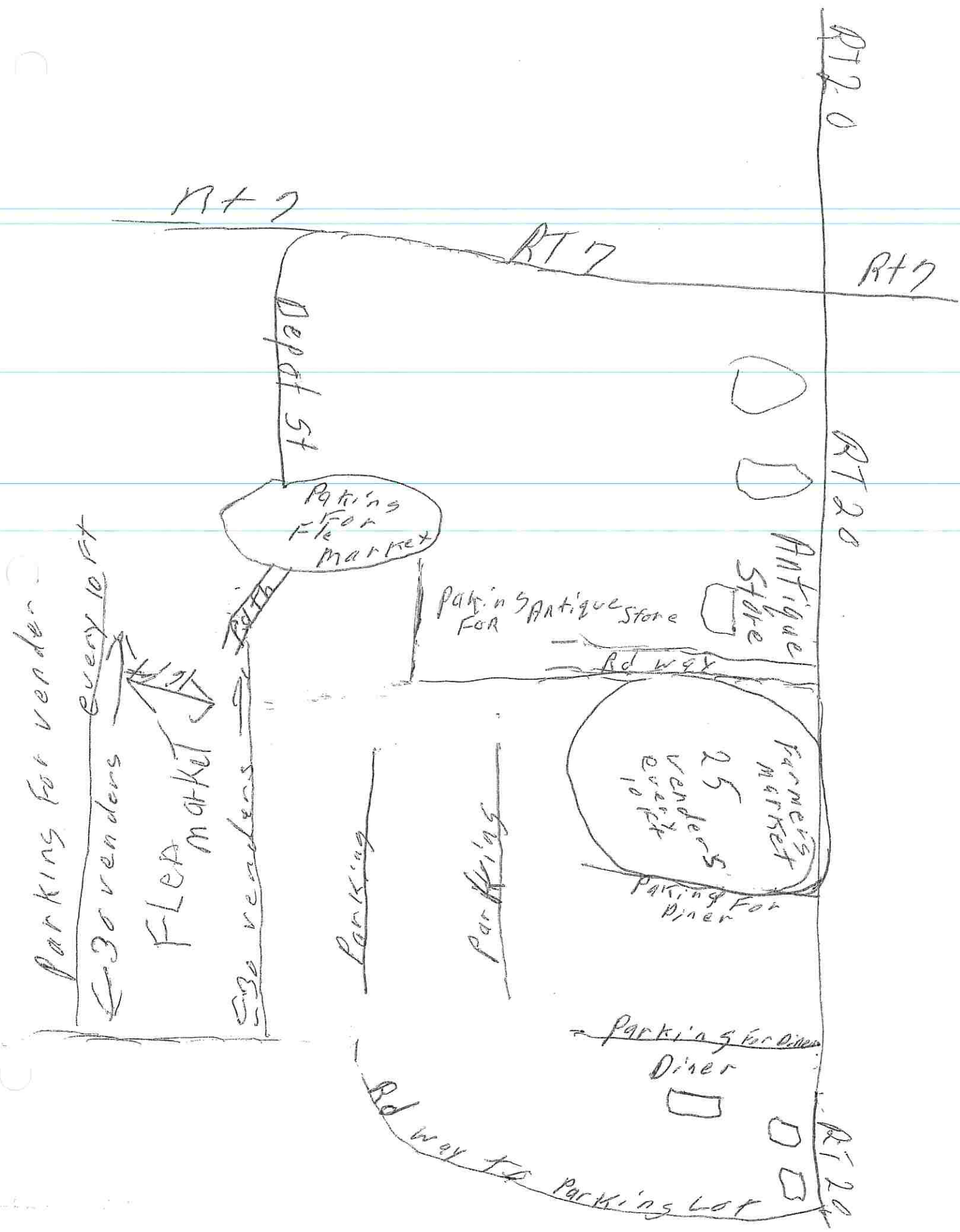
Date _____

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.



8-23-2023

I Luis PATINO, give Ralph Thoms to represent me and file this application for a Flea Market - Farmers Market. I also give permission for the Town of Duaneburg to walk the site at 5156 Western Turnpike, Duaneburg.

LREA Tot, LLC
Owner

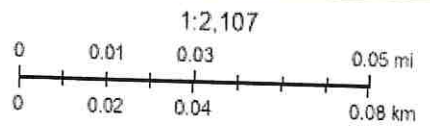
8-23-2023
Date

Untitled Map



December 7, 2023

-  Override 1
-  Parcels



NYS ITS Geospatial Services

No Author
This map and information is provided as is. We make no warranties or guarantees, expressed or implied.



