

# STORMWATER POLLUTION PREVENTION PLAN

FOR

## 909 ALEXANDER ROAD COMMUNITY SOLAR

TOWN OF DUANESBURG  
SCHENECTADY COUNTY, NEW YORK

**PREPARED FOR:**

KRUGER ENERGY, L.P.  
3285 CHEMIN BEDFORD  
MONTREAL, QUEBEC, CANADA H3S 1G5

**PREPARED BY:**

Arico Associates  
1407 Route 9, Bld.2, Suite 6  
Clifton Park, New York 12065

ARICO ASSOCIATES PROJECT ID: 23.06

**FEBRUARY 2024**



## **Introduction and Background**

In 1972, Congress passed the Federal Water Pollution Control Act (FWPCA), also known as the Clean Water Act (CWA), to restore and maintain the quality of the nation's waterways. The ultimate goal was to ensure that rivers and streams were fishable, swimmable, and drinkable. In 1987, the Water Quality Act (WQA) added provisions to the CWA that allowed the United States Environmental Protection Agency (EPA) to govern stormwater discharges from construction sites. In 1998, EPA published the final notice for General Permits for Stormwater Discharges from Construction Activities Disturbing 5 Acres or Greater (63 Federal Register 7898, February 14, 1998). The general permit includes provisions for development of a SWPPP to maximize the potential benefits of pollution prevention and sediment and erosion control measures at construction sites.

Development, implementation, and maintenance of the SWPPP will provide the General Contractor with the framework for reducing soil erosion and minimizing pollutants in stormwater during site work construction of 909 Alexander Road Community Solar (Project).

The Final SWPPP will:

- Define the characteristics of the site and the type of construction which will occur;
- Describe the site plan for the development to be constructed;
- Describe the practices that will be implemented to control erosion and the release of pollutants in stormwater;
- Create an implementation schedule to ensure that the practices described in this SWPPP are implemented and to evaluate the plan's effectiveness in reducing erosion, sediment, and pollutant levels in stormwater discharged from the site; and
- Describe the final stabilization/termination design to minimize erosion and prevent stormwater impacts after construction is complete.

## **SWPPP Summary Content**

This SWPPP Narrative has been prepared in summary and is based on the current level of design, in accordance with the regulations, guidelines, and conditions set forth in the Construction Stormwater General Permit, NYS Stormwater Pollution Prevention Plan (SWPPP) Design Manual, January 2015 and NYSDEC GP-0-20-001 Permit Requirements.

The following documentation is to provide the accreditation that the stormwater management plan being proposed will meet and or exceed the standards for the GP-0-20-001. This summary report, upon review by Town of Duanesburg and other agencies having jurisdiction, will be updated accordingly to a Full SWPPP for permitting and construction.

## **Applicant and Existing Site**

The project applicant, Kruger Energy LLC and current owner is Charles Rhoades, located at 3364 US Route 20, Sloansville, New York are pursuing approvals for a 4.2 MW alternating current (AC) community solar energy generation facility.

The Project is located at 909 Alexander Road in the Town of Duanesburg, New York. The total Project footprint is approximately 49± acres. The Project includes the development of a 4.2 MW alternating current (AC) community solar energy generation facility on 36± acres of the 49± acres.

The project site is located on the east side of Alexander Road, between NYS Route 20 (Western Turnpike) and County Rt 395 (Main Street) in the Town of Duanesburg, County of Schenectady, New York. The site is comprised of open area comprised of meadows, intermittent tree growth and gravel access roads). There are no structures within the site to be removed prior to construction of the solar facility.

There is an existing access drive for the parcel located at the northwest portion of the property from Alexander Road. The parcel is bounded by Lands N/F of Anne Marie Talent to the north; Lands N/F of Charles Rhodes to the east; Lands N/F of Scott Perillo and Jason Grier % Deborah Grier to the south; and Tracy Smith & Lisa Whitney Smith and Harry Ringmacher to the east. The adjacent properties are developed as residential and agricultural uses. The parcel is identified as Tax Map Number 65.00-2-15.11 (NYSDEC Stormwater Mapper Coordinates: LAT 42.748, LONG -74.190).

### **Soils and Topography**

Soil information for the site was obtained from the Natural Resources Conservation Service Web Soil Survey for Schenectady County at <http://websoilsurvey.sc.egov.usda.gov>. According to soil mapping and descriptions provided, soil types found on-site generally consist of the following: Arnot channery silt loam, 0 to 8 percent slopes, well drained; Lordstown-Rock outcrop, well drained; Tuller channery silt loam Somewhat poorly drained; and Varick silt loam, 0 to 3 percent slopes poorly drained.

The topography of the site is varied, with steep sections and flatter plateaus. Approximately 80% of the site drains to the south. The drainage area of the site is tributary to the Normans Kill which is tributary to the Hudson River. The topography of the property will not be altered and minor grading will be completed to level the existing gravel access drives.

### **Proposed Site Development**

The Project will include photovoltaic (PV) modules, string inverters, medium voltage transformers, an electrical collection system, access roads, a generator tie-in line, and perimeter security fencing. The Project parcel is a wooded area with surrounding land use that includes low-density residential developments and undeveloped wooded areas.

Access to the site will be from Alexander Road. Ground-mounted solar energy facilities of this type minimize the need for grading (earth disturbance) of the site. The earth disturbance for this project will include minor grading associated with tree stumping; brush clearing; and gravel access drives. Additional earth disturbance will occur during the screw installation, trenching for electrical conduits, and shallow excavation for concrete electrical equipment pads. Remaining areas of the site will not require any disturbance.

### **Stormwater Characteristics, Management & Drainage**

To determine the peak rate of discharge for existing and proposed conditions, a runoff curve (CN) analysis was performed to determine whether any changes in runoff characteristics would occur. National Conservation Soils Service was utilized to determine the soil types, the soil hydrological soil groups (previously mentioned) and the cover type to determine a pre-development runoff curve number and a post-development runoff curve number. The site contains primarily Hydrological Soil Group D.

Accordingly, the table below shows the calculated weighted SCS Runoff Curve Number (CN) is 82 for the pre-development site and the resulting post-development weighted CN is 82 based on the underlying soils types and post-construction cover. HydroCAD analysis that was performed to ensure resultant peak

flows do not exceed existing conditions.

	<u>HSG</u>	<u>CN</u>	<u>Existing</u>	<u>Proposed</u>	<u>Change</u>
Total Site	-	-	53.6 acres	53.6 acres	0.0 acres
Gravel surfaces	D	96	1.27 acres	0.98 acres	-0.29 acres
Woods/grass combo	D	86	23.30 acres	22.87 acres	-0.43 acres
Meadows	D	78	29.03 acres	29.75 acres	+0.73 acres

Since there is no change in the CN values due to limited changes in surface condition, an evaluation of pre- and post- development flow rates and volumes, each development area is described below showing the comparison of the proposed development and surrounding areas to existing conditions. Based on surface conditions being equal, the time of concentration of 60-minutes was used for both pre- and post-development conditions.

Storm Event	Q <sub>1-yr</sub>		Q <sub>10-yr</sub>		Q <sub>100-yr</sub>	
	cfs	af	cfs	af	cfs	af
Pre-Developed	19.11	2.99	47.96	7.34	101.64	15.79
Post-Developed	19.11	2.99	47.96	7.34	101.64	15.79
% change	0.00	0.00	0.00	0.00	0.00	0.00

As shown above, overall post-development peak stormwater runoff rates for the project are equal to the pre-development peak stormwater runoff rates. Therefore, proposed project will not increase the rate of runoff.

In conclusion, based on drainage patterns and peak flows compared relatively to pre-developed and post-developed conditions, the improvements being proposed will not affect present or future downstream conditions relative to flow or sedimentation.

Based on this conclusion, there is no further analysis is provided for stormwater management and a Notice of Intent (NOI) for permitting is not applicable. A detailed erosion and sediment control plan will be provided accordingly in addition to the measures described below.

### **Erosion and Sediment Controls**

During construction, the Operator will comply with the measures provided in this SWPPP and conduct construction activities in such a manner that is in accordance with GP-0-20-001 conditions. It is the Operator's responsibility not to undertake more than that magnitude of work that can be safely and adequately controlled by the methods at their disposal. The Operator's approach must emphasize preventing erosion before it occurs as opposed to treating sediment- laden storm water runoff.

The Erosion Control Plan proposed will represent the suggested best management practices proposed for the project. The Contractor's approach to controlling storm water runoff from the site may vary; however, they must update this SWPPP to reflect the changes and appropriate corresponding erosion control measures using the Progress Maps and the SWPPP Amendment form.

The use of erosion and sedimentation controls is mandatory and must be employed to minimize impacts to adjacent areas during the construction. If sediment escapes the construction site, off- site accumulations of sediment must be removed at a frequency sufficient to minimize off-site impacts.

The control practices which are required to control storm water pollution during construction must



remain functional until disturbed areas have been stabilized. Erosion control products are to be installed and maintained in accordance with manufacturer's specifications and good engineering practices. During all phases, the Erosion and Sediment Control BMPs outlined in the following sections must be inspected based the inspection frequency discussed. In addition, stabilization measures must be instituted on disturbed areas as soon as practicable, but no more than 14 days after construction activity has temporarily or permanently ceased on any portion of the site.

### **Construction Phasing and Best Management Practices (BMPS)**

Construction activities will be sequenced in order to minimize site disturbance, protect sensitive natural features, and prevent soil erosion and sediment transport. The intended construction sequence and timing of major activities are identified below.

**Site Preparation.** The limits of disturbance shall be identified. Erosion and sedimentation control systems shall be placed in accordance with the plans and/or where erosion and sedimentation may occur. Erosion and sediment control systems will be placed as dictated by site conditions in order to maintain the intent of the specifications of the SWPPP and/or contract documents. Clearing and grubbing and removal of any trees, other vegetation and/or excavation from areas to be disturbed may begin only when erosion and sediment control systems are in place and fully functional. Place construction trailers (if any) and portable toilets.

#### **Construction Phasing**

During Phase I of the project the stabilized construction entrance will be installed, perimeter erosion control protection installed, and establishment of stockpile areas.

During Phase II of the project construction activities will commence and include trench and concrete equipment pad excavation and pile driving or screw installation for the solar module racking solution. All of the BMPs installed to date will continue to be used during Phase II until final stabilization is achieved. In addition, the following measures will be used during Phase II.

During Phase III of the project construction, electrical wiring activities will constitute the majority of the work on site. Hydroseeding of disturbed areas will be completed. All of the BMPs installed to date will continue to be used during Phase III.

All BMPS's implemented to date will continue to be used during Phase III until the site reaches permanent stabilization.

**Stabilized Construction Exit:** At the beginning a stabilized construction exit must be installed at the location where vehicles are expected to enter and/or exit the site in order to prevent the off-site tracking of sediment onto adjacent public roadways. The stabilized construction entrances will consist of compacted two to three inch (2"-4" thickness) crushed stone, placed over a layer of geotextile fabric (to provide separation from the underlying soil and prevent the stone from being ground down into the soil). The stabilized construction entrance must be wide enough to cover the entire width of the entrance/exit and allow two vehicles to pass comfortably, and it should be flared where it meets the public roadway to accommodate longer construction vehicles. The stabilized construction entrance must be long enough to allow mud and sediment to become dislodged from vehicle tires, and/or a minimum of fifty (50') in length.

Over the course of construction, the stabilized construction entrance will become filled with

accumulated sediment. The Contractor must inspect the stabilized construction entrance and adjacent public roadways for off-site sediment tracking and repair the entrance as necessary (remove accumulated sediment and add new stone as necessary). If tracking onto public roadways does occur, the streets in the vicinity of the stabilized construction entrance shall be swept immediately. The stabilized construction entrance shall not be removed until just prior to project completion.

**Mulch Tube/Silt Fence:** At the beginning a combination of mulch tube and silt fence or just silt fence shall be installed to prevent sediment laden runoff from leaving the site. In addition, silt fence will be used on the down gradient sides of material stockpile areas.

The mulch tubes consist of a tube of mulch placed along a contour if possible. The tubes intercept and slow sheet flow runoff. Mulch tubes shall be firmly staked. Accumulated sediment must be removed from the tubes when it reaches ½ of the height of the tube. Silt fence is a sediment control BMP consisting of a length of geotextile fabric stretched between anchoring posts spaced at regular intervals along the site at low/down-slope areas. The geotextile fabric must be entrenched in the ground between the support posts. Silt fence is effective in treating low velocity sheet flow and is not intended for use in areas of concentrated or channelized flow. Silt fence must be inspected for rips, tears, and gaps between the fence and the ground. An adequate reserve of silt fence must be kept on site at all times for emergency and/or routine replacement. Silt fence shall be entirely removed only after exposed soils in the contributing drainage area are stabilized. Silt fence can also be used as an effective perimeter control to contain stockpiles of topsoil or other erodible material.

**Stockpile Management:** Stockpiles of erodible material, including any topsoil salvaged during construction, must be surrounded by a perimeter sediment control such as silt fence to prevent storm water runoff from being contaminated by eroded sediment. Stockpiles of erodible material must be stabilized utilizing a temporary stabilization technique if they remain inactive for more than fourteen (14) days. Stockpiles must be located at least 100 feet from wetland resource areas (i.e. bordering vegetated wetlands and Buffer zone). Stockpile locations must be tracked using the Site Maps included in Appendix A.

**Dust Control:** Dust control BMPs are various means and methods of preventing soil erosion by wind. During all stages of the project generation of dust must be minimized to prevent air and water pollution as well as minimize risks to human health. Earthmoving activities are the primary source of dust generation during construction, but traffic on un-stabilized access roads and sediment transport by wind blowing across exposed soil surfaces can also be contributing factors. The most effective dust control BMPs for preventing wind erosion involve stabilizing (temporary or permanent) exposed soils. However, where soil stabilization is not practical techniques that increase soil moisture and encourage the formation of soil clods or reduce wind velocity at the soil surface are also effective. The following dust control BMPs are typically used on construction sites:

- **Watering/Irrigation:** Sprinkling the ground surface with water until it is moist.
- **Soil Stabilization:** Vegetative cover, mulch, riprap or any method that covers the soil surface reduces the potential for soil particles to become airborne.
- **Wind Breaks:** Wind breaks are barriers (either natural or constructed) that reduce wind velocity across exposed soil surfaces and reduces the potential for soil particles become airborne. Wind breaks can be trees or shrubs left in place during site clearing or constructed barriers such as a wind fence.
- **Soil Roughening:** Deep tillage in large areas of exposed soil brings soil clods to the surface preventing soil particles from becoming airborne.

**Temporary Sediment Basins/Traps:** If temporary sediment basins/traps/swales are needed at the beginning, basins must provide 3,600 cubic feet of storage per acre drained and disturbed. Temporary sediment basins are a sediment control BMP that consist of an excavated or natural depression that detains/retains storm water runoff allowing sediments to settle out of suspension prior to discharge via a suitably stabilized outlet. They also provide an opportunity for storm water infiltration. The temporary sediment basin's side-slopes and bottom must be appropriately stabilized prior to directing runoff to it. Accumulated sediment must be removed when it reaches 33% of the design volume capacity of the basin in order to maximize sediment settling potential and minimize the possibility of sediment washout during high intensity/long duration storm events. The basins will include a controlled outlet structure consisting of a perforated riser pipe packed in gravel which allow for further reduction of sediment prior to discharge. Traps will include a rip rap spillway.

**Temporary Stabilization:** Stabilization measures must be initiated as soon as practicable on portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased. Temporary stabilization refers to a variety of erosion control BMPs that protect exposed soils from the erosive forces of precipitation (raindrop and sheet erosion) and/or prevent the formation of channelized flow (rill, gully and channel erosion). The Contractor must inspect temporarily stabilized areas to assess the effectiveness of temporary stabilization BMPs and replace/repair them as necessary. The following temporary stabilization BMPs are typically used on construction sites and may be used by the Contractor for this project:

**Erosion Control Blankets:** Erosion control blankets are erosion control BMPs consisting of natural or synthetic geotextile fabrics formed into long sheets or mats that are rolled out over exposed soils and fastened with stakes, pegs or staples. They are used in areas where high runoff velocity makes traditional mulching ineffective. Blankets are highly effective at stabilizing steep slopes (3:1 or greater) and can be used to stabilize areas of concentrated flow such as swales.

**Soil Roughening:** Soil roughening is an erosion control BMP that involves creating grooves or impressions in exposed soil surfaces with tracked construction equipment (bulldozer, excavator, etc.). Slopes that are not fine graded or smoothed but left in a roughened condition reduce erosion by decreasing slope length and runoff velocity, increasing infiltration, trapping sediment, and allowing seed to take hold and grow. It is critically important that the impressions be made perpendicular to the slope contours (never parallel to the contour); improper use of this technique can actually accelerate erosion. Soil roughening shall be used as a last resort.

**Temporary Seeding:** Temporary seeding is an erosion control BMP that consists of using select varieties of grasses to establish vegetative cover. Temporary seeding utilizes annual species that establish quickly, are not persistent or invasive, but provide long term temporary cover (as opposed to the perennial species used in permanent seeding for final stabilization). Within 7-days after construction activity ceases on any particular area, all disturbed ground where there will not be construction for longer than 21-days must be seeded with fast-germinating temporary seed and protected with mulch.

**Temporary Diversion Ditches:** Temporary diversion ditches are an option to divert runoff away from construction area. Temporary drainage ditches are a runoff control BMP consisting of a ditch or excavation installed as a means of conveying storm water runoff to temporary sediment basins/traps (or other sediment control BMPs) while soil disturbing construction activities are ongoing. The temporary

drainage ditch side-slopes and bottom must be appropriately stabilized prior to directing runoff to it. The temporary ditches will include stone check dams (see below). Temporary drainage ditches may be constructed as needed at locations determined by the Operator. This is done to account for unanticipated on-site field conditions.

**Concrete Washout Area:** Concrete washout areas consist of a prefabricated or site-built impermeable containment area sized to hold concrete wastes and wash water (including one (1) foot freeboard). Concrete washouts are used to contain concrete and liquids when the chutes of concrete mixers and hoppers of concrete pumps are rinsed out after delivery. The washout facility consolidates solids for easier disposal and prevent runoff of liquids. The wash water is alkaline and contains high levels of chromium, which can leach into the ground and contaminate groundwater. It can also migrate to a storm drain, which can increase the pH of area waters and harm aquatic life. Solids that are improperly disposed of can clog storm drain pipes and cause flooding. The concrete washouts must be constructed prior to placement of concrete on-site. The concrete washout area must be located in an area where its likelihood of contributing to storm water discharges is negligible. Washouts shall be located outside of any wetland resource area and 100' from buffer zones to wetlands.

These specially designated areas should be properly signed, and onsite personnel instructed in their proper use. The hardened residue from the concrete wash out area will be disposed of in the same manner as other non-hazardous construction waste materials or may be broken up and used onsite as appropriate. It is the responsibility of the Contractor to ensure that these procedures are followed. The Contractor must track concrete washout locations on the Progress Map if they are moved or if additional concrete washouts need to be constructed.

**Permanent Stabilization:** Permanent stabilization refers to a variety of erosion control BMPs that allow a construction project to achieve "final stabilization." Final stabilization is defined in Appendix A of GP-0-20-001 as: a uniform, perennial vegetative cover with a density of eighty percent (80%) over the entire pervious surface has been established, or other equivalent permanent stabilization measures have been employed.

**Decompaction of Existing Soils.** Upon removal of any existing pavement areas, heavily traveled areas and/or areas that appear to be over compacted shall undergo a de-compaction application to restore soil porosity and permeability.

**Installation of Utilities.** Utilities will be installed once rough grading activities are completed and all exposed slopes are temporarily stabilized. Fill areas shall be compacted and stabilized.

**Landscaping.** Topsoil shall be spread on areas to be landscaped and disturbed areas will be planted/seeded in accordance with approved plans.

**Permanent Seeding.** All areas at final grade must be seeded within 7-days after completion of the major construction activity. Except for small level spots, seeded areas should generally be protected with mulch. Permanently seed and mulch cut slopes as excavation proceeds to extent considered desirable and practicable. Slopes exposed by the Road Construction are deemed fully stabilized and complete when turf grass cover provides permanent stabilization for at least 80% of the disturbed soil surface, exclusive of pavement areas.



**New York State  
Parks, Recreation and  
Historic Preservation**

**KATHY HOCHUL**  
Governor

**ERIK KULLESEID**  
Commissioner

April 05, 2023

Daniel Parker  
Consultant  
45north Renewable Energy  
330 May Rf  
Potsdam, NY 13676

Re: SEQRA -  
Rhoades Community Solar/4.2 MW (AC)/49 acres  
909 Alexander Rd, Duanesburg, NY 12053  
23PR02806

Dear Daniel Parker:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the opinion of OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project.

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

Sincerely,

R. Daniel Mackay

Deputy Commissioner for Historic Preservation  
Division for Historic Preservation

rev: D. Bagrow

**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: Proposed PV Plant		
Project Location (describe, and attach a general location map): 909 Alexander Road, Duanesburg, NY		
Brief Description of Proposed Action (include purpose or need): 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.		
Name of Applicant/Sponsor: Kruger Energy L.P.		Telephone: 514-343-3100 E-Mail: michael.frenette@kruger.com
Address: 3285 Chemin Bedford		
City/PO: Montreal	State: Quebec	Zip Code: H3S 1G5
Project Contact (if not same as sponsor; give name and title/role): Michael Frenette (Director, US Community Solar)		Telephone: 514-343-3100 E-Mail: michael.frenette@kruger.com
Address: 3285 Chemin Bedford		
City/PO: Montreal (Quebec) H3S 1G5	State: Quebec	Zip Code: H3S 1G5
Property Owner (if not same as sponsor): Charles Rhoades		Telephone: 518-231-2694 E-Mail: RhoadesCharlie1@aol.com
Address: 3364 US Route 20		
City/PO: Sloansville	State: NY	Zip Code: 12160

**B. Government Approvals**

<b>B. Government Approvals, Funding, or Sponsorship.</b> ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
<b>Government Entity</b>	<b>If Yes: Identify Agency and Approval(s) Required</b>	<b>Application Date (Actual or projected)</b>
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	Town Planning Board - Site Plan Approval, Special Use Permit	10/2/2023
c. City, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Zoning Board	Approved
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town Building Permit	6/1/24
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Planning Board	3/1/24
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Wetlands	3/1/24
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**

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

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
 If Yes, what is the zoning classification(s) including any applicable overlay district?  
 Agricultural and Residential (R-2)

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 District

b. What police or other public protection forces serve the project site?  
New York State Police

c. Which fire protection and emergency medical services serve the project site?  
Duanesburg Volunteer Fire District

d. What parks serve the project site?  
Van Patten Mill Park, Robert B. Shafer Memorial Park, Duanesburg School District Community Playground

**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)? Utility-scale solar energy system

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ 53.59+/- acres  
 b. Total acreage to be physically disturbed? \_\_\_\_\_ >1.0 acres  
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ 67.24+/- acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
 If Yes,  
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) \_\_\_\_\_  
 ii. Is a cluster/conservation layout proposed?  Yes  No  
 iii. Number of lots proposed? \_\_\_\_\_  
 iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  No  
 i. If No, anticipated period of construction: \_\_\_\_\_ months  
 ii. If Yes:  
 • Total number of phases anticipated \_\_\_\_\_  
 • Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
 • Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



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

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,  
 i. Total number of structures 9360  
 ii. Dimensions (in feet) of largest proposed structure: 12 height; 4 width; and 7 length  
 iii. Approximate extent of building space to be heated or cooled: N/A square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,  
 i. Purpose of the impoundment: stormwater management area  
 ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: Stormwater runoff  
 iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_  
 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): Federal wetlands displayed on attached plan set

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:  
Temporary disturbance of wetlands to allow for installation of solar panel support posts

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

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

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

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No
- If Yes:
- Applicant/sponsor for new district: \_\_\_\_\_
  - Date application submitted or anticipated: \_\_\_\_\_
  - What is the receiving water for the wastewater discharge? \_\_\_\_\_

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

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

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

If Yes:

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

\_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)

\_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)

- ii. Describe types of new point sources. \_\_\_\_\_

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

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

- Will stormwater runoff flow to adjacent properties?  Yes  No

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

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

If Yes, identify:

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

Heavy equipment, delivery vehicles

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

Power generation

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

None

- 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 (CO<sub>2</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
- \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
- \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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

If Yes:

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

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

---

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

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

---

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

If Yes:

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

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

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

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

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

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

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

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

---

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

If Yes:

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

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

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

---

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

i. During Construction:		ii. During Operations:	
• Monday - Friday:	7am-5pm	• Monday - Friday:	As needed
• Saturday:	7am-5pm	• Saturday:	As needed
• Sunday:	NA	• Sunday:	As needed
• Holidays:	NA	• Holidays:	As needed

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

If yes:

i. Provide details including sources, time of day and duration:  
 During construction, it is possible that heavy equipment used for project construction will exceed existing ambient noise levels. This is expected to be between the hours of 7am-5pm Monday through Friday. Work may also occur on Saturdays between the hours of 7am-5pm.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_

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

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 Motion sensor trigger downward facing (dark skles compliant) lighting installed on the project control panels interior to the site.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_

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o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_

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

If Yes:

i. Product(s) to be stored \_\_\_\_\_

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

iii. Generally, describe the proposed storage facilities: \_\_\_\_\_

---

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

If Yes:

i. Describe proposed treatment(s):  
 \_\_\_\_\_  
 \_\_\_\_\_

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

---

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

If Yes:

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

- Construction: \_\_\_\_\_ 1 tons per \_\_\_\_\_ month (unit of time)
- Operation : \_\_\_\_\_ 0 tons per \_\_\_\_\_ month (unit of time)

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

- Construction: All waste materials will be recycled or reused to the maximum extent practical, to avoid disposal as solid waste. Metals, plastics, and glass items that are recyclable are to be placed in a different receptacle than solid waste.
- Operation: Solid wastes generated are to be disposed of at a licensed solid waste facility

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

- Construction: Solid wastes generated are to be disposed of at a licensed solid waste facility
- Operation: Solid wastes generated are to be disposed of at a licensed solid waste facility

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): Photovoltaic Plant, School

ii. If mix of uses, generally describe:  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	1.27	0.98	-0.29
• Forested	23.30	22.87	-0.43
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	27.63	28.35	+0.72
• Agricultural (includes active orchards, field, greenhouse etc.)	0.0	0.0	0.0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.0	0.0	0.0
• Wetlands (freshwater or tidal)	1.4	1.4	0.0
• Non-vegetated (bare rock, earth or fill)	0.0	0.0	0.0
• Other Describe: _____			

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

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

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: \_\_\_\_\_

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**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ 1-5 feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ +/- 18 %

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

Tuller Channery Silt Loam	+/- 57 %
Arnot Channery Silt Loam	+/- 23 %
Varick Silt Loam	+/- 20 %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ 1-7 feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ 41 % of site  
 Moderately Well Drained: \_\_\_\_\_ % of site  
 Poorly Drained \_\_\_\_\_ 59 % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ 60 % of site  
 10-15%: \_\_\_\_\_ 22 % of site  
 15% or greater: \_\_\_\_\_ 18 % of site

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

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h. Surface water features.