LANDS OF
PATINO - LREA LOT LLC

SCALE: 1"=40'
 DATE: 1/5/2024
 DRAWN BY: L. MANUS
 REVISION: 2/1/2024

TOWN OF DUANESBURG
 ZONE H

**PROPOSED SITE PLAN
 SEASONAL FARMERS & FLEA MARKET**

L M Associates
 Consulting Engineering
 P.O. Box 111
 Duaneburg, N.Y. 12056
 (518) 875-6765
 DRAWING NUMBER

1 OF 1



TOTALS	13
	55
	6
	17
	18
	109
	13
	55
	17
	28
	119

PARKING CALCULATION

DUANESBURG ZONING, RESTAURANT PARKING 1 SPACE / 100 SF, 13 SPACES REQUIRED.
 13 PARKING SPACES PROVIDED.

DUANESBURG ZONING, RETAIL STORE 1 SPACE / 180 SF FLOOR AREA.
 55 SPACES REQUIRED FOR VENDORS, 55 SPACES PROVIDED.

ANTIQUE STORE 1000 SF / 150 = 6 SPACES PROVIDED.

INTERNATIONAL FARMERS MARKET CODE, 3500 SF WITH 170 PARKING SPACES = 1 SPACE / 200 SF
 EXAMPLE DUANESBURG CODE, 3500 SF WITH 170 PARKING SPACES = 1 SPACE / 200 SF
 FLEA MARKET COMPRISES 3000 SF, AT 1 SPACE PER 180 SF = 17 SPACES PROVIDED.

DUANESBURG ZONING, ROADSIDE STAND 5 SPACES + 1 FOR EACH 300 SF
 FOR ONE FARMERS MARKET WITH 25 VENDORS REQUIRES 5 + 2500/200 = 18 PARKING SPACES.

IF THE FARMERS MARKET IS TREATED AS INDIVIDUAL STANDS THE PARKING REQUIRED WOULD BE
 25 x 5 + 13 = 138 SPACES. THE PARKING PROVIDED WOULD BE
 13 SPACES. IT IS REASONABLE TO ASSUME THAT STAGGERED OCCUPANCY OF THE FARMERS MARKET WILL BE
 LESS THAN 20% OF THE OPEN TIME OR 1.6 HOURS OF 8 HOURS. 20 x 138 = 28 SPACES
 122 SPACES WILL BE PROVIDED.
 122 SPACES ON GRAVEL AREA, OVERFLOW SPACES IN FIELD.

N.Y.S.
 U.S. Route 20
 U.S. Route 20
 Depot Road

MAGNETIC NORTH 2008
 2.31 ACRES
 (See also Map # 17-030-101)

3.00 ACRES
 (See also Map # 17-030-101-1,2,3,4)

NOTICE OF DETERMINATION
of the Town of Duanesburg

Date of Determination 9/11/23

Application of THOMAS SAMUELSON under section
9.4 (8) of the (Village of Delanson Town of Duanesburg)
ZONING Ordinance.

Applicant THOMAS SAMUELSON
Address 308 LAKE RD
DELANSON N.Y.

Phone 518-688-4971 Zoning District H SBL# 67.05-2-13.1

Description of
Project: RETURN BUILDING INTO A TWO FAMILY DWELLING

Determination:
SPECIAL USE PERMIT NEEDED

Reason supporting determination:
TOWN OF DUANESBURG ZONING ORDINANCE ADOPTED 6/11/15
SECTION 9.4 (8) SPECIAL USE REQUIRED FOR TWO FAMILY DWELLING

Action: Refer to PLANNING BOARD for the purpose of SPECIAL USE

Code Enforcement Officer: Cheryl Palou



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 Wells/ Sewer Systems within 100ft.
 - Well/ Water system
 - Septic system: Soil investigation completed?
 - Sewer System: Which district?
 - Basic SWPPP (1≥ & <5)
 - Full Storm Water Control Plan (5acres or more)
 - Storm Water Control Plan
 - Short or long EAF www.dec.ny.gov/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 9/7/23

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

Proposal: Return building to a two family dwelling

Section 9.4 of 8 Ordinance.

Present Owner: THOMAS SAMOZELAS APPEARS ON DEED!!
Address: 308 LAKE ROAD Zip code: 12053
Phone # (required) 518-688-4971

Applicants Name (if different): _____ Phone# (required) 518-688-4971

Location of Property (if different from owners) 6928 Duaneburg Rd
Tax Map # 67.05-2-13.1 Zoning District H

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.

Thomas D. Samozelas

Date 09/07/23

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

ALL APPLICATION FEES ARE NON-REFUNDABLE!

Application fee paid: \$100 Check# 398 (For office use only)
Reviewed By _____ Date _____

Approved Disapproved Refer to Code Enforcement Section _____ of _____ Ordinance

Planning Commission Comments: _____

Planning Chairperson

Date

Code Enforcement

Date

ZONING COORDINATION REFERRAL

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

For Use By SCDEDP

Received _____
Case No. _____
Returned _____

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

ACTION: Zoning Code/Law Amendment
 Zoning Map Amendment
 Subdivision Review
 Site Plan Review
 Special Permit
 Use Variance
 Area Variance
 Other (specify) _____

PUBLIC HEARING OR MEETING DATE: 09/21/23

SUBJECT: #23-19 Samuelson, Thomas: SBL#67.05-2-13.1 (H) located at 6928 Duanesburg Rd is proposing to convert existing residential building back to a two-family dwelling.

REQUIRED ENCLOSURES:

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

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

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

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

SUBMITTED BY:

Name: Coryn VanDeusen

Title: Planning/Zoning Clerk

Address: 5853 Western Turnpike Duanesburg, NY 12056

E-mail: cvandeusen@duanesburg.net

Phone: (518) 895-2040

Date: 09/19/2023


Signature



ORIGINAL

 ORIGINAL

Date 09-07-2023

Application type : Special Use Permit

Proposal: Return Building to a two family dwelling

Section 8.4 of 8 Ordinance.

Present Owner: Thomas Samuelson (AS IT APPEARS ON DEED!!!)

Address: 308 Lake Road Zip code: 12053

Phone # (required) 518-688-4971

Applicants Name: Thomas Samuelson Phone# 518-688-4971

Location of Property (if different from owner): 6928 Duanesburg Road

Tax Map# 67.05-2-13.1

Zoning District H



Signature of Owner (AS IT APPEARS ONDEED!)

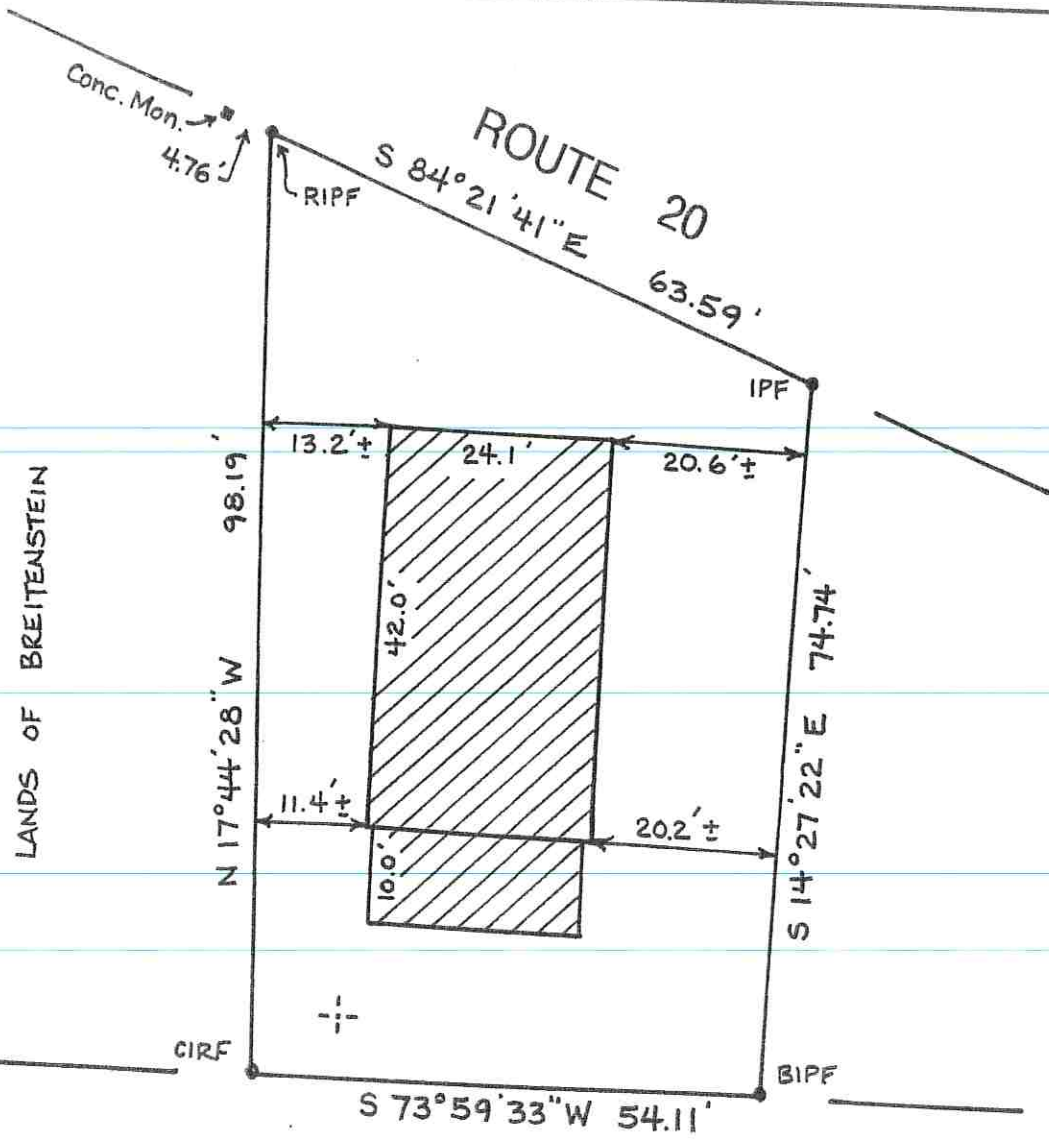
I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. The Applicant hereby certifies that he is the owner of the above property or has duly authorized, in writing, by the owner of record to make this application. Further, by signing this application, the owner gives permission for a representative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