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

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

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

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

- Streams: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name \_\_\_\_\_ Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

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

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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:

Deer _____	Rabbit _____	Bees _____
Birds _____	_____	_____

n. Does the project site contain a designated significant natural community?  Yes  No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): \_\_\_\_\_

ii. Source(s) of description or evaluation: \_\_\_\_\_

iii. Extent of community/habitat:

- Currently: \_\_\_\_\_ acres
- Following completion of project as proposed: \_\_\_\_\_ acres
- Gain or loss (indicate + or -): \_\_\_\_\_ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?  Yes  No

If Yes:

i. Species and listing (endangered or threatened): \_\_\_\_\_

Northern Long-eared Bat

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p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?  Yes  No

If Yes:

i. Species and listing: \_\_\_\_\_

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q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  Yes  No

If yes, give a brief description of how the proposed action may affect that use: \_\_\_\_\_

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**E.3. Designated Public Resources On or Near Project Site**

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No

If Yes, provide county plus district name/number: \_\_\_\_\_

b. Are agricultural lands consisting of highly productive soils present?  Yes  No

i. If Yes: acreage(s) on project site? \_\_\_\_\_

ii. Source(s) of soil rating(s): \_\_\_\_\_

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  Yes  No

If Yes:

i. Nature of the natural landmark:  Biological Community  Geological Feature

ii. Provide brief description of landmark, including values behind designation and approximate size/extent: \_\_\_\_\_

---

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  Yes  No

If Yes:

i. CEA name: \_\_\_\_\_

ii. Basis for designation: \_\_\_\_\_

iii. Designating agency and date: \_\_\_\_\_

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: Jenkins Octagon House	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within fives 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>i.</i> Identify resource: _____	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
<i>iii.</i> 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>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> 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.

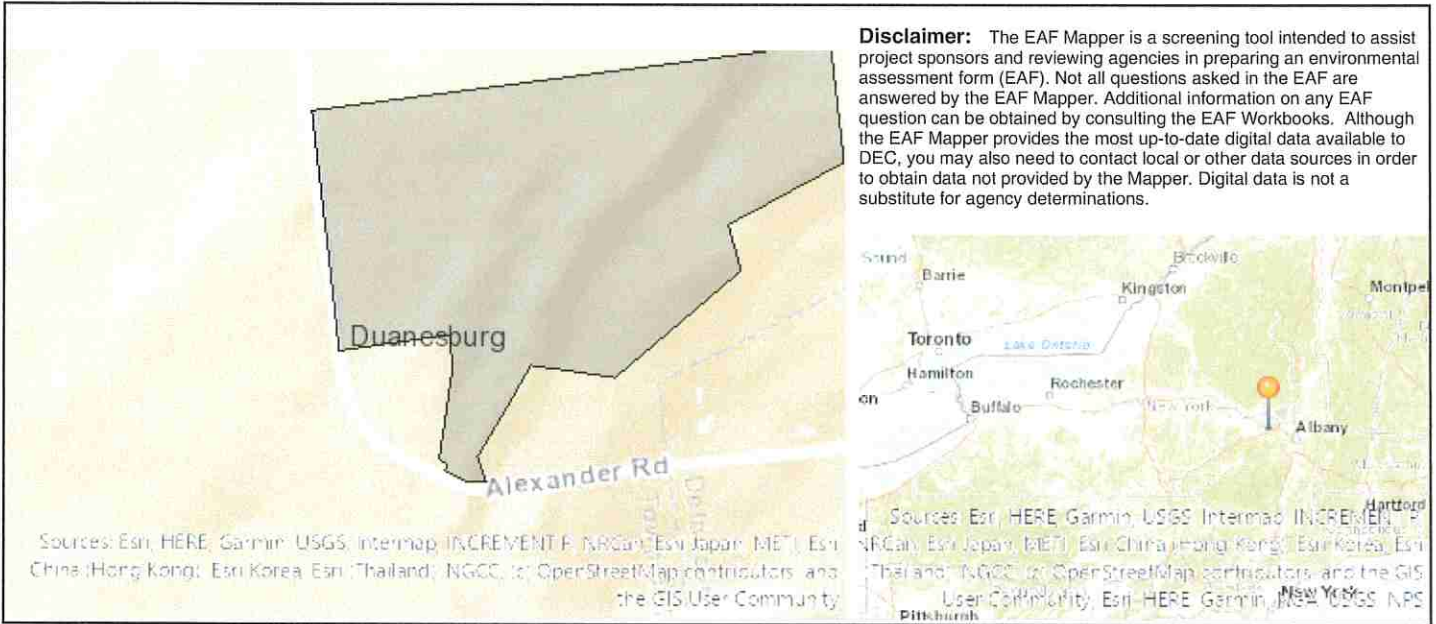
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

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

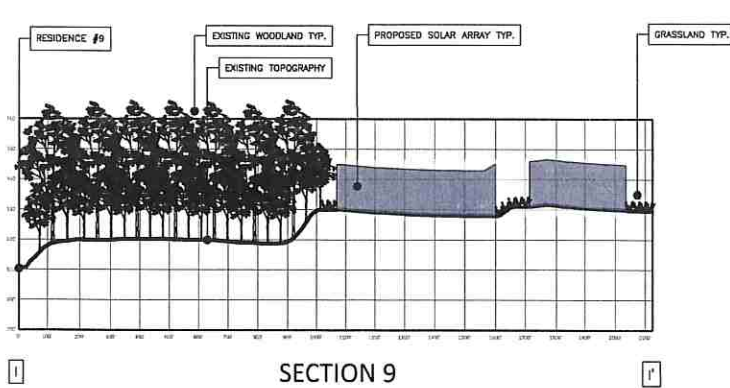
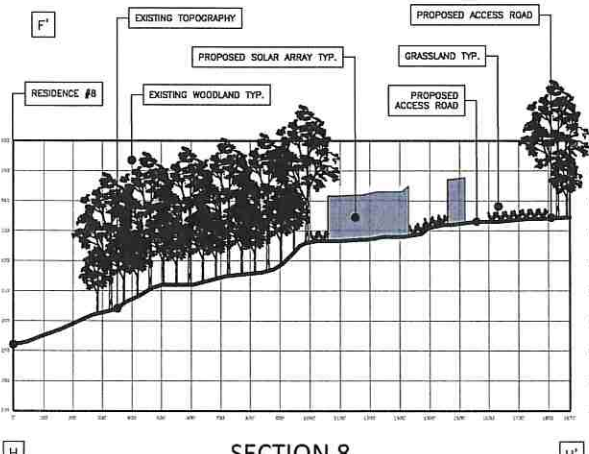
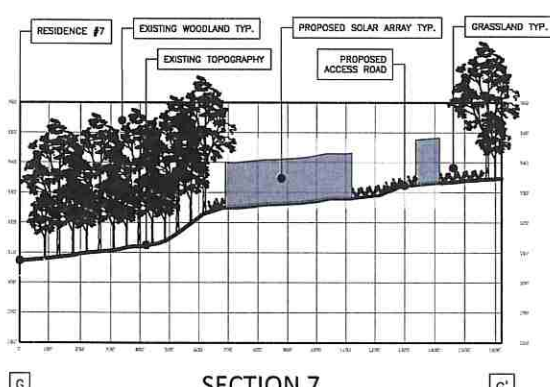
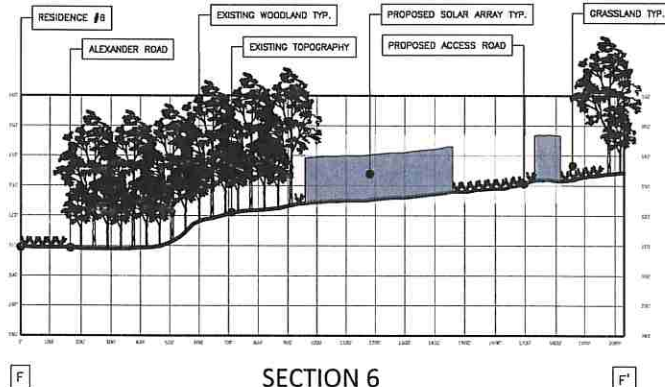
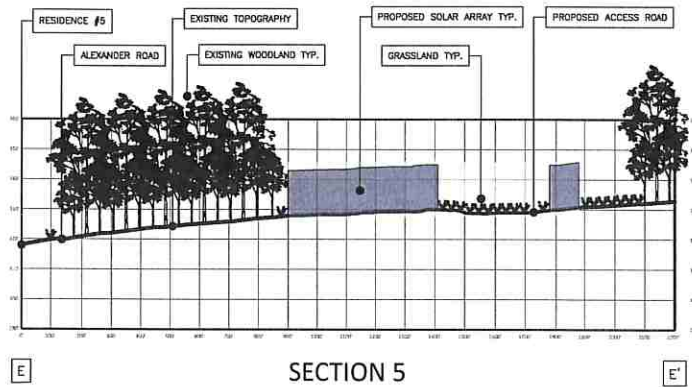
Applicant/Sponsor Name Dominick Arico, Sponsor for Applicant Date February 2, 2024

Signature  Title Project 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.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas: Mohawk Valley Heritage Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.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]	No
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	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
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Jenkins Octagon House
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No



SCALE: NTS

SHEET TITLE: VIEWSHED SECTIONS

SHEET NO. 3 of 3

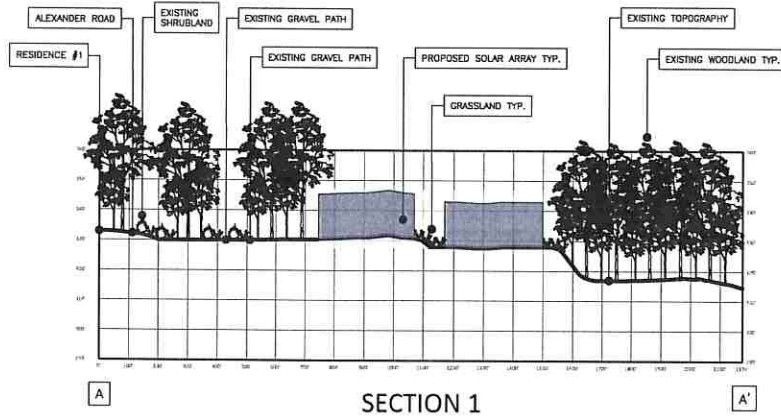
**VIEWSHED ANALYSIS FOR RHOADES SOLAR**

SEPTEMBER 13, 2023  
 ALEXANDER ROAD  
 TOWN OF DUANESBURG  
 SCHENECTADY COUNTY, NEW YORK

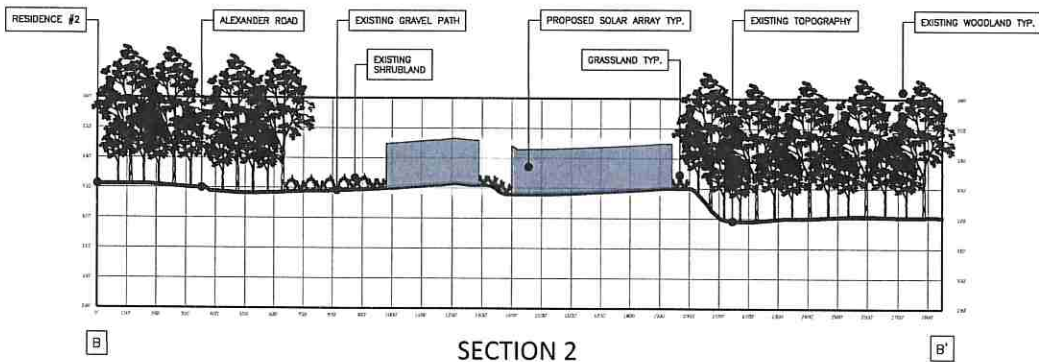
**ENVIRONMENTAL DESIGN PARTNERSHIP, LLP.**

900 Route 146 Clifton Park, New York 12065  
 (518) 371-7621  
 edplp.com

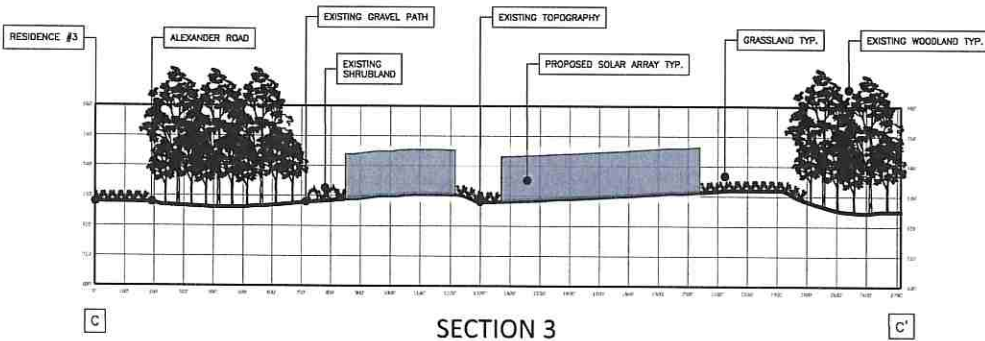




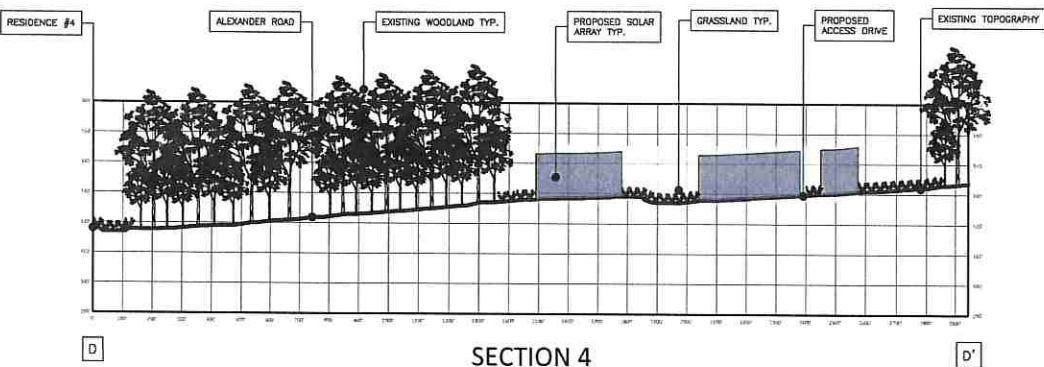
SECTION 1



SECTION 2



SECTION 3

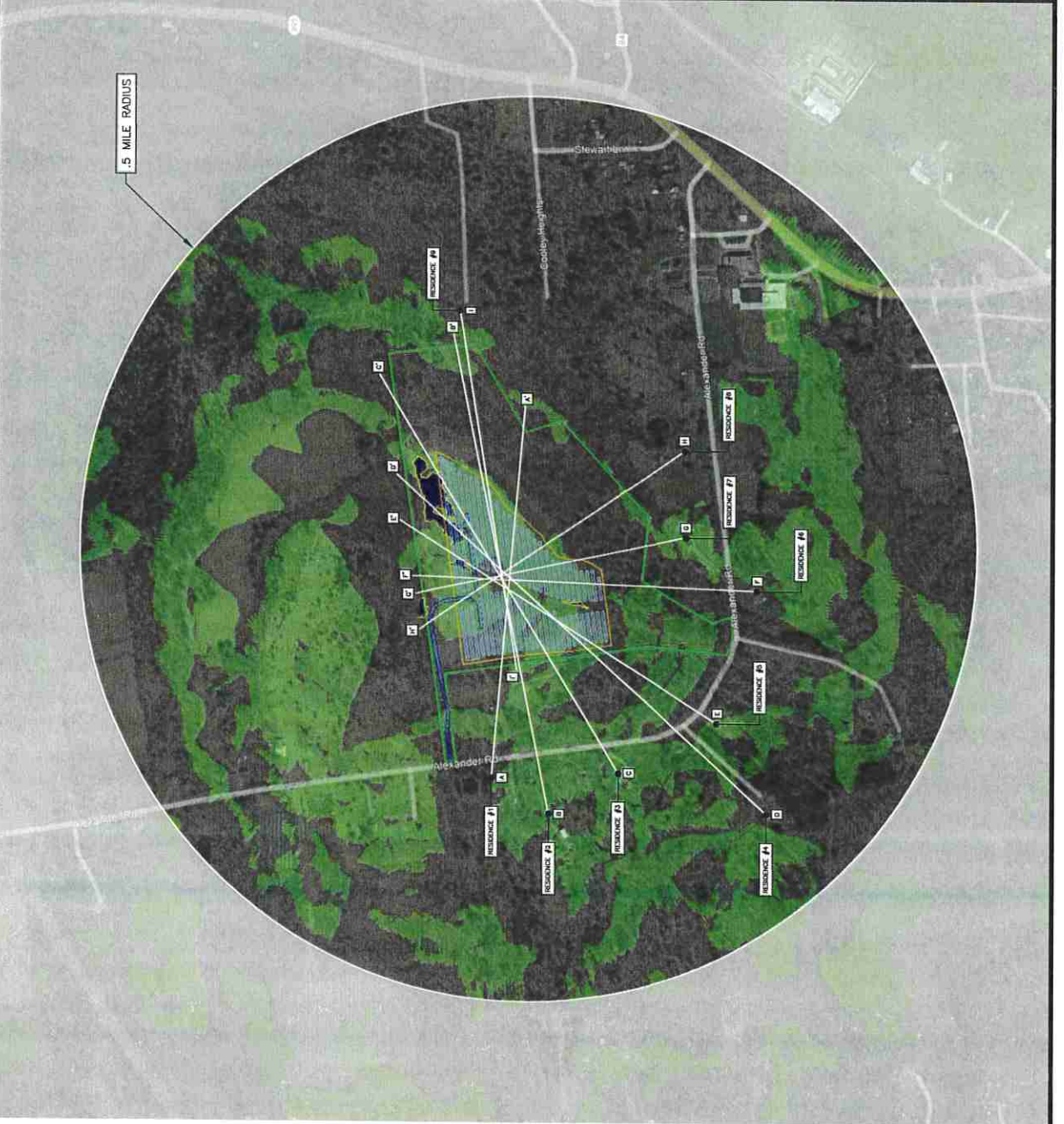


SECTION 4

SCALE: NTS  
 SHEET TITLE: VIEWSHED SECTIONS  
 SHEET NO. 2 of 3

# VIEWSHED ANALYSIS FOR RHOADES SOLAR

SEPTEMBER 13, 2023  
 ALEXANDER ROAD  
 TOWN OF DUANESBURG  
 SCHENECTADY COUNTY, NEW YORK







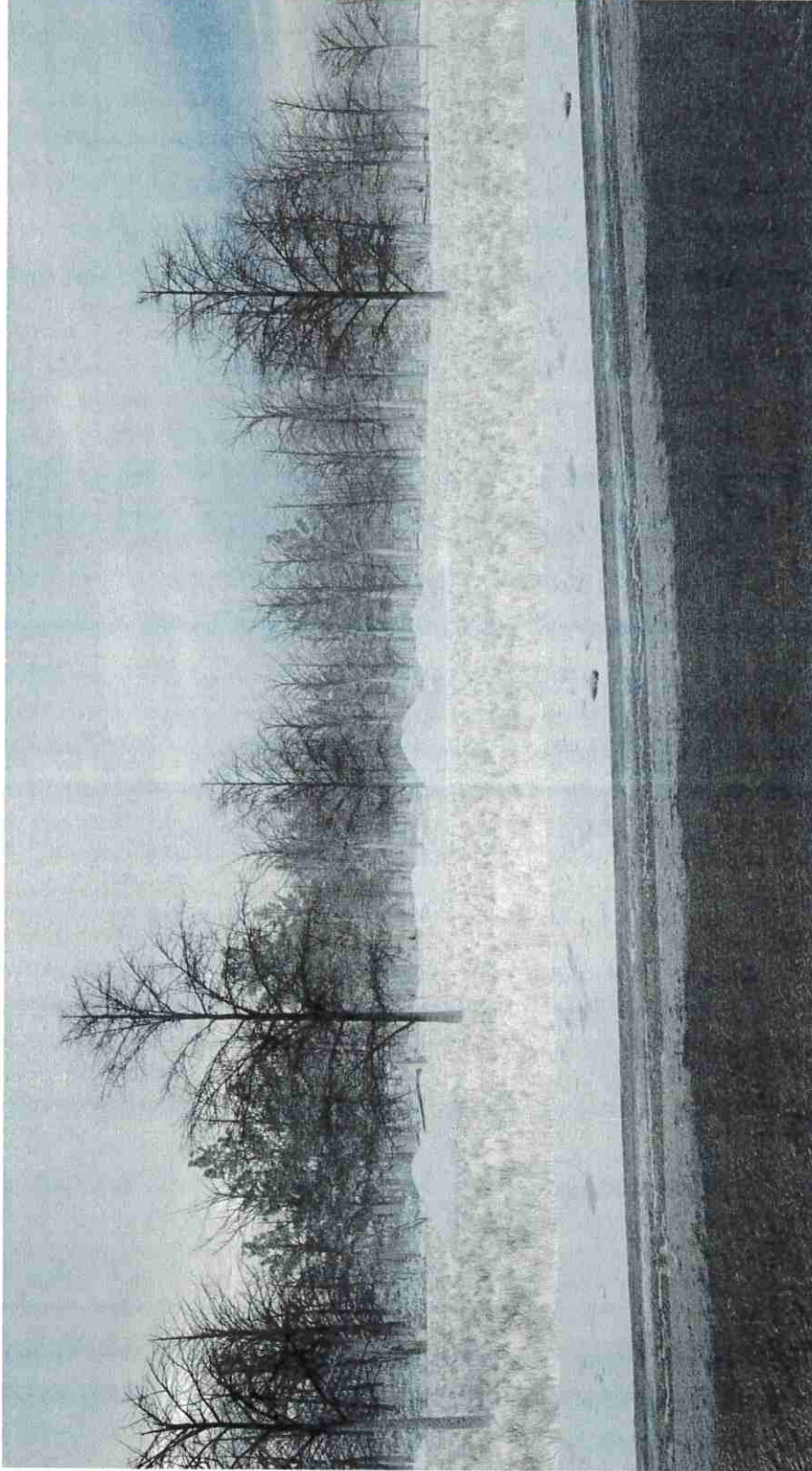
Rhodes Solar  
Visual Impact Assessment  
Town of Duaneburg  
Source: Google Earth 2024

Schenectady County, NY  
January 2024

Figure:  
10

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Design Partnership, LLP  
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RECEPTOR C – PROPOSED – ALEXANDER ROAD - LOOKING EAST – 5 YEAR GROWTH







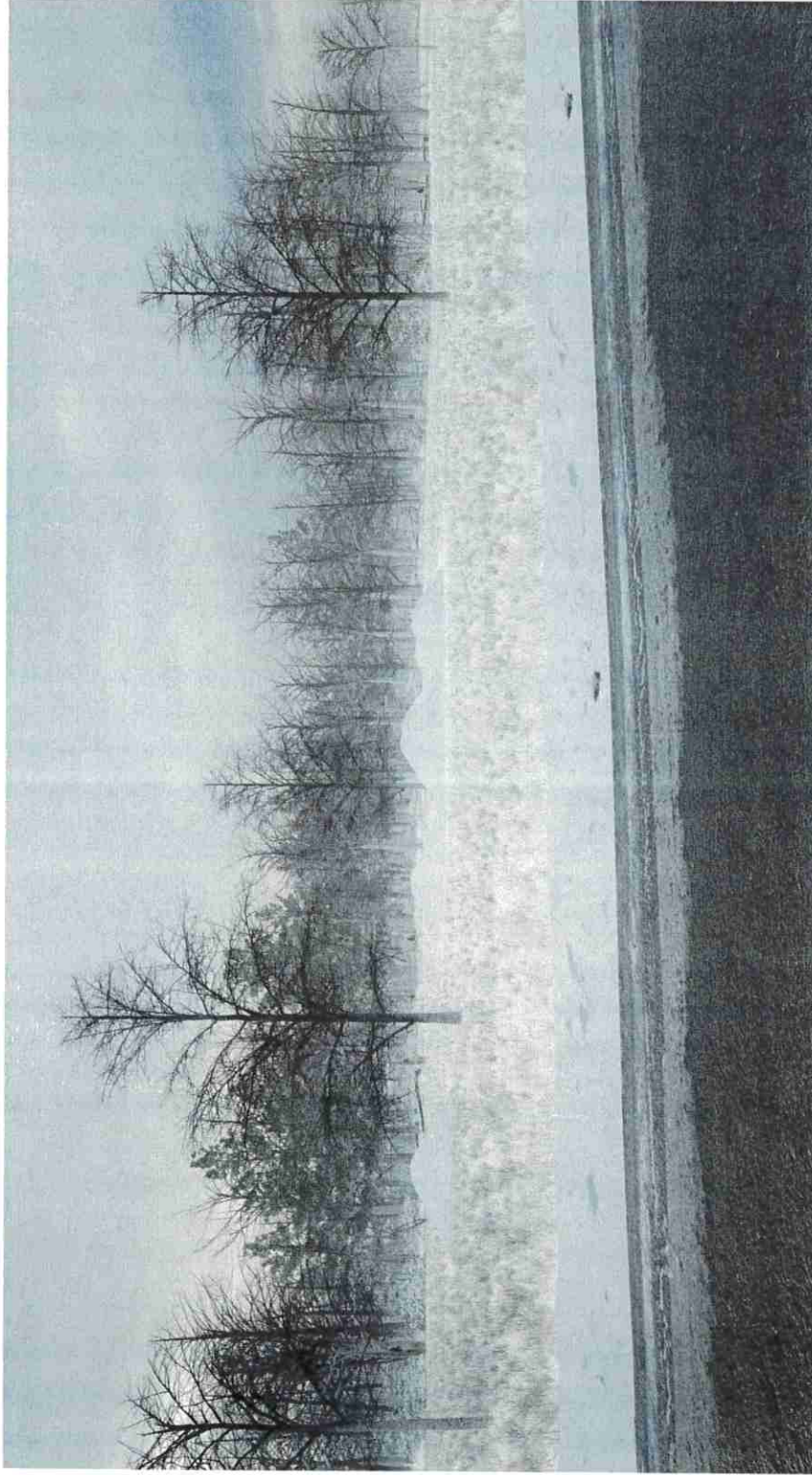
Rhoades Solar  
Visual Impact Assessment  
Town of Duaneburg  
Source: Google Earth 2024

Schenectady County, NY  
January 2024

Figure:  
9

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Design Partnership, LLP  
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RECEPTOR C – PROPOSED – ALEXANDER ROAD - LOOKING EAST – DAY 1 PLANTING





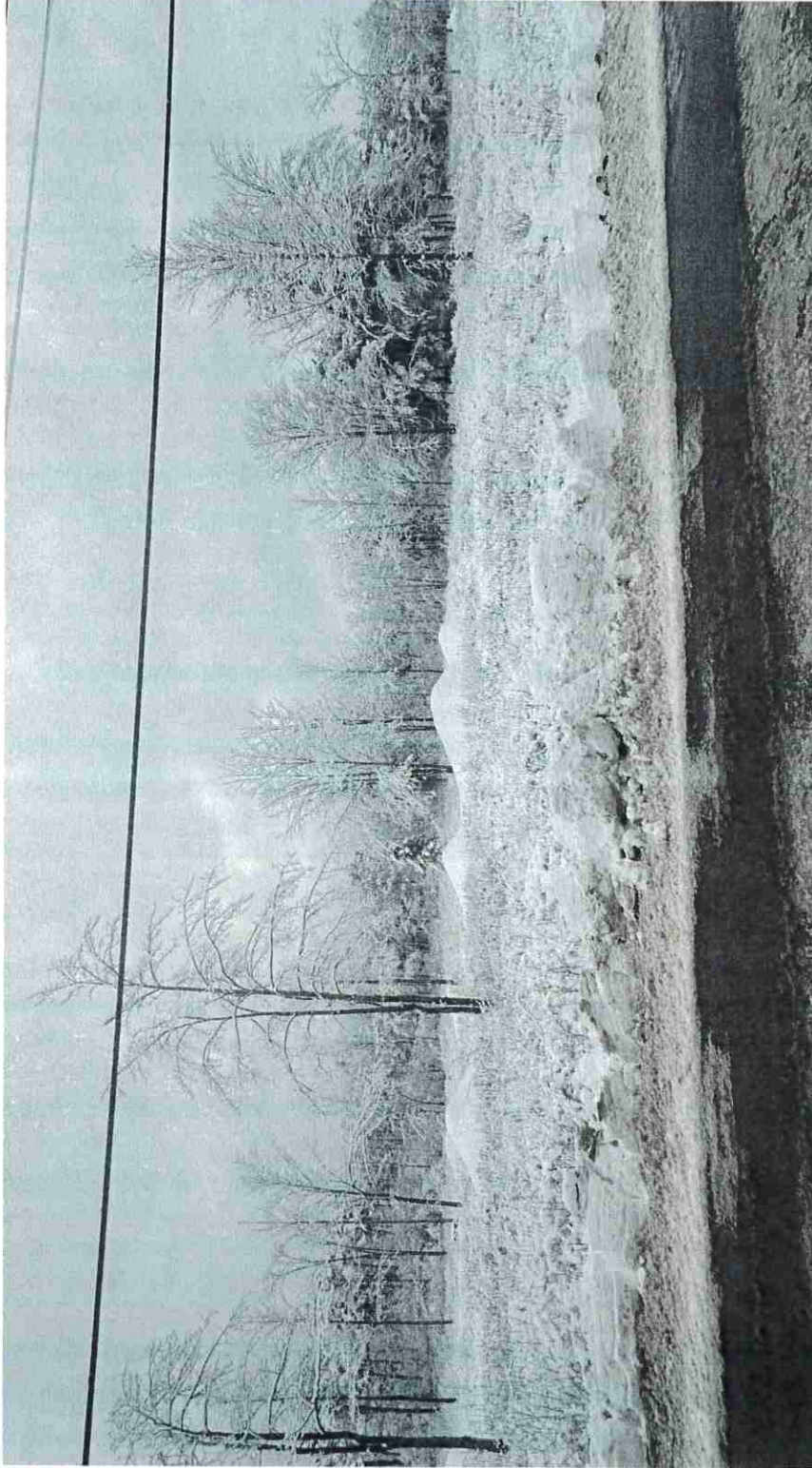
Rhodes Solar  
Visual Impact Assessment  
Town of Duaneburg  
Source: Google Earth 2024

Schenectady County, NY  
January 2024

Figure:  
8

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Design Partnership, LLP  
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RECEPTOR C – EXISTING CONDITIONS – ALEXANDER ROAD – LOOKING EAST







Rhoades Solar  
Visual Impact Assessment  
Town of Duanesburg  
Source: Google Earth 2024

Schenectady County, NY  
January 2024

Figure:  
7

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Design Partnership, LLP  
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RECEPTOR B – PROPOSED – ALEXANDER ROAD - LOOKING EAST – 5 YEAR GROWTH





Rhodes Solar  
Visual Impact Assessment  
Town of Duaneburg  
Source: Google Earth 2024

Schenectady County, NY  
January 2024

Figure:  
6

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Design Partnership, LP  
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RECEPTOR B – PROPOSED – ALEXANDER ROAD - LOOKING EAST – DAY 1 PLANTING







Rhodes Solar  
Visual Impact Assessment  
Town of Duaneburg  
Source: Google Earth 2024

Schenectady County, NY  
January 2024

Figure:  
5

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Design Partnership, LLP  
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RECEPTOR B – EXISTING CONDITIONS – ALEXANDER ROAD - LOOKING EAST





Rhoades Solar  
Visual Impact Assessment  
Town of Duaneburg  
Source: Google Earth 2024

Schenectady County, NY  
January 2024

Figure:  
4

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Design Partnership, LLP  
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RECEPTOR A – PROPOSED – ALEXANDER ROAD - LOOKING EAST – 5 YEAR GROWTH







Rhoades Solar  
Visual Impact Assessment  
Town of Duanesburg  
Source: Google Earth 2024

Schenectady County, NY  
January 2024

Figure:  
3

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Design Partnership, LLP  
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RECEPTOR A – PROPOSED – ALEXANDER ROAD – LOOKING EAST – DAY 1 PLANTING





Rhoades Solar  
Visual Impact Assessment  
Town of Duaneburg  
Source: Google Earth 2024

Schenectady County, NY  
January 2024

Figure:  
2

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RECEPTOR A – EXISTING CONDITIONS – ALEXANDER ROAD – LOOKING EAST







# Rhodes Solar Visual Impact Assessment

Town of Duaneburg  
Source: Google Earth 2024

Schenectady County, NY  
January 2024

Figure:  
1

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## OVERALL VISUAL STUDY MAP



**KRUGER ENERGY  
PV PLANT – 909 ALEXANDER ROAD  
DECOMMISSIONING STATEMENT**

**DRAFT**  
09/08/2023

## 1. INTRODUCTION

Kruger Energy (USA) Inc. (the "Applicant"), a Delaware limited liability company, hereby submits this plan for the eventual decommissioning of the proposed 4.2 MWAC community solar electric generation facility (the "Facility") located on Alexander Road in the Town of Duanesburg (the "Town") within Schenectady County in New York State (the "Project") and the establishment of a decommissioning fund (the "Decommissioning Fund").

A site location plan is provided at Appendix 1 for reference.

## 2. DECOMMISSIONING PLAN

The Facility will be decommissioned by completing the following major steps: Dismantlement, Demolition, and Disposal or Recycle; and Site Stabilization, as further described below.

### **Dismantlement, Demolition, and Disposal or Recycle**

A significant portion of the components that comprise the Facility will include recyclable or re-saleable components, including copper, aluminum, galvanized steel, and modules. Due to their re-sale monetary value, these components will be dismantled, disassembled, and recycled rather than being demolished and disposed of. Note, however, that the proposed decommissioning value does not take credit for recycling value.

Following coordination with the local utility regarding timing and required procedures for disconnecting the Facility from the utility distribution network, all electrical connections to the system will be disconnected and all connections will be tested locally to confirm that no electric current is running through them before proceeding. All electrical connections to the PV modules will be severed at each module, and the modules will then be removed from their framework by cutting or dismantling the connections to the supports. Modules will be removed and recycled in accordance with industry standards or better. In the event of a total fracture of any modules, the interior materials are silicon-based and are not hazardous. Disposal of these materials at a landfill will be permissible.

The PV mounting system framework will be dismantled and recycled. The metal piles will be removed from their approximated depth of four feet and recycled. All other associated structures will be demolished and removed from the site for recycling or disposal. This will include the site fence and gates, which will likely be reclaimed or recycled.

Grade slabs will be broken and removed to a depth of three feet below grade, and clean concrete will be crushed and disposed of off-site or recycled (reused either on-or off-site).

Above ground utility poles or ground mounted equipment will be completely removed and disposed of off-site in accordance with utility best practices. Any overhead wires will be removed from the Facility and will terminate at the utility owned connections inside the property. The access road will remain in place and the local utility will be responsible for dismantling those overhead wires, poles, or ground mounted equipment under its ownership. Coordination with the local utility personnel will be conducted to facilitate removal of any poles and overhead wires located on the site.

A final site walkthrough will be conducted to remove debris and/or trash generated during the decommissioning process and will include removal and proper disposal of any debris

that may have been wind-blown to areas outside the immediate footprint of the facility being removed.

**Site Stabilization**

The areas of the Facility that are disturbed during decommissioning will be re-graded to establish a uniform slope and stabilized via hydroseeding and other temporary erosion and sediment control measures as required.

**3. COST OF DECOMMISSIONING**

The New York State Energy Research and Development Authority (NYSERDA) provides guidance information for local governments and landowners regarding the decommissioning of large-scale solar panel systems. A copy of the NYSERDA decommissioning guidance is included as Appendix 2.

The NYSERDA guidance, based on 2019 data, would suggest average decommissioning costs on the order of \$30,100 per MW(ac). Applying average annual inflation rates over the past 4 years of (1.8% for 2019, 1.2% for 2020, 4.7% for 2021 and 8.0% for 2022) would translate to average decommissioning costs on the order of \$31,286 per MW(ac) or say **\$131,370** for the proposed project as provided in the following table.

	Array Size MW (ac)	4.2
Work Item	Unit Price per MW(ac)	Estimated Cost
Remove Rack Wiring	\$1,278	\$5,365
Remove Panels	\$1,273	\$5,346
Dismantle Racks	\$6,417	\$26,947
Remove Electrical Equipment	\$961	\$4,037
Breakup and Remove Concrete Pads or Ballasts	\$779	\$3,273
Remove Racks	\$4,053	\$17,019
Remove Cable	\$3,378	\$14,182
Remove Ground Screws and Power Poles	\$7,197	\$30,219
Remove Fence	\$2,572	\$10,800
Site Restoration / Grading	\$2,079	\$8,728
Seed Disturbed Areas	\$130	\$545
Trucking	\$1,169	\$4,909
Recycling / Salvage Value	\$0	\$0
	<b>2023 Current Total:</b>	<b>\$131,370</b>
	Projected Average Inflation Rate:	3.0%
	Length of Time (years):	20
	Future Value:	\$237,269

The Estimated Decommissioning Cost shall be adjusted annually to account for inflation, based upon the current Consumer Price Index ("CPI") as maintained by the Bureau of Labor Statistics (the "Revised Estimated Decommissioning Cost").

#### **ESTABLISHMENT OF DECOMMISSIONING FUND**

The Decommissioning Fund will be funded with an Irrevocable standby Letter of Credit (the "LC") that is solely for the benefit of the Town. The LC shall be in place and filed with the Town prior to commencement of construction. No other entity, including Applicant, shall have the ability to demand payment under the LC.

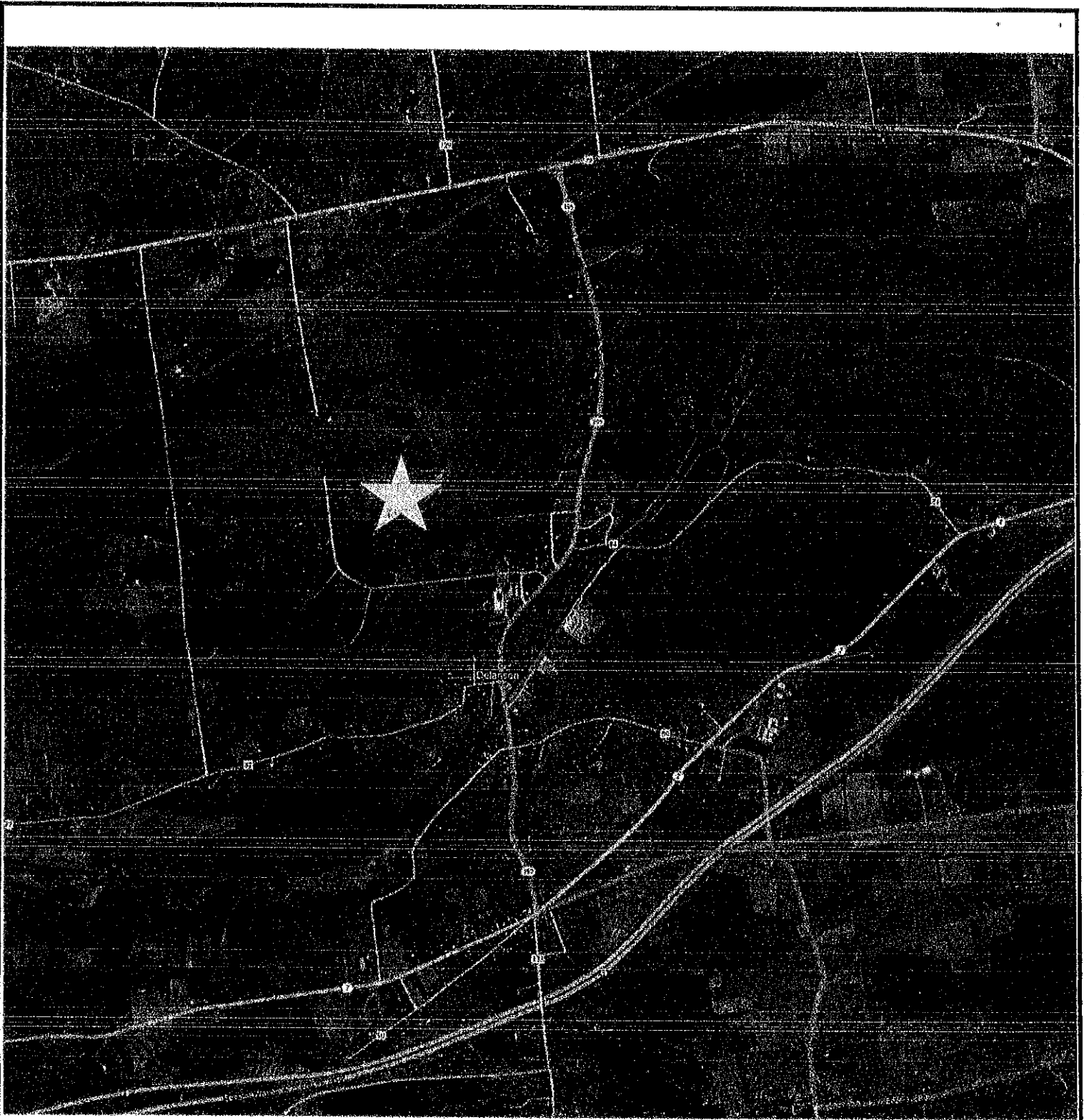
At the end of the Project's useful life, and in the event Applicant does not seek Town approval to repower the Project, Applicant will decommission the Project. Upon completion of decommissioning, Applicant shall seek a certification of completion from the Town. The certification will be provided to the issuing bank with instructions to terminate the LC.

The Town shall have the right to draw on the LC to pay the costs of decommissioning in the event that Applicant (or its successor) is unable or unwilling to commence decommissioning due to dissolution, bankruptcy, or otherwise. Prior to the Town drawing on the LC, Applicant shall have a reasonable period of time to commence decommissioning, not to exceed ninety days following issuance of a Town order requiring decommissioning of the Project.

#### **4. HISTORY OF RECYCLING ACTIVITIES AT KRUGER**

With more than 60 years in the recycling sector, Kruger is truly an industry pioneer. Our Recycling Division plays a key role in circular economy, not only for Kruger's paper and paperboard plants, but also for a large number of companies that use its services, be it for recyclables collection or the procurement of fibre and other materials for converting or energy recovery, such as wood pallets and construction and demolition waste.

Kruger Recycling has six recovery sites across Greater Montréal and is a key partner of the Kruger Group, which is Québec's largest recycler. Its plants and mills use more than 600,000 tons of paperboard, 250,000 tons of wood and approximately 250,000 tons of other recovered materials annually.



## SITE LOCATION MAP

### Kruger Energy – 4.2 MW(ac) Solar Farm

Town of Duanesburg

Schenectady County, NY

Source: Google Earth

September 8, 2023

The Environmental  
Design Partnership, LLP  
© 2023

Appendix

1



# Decommissioning Solar Panel Systems

Information for local governments and landowners on the decommissioning of large-scale solar panel systems.



**NYSERDA**

Solar Guidebook for Local Governments  
NYSERDA 17 Columbia Circle Albany, NY 12203

# Section Contents

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# Overview

We provide information for local governments and landowners on the decommissioning of large-scale solar panel systems through the topics of decommissioning plans and costs and financial and non-financial mechanisms in land-lease agreements.

As local governments develop solar regulations and landowners negotiate land leases, it is important to understand the options for decommissioning solar panel systems and restoring project sites to their original status.

From a land use perspective, solar panel systems are generally considered large-scale when they constitute the primary use of the land and can range from less than one acre in urban areas to 10 or more acres in rural areas. Depending on where they are sited, large-scale solar projects can have habitat, farmland, and aesthetic impacts. As a result, large-scale systems must often adhere to specific development standards.

---

## 1. Abandonment and Decommissioning

**Abandonment** occurs when a solar array is inactive for a certain period of time.

- Abandonment requires that solar panel systems be removed after a specified period of time if they are no longer in use. Local governments establish timeframes for the removal of abandoned systems based on aesthetics, system size and complexity, and location. For example, the Town of Geneva, NY, defines a solar panel system as abandoned if construction has not started within 18 months of site plan approval, or if the completed system has been nonoperational for more than one year.<sup>22</sup>
- Once a local government determines a solar panel system is abandoned and has provided thirty (30) days prior written notice to the owner it can take enforcement actions, including imposing civil penalties/fines, and removing the system and imposing a lien on the property to recover associated costs.

**Decommissioning** is the process for removing an abandoned solar panel system and remediating the land.

- When describing requirements for decommissioning sites, it is possible to specifically require the removal of infrastructure, disposal of any components, and the stabilization and re-vegetation of the site.

### 1.1 Decommissioning Plans

Local governments may require having a plan in place to remove solar panel systems at the end of their lifecycle, which is typically 20-40 years. A decommissioning plan outlines required steps to remove the system, dispose of or recycle its components, and restore the land to its original state. Plans may also include an estimated cost schedule and a form of decommissioning security (see Table 1).

---

<sup>22</sup> Town of Geneva, N.Y. CODE § 130-4(D)(5) (2016).