Date 9-8-2023

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

ORIGINAL



- CIRF Capped Iron Rod Found
- BIPF Bent Iron Pipe Found
- RIPF Reset Iron Pipe Found
- IPF Iron Pipe Found

MAP SHOWING SURVEY OF THE LANDS OF
 THOMAS A. SAMUELSON

TOWN OF DUANESBURG
 SCHENECTADY COUNTY, N.Y.

SCALE 1" = 20'
 NOVEMBER 30, 2011

BLACKSTONE LAND SURVEYORS
 1152 FORT HUNTER RD. SCH'DY, NY 12303



ZONING COORDINATION REFERRAL

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

For Use By SCDEDP

Received _____
Case No. _____
Returned _____

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

ACTION: Zoning Code/Law Amendment
 Zoning Map Amendment
 Subdivision Review
 Site Plan Review
 Special Permit
 Use Variance
 Area Variance
 Other (specify) _____

PUBLIC HEARING OR MEETING DATE: 01/18/24

SUBJECT: #23-19 Samuelson, Thomas: SBL#67.05-2-13.1 (H) located at 6928 Duanesburg Rd is seeking a special use permit to convert existing residential building back to a two-family dwelling under section #9.4(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 Clerk

Address: 5853 Western Turnpike Duanesburg, NY 12056

E-mail: cvandusen@duanesburg.net

Phone: (518) 895-2040


Signature

Date: 01/09/2024



PLANNING & ZONING COORDINATION REFERRAL

Case No. D-01-24

Applicant Thomas Samuelson

Referring Officer Coryn VanDeusen

Municipality Duanesburg

Considerations:

RECOMMENDATION

Receipt of zoning referral is acknowledged on January 16, 2024. 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 site plan should show the proposed connection to the town sewer line and parking area/driveway.

Advisory Note:

Any existing encroachment of the parking area onto town property should be identified. Parking area/driveway should be designed so that cars do not need to back into the highway to exit.

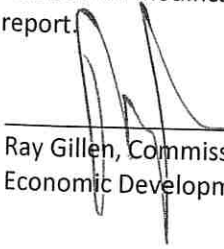
Disapprove. Reason:

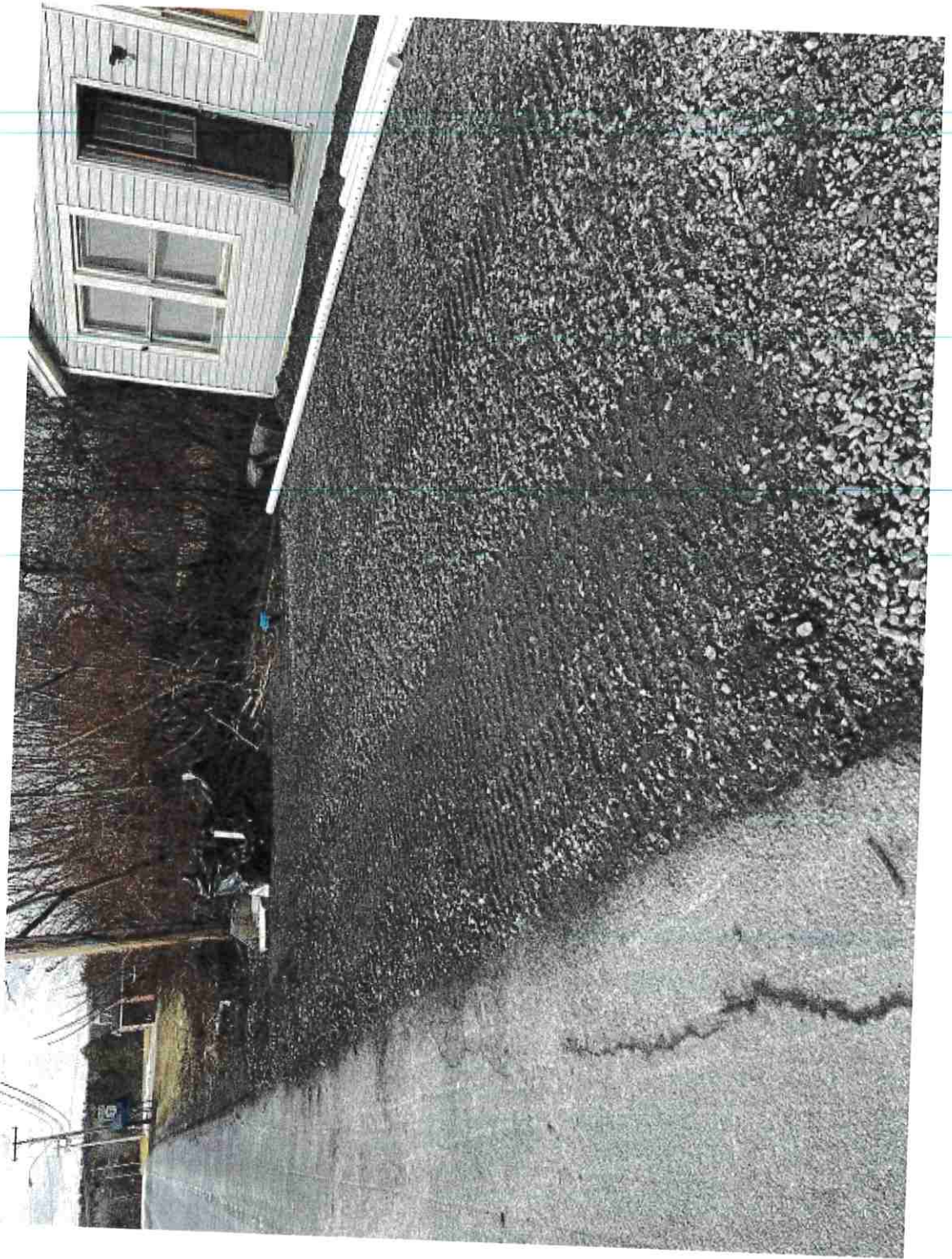
*A recommendation of approval should not be interpreted that the County has reviewed all local concerns and/or endorses the project; rather the proposed action has met certain County considerations.

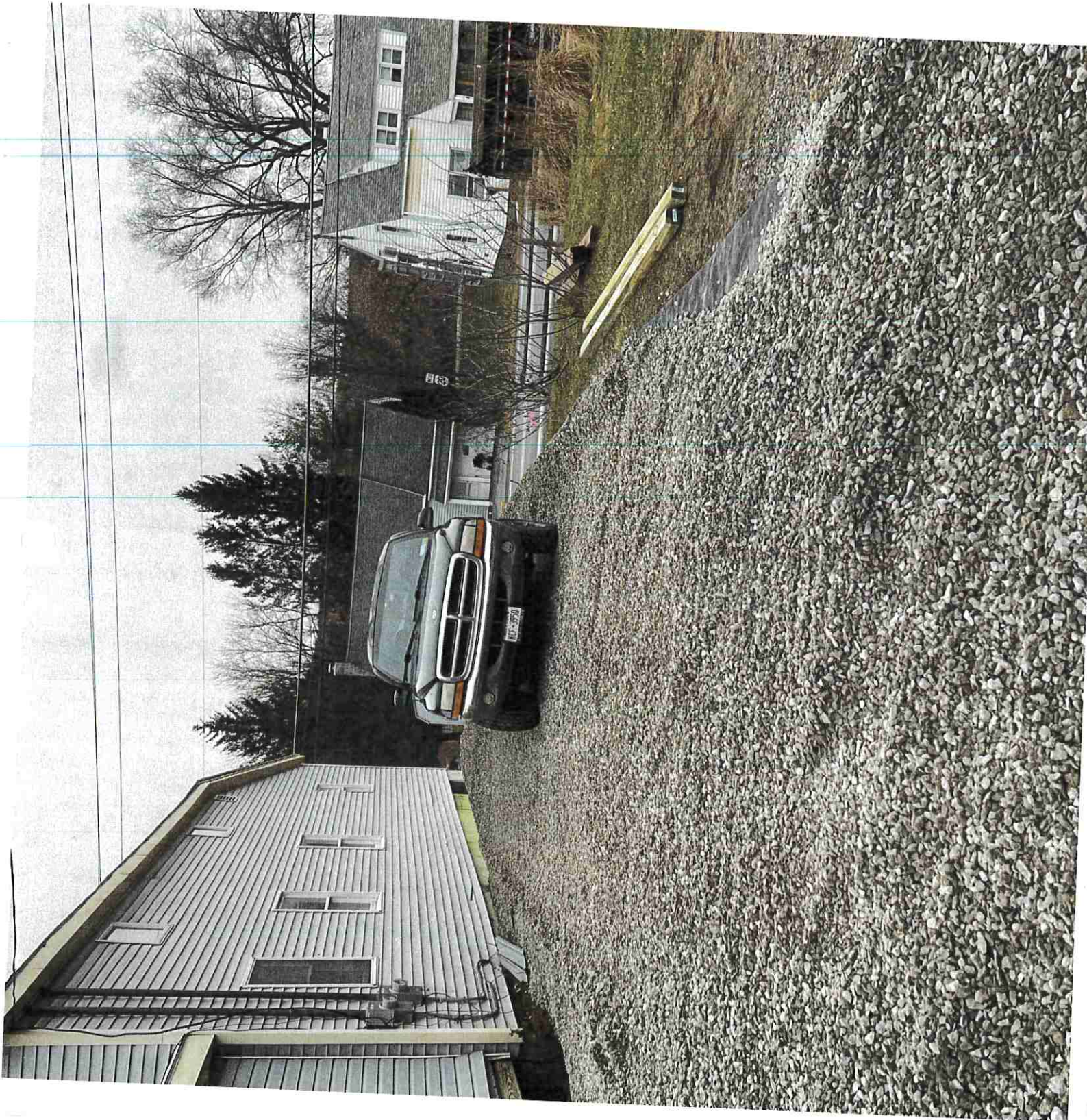
Section 239-m of the general Municipal Law requires that within 30 days after final action, the referring body shall file a report of the final action it has taken with the Schenectady County Department of Economic Development and Planning. A referring body which acts contrary to a recommendation of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