## 1.2 Estimated Cost of Decommissioning

Given the potential costs of decommissioning and land reclamation, it is reasonable for landowners and local governments to proactively consider system removal guarantees. A licensed professional engineer, preferably with solar development experience, can estimate decommissioning costs, which vary across the United States. Decommissioning costs will vary depending upon project size, location, and complexity. Table 1 provides an estimate of potential decommissioning costs for a ground-mounted 2-MW solar panel system. Figures are based on estimates from the Massachusetts solar market. Decommissioning costs for a New York solar installation may differ. Some materials from solar installations may be recycled, reused, or even sold resulting in no costs or compensation. Consider allowing a periodic reevaluation of decommissioning costs during the project's lifetime by a licensed professional engineer, as costs could decrease, and the required payment should be reduced accordingly.

Table 1: Sample list of decommissioning tasks and estimated costs

Tasks	Estimated Cost (\$)
Remove Rack Wiring	\$2,459
Remove Panels	\$2,450
Dismantle Racks	\$12,350
Remove Electrical Equipment	\$1,850
Breakup and Remove Concrete Pads or Ballasts	\$1,500
Remove Racks	\$7,800
Remove Cable	\$6,500
Remove Ground Screws and Power Poles	\$13,850
Remove Fence	\$4,950
Grading	\$4,000
Seed Disturbed Areas	\$250
Truck to Recycling Center	\$2,250
<b>Current Total</b>	<b>\$60,200</b>
<b>Total After 20 Years (2.5% inflation rate)</b>	<b>\$98,900</b>

## 2. Ensuring Decommissioning

Landowners and local governments can ensure appropriate decommissioning and reclamation by using financial and regulatory mechanisms. However, these mechanisms come with tradeoffs. Including decommissioning costs in the upfront price of solar projects increases overall project costs, which could discourage solar development. As a result, solar developers are sometimes hesitant to provide or require financial surety for decommissioning costs.

It is also important to note that many local governments choose to require a financial mechanism for decommissioning. Although similar to telecommunications installations, there is no specific authority to do so as part of a land use approval for solar projects (see Table 2). Therefore, a local government should consult their municipal attorney when evaluating financial mechanisms.

The various financial and regulatory mechanisms to decommission projects are detailed below.

**Table 2: Relevant Provisions of General City, Town, and Village Laws Relating to Municipal Authority to Require Conditions, Waivers, and Financial Mechanisms**

Site Plan Review	General City Law	Town Law	Village
Conditions	27-a (4)	274-a (4)	7-725-a (4)
Waivers	27-a (5)	274-a (5)	7-725-a (5)
Performance bond or other security	27-a (7)	274-a (7)	7-725-a (7)
Subdivision	General City Law	Town Law	Village Law
Waivers	33 (7)	277 (7)	7-730 (7)
Performance bond or other security	33 (8)	277 (9)	7-730 (9)
Special	General City Law	Town Law	Village Law
Conditions	27-b (4)	274-b (4)	7-725-b (4)
Waivers	27-b (5)	274-b (5)	7-725-b (5)

Source: Referenced citations may be viewed using the NYS Laws of New York Online

Excerpts from these statutes are also contained within the "Guide to Planning and Zoning Laws of New York State," New York State Division of Local Governments Services, June 2011: [https://www.dos.ny.gov/la/publications/Guide\\_to\\_planning\\_and\\_zoning\\_laws.pdf](https://www.dos.ny.gov/la/publications/Guide_to_planning_and_zoning_laws.pdf)

## 2.1 Financial mechanisms

**Decommissioning Provisions in Land-Lease Agreements.** If a decommission plan is required, public or private landowners should make sure a decommissioning clause is included in the land-lease agreement. This clause may depend on the decommissioning preferences of the landowner and the developer. The clause could require the solar project developer to remove all equipment and restore the land to its original condition after the end of the contract, or after generation drops below a certain level, or it could offer an option for the landowner to buy-out and continue to use the equipment to generate electricity. The decommissioning clause should also address abandonment and the possible failure of the developer to comply with the decommissioning plan. This clause could allow for the landowner to pay for removal of the system or pass the costs to the developer.

**Decommissioning Trusts or Escrow Accounts.** Solar developers can establish a cash account or trust fund for decommissioning purposes. The developer makes a series of payments during the project's lifecycle until the fund reaches the estimated cost of decommissioning. Landowners or third-party financial institutions can manage these accounts. Terms on individual payment amounts and frequency can be included in the land lease.

**Removal or Surety Bonds.** Solar developers can provide decommissioning security in the form of bonds to guarantee the availability of funds for system removal. The bond amount equals the decommissioning and reclamation costs for the entire system. The bond must remain valid until the decommissioning obligations have been met. Therefore, the bond must be renewed or replaced if necessary to account for any changes in the total decommissioning cost.

**Letters of credit.** A letter of credit is a document issued by a bank that assures landowners a payment up to a specified amount, given that certain conditions have been met. In the case that the project developer fails to remove the system, the landowner can claim the specified amount to cover decommissioning costs. A letter of credit should clearly state the conditions for payment, supporting documentation landowners must provide, and an expiration date. The document must be continuously renewed or replaced to remain effective until obligations under the decommissioning plan are met.

## 2.2 Nonfinancial mechanisms

Local governments can establish nonfinancial decommissioning requirements as part of the law. Provisions for decommissioning large-scale solar panel systems are similar to those regulating telecommunications installations, such as cellular towers and antennas. The following options may be used separately or together.

- **Abandonment and Removal Clause.** Local governments can include in their zoning code an abandonment and removal clause for solar panel systems. These cases effectively become zoning enforcement matters where project owners can be mandated to remove the equipment via the imposition of civil penalties and fines, and/or by imposing a lien on the property to recover the associated costs. To be most effective, these regulations should be very specific about the length of time that constitutes abandonment. Establishing a timeframe for the removal of a solar panel system can be based on system aesthetics, size, location, and complexity. Local governments should include a high degree of specificity when defining "removal" to avoid ambiguity and potential conflicts.
- **Special Permit Application.** A local government may also mandate through its zoning code that a decommissioning plan be submitted by the solar developer as part of a site plan or special permit application. Having such a plan in place allows the local government, in cases of noncompliance, to place a lien on the property to pay for the costs of removal and remediation.
- **Temporary Variance/Special Permit Process.** As an alternative to requiring a financial mechanism as part of a land use approval, local governments could employ a temporary variance/special permit process (effectively a re-licensing system). Under this system, the locality would issue a special permit or variance for the facility for a term of 20 or more years; once expired (and if not renewed), the site would no longer be in compliance with local zoning, and the locality could then use their regular zoning enforcement authority to require the removal of the facility.

## 2.3 Examples of abandonment and decommissioning provisions

The New York State Model Solar Energy Law provides model language for abandonment and decommissioning provisions in the Model Law section of this Guidebook.

The following provide further examples that are intended to be illustrative and do not confer an endorsement of content:

- Town of Geneva, N.Y., § 130-4(D): [ecode360.com/28823382](http://ecode360.com/28823382)
- Town of Olean, N.Y., § 10.25.5: <https://www.cityofolean.org/council/minutes/ccmin2015-04-14.pdf>

## 2.4 Checklist for Decommissioning Plans

The following items are often addressed in decommissioning plans requirements:

- Defined conditions upon which decommissioning will be initiated (i.e., end of land lease, no operation for 12 months, prior written notice to facility owner, etc.).
- Removal of all nonutility owned equipment, conduit, structures, fencing, roads, and foundations.
- Restoration of property to condition prior to solar development.
- The timeframe for completion of decommissioning activities.
- Description of any agreement (e.g., lease) with landowner regarding decommissioning.
- The party responsible for decommissioning.
- Plans for updating the decommissioning plan.
- Before final electrical inspection, provide evidence that the decommissioning plan was recorded with the Register of Deeds.

# Questions?

If you have any questions regarding the decommissioning of solar panels, please email questions to [cleanenergyhelp@nyscrda.ny.gov](mailto:cleanenergyhelp@nyscrda.ny.gov) or request free technical assistance at [nyscrda.ny.gov/SolarGuidebook](http://nyscrda.ny.gov/SolarGuidebook). The NYSERDA team looks forward to partnering with communities across the state to help them meet their solar energy goals.

**NOTICE OF DETERMINATION**  
**of the Town of Duanesburg**

Date of Determination 2/6/24

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

Applicant KRUGER Energy  
Address 709 ALEXANDER RD.  
DELANSON N.Y.

Phone \_\_\_\_\_ Zoning District R-2 SBL# 65.00-2-15.11  
65.00-2-15.2, 65.00-2-43

Description of  
Project: LOT LINE ADJUSTMENT

Determination:  
LOT LINE ADJUSTMENT ~~FOR~~ APPROVAL

Reason supporting determination: SUBDIVISION  
TOWN OF DUANESBURG ZONING ORDINANCE ADOPTED 3/9/95; LOCAL  
LAW #2 2016 "LOT LINE ADJUSTMENT"

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

Code Enforcement Officer: Chet Polan

**NOTICE OF DETERMINATION**  
**of the Town of Duanesburg**

Date of Determination 2/16/24

Application of KRUGER ENERGY under section  
LOCAL LAW #1 OF 2023 of the (Village of Delanson/Town of Duanesburg)  
ZONING Ordinance.

Applicant KRUGER ENERGY  
Address 909 ALEXANDER RD  
DUANESBURG, N.Y.

Phone 203-851-3840 Zoning District R-2 SBL# 65.00-2-18.11

Description of Project: COMMUNITY SOLAR PROJECT ON APPROX 16.5 ACRES

Determination: SPECIAL USE PERMIT FOR SOLAR FACILITY

Reason supporting determination:  
TOWN OF DUANESBURG ZONING ORDINANCE ADOPTED 10/11/15; LOCAL LAW #1 OF 2023 SOLAR ENERGY FACILITIES LAW

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

Code Enforcement Officer: Cheryl Pabon

Carol Sowycz

 ORIGINAL

**From:** Dominick Arico <aricoassociates@gmail.com>  
**Sent:** Tuesday, August 8, 2023 2:44 PM  
**To:** Carol Sowycz  
**Cc:** Matthew Bond; Michael Frenette; Oliver Crighton; Dan; Anthony Stephan  
**Subject:** Re: Solar application

**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.

Carol,

Below is a list to date we have for discussion with the planning board. Thanks for your attention to this matter and we look forward to further discussions at the August 17th meeting.

1. Array setback east boundary along Alexander Road. Based on definition we interpret the two properties along Alexander Road as a "participating landowner" and therefore meets the 200 ft setback requirement. Looking for confirmation.
2. If the interpretation of the setback is not correct, can a waiver be issued in place of a variance?
3. What specifically should the landscaping plan include at this point in the application? Are species and counts required?
4. What areas require screening? Is this based on visuals from adjacent properties and/or right-of-ways?
5. Our analysis is to provide a SWPPP based on existing conditions. Please confirm this and if there are any other matters to be considered in our evaluation.
6. What are the tree clear cut rules and how will they be applied in this case? What is considered contiguous? Does there have to be a certain amount or size of trees to be considered?
7. Since the site is already cleared, the remaining trees to be removed will not be more than 20,000 sf of contiguous area.

Thank you for taking these questions prior to the meeting. If we have anything further, we will forward, or bring them to the meeting.

Dom

On Wed, Aug 2, 2023 at 10:21 AM Anthony Stephan <[Anthony.Stephan@kruger.com](mailto:Anthony.Stephan@kruger.com)> wrote:

Carol:

Good morning. Yes, please add Kruger Energy to the agenda for the August 17<sup>th</sup> meeting. We revert with questions.

Thank you.

---

**From:** Carol Sowycz <[CSowycz@duanesburg.net](mailto:CSowycz@duanesburg.net)>  
**Sent:** Wednesday, August 2, 2023 8:50 AM



ORIGINAL

**Coryn VanDeusen**

---

**From:** Anthony Stephan <Anthony.Stephan@kruger.com>  
**Sent:** Wednesday, September 20, 2023 4:47 PM  
**To:** Coryn VanDeusen  
**Subject:** Re: Planning Board Meeting 09/21/23 Town of Duanesburg

**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.

Coryn : Thanks for reaching out. February 2022 was the initial discussion.

Hope this helps. My understanding is that our representatives and the landowner will be at the meeting tomorrow night.

Feel free to reach out if there are other questions.

Get [Outlook for iOS](#)

---

**From:** Coryn VanDeusen <CVanDeusen@duanesburg.net>  
**Sent:** Wednesday, September 20, 2023 10:09:09 AM  
**To:** Anthony Stephan <Anthony.Stephan@kruger.com>  
**Subject:** Planning Board Meeting 09/21/23 Town of Duanesburg

Good morning,

I have been addressed by one of our board members with a question for you. When was the very first initial contact your company had with the landowner concerning this project? We have the date the contract was signed, but they want to know that initial date. If you can please email me back it would be greatly appreciated. Thank you!

**Coryn VanDeusen**

Planning & Zoning Clerk  
Town of Duanesburg  
5853 Western Turnpike  
Duanesburg, NY 12056  
P# 518-895-2040





*Town of Duanesburg*  
5853 Western Turnpike  
Duanesburg, New York 12056

Chris Parslow  
Building Inspector/CEO  
Town Planner

Phone (518) 895-2040  
cparslow@duanesburg.net

October 10th, 2023

SBL:65.00-2-15.11

Dear Kruger Energy and Mr. Charles Rhoades,

You have requested a determination whether an application may be submitted to the Town Planning Board for a utility scale solar facility under Local Law 1 of 2023. This was also discussed at the pre-application meeting with the Town of Duanesburg Planning Board for the Kruger energy solar project on Alexander Road located in Delanson NY.

It is my determination based on Local Law 1 of 2023, entitled "Solar Energies Facilities Law", Section Q "Deforestation", that trees have been cleared on the property in excess of that allowed in the Section which states, "Brush and isolated trees or stands of trees in otherwise open fields or scrubland may be cut, however clear cutting of trees more than three inches in diameter at breast height in a single continuous area exceeding 20,000 square feet is prohibited....Any portion of a property that has been clear-cut in excess of the area described in the paragraph above shall not be included in an application for a utility-scale solar project for a period of five years following such clear-cutting."

To allow for an application to the Town of Duanesburg Planning Board you would first need to apply for an area variance to the Town of Duanesburg Zoning Board of Appeals. With an approved area variance, you could then apply with the Planning Board for a utility scale solar project.

Sincerely,

Chris Parslow

LAW OFFICES OF  
**SNYDER & SNYDER, LLP**

84 WHITE PLAINS ROAD  
TARRYTOWN, NEW YORK 10591

(914) 333-0700

FAX (914) 333-0743

WRITER'S E-MAIL ADDRESS

dwarden@snyderlaw.net

December 7, 2023

NEW YORK OFFICE  
446 PARK AVENUE, 9TH FLOOR  
NEW YORK, NEW YORK 10022  
(212) 749-1448  
FAX (212) 932-2693

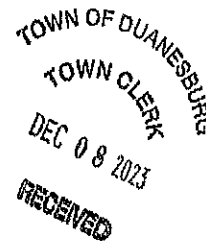
LESLIE J. SNYDER  
ROBERT D. GAUDIOSO (NY/NJ)  
DOUGLAS W. WARDEN  
JORDAN M. FRY  
MICHAEL SHERIDAN (NY/NJ)  
DAVID KENNY (NY/NJ)

DAVID L. SNYDER  
(1956-2012)

NEW JERSEY OFFICE  
ONE GATEWAY CENTER, SUITE 2600  
NEWARK, NEW JERSEY 07102  
(973) 824-9772  
FAX (973) 824-9774

REPLY TO:

TARRYTOWN OFFICE



Chairperson Nelson Gage and  
Members of the Zoning Board  
5853 Western Turnpike  
Duanesburg, New York 12056

Re: Appeal of Building Inspector Determination  
Kruger Energy (USA) Inc. and Charles Rhoades  
Solar Facility  
909 Alexander Road  
Duanesburg, New York 12053

Dear Chairperson Gage  
and Members of the Zoning Board:

We represent Kruger Energy (USA) Inc. ("Applicant") in connection with its efforts to obtain the necessary authorizations to construct and operate a Utility-Scale Solar Energy System ("Project") on property known as 909 Alexander Road, Duanesburg, New York 12053 ("Premises"). The Premises is owned by Charles Rhoades ("Property Owner"). On October 10, 2023 Building Inspector Chris Parslow issued a determination ("Building Inspector Determination") with respect to the application of Town of Duanesburg Local Law 1 of 2023 ("Solar Code") to the Premises. We write, pursuant to Town Law Section 267-b(1), to appeal the Building Inspector Determination.

Solar Code Deforestation Provisions and the Request for Determination

Section 7(2)(Q) of the Solar Code ("Deforestation Provision") provides that "[f]orested sites shall not be deforested to construct solar energy facilities" (emphasis supplied). The Deforestation Provision further compels that "[C]lear cutting of trees more than three inches in diameter at breast height in a single contiguous area exceeding 20,000 square feet is prohibited." Finally, the Deforestation Provision states that "[a]ny portion of a property that has been clear-cut in excess of [20,000 square feet] shall not be included in an application for a utility-scale solar project for a period of five years following such clear-cutting." A complete copy of the text of the Deforestation Provision is attached hereto as Exhibit A.

In other words, the Deforestation Provision forbids solar facilities from being located on land where tree-clearing in excess of 20,000 square feet has been undertaken "to construct solar energy

facilities" if such tree-clearing has taken place within five (5) years. Tree clearing undertaken for other purposes is not within the ambit of the Deforestation Provision.

On September 11, 2023 the Applicant submitted a request for a determination ("Request for Determination") to Town Building Inspector Chris Parslow regarding the application of the Deforestation Provision to the Premises. A copy of the Request for Determination is attached hereto as Exhibit B. The Request for Determination asked for confirmation that the Deforestation Provision only relates to tree-clearing in excess of 20,000 square feet that was undertaken "to construct solar energy facilities." The Request for Determination specifically asked for confirmation that the Deforestation Provision does not apply to tree-clearing that previously occurred for the purposes of residential development because such tree-clearing was not undertaken with the goal of constructing a solar energy facility.

On October 10, 2023 the Building Inspector issued the Building Inspector Determination. A copy of the Building Inspector Determination is attached hereto as Exhibit C. The Building Inspector Determination indicated, contrary to the text of the Deforestation Provision, that the Deforestation Provision forbids solar facilities where there has been any tree-clearing for any reason in excess of 20,000 feet and within a five-year lookback period. See Exhibit C. We believe this determination is incorrect.

### The Building Inspector Determination Should Be Overturned

The Building Inspector Determination should be overturned because it runs counter to the express text of the Deforestation Provision. That provision explicitly states that it only applies to deforestation efforts undertaken for the purpose of constructing solar facilities. In fact, the provision specifically states that "[f]orested sites shall not be deforested to construct solar energy facilities."

The Building Inspector Determination ignores and contains no reference to the language of the Deforestation Provision that confines its application to sites that have been "deforested to construct solar energy systems." As such the Building Inspector Determination violates well established principles of New York law to the effect that a statute must not be construed to render any of its provisions superfluous. As the New York Court of Appeals has stated:

Yet another canon supports the plain text reading. "[A] statute should be construed to avoid rendering any of its provisions superfluous" (*Kimmel*, 29 NY3d at 393; see also *People v Bac Tran*, 80 NY2d 170, 176, 603 NE2d 950, 589 NYS2d 845 [1992] [rejecting a reading of a statute that would render an important word "useless or superfluous"]; *Matter of Rodriguez v Perales*, 86 NY2d 361, 366, 657 NE2d 247, 633 NYS2d 252 [1995] ["It is well settled that in the interpretation of a statute we must assume that the Legislature did not deliberately place a phrase in the statute which was intended to serve no purpose . . . and each word must be read and given a distinct and consistent meaning"], quoting *Matter of Smathers*, 309 NY 487, 495, 131 NE2d 896 [1956])

*Matter of Alvarez v. Annucchi*, 38 NY3d 974, 984-985 (2022).

The language of the Deforestation Provision is clear in confining its application to deforestation undertaken for the specific purpose of constructing a solar facility. *See* Deforestation Provision. But, even if the Deforestation Provision were ambiguous on the subject, New York law would require that the provision be construed in favor of the Property Owner. As New York's highest court, the Court of Appeals has repeatedly held: "Since zoning regulations are in derogation of the common law, they must be strictly construed against the municipality which has enacted and seeks to enforce them." *Allen v Adami*, 39 NY2d 275, 277 (1976).

Here, the Property Owner has submitted a statement in support ("Statement in Support") establishing that, while he has undertaken certain tree-clearing in excess of 20,000 square feet within the five-year lookback period, that tree clearing was not done "to construct solar energy systems." Rather, the tree-clearing was done as part of a pending and duly submitted application before the Planning Board to subdivide the Premises for residential use. *See* Statement in Support, ¶¶ 5-8. The Property Owner further confirmed that such work was done contemporaneously with other residential improvements such as septic system improvements that are self-evidently not related to solar facilities. *Id.* The Property Owner further states that the foregoing tree-clearing and work was undertaken before he had a lease with a solar company or had even been contacted by a solar company. *Id.* at ¶¶ 3-4.

In fact, the Deforestation Provision explicitly states that the type of clearing undertaken by the Property Owner as outlined in his Statement in Support qualifies the Premises as a "preferred location." The Deforestation Provision states in its very first sentence that "[p]reviously cleared or disturbed areas are preferred locations for solar projects." *See* Deforestation Provision. Here, the Property Owner attempted to engage in certain tree-clearing in connection with an unsuccessful residential subdivision development effort. As such, the Premises constitutes a "previously cleared or disturbed area" that the Deforestation Provision designates as a "preferred location" in order to eliminate the need for future unnecessary clearing.

In light of the foregoing, it is respectfully submitted that the Zoning Board should issue a determination confirming that only tree-clearing specifically undertaken for the purpose of "construct[ing] solar energy facilities" is subject to the Town's five (5) year limitation on tree-clearing.

#### Tree-Clearing on the Setback Parcels

The layout of the Project further requires that certain adjoining parcels ("Setback Parcels") also owned by the Property Owner be included with the Premises for the sole purpose of ensuring that the Project meets all applicable setbacks. No physical portion of the Project will actually be located on the Setback Parcels. Nevertheless, my client has been informed by the Town that any tree-clearing activity performed on the Setback Parcels for any purpose whatsoever may also be subject to the five (5) year limitation of the Deforestation Provision.

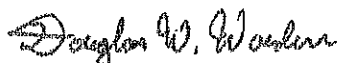
As noted above, this five (5) year limitation cannot be applicable to tree-clearing undertaken for any purpose at all given the express language of the Deforestation Provision. Moreover, no tree clearing would even be necessary on the Setback Parcels "to construct a solar facility" because no physical construction of the Project will be located on the Setback Parcels. The Setback Parcels are included for setback provisions only, so the Deforestation Provision is simply inapplicable to tree-clearing on those parcels.

#### Conclusion

Based on the foregoing, the Applicant respectfully requests that the Zoning Board of Appeals issue a determination that the five (5) year limitation on tree-clearing "to construct solar energy facilities" only applies to activities specifically undertaken for the purpose of constructing solar energy facilities. The Applicant further respectfully requests a determination that the five (5) year tree-clearing prohibition does not apply to parcels that aid in meeting setbacks, but which will not contain any portion of the Project and where no tree-clearing was taken on those parcels in contemplation of a solar project.

We look forward to discussing this matter further with the Zoning Board of Appeals further on this matter at its next convenient meeting.

Very truly yours,



Douglas W. Warden

DWW/bto

cc: Kruger Energy (USA) Inc.

# EXHIBIT A

Requirements "Q" through "W" below shall apply only in the R-2 and C-1 zoning districts:

Q. Deforestation

Previously cleared or disturbed areas are preferred locations for solar projects. Forested sites shall not be deforested to construct solar energy facilities. Brush and isolated trees or stands of trees in otherwise open fields or scrubland may be cut, however clear cutting of trees more than three inches in diameter at breast height in a single contiguous area exceeding 20,000 square feet is prohibited. This clearing restriction shall not apply to trees cleared for the access road.

Any portion of a property that has been clear-cut in excess of the area described in the paragraph above shall not be included in an application for a utility-scale solar project for a period of five years following such clear-cutting.

Site disturbance, including but not limited to, grading, soil removal, excavation and soil compaction in connection with installation of utility-scale solar energy facilities shall be minimized to the extent practicable.