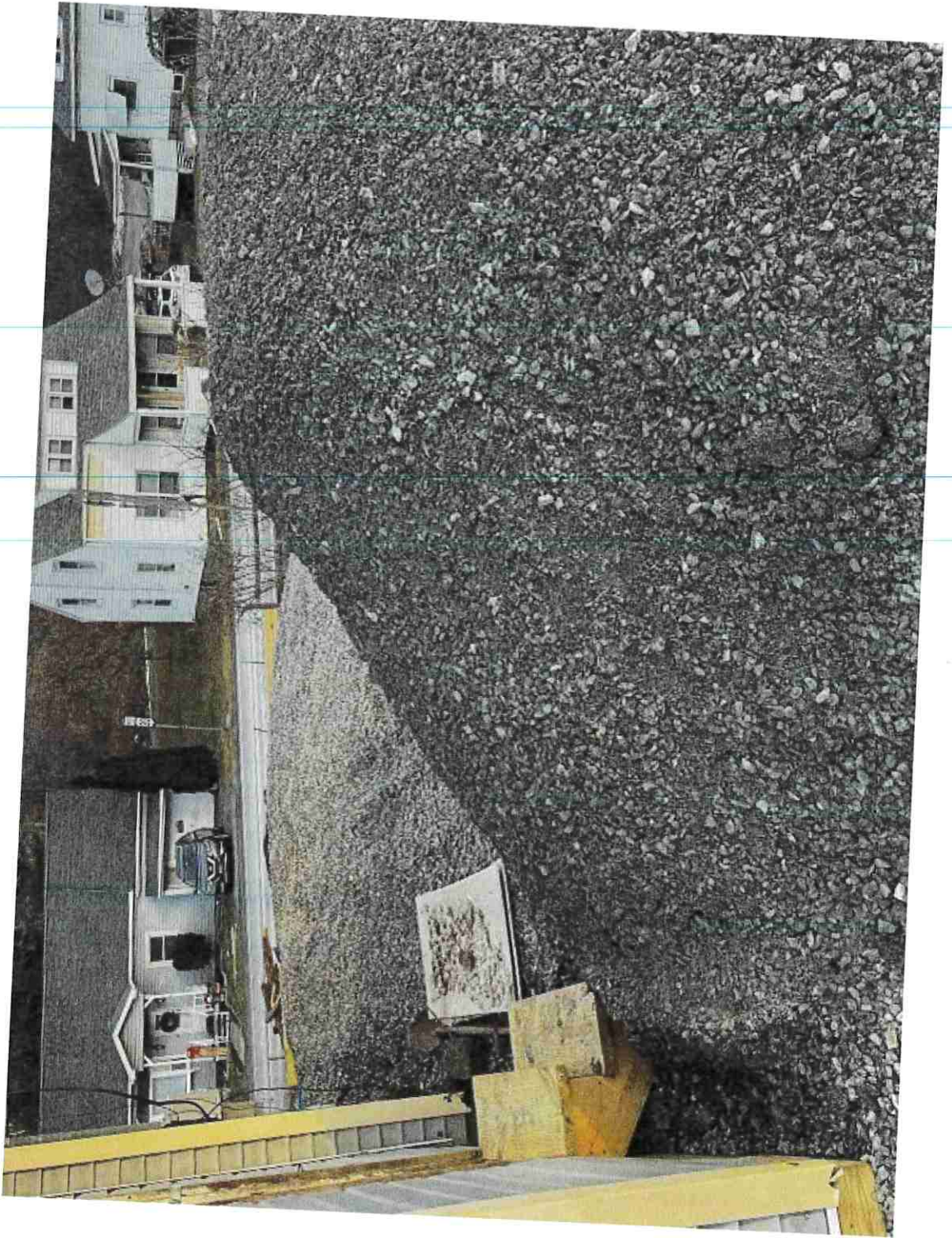
Date

1/17/24

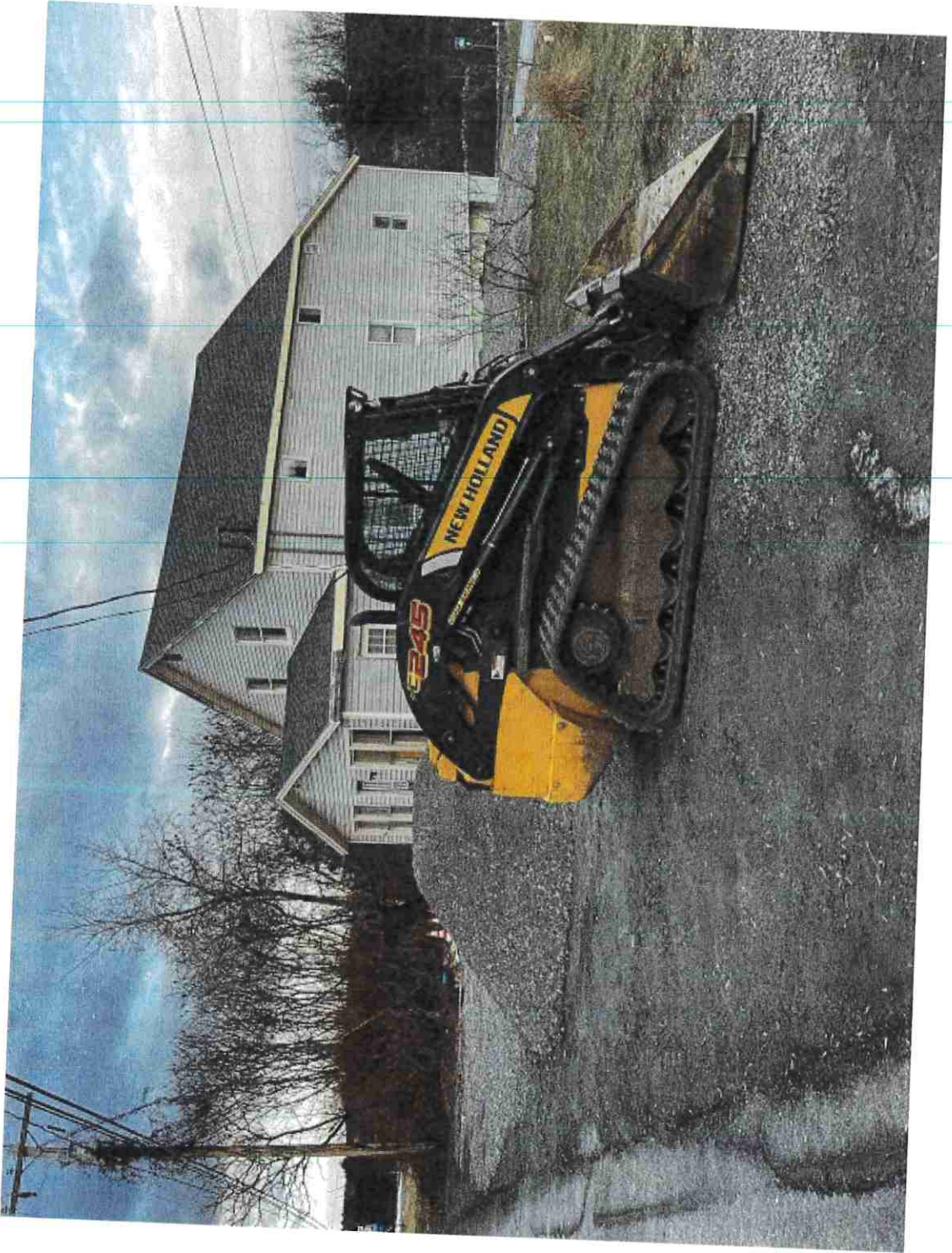

Ray Gillen, Commissioner
Economic Development and Planning



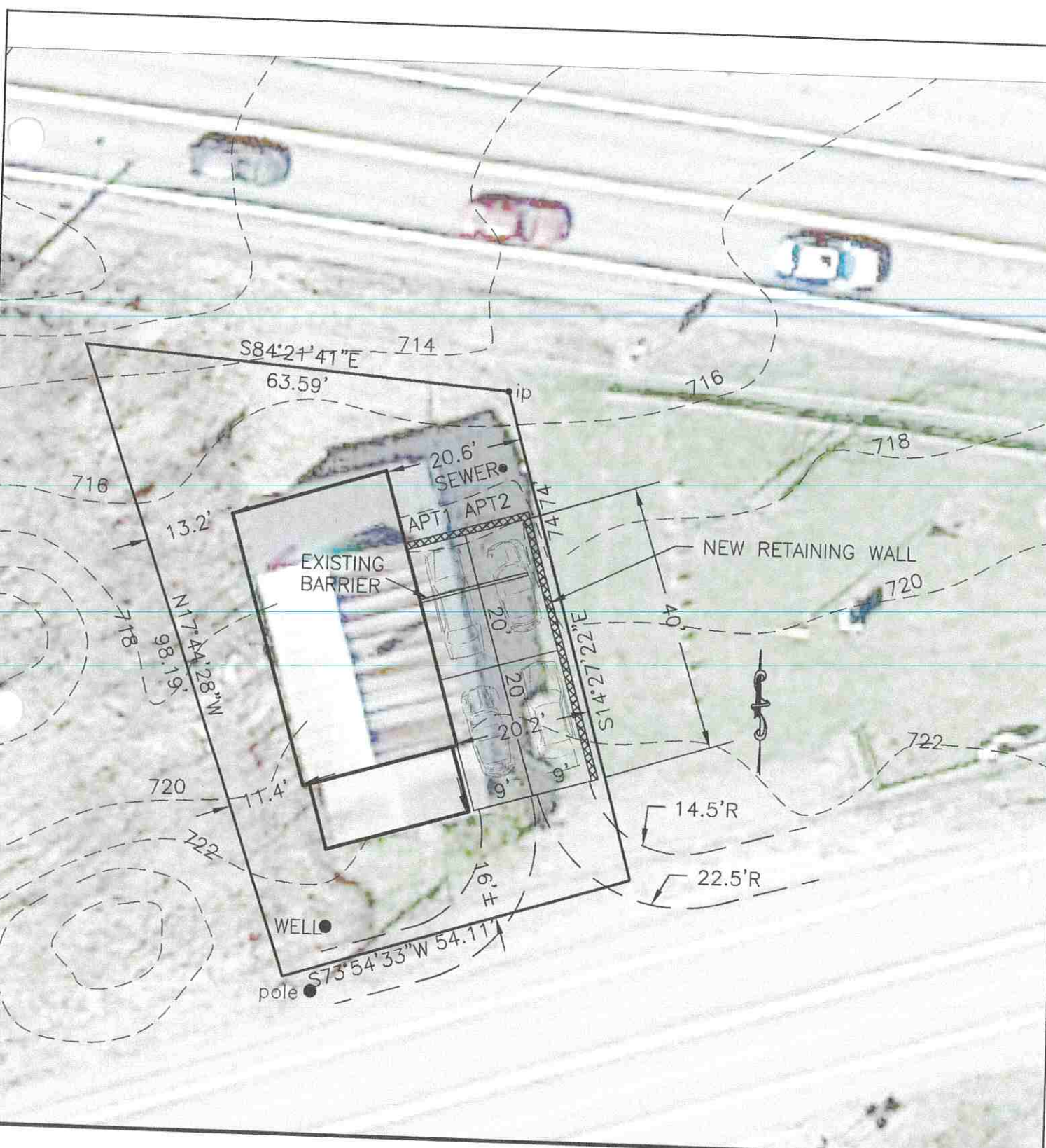












SCALE: 1"=20'
 DATE: FEB 8, 2024

TOM SAMUELSON
 6928 DUANESBURG ROAD
 DUANESBURG NY

DRAWN BY: L. MANUS
 REVISED

2 FAMILY PARKING
L M Associates
 Consulting Engineering
 P.O. Box 111 Duaneburg, N.Y. 12056
 (518) 875-6765

DRAWING NUMBER
A1

APPLICATION FOR THE PLANNING BOARD
TOWN OF DUANESBURG

Revised 04/12/2017

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

CHECKLIST OF REQUIRED INFORMATION:

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

- Septic system: Soil Investigation completed?
- Sewer System: Which district?
- Basic SWPPP (1≥ & <5)
- Full Storm Water Control Plan (5acres or more)
- Storm Water Control Plan