R. Setbacks

There shall be a minimum 200 foot buffer between any structures and equipment of the utility-scale solar energy system and the parcel boundary line with any non-participating property, public road or public area. In addition, all structures and equipment shall be set back a minimum of 450 feet from the exterior of any occupied residence located on a non-participating property. Fencing, collection lines, access roads and landscaping may occur within the setbacks.

S. Wildlife

Solar energy systems shall avoid or minimize adverse impacts to species in need of protection, as defined herein, or their occupied habitats, to the maximum extent practicable.

T. Agriculture

Solar energy systems shall limit the use of agricultural areas within their project limits to no more than 10 percent of soils classified by the NYS Department of Agriculture and Markets' Agricultural Land Classification as mineral soils groups 1 through 4. All solar energy systems shall adhere to the Department of Agriculture and Markets' Guidelines for Construction Mitigation for Agricultural Lands.



# EXHIBIT B

Chris Parslow

Provisional Building Inspector/Code Enforcement/Town Planner

Town of Duanesburg

RE: Rhoades Solar Project Special Use Permit

Size: 4.199 Mw AC (Fixed Tilt modules, No Battery Storage)

Location: 909 Alexander Rd. Duanesburg NY 12053

Tax ID: 65.00-2.15.11

Acreage: 49.78

Chris:

Per our conversation, please accept this note as a request for determination of applicability of the *Solar Energy Facilities Town of Duanesburg Local Law No. 1 2023* under Section 2. Permitting Requirements Deforestation Clause (Q) as it relates to the proposed site development for the parcel listed above.

We are requesting that the Town provide guidance on how it will apply the law under the proposed special use permit discussed at the Town public hearing on July 20<sup>th</sup> and August 17<sup>th</sup> 2023.

It is our understanding that the site was cleared prior to the April 2023 lease agreement executed between Kruger Energy (USA) Inc. and the landowner. Based on the information received from the FOIL request, the prior site development was initiated under permits to develop the property for residential housing sometime during 2019. Thus, it is our understanding that the site was NOT cleared in anticipation of the construction of solar energy facilities but rather for residential housing and therefore the clearing limits do not apply.

Should, however, the Town conclude that the landowner cut trees in excess of the limits under the Deforestation Clause (Q) and did so in anticipation of a solar development, please indicate which areas should not be included in the SUP application, the rationale of the determination, and method that the Town used to mark the timeframe of the clear-cutting. It would be helpful to know what future date this property would be eligible for solar development if the Town applies the "five-year" rule.

Thank you and please feel free to reach out to me for steps that we should take to process the application.

TS

# EXHIBIT C



*Town of Duanesburg*  
5853 Western Turnpike  
Duanesburg, New York 12056

Chris Parslow  
Building Inspector/CEO  
Town Planner

Phone (518) 895-2040  
cparslow@duanesburg.net

October 10th, 2023

SBL:65.00-2-15.11

Dear Kruger Energy and Mr. Charles Rhoades,

You have requested a determination whether an application may be submitted to the Town Planning Board for a utility scale solar facility under Local Law 1 of 2023. This was also discussed at the pre-application meeting with the Town of Duanesburg Planning Board for the Kruger energy solar project on Alexander Road located in Delanson NY.

It is my determination based on Local Law 1 of 2023, entitled "Solar Energies Facilities Law", Section Q "Deforestation", that trees have been cleared on the property in excess of that allowed in the Section which states, "Brush and isolated trees or stands of trees in otherwise open fields or scrubland may be cut, however clear cutting of trees more than three inches in diameter at breast height in a single continuous area exceeding 20,000 square feet is prohibited. . . . Any portion of a property that has been clear-cut in excess of the area described in the paragraph above shall not be included in an application for a utility-scale solar project for a period of five years following such clear-cutting."

To allow for an application to the Town of Duanesburg Planning Board you would first need to apply for an area variance to the Town of Duanesburg Zoning Board of Appeals. With an approved area variance, you could then apply with the Planning Board for a utility scale solar project.

Sincerely,

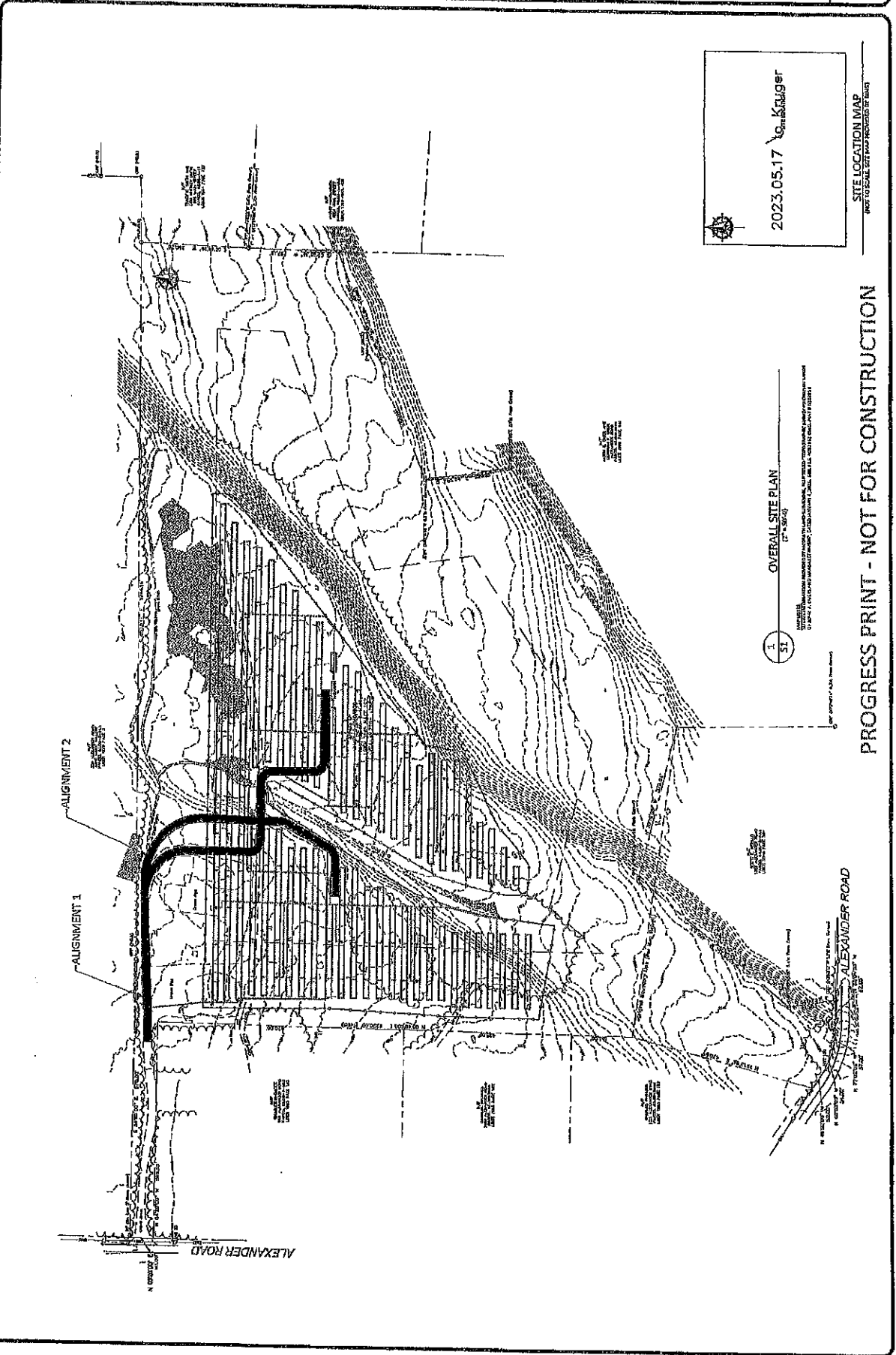
Chris Parslow

EXHIBIT A-1

MAP OF PROPERTY



<b>ARCO ASSOCIATES</b> 1407 ROUTE 9 - BLDG 2, SUITE B CLIFTON PARK, NY 12005 info@arcoassoc.com	<b>Barber Engineering</b> 57 WILMINGTON AVENUE AND 2ND FLOOR PO BOX 154 - HERRON, MA 01833 T: 518.831.4099 - E: info@barber.com	PROPOSED PV PLANT - 909 ALEXANDER RD KRUGER ENERGY, L.P. TAX MAP ID: 63.00.2-15.11	<b>C100</b> SHEET 1 OF X



PROGRESS PRINT - NOT FOR CONSTRUCTION

-----X  
In the matter of the application of

**Kruger Energy (USA) Inc., and  
Charles Rhoades**

**STATEMENT IN  
SUPPORT**

Premises: Parcel Number: 65.-2-15.11  
909 Alexander Road  
Duanesburg, New York 12053  
-----X

1. My name is Charles Rhoades and I am the owner of the property known as 909 Alexander Road, Duanesburg, New York 12053 (Parcel Number 65.-2-15.11) (“Premises”).

2. I submit this Statement in Support of the above-referenced appeal of the October 10<sup>th</sup> Determination (“Parslow Determination”) of Town of Duanesburg Building Inspector Chris Parslow regarding the Premises. A copy of the Parslow Determination is submitted herewith.

Five-Year Tree-Clearing Ban

3. On March 21, 2022 I entered into a Solar Lease Agreement (“Lease”) with Kruger Energy (USA) Inc. (“Kruger”) to locate a Utility-Scale Solar Energy System (“Project”) on the Premises. A map of the Premises and a rough schemata of the proposed Project is attached hereto as “Exhibit A.” My initial contact with Kruger regarding the Project was in April of 2021.

4. Prior to the foregoing I had no plans whatsoever to locate a Solar Energy System on the Premises.

5. Rather, my intention was to develop the Premises for a residential subdivision consistent with my 2019 residential subdivision application (“Residential Subdivision Application”) to the Planning Board of the Town of Duanesburg.

---

6. I performed certain improvements (“Residential Subdivision Improvements”) to the Premises and additional adjoining parcels under my ownership in connection with my Residential Subdivision Application.

7. Some of the Residential Subdivision Improvements include matters such as the following:

- a. Clearing approximately 2-6 acres of growth on the Premises in the fall of 2017;
- b. Clearing approximately 2-4 acres during 2018;
- c. Clearing approximately an additional 3-4 acres in 2019;
- d. Clearing approximately 15 acres in February of 2020; and
- e. Undertaking substantial work in efforts to install a septic system with approximately \$8,000.00 worth of septic sand in 2020.

8. As noted above, all the foregoing work was done in contemplation of using the Premises for a residential subdivision and was not performed to construct a solar facility.

9. My 2020 efforts to install a septic system and expend \$8,000.00 on septic sand are particularly illustrative of my intention at the time to develop the Premises for residential/multiple family/Senior Housing subdivision purposes, as solar facilities do not require septic improvements.

10. It is my understanding that Section 7(2)(Q) of the Town of Duanesburg Solar Law forbids solar facilities to be located on land where tree-clearing has been undertaken “to construct solar energy facilities” within five (5) years of such tree-clearing. I believe that this five (5) year period does not apply to the Residential Subdivision Improvements or other similar



tree-clearing relating to residential uses because none of those activities were undertaken “to construct solar energy facilities” as indicated by the dates and timeline set forth above.

11. I should not be penalized for having engaged in a good-faith effort to prepare the Premises in connection with the Residential/Multiple Family/Senior Housing Subdivision Application.

12. The foregoing establishes that I had not been contacted by a solar company, I had not entered into a lease, and had no other intention to develop the Premises for a solar facility when I undertook the Residential Subdivision Improvements.

13. I therefore request an interpretation from the Zoning Board that only tree-clearing specifically undertaken for the purpose of “construct[ing] solar energy facilities” is subject to the Town’s five (5) year limitation on tree-clearing.

#### The Setback Parcels

14. The Project further requires that certain adjoining parcels (“Setback Parcels”) I also own be included with the Premises solely for the purposes of ensuring that the Project meets all applicable setbacks.

15. I have been informed by the Town of Duanesburg that any tree-clearing activity performed on the Setback Parcels for any purpose whatsoever may also be subject to the five (5) year tree-clearing limitation.

16. As noted above, this five (5) year limitation cannot be applicable to tree-clearing undertaken for any purpose at all—particularly when such tree-clearing was undertaken in furtherance of a duly submitted Residential Subdivision Application.

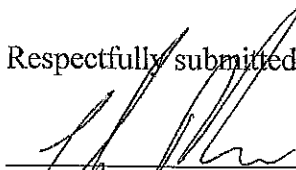
17. Moreover, no tree-clearing would even need to have been performed “to construct solar energy facilities” on the Setback Parcels because tree-clearing is not germane to the issue of setbacks and tree-clearing is not necessary for a property to serve as additional setback area.

### Conclusion

Based on the foregoing, I respectfully request that the Zoning Board of Appeals issue a determination that the five (5) year limitation on tree-clearing “to construct solar energy facilities” only applies to activities specifically undertaken for the purpose of constructing solar energy facilities. I further respectfully request a determination that the five (5) year tree-clearing prohibition does not apply to parcels that aid in meeting setbacks, but which will not contain any portion of the Project and where no tree-clearing was taken on those parcels in contemplation of a solar project. I also want clearly on the record that there are existing, healthy, hickory trees that were left up purposely for the atmosphere of the aforementioned multiple family/senior housing atmosphere. The existing access road built to town specs was intended for multiple family/senior housing, and cost excess of \$15,000 to build. I’m in the professional contracting business, and this \$15,000 does not begin to include the full cost of hiring a contractor to put in a road of this size.

Dated: December 8, 2023

Respectfully submitted,



---

Charles Rhoades

NOTICE OF DETERMINATION  
of the Town of Duanesburg

Date of Determination 2/16/24

Application of Parkview At Ticonderoga under section 3.5 MAJOR SUBDIVISION of the (Village of Delanson / Town of Duanesburg) Ordinance.

Applicant Parkview At Ticonderoga  
Address 885 Route 67  
BALSTON TPA N.Y.

Phone 518-857-0541 Zoning District C-2 SBL# 6500-1-19.1

Description of Project: SUBDIVIDE PARCEL INTO 3 LOTS w/ 2 RESIDENTIAL BUILDING LOTS

Determination: MAJOR SUBDIVISION APPROVAL

Reason supporting determination:  
Town of Duanesburg SUBDIVISION ORDINANCE ADOPTED 3/9/95  
SECTION 3.5 MAJOR SUBDIVISION

Action: Refer to PLANNING BOARD for the purpose of MAJOR SUBDIVISION

Code Enforcement Officer: Christy Palou

**NOTICE OF DETERMINATION**  
**of the Town of Duanesburg**

Date of Determination 2/16/24

Application of PARKVIEW AT TICONDEROGA LLC under section 12.4 (26)(28)(34) of the (Village of Delanson / Town of Duanesburg)  
ZONING Ordinance.

Applicant PARKVIEW AT TICONDEROGA LLC  
Address 485 ROUTE 67  
BALLSTON SPA N.Y.

Phone 518-857-0541 Zoning District C-2 SBL# 65.00-1-19.1

Description of  
Project: FLEX WAREHOUSING ; RETAIL ; PROFESSIONAL OFFICES

Determination:  
SPECIAL USE PERMIT NEEDED

Reason supporting determination:  
TOWN OF DUANESBURG ZONING ORDINANCE ADOPTED 6/11/15 UNDER  
SECTION 12.4 (26) OFFICE BUILDING ; (28) RETAIL BUSINESS ; (34) WAREHOUSING  
USES REQUIRING SPECIAL USE PERMIT.

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

Code Enforcement Officer: Cheryl P. [Signature]

Lance and Wendy Manus  
143 Albert Road  
Delanson, New York 12053



ORIGINAL

October 17, 2023

Coryn VanDeusen  
Duanesburg Planning Board  
5853 Western Turnpike  
Duanesburg, New York 12056

Subject: Proposed Commercial Development of 9811-9815 Western Turnpike, Duanesburg.

The proposed development of the previous Jamaica Builders property appears to encroach upon land area that was reserved for residential purposes only by resolution of the Town Board on May 29, 1985. As our family obtained a special use permit for the building supply business and did not seek to change the entire farm lot to commercial use as we wished the area to remain rural for residential and agricultural use and built Albert Road and four of the residences. When Bellevue Builders came to the Town to ask that the entire lot be made business zoned we requested and received a buffer zone be created west of Albert Road to remain the then R100 rural agricultural zone so as to limit how close any commercial development might come to the residences. Although the new zoning map has the entire lot zoned commercial we believe the 1985 Resolution is still valid.

Sincerely,

Lance Manus

ts 20, Duaneburg, New York at 7:30 P. M. upon the proposed change  
west of Joseph Lucarelli, residing at R.D. # 5, Giffords Church Road,  
Schenectady, New York, for property located on U.S. Route #20, containing  
acres of land and identified as Tax Map #65.001-19.1 from an R100  
(Agricultural and Rural Residential) to a General Business, and

WHEREAS, ALL PERSONS WERE DULY HEARD BOTH IN THE affirmative and negative  
session, and

WHEREAS, the Schenectady County Planning Department recommended approval  
said change of zoning, and

WHEREAS, the Duaneburg Planning Board recommended  
THEREFORE, UPON MOTION of Councilman Isles seconded by Councilmember  
Isles, it is hereby

RESOLVED AS FOLLOWS:

Section 1. The Town Board of the Town of Duaneburg hereby grants the  
change of zone request of Joseph Lucarelli, residing at R.D. #5, Giffords Church  
Road, Schenectady, New York, for property located on U. S. Route #20, con-  
taining 79 acres of land and identified as Tax Map #65.00-1-19.1 from an R100  
(Agricultural and Rural Residential) to a General Business, which property  
is more fully described as follows:

To include all of Lot # 65.00-1-19.1 on Town Tax Map, located on the  
north side of U.S. Route # 20 and east of Gage Road for approximately 1690 feet  
south of U. S. Route # 20 for approximately 2180 feet, with the exception  
of a 400 foot buffer zone that begins 400 feet west of Albert Road on Route  
20, then in a Southerly direction always at 400 feet west and parallel to  
Albert Road, then 400 feet beyond the Albert Road turn around area that is at  
the South end of the road that is presently used for travel. This does not  
include Lots # 65.00-1-17, 18, 19.2, 19.3, 19.4, or 19.5 on Town Tax Map.

ORDER OF THE DUANESBURG TOWN BOARD  
Esther L. Vincent, Town Clerk

Adopted May 29, 1985

Schenectady Gazette : Please publish once, June 3, 1985

Adjourned at 9:27 P.M.

Esther L. Vincent  
Town Clerk

**TOWN OF DUANESBURG**

**APPLICATION FOR SITE/ SKETCH DEVELOPMENT PLAN APPROVAL**

Preliminary  Date: 8/7/2023 Final  Date: \_\_\_\_\_

(Check appropriate box)

Name of proposed development Overall Site Plan Development for Parkview at Ticonderoga, LLC

**Applicant:**

Name Parkview at Ticonderoga, LLC  
Address 885 RT 67, Ballston Spa, NY  
12020  
Telephone \_\_\_\_\_

**Plans Prepared by:**

Name Environmental Design Partnership, LLP  
Address 900 RT 146, Clifton  
Park, NY 12065  
Telephone (518) 371-7621

**Owner (if different):**

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

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_

Ownership intentions, i.e., purchase options

Applicant is proposing a multi-phased development that may include Retail,  
Professional Offices, Flex Warehouse space and Residential.

Location of site

9811-9815 Western Turnpike, Duanesburg, NY 12053

Section 65.00 Block 1 Lot 19.1

Current zoning classification Manufacturing Light Industrial, C-2

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Proposed use(s) of site

Mixed use development consisting of Retail, Professional Offices, Flex  
Warehouse space and Residential

Total site area (square feet or acres) 87.75 acres

Anticipated construction time TBD

Will development be phased? Yes

Over →

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

Light Industrial / Commercial/Undeveloped

Current condition of site (buildings, brush, etc.) Warehouse Buildings, wetlands, forest

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

Residential, Commercial,  
undeveloped lands, wetlands

Estimated cost of proposed improvement \$ TBD

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

TBD

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)

Subdivision or the Creation of up to 11 Lease Parcels that will include the following:

Lot 1- Retail, 10,000± SF Building, parking and outdoor storage areas

Lot 2- Commercial/Professional Office, 36,000± SF Building, Parking areas

Lot 3- Commercial/Professional Office, 40,000± SF Building, Parking areas

Lot 4- Warehouse/Flex Space, 40,000± SF Building, Loading Docks and Parking areas

Lot 5- Warehouse/Flex Space, 20,000± SF Building, Loading Docks and Parking areas

Lot 6- Warehouse/Flex Space, 40,000± SF Building, Loading Docks and Parking areas

Lot 7- Existing 30,000± SF Warehouse/Flex Space Building to remain, Loading Docks and Parking area upgrades

Lot 8- (2) Warehouse/Flex Space, 40,000± SF Building and 30,000± SF Building, Loading Docks and Parking areas

Lot 9- Single Family Residential, House size and Number of stories TBD, driveway

Lot 10- Single Family Residential, House size and Number of stories TBD, driveway

Lot 11- Existing 40,000± SF Warehouse/Flex Space Building to remain, Loading Docks and Parking area upgrades



# Project Narrative

## **PARKVIEW AT TICONDEROGA, LLC**

### **MIXED-USE SUBDIVISION LAYOUT**

**NYS ROUTE 20**

**Town of Duanesburg**

**Schenectady County, New York**

*August 2023*

Prepared By:

The Environmental Design Partnership, LLP

900 Route 146

Clifton Park, NY 12065



**ENVIRONMENTAL DESIGN  
PARTNERSHIP, LLP.**

Shaping the physical environment

---

## 1.0 INTRODUCTION AND BACKGROUND

The attached sketch plan represents a concept for a commercial, industrial and residential development located on the southeastern corner of NYS Route 20 and Gage Road. The 89.24-acre property is located within the Town of Duanesburg and has a tax map identification number of 65.00-1-19.1.

The plan illustrates the general intent of the site development concept and the configuration for the major elements of the proposed design. The Concept, Site Plan Application, and Agricultural Data Statement were compiled in accordance with the Manufacturing and Light Industrial District from Section 12 of the Town of Duanesburg Zoning Ordinance.

The general topography of the site slopes from east to west towards Gage Road. United States Army Corps of Engineers (USACE) wetlands run east to west through the site. Portions of those wetlands will be disturbed to allow access through the site. Disturbances would be limited to the narrowest portions of the wetlands and culverts would be provided to preserve the existing hydrology. There are no FEMA Floodplains within the parcel area.

The Applicant and property owner is Parkview at Ticonderoga, LLC. The overall character of the surrounding area is generally residential with some commercial businesses along Route 20. The property consists of a large brush area with some mature trees to the eastern side of the property. One industrial facility with a storage building has been located on the site since before 1985. Jamaica Millworks has been operating out of the industrial facility since 2010 and Lucia Specialized Hauling has also been operating out of the industrial facility since the mid 2000's, as well as other business utilization of the light industrial storage use. The applicant is looking to develop the remaining portions of this property into a mixed-use commercial/industrial park.

The attached plan illustrates a conceptual full buildout design that subdivides the parcel up to 11 lots that would retain the existing 30,000 SF storage building. Additionally, the plan would create a 10,000 SF retail space, 2 commercial/professional office spaces with total floor areas of 36,000 SF and 40,000 SF, 6 flex warehouses varying in size from 20,000 SF to 40,000 SF, and 2 single family lots along Gage Road. As interested future tenants come forward, user-specific building sizes and layouts would be developed and presented to the Town Planning Board for site plan approval. This conceptual sketch plan is included to depict a possible full-buildout of the property and provide the basis for a full-buildout review to expedite site plan approvals and avoid segregation under the State Environmental Quality Review Act.

## 2.0 ZONING

The Property is zoned a Manufacturing and Light Industrial District C-2. Bulk standards within the C-2 zoning district include a minimum lot size of 100,000 SF with a minimum depth and width of 200-feet. Additionally, there is an 80-foot front yard setback, a 40-foot side yard



setback (80-foot side yard setback on the corner lot), and an 80-foot rear yard setback. The maximum building coverage allowed under C-2 zoning is 50% and a maximum building size of 40,000 SF. Building height cannot exceed 42-feet in the zone. The proposed concept plan meets or exceeds the required bulk standards.

### **3.0 PARKING**

According to the zoning code, it is required to have 1 parking space per every 180 SF of total floor area for retail buildings; 1 parking space per every 1,000 SF of total floor space for warehouses; 1 parking space per every 250 SF of total floor area for office buildings; 2 parking spaces per single family dwelling. The retail building lot includes the required number of parking spaces. Each of the office lots contain the minimum required amount of parking spaces for a building size of 40,000 SF. The warehouse lots all contain at least the minimum required spaces for the varying building footprints. The existing storage building incorporates the surrounding impervious area to provide the minimum number of required spaces. Each of the single-family dwellings also have more than 2 parking spaces.

### **4.0 ACCESS / DRIVEWAY LOCATION**

There are two (2) driveways proposed on New York State Route 20 for ingress and egress. The primary access point to the site is located 825 feet west of the intersection of Route 20 and Gage Road. The main retail store access point is also located on Route 20 just west of Gage Road. Five (5) driveways are proposed on Gage Road for multiple uses. The primary ingress and egress points for a proposed warehouse, the existing warehouse, a secondary access road to the site, and the two single-family homes are all located along Gage Road. The proposed curb cuts along Route 20 would need to be reviewed and approved by the New York State Department of Transportation (NYSDOT). Upon commencement of the detailed design phase of this project, a commercial driveway permit application will be submitted to the NYSDOT for review and approval.

### **5.0 STORMWATER**

The project would disturb greater than one acre and would be subject to the New York State Department of Environmental Conservation (NYSDEC) State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity (GP-0-20-002). A Stormwater Pollution Prevention Plan (SWPPP) would be prepared for the project during detailed design. Stormwater would be managed on-site.

### **6.0 WATER AND SANITARY**

The property is not currently served by public water or sewer. The applicant is proposing to install wells and septic systems on-site.



## 7.0 COMPREHENSIVE PLAN

The following is recommendations and goals from the Town of Duanesburg Comprehensive Plan that support the development of the parcel:

1. *Commercial and Residential Development Objective – Creating deeper roadside zones to encourage centers of development and discourage strips.*
  - To support eliminating trips along main routes within the town this design centralizes development in the site rather than along Route 20. The various proposed lots will be accessed by an interior road which pulls traffic away from Route 20 and Gage Road.
2. *Commerce and Industry – Preserve and strengthen the Town’s local employment opportunities and services and expand commercial property tax.*
  - The proposed development of commercial offices, multiple warehouses, and a retail space would create opportunities for local businesses to expand their existing operations, as well as entice businesses out of the area to migrate or expand into the area with the project’s location on Route 20 with a short drive to access Interstate 90.
3. *Commerce and Industry – Mixed Use Commercial Park Objective: Consider permitting mixed-use commercial/retail/small warehousing park development.*
  - The Comprehensive Plan includes the proposed property as an opportunity to create a mixed-use commercial park, which is the proposed project.
4. *Natural Resources – Steep Slopes Preservation Objective: Preserve steep slopes and ridge lines.*
  - Slopes in the development areas of the parcel are below 15%
5. *Schenectady County Metroplex Service District*
  - The project is located within the Metroplex District whose mission is to “enhance the long-term economic vitality and quality of life in Schenectady County by cooperative, purposeful actions and investments within the Metroplex corridor”. The proposed project would aid in that mission by expanding job opportunities in the area and increase the tax revenue received by the Town and the Schenectady County Metroplex Service District as well.

TOWN OF DUANESBURG

Application# \_\_\_\_\_

Agricultural Data Statement

Date: \_\_\_\_\_

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>Parkview at Ticonderoga, LLC</u> Address: <u>885 RT 67, Ballston Spa, NY</u> <u>12020</u>	Name: <u>Same</u> _____ _____

1. Type of Application:  Special Use Permit;  Site Plan Approval;  Use Variance;  Area Variance;  Subdivision Approval (circle one or more)
2. Description of proposed project:  
Applicant is proposing a multi-phased development that may include Retail, Professional Offices, Flex Warehouse space and Residential.
3. Location of project: Address: 9811-9815 Western Turnpike, Duaneburg, NY 12053  
Tax Map Number (TMP) 65.00-1-19.1
4. Is this parcel within an Agricultural District?  YES  NO (Check with your local
5. If YES, Agricultural District Number \_\_\_\_\_ assessor if you do not know.)
6. Is this parcel actively farmed?  YES  NO
7. List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

NAME: <u>Thomas Blaise</u> ADDRESS: <u>9712 Western Turnpike</u> <u>Delanson, NY 12053</u> Is this parcel actively farmed? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	NAME: <u>Majorie Martratt</u> ADDRESS: <u>9560 Western Turnpike</u> <u>Delanson, NY 12053</u> Is this parcel actively farmed? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
NAME: _____ ADDRESS: _____ Is this parcel actively farmed? <input type="checkbox"/> YES <input type="checkbox"/> NO	NAME: _____ ADDRESS: _____ Is this parcel actively farmed? <input type="checkbox"/> YES <input type="checkbox"/> NO

  
Signature of Applicant

\_\_\_\_\_  
Signature of Owner (if other than applicant)

Reviewed by: Dale R. Warner

\_\_\_\_\_  
Date

Revised 6/30/08

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

**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 project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Sponsor Information.**

Name of Action or Project: Overall Site Plan Development for Parkview at Ticonderoga, LLC		
Project Location (describe, and attach a general location map): The southeast corner of Western Ave (NYS Route 20) and Gage Road		
Brief Description of Proposed Action (include purpose or need): The Applicant is proposing a multi-phased development that may include a subdivision or creating lease parcels that will include Retail, Professional Offices, Flex Warehouse space and single family residential.		
Name of Applicant/Sponsor: Parkview at Ticonderoga, LLC	Telephone:	
	E-Mail:	
Address: 885 Rt 67		
City/PO: Ballston Spa	State: NY	Zip Code: 12020
Project Contact (if not same as sponsor; give name and title/role): Anthony Guidarelli - Representative	Telephone: 518-857-0541	
	E-Mail: anthony@buildgci.com	
Address: 885 Rt 67		
City/PO: Ballston Spa	State: NY	Zip Code: 12020
Property Owner (if not same as sponsor): Same	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:



**B. Government Approvals**

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Planning Board (sketch plan, site plan, and subdivision)	8/7/2023
c. City Council, 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	County Planning Board (Section 239 Realty Subdivision)	
f. Regional agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSOPRHP (Historical Site), NYSDOH (Water Supply)	
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDDEC (SWPPP, SPDES Permit, Sewer), NYSDOT (Curb Cut)	
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	ACOE (Wetlands)	
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**

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

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No

If Yes, what is the zoning classification(s) including any applicable overlay district?

C-2 Manufacturing Light Industrial

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 District

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

New York State Police, Schenectady County Sheriff

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

Delanson Fire Department

d. What parks serve the project site?

None

**D. Project Details**

**D.1. Proposed and Potential Development**

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

b. a. Total acreage of the site of the proposed action? 89.27 acres

b. Total acreage to be physically disturbed? ±46.5 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 89.27 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, Industrial, and Commercial

ii. Is a cluster/conservation layout proposed?  Yes  No

iii. Number of lots proposed? Up to 11

iv. Minimum and maximum proposed lot sizes? Minimum 100,000SF Maximum TBD

e. Will 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 11

• Anticipated commencement date of phase 1 (including demolition) TBD month TBD year

• Anticipated completion date of final phase TBD month TBD year

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

Phases will be constructed based upon the market demands once project is approved

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	0	0	0	0
At completion of all phases	2	0	0	0

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

If Yes,

i. Total number of structures 10

ii. Dimensions (in feet) of largest proposed structure: 42 height; TBD width; and TBD length

iii. Approximate extent of building space to be heated or cooled: 40,000 square feet (maximum one building)

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

If Yes,

i. Purpose of the impoundment: Stormwater Management

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

Rainwater

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

Surface Water Runoff

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

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

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

Earth moving construction equipment will be utilized to create the final earth fill stormwater area

## 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): PSS1E as identified on MWI Wetland Mapper. Other wetlands on-site were field delineated

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:  
The current plan proposes to construct a permanent paved road across the wetlands delineated on-site with a culvert to facilitate the existing flow of water through the wetlands.

iii. Will proposed action cause or result in disturbance to bottom sediments?  Yes  No  
If Yes, describe: Wetland sediment disturbed by the culvert will be placed within the culvert with a depth of 6" min.

iv. Will 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: 0.10
- expected acreage of aquatic vegetation remaining after project completion: 5.40
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): Road crossings
- proposed method of plant removal: Excavation
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_  
Embedded culvert to facilitate existing flowpaths remain after construction is completed

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: \_\_\_\_\_ TBD 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: \_\_\_\_\_  
Wells

vi. If water supply will be from wells (public or private), maximum pumping capacity: \_\_\_\_\_ TBD gallons/minute.

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

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ TBD 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 wastewater

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 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):  
 Separate private septic systems \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 Liquid wastes will be collected in on-site septic systems \_\_\_\_\_

- 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?
- \_\_\_\_\_ TE~~00~~ Square feet or \_\_\_\_\_ TE~~00~~ acres (impervious surface)
- \_\_\_\_\_ TE~~00~~ Square feet or \_\_\_\_\_ TE~~00~~ acres (parcel size)
- ii. Describe types of new point sources, Stormwater practice outlets \_\_\_\_\_

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

- If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_
- Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does 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 (CO<sub>2</sub>)
  - \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
  - \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
  - \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
  - \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
  - \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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

If Yes:

- i. Estimate methane generation in tons/year (metric): \_\_\_\_\_
- ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

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

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

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

If Yes:

- i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of TBD to TBD.
- ii. For commercial activities only, projected number of semi-trailer truck trips/day: TBD
- iii. Parking spaces: Existing TBD Proposed TBD Net increase/decrease TBD
- iv. Does the proposed action include any shared use parking?  Yes  No
- v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

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

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

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

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

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_  
TBD

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

Local Utility Company \_\_\_\_\_

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: 7am - 7pm
- Saturday: 7am - 7pm
- Sunday: -
- Holidays: -

ii. During Operations:

- Monday - Friday: TBD
- Saturday: TBD
- Sunday: -
- Holidays: -



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

If yes:

i. Provide details including sources, time of day and duration:  
 Mechanical construction equipment during work hours 7am - 7pm Monday through Saturday

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ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: Forested areas and hills

---

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

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
Lights typical of commercial and residential settings that includes parking area lighting, walkway lamps, and building sconces. Height TBD

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: Forested areas and hills

---

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:  
 \_\_\_\_\_  
 \_\_\_\_\_

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

If Yes:

i. Product(s) to be stored \_\_\_\_\_

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

iii. Generally describe proposed storage facilities: \_\_\_\_\_

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

If Yes:

i. Describe proposed treatment(s):  
 \_\_\_\_\_  
 \_\_\_\_\_

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

---

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

If Yes:

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

- Construction: \_\_\_\_\_ TBD tons per \_\_\_\_\_ TBD (unit of time)
- Operation : \_\_\_\_\_ TBD tons per \_\_\_\_\_ TBD (unit of time)

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

- Construction: On-site Commingling
- Operation: On-site Commingling

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

- Construction: Local hauling company
- Operation: Local hauling company

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 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:

Industrial facility located on a mainly rural non-developed site

b. Land uses and covertypes on the project site.

Land use or Coverture	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	±7.41	±26.0	+18.59
• Forested	±72.67	±34.71	-34.71
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	±3.63	±19.85	+16.22
• Agricultural (includes active orchards, field, greenhouse etc.)	±0	±0	±0
• Surface water features (lakes, ponds, streams, rivers, etc.)	±0.16	±0.16	±0
• Wetlands (freshwater or tidal)	±5.40	±5.30	-0.1
• 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? \_\_\_\_\_ +6 feet On-site test pits of upland areas

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ 1 %

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

Silt loam	_____	98.9 %
Rock Outcrop	_____	1.1 %
	_____	%

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ 6 feet On-site test pits of upland areas

e. Drainage status of project site soils:

<input type="checkbox"/> Well Drained:	_____ % of site
<input type="checkbox"/> Moderately Well Drained:	_____ % of site
<input checked="" type="checkbox"/> Poorly Drained	100 % of site

f. Approximate proportion of proposed action site with slopes:

<input checked="" type="checkbox"/> 0-10%:	_____ 66.7 % of site
<input checked="" type="checkbox"/> 10-15%:	_____ 15.4 % of site
<input checked="" type="checkbox"/> 15% or greater:	_____ 18.0 % 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 879-11 Classification C
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name ACOE Federally Regulated Wetlands Approximate Size 5.40
- 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:		
Squirrel _____ _____	Deer _____ _____	Chipmunk _____ _____
n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>		
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"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>		
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? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>		
Northern Log-eared Bat & Monarch Butterfly		
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? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>		
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If yes, give a brief description of how the proposed action may affect that use: _____		
<b>E.3. Designated Public Resources On or Near Project Site</b>		
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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes, provide county plus district name/number: _____		
b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>		
i. If Yes: acreage(s) on project site? 19.0 AC		
ii. Source(s) of soil rating(s): USDA		
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>		
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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>		
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, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?  Yes  No

If Yes:

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

ii. Name: Halladay Farmhouse, on an adjacent site

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

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

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

If Yes:

i. Describe possible resource(s): \_\_\_\_\_

ii. Basis for identification: \_\_\_\_\_

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

If Yes:

i. Identify resource: \_\_\_\_\_

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

iii. Distance between project and resource: \_\_\_\_\_ miles.

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

If Yes:

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

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

**F. Additional Information**

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

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

**G. Verification**

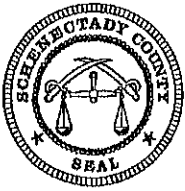
I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name D. Brien Ragone Date August 7, 2023

Signature  Title Landscape Architect (LA #002135)



# OFFICE OF THE SCHENECTADY COUNTY CLERK



620 STATE STREET  
SCHENECTADY, NY 12305-2114  
PHONE (518) 388-4220  
FAX (518) 388-4224

Maryellen Brehm

Alicia Godlewski

Jeffrey Morrette

Cara M. Ackerley  
County Clerk

Carla Saglimbeni  
Deputy County Clerks

Instrument Number - 201950169

Recorded On 11/4/2019 At 9:39:45 AM

\* Instrument Type - DEED

\* Book/Page - DEED/2023/456

\* Total Pages - 4

Invoice Number - 1029286 User ID: LPD

\* Document Number - 2019-4692

\* Grantor - 500 DUANESBURG ROAD LLC

\* Grantee - PARKVIEW AT TICONDEROGA LLC

\*RETURN DOCUMENT TO:

DRIVER GREENE LLP

228 CHURCH ST

SARATOGA SPRINGS, NY 12866

\* FEES

NY REALTY TRANSFER TAX	\$4,000.00
NY LAND SUR	\$4.75
NY E & A FEES	\$241.00
NY LAND COMP SUR	\$14.25
CO GENERAL REVENUE	\$45.00
CO LAND SUR	\$0.25
CO E & A FEES	\$9.00
CO LAND COMP SUR	\$0.75
TOTAL PAID	\$4,315.00

TRANSFER TAX

Real Estate Transfer Tax Num - 1309

Transfer Tax Amount - \$ 4,000.00

I hereby CONFIRM that this document is  
Recorded in the Schenectady County Clerk's Office  
in Schenectady, New York

*C. Ackerley*  
Cara M. Ackerley

Schenectady County Clerk

THIS IS AN ENDORSEMENT PAGE

**Do Not Detach**

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

\* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.

INSTRUMENT NUMBER - 201950169



CT19-02448 D/A

**WARRANTY DEED**

**THIS INDENTURE**, Made this 1<sup>st</sup> day of November, Two Thousand Nineteen.

BETWEEN **500 DUANESBURG ROAD, LLC**, a New York limited liability company, with a mailing address of 1363 Giffords Church Road, Schenectady, New York 12306, party of the second part; and,

**PARKVIEW AT TICONDEROGA, LLC**, a New York limited liability company, with a mailing address of 885 Route 67, Ballston Spa, New York 12020, party of the second part,

WITNESSETH that the party of the first part, in consideration of -----ONE AND NO/100 (\$1.00) DOLLAR----- lawful money of the United States, and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, its or successors and/or assigns forever,

**ALL THAT TRACT OR PARCEL OF LAND** situate in the Town of Duanesburg, County of Schenectady and State of New York, and known and distinguished on the general map or plan of the subdivision of said Town as Lot No. 231 and bounded on the east by lands of George Liddle; on the South by lands of Matthew Roctor, and on the West and North by the public highway, containing 104 acres or thereabout.

Excepting from the above the following parcels:

Premises conveyed to Donald R. Smith and Estella Smith, his wife, by Elton Fisher and Nellie Fisher, his wife, by Warranty Deed dated March 20, 1948 and recorded March 20, 1948 in the Schenectady County Clerk's Office in Liber 576 of Deeds at Page 406.

Premises conveyed to the Town of Duanesburg by Jamaica Builders Supply Corp. by Quit Claim Deed dated August 31, 1971 and recorded October 18, 1971 in the Schenectady County Clerk's Office in Book 951 of Deeds at Page 206.

Premises conveyed to David N. Mosher by Jamaica Builders Supply Corp. by Bargain and Sale Deed dated December 30, 1975 and recorded January 2, 1976 in the Schenectady County Clerk's Office in Book 993 of Deeds at Page 1038.

Premises conveyed to Alexander Stevenson and Mary J. Stevenson, his wife, by Jamaica Builders Supply Corp. by Bargain and Sale Deed dated August 1, 1977 and recorded August 2, 1977 in the Schenectady County Clerk's Office in Liber 1009 of Deeds at Page 331.

Premises conveyed to John Showerman and Caren C. Showerman, his wife, by Jamaica Builders Supply Corp. by Bargain and Sale Deed dated June 15, 1978 and recorded June 16, 1978 in the Schenectady County Clerk's Office in Book 1017 of Deeds at Page 1025.

Premises conveyed to Lance A. Manus and Wendy L. Manus, his wife, by Jamaica Builders Supply Corp. by Bargain and Sale Deed dated July 8, 1978 and recorded July 10, 1978 in the Schenectady County Clerk's Office in Book 1018 of Deeds at Page 822.

191  
D  
SEC 65.00  
TACENT.  
LOT 1

Premises conveyed to Ronald Baehr and Lillian Baehr, his wife, by Jamaica Builders Supply Corp. by Quit Claim Deed dated August 15, 1981 and recorded October 2, 1981 in the Schenectady County Clerk's Office in Book 1049 of Deeds at Page 570.

Premises conveyed to Scott W. Lundetedt and Sandra K. Lundetedt or the survivor of them, by Jamaica Builders Supply Corp. by Covenant vs. Grantor Deed dated July 31, 1973 and recorded August 1, 1973 in the Schenectady County Clerk's Office in Book 970 of Deeds at Page 946.

Subject to an easement to the Niagara Mohawk Power Corporation dated July 25, 1979 and recorded October 9, 1979 in Book 1031 of Deeds at Page 495.

BEING the same premises conveyed to the party of the first part, by a deed from Joseph Lucarelli, dated January 3, 2006, and recorded in the Schenectady County Clerk's Office on April 12, 2006, in Book 1731 of Deeds at Page 647.

Subject to any and all enforceable covenants, restrictions and easements of record; and any state of facts which an inspection and/or accurate survey may show.

This conveyance is made with the unanimous consent of the grantor's member in its normal course of business and does not constitute all or substantially all of the assets of the limited liability company.

**TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

**TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, its successors and/or assigns forever.

And the party of the first part covenants as follows:

**First**, That the party of the second part shall quietly enjoy the said premises.

**Second**, That the party of the first part will forever Warrant the title to said premises.

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

IN WITNESS WHEREOF, the party of the first part has caused these presents to be signed by its duly authorized member this 1<sup>st</sup> day of November, Two Thousand Nineteen.

500 DUANESBURG ROAD, LLC

BY:   
JOSEPH LUCARELLI, MEMBER





**TOWN OF DUANESBURG**

Application# \_\_\_\_\_

**Agricultural Data Statement**

Date: \_\_\_\_\_

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>Parkview at Ticonderoga, LLC</u> Address: <u>885 RT 67, Ballston Spa, NY 12020</u>	Name: <u>Same</u> _____ _____

1. Type of Application:  Special Use Permit;  Site Plan Approval;  Use Variance;  Area Variance;  Subdivision Approval (circle one or more)
2. Description of proposed project:  
Applicant is proposing a multi-phased development that may include Retail, Professional Offices, Flex Warehouse space and Residential.
3. Location of project: Address: 9811-9815 Western Turnpike, Duanesburg, NY 12053  
Tax Map Number (TMP) 65.00-1-19.1
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: <u>Thomas Blaise</u> ADDRESS: <u>9712 Western Turnpike</u> <u>Delanson, NY 12053</u> Is this parcel actively farmed? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	NAME: <u>Majorie Martratt</u> ADDRESS: <u>9560 Western Turnpike</u> <u>Delanson, NY 12053</u> Is this parcel actively farmed? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
NAME: _____ ADDRESS: _____ Is this parcel actively farmed? <input type="checkbox"/> YES <input type="checkbox"/> NO	NAME: _____ ADDRESS: _____ Is this parcel actively farmed? <input type="checkbox"/> YES <input type="checkbox"/> NO

  
Signature of Applicant

\_\_\_\_\_  
Signature of Owner (if other than applicant)

Reviewed by: Dale R. Warner

\_\_\_\_\_  
Date

Revised 6/30/08

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

January 22, 2024

Parkview at Ticonderoga, LLC  
C/O: Ms. Kylie Holland  
885 Route 67  
Ballston Spa, NY 12020

RE: Traffic Assessment, Duanesburg Business Park, Western Turnpike, Town of Duanesburg, Schenectady County, New York; CM Project 123-338

Dear Ms. Holland,

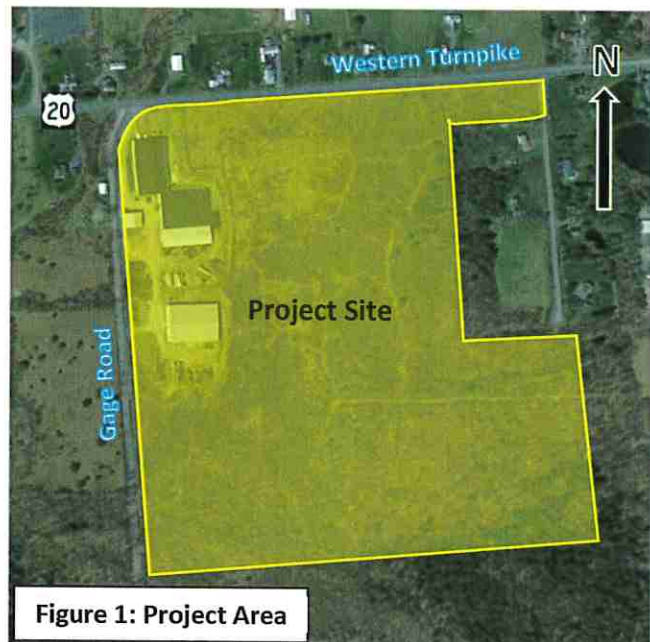
Creighton Manning Engineering, LLP (CM) has conducted a *Traffic Assessment* for the proposed *Duanesburg Business Park* development located on Western Turnpike and Gage Road, in the Town of Duanesburg. This assessment is based on information provided in the "Sketch Plan," prepared by Environmental Design Partnership, LLP, dated January 22, 2024 (see Attachment A).

## 1.0 Project Description

The proposed *Duanesburg Business Park* includes the construction of a multi-use development located in the Town of Duanesburg that will include the following uses:

- 210,000 SF of Warehousing/Flex space
- 91,000 SF of Office space
- 2 Single-Family Homes.
- 30,000 SF of Storage space (existing)

Access to the commercial part of the development is proposed via two site driveways on Western Turnpike (US Route 20) and three emergency access driveways on Gage Road. Two site driveways to the single family homes will also be provided on Gage Road. The project location is shown on Figure 1.