- Short or long EAF www.dec.ny.gov/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 February 2, 2-24

Application type: Major Subdv Minor Subdv Special Use Permit Site/ Sketch Plan Review LotLine Adjust
Proposal: Construct solar panels (12' in height) on approximately 16.5 acres of the property, including 2 equipment pads, gravel access drive and perimeter fencing. Remaining portion of site consisting of trees and light brush will remain as is.
 No buildings are proposed Section 8 of zoning Ordinance.

Present Owner: Charles Rhoades (AS APPEARS ON DEED!)
 Address: 3364 US Route 20, Sloansville, NY Zip code: 12160
 Phone # (required) 518-231-2694

Applicants Name (if different): Kruger Energy Phone# (required) 203-851-3840
Location of Property (if different from owners) 909 Alexander Road
 Tax Map # 65.00-2-15-1 Zoning District R-2

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 (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 2/2/24

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: 02/02/24

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>Kruger Energy</u>	Name: <u>Charles Rhoads</u>
Address: <u>3285 Chemin Bedford</u> <u>Montreal, Quebec H3S 1G5</u>	<u>3364 US Route 20,</u> <u>Sloansville, NY 12160</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:
Applicant proposes the construction of a 4.199KW-AC Photovoltaic Plant with a service/emergency access roadway and the related electrical appurtenances. Stormwater management practices will be installed to meet NYSDEC requirements.
3. Location of project: Address: 909 Alexander Road
Tax Map Number (TMP) 65.00-2-15.11
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. None

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]
Sponsor for Applicant
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.