## 2.0 Existing Conditions

### Roadways Serving the Site

Western Turnpike (US Route 20) is classified as a rural principal arterial other roadway that travels in an east-west direction through Schenectady County. Western Turnpike has a 12-foot wide travel lane in each direction in the vicinity of the proposed site with 6-foot wide shoulders on both sides of the roadway. Sidewalks are not provided on Western Turnpike and the posted speed limit is 55-mph. Land uses along the roadway generally consist of residential homes with some commercial uses.

Gage Road is classified as an urban local road that travels in a north-south direction between Western Turnpike and NY Route 7. Gage Road provides a 19-foot wide travel way for two-way travel movements. Sidewalks are not provided on Gage Road and the posted speed limit is 30-mph. Land uses along the roadway generally consist of the residential homes and vacant land.



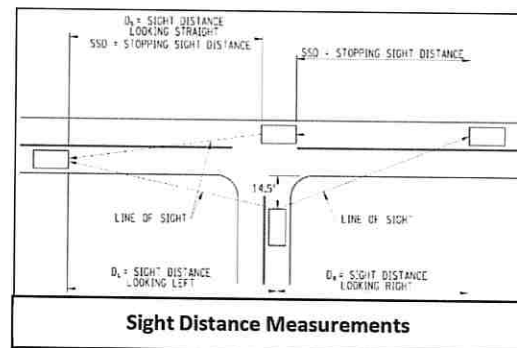
### Data Collection

CM collected vehicle volume and travel speed data on Gage Road from Tuesday, November 28, 2023 to Thursday, November 30, 2023, and on Western Turnpike from Monday, December 4, 2023 to Wednesday December 6, 2023. Western Turnpike serves approximately 4,800 vehicles per day (vpd) in the project corridor. The 85<sup>th</sup> percentile operating speed was measured to be 63-mph in the eastbound direction and 64-mph in the westbound direction. Gage Road serves approximately 100 vpd in the project corridor. The 85<sup>th</sup> percentile operating speed was measured to be 41-mph in both directions. The detailed traffic volume and speed data is included under Attachment B.

### 3.0 Sight Distance

A sight distance evaluation was completed at each of the proposed site driveway intersections located on Western Turnpike and Gage Road. An evaluation of the emergency access driveways on Gage Road has not been provided since these access points will be gated. Available *intersection* sight distance was measured from the perspective of a passenger car exiting each of the driveways and for a combination truck exiting each of the driveways on Western Turnpike. It was also measured for a vehicle traveling westbound along Western Turnpike and southbound on Gage Road looking straight ahead to turn left into the site. The available intersection sight distance should provide drivers a sufficient view of the intersecting roadway to allow passenger cars and combinations trucks to enter or exit the intersection without excessively slowing vehicles traveling at or near the operating speed on the intersecting mainline.

*Stopping* sight distance was also measured on Western Turnpike and Gage Road at the site driveway intersections. Stopping sight distance is the length of the roadway ahead that is visible to the driver. The available stopping sight distance on a roadway should be of sufficient length to enable a vehicle traveling at or near the operating speed to stop before reaching a stationary object in its path. The diagram to the right illustrates these sight distance measurements.



The sight distances measured in the field were compared to the guidelines presented in *A Policy on Geometric Design of Highways and Streets, 2018* published by the American Association of State Highway Transportation Officials (AASHTO) and the current NYSDOT design guidance presented in the *Highway Design Manual Chapter 5* (Appendix 5B) for the measured 65-mph travel speed in both directions on Western Turnpike and the measured 40-mph travel speed in both directions on Gage Road. The results of the sight distance analysis are summarized in Table 1.

Table 1 – Sight Distance Summary (feet)

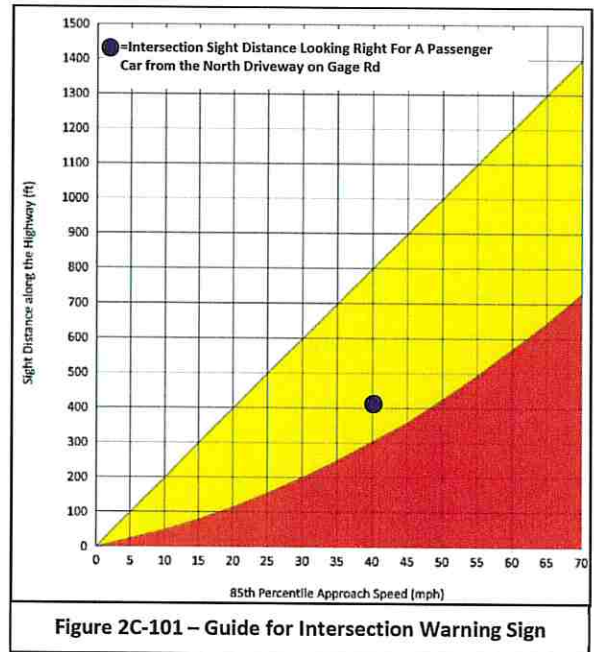
Intersection			Intersection Sight Distance <sup>1</sup>				Stopping Sight Distance <sup>2</sup>	
			Right-Turn from Site Driveway (D <sub>i</sub> )	Left-Turn from Sight Driveway		Left-Turn from Western Turnpike/Gage Road (D <sub>s</sub> )	SSD <sub>NB/EB</sub>	SSD <sub>SB/WB</sub>
				Looking Left (D <sub>L</sub> )	Looking Right (D <sub>R</sub> )			
Western Turnpike/ West Driveway	Passenger Cars	Available	>1,200	>1,200	>1,200	>1,200	>1,200	
		Recommended <sup>3</sup>	625	720	720	530	645	645
	Combination Truck	Available	>1,200	>1,200	>1,200	>1,200	>1,200	>1,200
		Recommended <sup>3</sup>	1,005	1,100	1,100	530	645	645
Western Turnpike/ East Driveway	Passenger Cars	Available	>1,200	>1,200	>1,200	>1,200	>1,200	>1,200
		Recommended <sup>3</sup>	625	720	720	530	645	645
	Combination Truck	Available	>1,200	>1,200	>1,200	>1,200	>1,200	>1,200
		Recommended <sup>3</sup>	1,005	1,100	1,100	530	645	645
Gage Road/ North Driveway	Passenger Cars	Available	>800	>800	405	>800	>800	345
		Recommended <sup>4</sup>	385	445	445	325	275	275
Gage Road/ South Driveway	Passenger Cars	Available	>800	>800	675	>800	>800	650
		Recommended <sup>4</sup>	385	445	445	325	275	275

XXX [XXX] = Available Sight Distance

- Intersection sight distance is measured at 14.5 feet back from the travel way at an object height of 3.5 feet and an eye height of 3.5 feet for a passenger car and 7.5 feet for combination trucks.
- Stopping sight distance measured for a 2-foot object located in the path of northbound/southbound vehicles on Western Turnpike and Gage Road at an eye height of 3.5 feet.
- The 85<sup>th</sup> percentile speed was measured to be approximately 65-mph in the eastbound/westbound directions on Western Turnpike.
- The 85<sup>th</sup> percentile speed was measured to be approximately 40-mph in the northbound/southbound directions on Gage Road.

The sight distance evaluations at the sight driveway intersections on Western Turnpike indicate that the available intersection and stopping sight distances for passenger cars and combination trucks meet AASHTO guidelines for the 65-mph operating speed.

The sight distance evaluation for the site driveways associated with the residential homes on Gage Road indicates that the available intersection and stopping sight distances for passenger cars meet AASHTO guidelines for the 40-mph operating speed with the exception of the available sight distance looking right to make a left-turn from the North Driveway. The available sight distance looking right is limited by a vertical curve on Gage Road and is short of the recommended guideline by 40-feet; however, a review of Figure 2C-101 found in the NYS Supplement to the NMUTCD, which provides guidance for the installation of “Intersection Warning” signs, indicates that while the available sight distances looking right is less than desirable, it is not critically limited and the installation of an “Intersection Warning” sign is not recommended.



It is recommended that any site signing associated with the proposed development be placed a minimum of fifteen feet back from the travel way and that the landscaping plan consider sight lines in order to maintain visibility at the proposed site driveway intersections.



#### 4.0 Traffic Assessment

##### Trip Generation

Trip generation determines the quantity of traffic expected to travel to/from a given site. The Institute of Transportation Engineers (ITE) *Trip Generation*, 11<sup>th</sup> edition, is the industry standard used for estimating trip generation for proposed land uses based on data collected at similar uses. Table 2 summarizes the trip generation estimate during the AM and PM peak hours for the proposed development which was estimated based on the following ITE Land Use Codes (LUC):

- LUC 710 – General Office Building
- LUC 150 – Warehousing
- LUC 210 – Single-Family Detached Housing

Table 2 – Trip Generation Summary

Land Use	Size	LUC	AM Peak Hour			PM Peak Hour		
			Enter	Exit	Total	Enter	Exit	Total
Professional Office	91 KSF	710	136	18	154	26	128	154
Warehousing	210 KSF	150	38	11	49	14	38	52
Single Family Detached	2 Units	210	1	1	2	2	1	3
<b>Total</b>			<b>175</b>	<b>30</b>	<b>205</b>	<b>42</b>	<b>167</b>	<b>209</b>

The proposed project is estimated to generate 205 new vehicle trips during the AM peak hour and 209 new vehicle trips during the PM peak hour. It is anticipated that approximately 30% of traffic will travel to and from the west on Western Turnpike and that 70% of site generated traffic will travel to and from the east on Western Turnpike. It is not anticipated that a significant proportion of traffic will use Gage Road to access the site. This indicates that the site will generate a maximum of 123 trips during the peak hours on any intersection approach.

Roadway capacity criteria provided by the Capital Region Transportation Committee (CRTC) indicates that an arterial road has a peak hour capacity of 1,000 vehicles *in each direction*. The traffic volume data recorded by Creighton Manning shows that Western Turnpike currently serves approximately 370 AM peak hour trips and 485 PM peak hour trips near the proposed site (in both directions). As noted above, the proposed multi-use development will generate a total of approximately 205 and 209 trips during the AM and PM peak hours, respectively (in both directions). More than adequate capacity would be provided since traffic will remain well below the 1,000 vehicles per hour per direction capacity.

#### 5.0 Conclusions

The proposed *Duanesburg Business Park* includes the construction of a multi-use development located in the Town of Duanesburg that will include 210,000 SF of warehousing, 91,000 SF of office space, and two single family homes. The existing 30,000 SF of storage space will remain. Access to the commercial part of the development is proposed via two site driveways on Western Turnpike and three emergency access driveways on Gage Road. Two site driveways to the single-family homes will also be provided on Gage Road. The following is noted regarding the proposed project:

- The sight distance evaluations at the sight driveway intersections on Western Turnpike indicate that the available intersection and stopping sight distances for passenger cars and combination trucks meet AASHTO guidelines for the 65-mph operating speed.
- The sight distance evaluation for the site driveways associated with the residential homes on Gage Road indicates that the available intersection and stopping sight distances for passenger cars meet AASHTO guidelines for the 40-mph operating speed with the exception of the available sight distance


looking right to make a left-turn from the North Driveway. The available sight distance looking right is limited by a vertical curve on Gage Road. A review of the NYS Supplement to the NMUTCD indicates that while the available sight distances looking right is less than desirable, it is not critically limited and the installation of an "Intersection Warning" sign is not recommended.

- It is recommended that any site signing associated with the proposed development be placed a minimum of fifteen feet back from the travel way and that the landscaping plan consider sight lines in order to maintain visibility at the proposed site driveway intersections.
- The proposed project is estimated to generate 205 new vehicle trips during the AM peak hour and 209 new vehicle trips during the PM peak hour. It is anticipated that approximately 30% of traffic will travel to and from the west on Western Turnpike and that 70% of site generated traffic will travel to and from the east on Western Turnpike. It is not anticipated that a significant proportion of traffic will use Gage Road to access the site. This indicates that the site will generate a maximum of 123 trips during the peak hours on any intersection approach.
- Roadway capacity criteria provided by CRTC indicates that an arterial road has a peak hour capacity of 1,000 vehicles *in each direction*. Western Turnpike currently serves approximately 370 AM peak hour trips and 485 PM peak hour trips near the proposed site (in both directions). The proposed multi-use development will generate a total of approximately 205 and 209 trips during the AM and PM peak hours, respectively (in both directions). More than adequate capacity would be provided since traffic will remain well below the 1,000 vehicles per hour per direction capacity.

Please feel free to call our office if you have any questions or comments regarding the above evaluation.

Respectfully submitted,

Creighton Manning Engineering, LLP

  
Mark Nadolny  
Associate

Attachments

N:\Projects\2023\123-338 Parkview - Parkview at Ticonderoga\Working\Traffic\Reports\20240122\_Traffic Assessment\_123338.docx

Attachment A  
Site Plan

Duanesburg Business Park  
Town of Delanson, New York





**Attachment B**  
**Traffic Volume Data**

Duanesburg Business Park  
Town of Delanson, New York



## MetroCount Traffic Executive Weekly Vehicle Counts (Virtual Week)

### VirtWeeklyVehicle-10 -- English (ENU)

#### Datasets:

**Site:** [123-338] Western Turnpike, approximately 850-feet east of Gage Road  
**Attribute:** Parkview at Ticonderoga  
**Direction:** 8 - East bound A>B, West bound B>A. Lane: 1  
**Survey Duration:** 13:35 Monday, December 4, 2023 => 10:06 Wednesday, December 6, 2023,  
**Zone:**  
**File:** 123-338 0 2023-12-06 1006.EC1 (Plus )  
**Identifier:** R7190MC2 MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default axle (v4.06)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

#### Profile:

**Filter time:** 15:00 Monday, December 4, 2023 => 4:00 Wednesday, December 6, 2023 (1.54167)  
**Included classes:** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13  
**Speed range:** 6 - 99 mph.  
**Direction:** East, West (bound), P = East  
**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 6799 / 6810 (99.84%)

## Weekly Vehicle Counts (Virtual Week)

VirtWeeklyVehicle-10

Site: 123-338.1.2EW  
 Description: Western Turnpike, approximately 850-feet east of Gage Road  
 Filter time: 15:00 Monday, December 4, 2023 => 4:00 Wednesday, December 6, 2023  
 Scheme: Vehicle classification (Scheme F3)  
 Filter: Cls(1 2 3 4 5 6 7 8 9 10 11 12 13 ) Dir(EW) Sp(6,99) Headway(>0) Span(0 - 328.084)

Hour	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Averages	
								1 - 5	1 - 7
0000-0100	*	12.0	18.0	*	*	*	*	15.0	15.0
0100-0200	*	18.0	9.0	*	*	*	*	13.5	13.5
0200-0300	*	13.0	16.0	*	*	*	*	14.5	14.5
0300-0400	*	18.0	17.0	*	*	*	*	17.5	17.5
0400-0500	*	65.0	*	*	*	*	*	65.0	65.0
0500-0600	*	159.0	*	*	*	*	*	159.0	159.0
0600-0700	*	363.0	*	*	*	*	*	363.0	363.0
0700-0800	*	<b>371.0</b>	*	*	*	*	*	<b>371.0</b>	<b>371.0</b>
0800-0900	*	253.0	*	*	*	*	*	253.0	253.0
0900-1000	*	237.0	*	*	*	*	*	237.0	237.0
1000-1100	*	243.0	*	*	*	*	*	243.0	243.0
1100-1200	*	237.0	*	*	*	*	*	237.0	237.0
1200-1300	*	296.0	*	*	*	*	*	296.0	296.0
1300-1400	*	274.0	*	*	*	*	*	274.0	274.0
1400-1500	*	303.0	*	*	*	*	*	303.0	303.0
1500-1600	413.0	429.0	*	*	*	*	*	421.0	421.0
1600-1700	492.0	<b>476.0</b>	*	*	*	*	*	<b>484.0</b>	<b>484.0</b>
1700-1800	435.0	415.0	*	*	*	*	*	425.0	425.0
1800-1900	225.0	247.0	*	*	*	*	*	236.0	236.0
1900-2000	147.0	131.0	*	*	*	*	*	139.0	139.0
2000-2100	87.0	79.0	*	*	*	*	*	83.0	83.0
2100-2200	66.0	72.0	*	*	*	*	*	69.0	69.0
2200-2300	36.0	58.0	*	*	*	*	*	47.0	47.0
2300-2400	38.0	31.0	*	*	*	*	*	34.5	34.5
<b>Totals</b>									
0700-1900	*	3781.0	*	*	*	*	*	3780.0	3780.0
0600-2200	*	4426.0	*	*	*	*	*	4434.0	4434.0
0600-0000	*	4515.0	*	*	*	*	*	4515.5	4515.5
0000-0000	*	4800.0	*	*	*	*	*	4800.0	4800.0
<b>AM Peak</b>	*	0700	*	*	*	*	*		
	*	371.0	*	*	*	*	*		
<b>PM Peak</b>	*	1600	*	*	*	*	*		
	*	476.0	*	*	*	*	*		

\* - No data.

## MetroCount Traffic Executive Weekly Vehicle Counts (Virtual Week)

### VirtWeeklyVehicle-11 -- English (ENU)

#### Datasets:

**Site:** [123-338] Western Turnpike, approximately 850-feet east of Gage Road  
**Attribute:** Parkview at Ticonderoga  
**Direction:** 8 - East bound A>B, West bound B>A. Lane: 1  
**Survey Duration:** 13:35 Monday, December 4, 2023 => 10:06 Wednesday, December 6, 2023,  
**Zone:**  
**File:** 123-338 0 2023-12-06 1006.EC1 (Plus )  
**Identifier:** R7190MC2 MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default axle (v4.06)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

#### Profile:

**Filter time:** 15:00 Monday, December 4, 2023 => 4:00 Wednesday, December 6, 2023 (1.54167)  
**Included classes:** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13  
**Speed range:** 6 - 99 mph.  
**Direction:** East (bound), P = East  
**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 3092 / 6810 (45.40%)

## Weekly Vehicle Counts (Virtual Week)

VirtWeeklyVehicle-11

Site: 123-338.1.2EW  
 Description: Western Turnpike, approximately 850-feet east of Gage Road  
 Filter time: 15:00 Monday, December 4, 2023 => 4:00 Wednesday, December 6, 2023  
 Scheme: Vehicle classification (Scheme F3)  
 Filter: Cls(1 2 3 4 5 6 7 8 9 10 11 12 13 ) Dir(E) Sp(6,99) Headway(>0) Span(0 - 328.084)

Hour	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Averages	
								1 - 5	1 - 7
0000-0100	*	5.0	7.0	*	*	*	*	6.0	6.0
0100-0200	*	5.0	3.0	*	*	*	*	4.0	4.0
0200-0300	*	6.0	7.0	*	*	*	*	6.5	6.5
0300-0400	*	11.0	9.0	*	*	*	*	10.0	10.0
0400-0500	*	51.0	*	*	*	*	*	51.0	51.0
0500-0600	*	140.0	*	*	*	*	*	140.0	140.0
0600-0700	*	274.0	*	*	*	*	*	274.0	274.0
0700-0800	*	<b>277.0</b>	*	*	*	*	*	<b>277.0</b>	<b>277.0</b>
0800-0900	*	173.0	*	*	*	*	*	173.0	173.0
0900-1000	*	133.0	*	*	*	*	*	133.0	133.0
1000-1100	*	139.0	*	*	*	*	*	139.0	139.0
1100-1200	*	116.0	*	*	*	*	*	116.0	116.0
1200-1300	*	158.0	*	*	*	*	*	158.0	158.0
1300-1400	*	136.0	*	*	*	*	*	136.0	136.0
1400-1500	*	132.0	*	*	*	*	*	132.0	132.0
1500-1600	155.0	154.0	*	*	*	*	*	154.5	154.5
1600-1700	156.0	<b>179.0</b>	*	*	*	*	*	<b>167.5</b>	<b>167.5</b>
1700-1800	133.0	117.0	*	*	*	*	*	125.0	125.0
1800-1900	94.0	78.0	*	*	*	*	*	86.0	86.0
1900-2000	41.0	47.0	*	*	*	*	*	44.0	44.0
2000-2100	30.0	27.0	*	*	*	*	*	28.5	28.5
2100-2200	22.0	21.0	*	*	*	*	*	21.5	21.5
2200-2300	16.0	25.0	*	*	*	*	*	20.5	20.5
2300-2400	7.0	8.0	*	*	*	*	*	7.5	7.5
<b>Totals</b>									
0700-1900	*	1792.0	*	*	*	*	*	1797.0	1797.0
0600-2200	*	2161.0	*	*	*	*	*	2165.0	2165.0
0600-0000	*	2194.0	*	*	*	*	*	2193.0	2193.0
0000-0000	*	2412.0	*	*	*	*	*	2410.5	2410.5
AM Peak	*	0700	*	*	*	*	*		
	*	277.0	*	*	*	*	*		
PM Peak	*	1600	*	*	*	*	*		
	*	179.0	*	*	*	*	*		

\* - No data.

**MetroCount Traffic Executive**  
**Weekly Vehicle Counts (Virtual Week)**

**VirtWeeklyVehicle-12 -- English (ENU)**

**Datasets:**

**Site:** [123-338] Western Turnpike, approximately 850-feet east of Gage Road  
**Attribute:** Parkview at Ticonderoga  
**Direction:** 8 - East bound A>B, West bound B>A. Lane: 1  
**Survey Duration:** 13:35 Monday, December 4, 2023 => 10:06 Wednesday, December 6, 2023,  
**Zone:**  
**File:** 123-338 0 2023-12-06 1006.EC1 (Plus )  
**Identifier:** R7190MC2 MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default axle (v4.06)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

**Profile:**

**Filter time:** 15:00 Monday, December 4, 2023 => 4:00 Wednesday, December 6, 2023 (1.54167)  
**Included classes:** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13  
**Speed range:** 6 - 99 mph.  
**Direction:** West (bound), P = East  
**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 3707 / 6810 (54.43%)



## Weekly Vehicle Counts (Virtual Week)

VirtWeeklyVehicle-12

Site: 123-338.1.2EW

Description: Western Turnpike, approximately 850-feet east of Gage Road

Filter time: 15:00 Monday, December 4, 2023 => 4:00 Wednesday, December 6, 2023

Scheme: Vehicle classification (Scheme F3)

Filter: Cls(1 2 3 4 5 6 7 8 9 10 11 12 13 ) Dir(W) Sp(6,99) Headway(>0) Span(0 - 328.084)

Hour	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Averages	
								1 - 5	1 - 7
0000-0100	*	7.0	11.0	*	*	*	*	9.0	9.0
0100-0200	*	13.0	6.0	*	*	*	*	9.5	9.5
0200-0300	*	7.0	9.0	*	*	*	*	8.0	8.0
0300-0400	*	7.0	8.0	*	*	*	*	7.5	7.5
0400-0500	*	14.0	*	*	*	*	*	14.0	14.0
0500-0600	*	19.0	*	*	*	*	*	19.0	19.0
0600-0700	*	89.0	*	*	*	*	*	89.0	89.0
0700-0800	*	94.0	*	*	*	*	*	94.0	94.0
0800-0900	*	80.0	*	*	*	*	*	80.0	80.0
0900-1000	*	104.0	*	*	*	*	*	104.0	104.0
1000-1100	*	104.0	*	*	*	*	*	104.0	104.0
1100-1200	*	<b>121.0</b>	*	*	*	*	*	<b>121.0</b>	<b>121.0</b>
1200-1300	*	138.0	*	*	*	*	*	138.0	138.0
1300-1400	*	138.0	*	*	*	*	*	138.0	138.0
1400-1500	*	171.0	*	*	*	*	*	171.0	171.0
1500-1600	258.0	275.0	*	*	*	*	*	266.5	266.5
1600-1700	336.0	297.0	*	*	*	*	*	<b>316.5</b>	<b>316.5</b>
1700-1800	302.0	<b>298.0</b>	*	*	*	*	*	300.0	300.0
1800-1900	131.0	169.0	*	*	*	*	*	150.0	150.0
1900-2000	106.0	84.0	*	*	*	*	*	95.0	95.0
2000-2100	57.0	52.0	*	*	*	*	*	54.5	54.5
2100-2200	44.0	51.0	*	*	*	*	*	47.5	47.5
2200-2300	20.0	33.0	*	*	*	*	*	26.5	26.5
2300-2400	31.0	23.0	*	*	*	*	*	27.0	27.0
<b>Totals</b>									
0700-1900	*	1989.0	*	*	*	*	*	1983.0	1983.0
0600-2200	*	2265.0	*	*	*	*	*	2269.0	2269.0
0600-0000	*	2321.0	*	*	*	*	*	2322.5	2322.5
0000-0000	*	2388.0	*	*	*	*	*	2389.5	2389.5
AM Peak	*	1100	*	*	*	*	*		
	*	121.0	*	*	*	*	*		
PM Peak	*	1700	*	*	*	*	*		
	*	298.0	*	*	*	*	*		

\* - No data.

## MetroCount Traffic Executive Speed Statistics

### SpeedStat-14 -- English (ENU)

#### Datasets:

**Site:** [123-338] Western Turnpike, approximately 850-feet east of Gage Road  
**Attribute:** Parkview at Ticonderoga  
**Direction:** 8 - East bound A>B, West bound B>A. Lane: 1  
**Survey Duration:** 13:35 Monday, December 4, 2023 => 10:06 Wednesday, December 6, 2023,  
**Zone:**  
**File:** 123-338 0 2023-12-06 1006.EC1 (Plus )  
**Identifier:** R7190MC2 MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default axle (v4.06)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

#### Profile:

**Filter time:** 15:00 Monday, December 4, 2023 => 4:00 Wednesday, December 6, 2023 (1.54167)  
**Included classes:** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13  
**Speed range:** 6 - 99 mph.  
**Direction:** East, West (bound), P = East  
**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 6799 / 6810 (99.84%)



## Speed Statistics

**SpeedStat-14**

**Site:** 123-338.1.2EW  
**Description:** Western Turnpike, approximately 850-feet east of Gage Road  
**Filter time:** 15:00 Monday, December 4, 2023 => 4:00 Wednesday, December 6, 2023  
**Scheme:** Vehicle classification (Scheme F3)  
**Filter:** Cls(1 2 3 4 5 6 7 8 9 10 11 12 13 ) Dir(EW) Sp(6,99) Headway(>0) Span(0 - 328.084)

Vehicles = 6799  
 Posted speed limit = 55 mph, Exceeding = 5078 (74.69%), Mean Exceeding = 60.75 mph  
 Maximum = 94.5 mph, Minimum = 16.4 mph, Mean = 58.2 mph  
 85% Speed = 63.5 mph, 95% Speed = 66.7 mph, Median = 58.4 mph  
 10 mph Pace = 53 - 63, Number in Pace = 4545 (66.85%)  
 Variance = 38.05, Standard Deviation = 6.17 mph

**Speed Bins (Partial days)**

Speed	Bin	Below	Above	Energy	vMult	n * vMult
0 - 5	0 0.0%	0 0.0%	6799 100.0%	0.00	0.00	0.00
5 - 10	0 0.0%	0 0.0%	6799 100.0%	0.00	0.00	0.00
10 - 15	0 0.0%	0 0.0%	6799 100.0%	0.00	0.00	0.00
15 - 20	5 0.1%	5 0.1%	6794 99.9%	0.00	0.00	0.00
20 - 25	9 0.1%	14 0.2%	6785 99.8%	0.00	0.00	0.00
25 - 30	7 0.1%	21 0.3%	6778 99.7%	0.00	0.00	0.00
30 - 35	16 0.2%	37 0.5%	6762 99.5%	0.00	0.00	0.00
35 - 40	32 0.5%	69 1.0%	6730 99.0%	0.00	0.00	0.00
40 - 45	92 1.4%	161 2.4%	6638 97.6%	0.00	0.00	0.00
45 - 50	321 4.7%	482 7.1%	6317 92.9%	0.00	0.00	0.00
50 - 55	1239 18.2%	1721 25.3%	5078 74.7%	0.00	0.00	0.00
55 - 60	2442 35.9%	4163 61.2%	2636 38.8%	0.00	0.00	0.00
60 - 65	1956 28.8%	6119 90.0%	680 10.0%	0.00	0.00	0.00
65 - 70	554 8.1%	6673 98.1%	126 1.9%	0.00	0.00	0.00
70 - 75	84 1.2%	6757 99.4%	42 0.6%	0.00	0.00	0.00
75 - 80	28 0.4%	6785 99.8%	14 0.2%	0.00	0.00	0.00
80 - 85	10 0.1%	6795 99.9%	4 0.1%	0.00	0.00	0.00
85 - 90	3 0.0%	6798 100.0%	1 0.0%	0.00	0.00	0.00
90 - 95	1 0.0%	6799 100.0%	0 0.0%	0.00	0.00	0.00
95 - 100	0 0.0%	6799 100.0%	0 0.0%	0.00	0.00	0.00

Total Speed Rating = 0.00  
 Total Moving Energy (Estimated) = 0.00

**Speed limit fields (Partial days)**

Limit	Below	Above
0   55 (PSL)	1721 25.3%	5078 74.7%

## MetroCount Traffic Executive Speed Statistics

### SpeedStat-15 -- English (ENU)

#### Datasets:

**Site:** [123-338] Western Turnpike, approximately 850-feet east of Gage Road  
**Attribute:** Parkview at Ticonderoga  
**Direction:** 8 - East bound A>B, West bound B>A. Lane: 1  
**Survey Duration:** 13:35 Monday, December 4, 2023 => 10:06 Wednesday, December 6, 2023,  
**Zone:**  
**File:** 123-338 0 2023-12-06 1006.EC1 (Plus )  
**Identifier:** R7190MC2 MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default axle (v4.06)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

#### Profile:

**Filter time:** 15:00 Monday, December 4, 2023 => 4:00 Wednesday, December 6, 2023 (1.54167)  
**Included classes:** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13  
**Speed range:** 6 - 99 mph.  
**Direction:** East (bound), P = East  
**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 3092 / 6810 (45.40%)

## Speed Statistics

### SpeedStat-15

**Site:** 123-338.1.2EW  
**Description:** Western Turnpike, approximately 850-feet east of Gage Road  
**Filter time:** 15:00 Monday, December 4, 2023 => 4:00 Wednesday, December 6, 2023  
**Scheme:** Vehicle classification (Scheme F3)  
**Filter:** Cls(1 2 3 4 5 6 7 8 9 10 11 12 13 ) Dir(E) Sp(6,99) Headway(>0) Span(0 - 328.084)

Vehicles = 3092

Posted speed limit = 55 mph, Exceeding = 2162 (69.92%), Mean Exceeding = 60.78 mph

Maximum = 88.6 mph, Minimum = 16.4 mph, Mean = 57.6 mph

85% Speed = 63.3 mph, 95% Speed = 66.9 mph, Median = 57.9 mph

10 mph Pace = 53 - 63, Number in Pace = 1976 (63.91%)

Variance = 43.40, Standard Deviation = 6.59 mph

### Speed Bins (Partial days)

Speed	Bin	Below	Above	Energy	vMult	n * vMult
0 - 5	0 0.0%	0 0.0%	3092 100.0%	0.00	0.00	0.00
5 - 10	0 0.0%	0 0.0%	3092 100.0%	0.00	0.00	0.00
10 - 15	0 0.0%	0 0.0%	3092 100.0%	0.00	0.00	0.00
15 - 20	2 0.1%	2 0.1%	3090 99.9%	0.00	0.00	0.00
20 - 25	6 0.2%	8 0.3%	3084 99.7%	0.00	0.00	0.00
25 - 30	6 0.2%	14 0.5%	3078 99.5%	0.00	0.00	0.00
30 - 35	7 0.2%	21 0.7%	3071 99.3%	0.00	0.00	0.00
35 - 40	16 0.5%	37 1.2%	3055 98.8%	0.00	0.00	0.00
40 - 45	65 2.1%	102 3.3%	2990 96.7%	0.00	0.00	0.00
45 - 50	184 6.0%	286 9.2%	2806 90.8%	0.00	0.00	0.00
50 - 55	644 20.8%	930 30.1%	2162 69.9%	0.00	0.00	0.00
55 - 60	1043 33.7%	1973 63.8%	1119 36.2%	0.00	0.00	0.00
60 - 65	819 26.5%	2792 90.3%	300 9.7%	0.00	0.00	0.00
65 - 70	236 7.6%	3028 97.9%	64 2.1%	0.00	0.00	0.00
70 - 75	39 1.3%	3067 99.2%	25 0.8%	0.00	0.00	0.00
75 - 80	17 0.5%	3084 99.7%	8 0.3%	0.00	0.00	0.00
80 - 85	7 0.2%	3091 100.0%	1 0.0%	0.00	0.00	0.00
85 - 90	1 0.0%	3092 100.0%	0 0.0%	0.00	0.00	0.00
90 - 95	0 0.0%	3092 100.0%	0 0.0%	0.00	0.00	0.00
95 - 100	0 0.0%	3092 100.0%	0 0.0%	0.00	0.00	0.00

Total Speed Rating = 0.00

Total Moving Energy (Estimated) = 0.00

### Speed limit fields (Partial days)

Limit	Below	Above
0   55 (PSL)	930 30.1%	2162 69.9%

## MetroCount Traffic Executive Speed Statistics

### SpeedStat-16 -- English (ENU)

#### Datasets:

**Site:** [123-338] Western Turnpike, approximately 850-feet east of Gage Road  
**Attribute:** Parkview at Ticonderoga  
**Direction:** 8 - East bound A>B, West bound B>A. **Lane:** 1  
**Survey Duration:** 13:35 Monday, December 4, 2023 => 10:06 Wednesday, December 6, 2023,  
**Zone:**  
**File:** 123-338 0 2023-12-06 1006.EC1 (Plus )  
**Identifier:** R7190MC2 MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default axle (v4.06)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

#### Profile:

**Filter time:** 15:00 Monday, December 4, 2023 => 4:00 Wednesday, December 6, 2023 (1.54167)  
**Included classes:** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13  
**Speed range:** 6 - 99 mph.  
**Direction:** West (bound), P = East  
**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 3707 / 6810 (54.43%)

## Speed Statistics

### SpeedStat-16

**Site:** 123-338.1.2EW  
**Description:** Western Turnpike, approximately 850-feet east of Gage Road  
**Filter time:** 15:00 Monday, December 4, 2023 => 4:00 Wednesday, December 6, 2023  
**Scheme:** Vehicle classification (Scheme F3)  
**Filter:** Cls(1 2 3 4 5 6 7 8 9 10 11 12 13 ) Dir(W) Sp(6,99) Headway(>0) Span(0 - 328.084)

Vehicles = 3707

Posted speed limit = 55 mph, Exceeding = 2916 (78.66%), Mean Exceeding = 60.73 mph

Maximum = 94.5 mph, Minimum = 18.1 mph, Mean = 58.6 mph

85% Speed = 63.8 mph, 95% Speed = 66.7 mph, Median = 58.8 mph

10 mph Pace = 54 - 64, Number in Pace = 2572 (69.38%)

Variance = 33.16, Standard Deviation = 5.76 mph

### Speed Bins (Partial days)

Speed	Bin	Below	Above	Energy	vMult	n * vMult
0 - 5	0 0.0%	0 0.0%	3707 100.0%	0.00	0.00	0.00
5 - 10	0 0.0%	0 0.0%	3707 100.0%	0.00	0.00	0.00
10 - 15	0 0.0%	0 0.0%	3707 100.0%	0.00	0.00	0.00
15 - 20	3 0.1%	3 0.1%	3704 99.9%	0.00	0.00	0.00
20 - 25	3 0.1%	6 0.2%	3701 99.8%	0.00	0.00	0.00
25 - 30	1 0.0%	7 0.2%	3700 99.8%	0.00	0.00	0.00
30 - 35	9 0.2%	16 0.4%	3691 99.6%	0.00	0.00	0.00
35 - 40	16 0.4%	32 0.9%	3675 99.1%	0.00	0.00	0.00
40 - 45	27 0.7%	59 1.6%	3648 98.4%	0.00	0.00	0.00
45 - 50	137 3.7%	196 5.3%	3511 94.7%	0.00	0.00	0.00
50 - 55	595 16.1%	791 21.3%	2916 78.7%	0.00	0.00	0.00
55 - 60	1399 37.7%	2190 59.1%	1517 40.9%	0.00	0.00	0.00
60 - 65	1137 30.7%	3327 89.7%	380 10.3%	0.00	0.00	0.00
65 - 70	318 8.6%	3645 98.3%	62 1.7%	0.00	0.00	0.00
70 - 75	45 1.2%	3690 99.5%	17 0.5%	0.00	0.00	0.00
75 - 80	11 0.3%	3701 99.8%	6 0.2%	0.00	0.00	0.00
80 - 85	3 0.1%	3704 99.9%	3 0.1%	0.00	0.00	0.00
85 - 90	2 0.1%	3706 100.0%	1 0.0%	0.00	0.00	0.00
90 - 95	1 0.0%	3707 100.0%	0 0.0%	0.00	0.00	0.00
95 - 100	0 0.0%	3707 100.0%	0 0.0%	0.00	0.00	0.00

Total Speed Rating = 0.00

Total Moving Energy (Estimated) = 0.00

### Speed limit fields (Partial days)

Limit	Below	Above
0   55 (PSL)	791 21.3%	2916 78.7%



## MetroCount Traffic Executive Weekly Vehicle Counts (Virtual Week)

### VirtWeeklyVehicle-0 -- English (ENU)

#### Datasets:

**Site:** [123-338] Gage Road, approximately 950-feet south of Western Turnpike  
**Attribute:** Parkview at Ticonderoga  
**Direction:** 7 - North bound A>B, South bound B>A. Lane: 1  
**Survey Duration:** 15:05 Tuesday, November 28, 2023 => 10:29 Thursday, November 30, 2023,  
**Zone:**  
**File:** 123-338 0 2023-11-30 1029.EC1 (Plus )  
**Identifier:** FZ12WDHB MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default axle (v4.06)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

#### Profile:

**Filter time:** 16:00 Tuesday, November 28, 2023 => 10:00 Thursday, November 30, 2023 (1.75)  
**Included classes:** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13  
**Speed range:** 6 - 99 mph.  
**Direction:** North, South (bound), P = North  
**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 169 / 179 (94.41%)



## Weekly Vehicle Counts (Virtual Week)

VirtWeeklyVehicle-0

Site: 123-338.1.2NS

Description: Gage Road, approximately 950-feet south of Western Turnpike

Filter time: 16:00 Tuesday, November 28, 2023 => 10:00 Thursday, November 30, 2023

Scheme: Vehicle classification (Scheme F3)

Filter: Cls(1 2 3 4 5 6 7 8 9 10 11 12 13 ) Dir(NS) Sp(6,99) Headway(>0) Span(0 - 328.084)

Hour	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Averages	
								1 - 5	1 - 7
0000-0100	*	*	0.0	0.0	*	*	*	0.0	0.0
0100-0200	*	*	0.0	0.0	*	*	*	0.0	0.0
0200-0300	*	*	0.0	0.0	*	*	*	0.0	0.0
0300-0400	*	*	1.0	0.0	*	*	*	0.5	0.5
0400-0500	*	*	0.0	1.0	*	*	*	0.5	0.5
0500-0600	*	*	3.0	3.0	*	*	*	3.0	3.0
0600-0700	*	*	6.0	4.0	*	*	*	5.0	5.0
0700-0800	*	*	7.0	9.0	*	*	*	8.0	8.0
0800-0900	*	*	10.0	6.0	*	*	*	8.0	8.0
0900-1000	*	*	5.0	5.0	*	*	*	5.0	5.0
1000-1100	*	*	4.0	*	*	*	*	4.0	4.0
1100-1200	*	*	9.0	*	*	*	*	9.0	9.0
1200-1300	*	*	9.0	*	*	*	*	9.0	9.0
1300-1400	*	*	9.0	*	*	*	*	9.0	9.0
1400-1500	*	*	6.0	*	*	*	*	6.0	6.0
1500-1600	*	*	10.0	*	*	*	*	10.0	10.0
1600-1700	*	14.0	5.0	*	*	*	*	9.5	9.5
1700-1800	*	9.0	6.0	*	*	*	*	7.5	7.5
1800-1900	*	3.0	4.0	*	*	*	*	3.5	3.5
1900-2000	*	6.0	5.0	*	*	*	*	5.5	5.5
2000-2100	*	1.0	2.0	*	*	*	*	1.5	1.5
2100-2200	*	1.0	1.0	*	*	*	*	1.0	1.0
2200-2300	*	2.0	2.0	*	*	*	*	2.0	2.0
2300-2400	*	0.0	1.0	*	*	*	*	0.5	0.5
<b>Totals</b>									
0700-1900	*	*	84.0	*	*	*	*	88.5	88.5
0600-2200	*	*	98.0	*	*	*	*	101.5	101.5
0600-0000	*	*	101.0	*	*	*	*	104.0	104.0
0000-0000	*	*	105.0	*	*	*	*	108.0	108.0
AM Peak	*	*	0800	*	*	*	*		
	*	*	10.0	*	*	*	*		
PM Peak	*	*	1500	*	*	*	*		
	*	*	10.0	*	*	*	*		

\* - No data.

**MetroCount Traffic Executive**  
**Weekly Vehicle Counts (Virtual Week)**

**VirtWeeklyVehicle-1 -- English (ENU)**

**Datasets:**

**Site:** [123-338] Gage Road, approximately 950-feet south of Western Turnpike  
**Attribute:** Parkview at Ticonderoga  
**Direction:** 7 - North bound A>B, South bound B>A. Lane: 1  
**Survey Duration:** 15:05 Tuesday, November 28, 2023 => 10:29 Thursday, November 30, 2023,  
**Zone:**  
**File:** 123-338 0 2023-11-30 1029.EC1 (Plus )  
**Identifier:** FZ12WDHB MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default axle (v4.06)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

**Profile:**

**Filter time:** 16:00 Tuesday, November 28, 2023 => 10:00 Thursday, November 30, 2023 (1.75)  
**Included classes:** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13  
**Speed range:** 6 - 99 mph.  
**Direction:** North (bound), P = North  
**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 76 / 179 (42.46%)

## Weekly Vehicle Counts (Virtual Week)

VirtWeeklyVehicle-1

Site: 123-338.1.2NS  
 Description: Gage Road, approximately 950-feet south of Western Turnpike  
 Filter time: 16:00 Tuesday, November 28, 2023 => 10:00 Thursday, November 30, 2023  
 Scheme: Vehicle classification (Scheme F3)  
 Filter: Cls(1 2 3 4 5 6 7 8 9 10 11 12 13 ) Dir(N) Sp(6,99) Headway(>0) Span(0 - 328.084)

Hour	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Averages	
								1 - 5	1 - 7
0000-0100	*	*	0.0	0.0	*	*	*	0.0	0.0
0100-0200	*	*	0.0	0.0	*	*	*	0.0	0.0
0200-0300	*	*	0.0	0.0	*	*	*	0.0	0.0
0300-0400	*	*	0.0	0.0	*	*	*	0.0	0.0
0400-0500	*	*	0.0	0.0	*	*	*	0.0	0.0
0500-0600	*	*	3.0	2.0	*	*	*	2.5	2.5
0600-0700	*	*	6.0	2.0	*	*	*	4.0	4.0
0700-0800	*	*	4.0	6.0	*	*	*	5.0	5.0
0800-0900	*	*	4.0	3.0	*	*	*	3.5	3.5
0900-1000	*	*	4.0	5.0	*	*	*	4.5	4.5
1000-1100	*	*	0.0	*	*	*	*	0.0	0.0
1100-1200	*	*	6.0	*	*	*	*	6.0	6.0
1200-1300	*	*	3.0	*	*	*	*	3.0	3.0
1300-1400	*	*	2.0	*	*	*	*	2.0	2.0
1400-1500	*	*	4.0	*	*	*	*	4.0	4.0
1500-1600	*	*	4.0	*	*	*	*	4.0	4.0
1600-1700	*	4.0	1.0	*	*	*	*	2.5	2.5
1700-1800	*	3.0	0.0	*	*	*	*	1.5	1.5
1800-1900	*	0.0	0.0	*	*	*	*	0.0	0.0
1900-2000	*	4.0	1.0	*	*	*	*	2.5	2.5
2000-2100	*	1.0	1.0	*	*	*	*	1.0	1.0
2100-2200	*	0.0	0.0	*	*	*	*	0.0	0.0
2200-2300	*	1.0	2.0	*	*	*	*	1.5	1.5
2300-2400	*	0.0	0.0	*	*	*	*	0.0	0.0
<b>Totals</b>									
0700-1900	*	*	32.0	*	*	*	*	36.0	36.0
0600-2200	*	*	40.0	*	*	*	*	43.5	43.5
0600-0000	*	*	42.0	*	*	*	*	45.0	45.0
0000-0000	*	*	45.0	*	*	*	*	47.5	47.5
AM Peak	*	*	1100	*	*	*	*		
	*	*	6.0	*	*	*	*		
PM Peak	*	*	1500	*	*	*	*		
	*	*	4.0	*	*	*	*		

\* - No data.

## MetroCount Traffic Executive Weekly Vehicle Counts (Virtual Week)

### VirtWeeklyVehicle-2 -- English (ENU)

#### Datasets:

**Site:** [123-338] Gage Road, approximately 950-feet south of Western Turnpike  
**Attribute:** Parkview at Ticonderoga  
**Direction:** 7 - North bound A>B, South bound B>A. Lane: 1  
**Survey Duration:** 15:05 Tuesday, November 28, 2023 => 10:29 Thursday, November 30, 2023,  
**Zone:**  
**File:** 123-338 0 2023-11-30 1029.EC1 (Plus )  
**Identifier:** FZ12WDHB MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default axle (v4.06)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

#### Profile:

**Filter time:** 16:00 Tuesday, November 28, 2023 => 10:00 Thursday, November 30, 2023 (1.75)  
**Included classes:** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13  
**Speed range:** 6 - 99 mph.  
**Direction:** South (bound), P = North  
**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 93 / 179 (51.96%)

## Weekly Vehicle Counts (Virtual Week)

VirtWeeklyVehicle-2

Site: 123-338.1.2NS  
 Description: Gage Road, approximately 950-feet south of Western Turnpike  
 Filter time: 16:00 Tuesday, November 28, 2023 => 10:00 Thursday, November 30, 2023  
 Scheme: Vehicle classification (Scheme F3)  
 Filter: Cls(1 2 3 4 5 6 7 8 9 10 11 12 13 ) Dir(S) Sp(6,99) Headway(>0) Span(0 - 328.084)

Hour	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Averages	
								1 - 5	1 - 7
0000-0100	*	*	0.0	0.0	*	*	*	0.0	0.0
0100-0200	*	*	0.0	0.0	*	*	*	0.0	0.0
0200-0300	*	*	0.0	0.0	*	*	*	0.0	0.0
0300-0400	*	*	1.0	0.0	*	*	*	0.5	0.5
0400-0500	*	*	0.0	1.0	*	*	*	0.5	0.5
0500-0600	*	*	0.0	1.0	*	*	*	0.5	0.5
0600-0700	*	*	0.0	2.0	*	*	*	1.0	1.0
0700-0800	*	*	3.0	3.0	*	*	*	3.0	3.0
0800-0900	*	*	6.0	3.0	*	*	*	4.5	4.5
0900-1000	*	*	1.0	0.0	*	*	*	0.5	0.5
1000-1100	*	*	4.0	*	*	*	*	4.0	4.0
1100-1200	*	*	3.0	*	*	*	*	3.0	3.0
1200-1300	*	*	6.0	*	*	*	*	6.0	6.0
1300-1400	*	*	7.0	*	*	*	*	7.0	7.0
1400-1500	*	*	2.0	*	*	*	*	2.0	2.0
1500-1600	*	*	6.0	*	*	*	*	6.0	6.0
1600-1700	*	10.0	4.0	*	*	*	*	7.0	7.0
1700-1800	*	6.0	6.0	*	*	*	*	6.0	6.0
1800-1900	*	3.0	4.0	*	*	*	*	3.5	3.5
1900-2000	*	2.0	4.0	*	*	*	*	3.0	3.0
2000-2100	*	0.0	1.0	*	*	*	*	0.5	0.5
2100-2200	*	1.0	1.0	*	*	*	*	1.0	1.0
2200-2300	*	1.0	0.0	*	*	*	*	0.5	0.5
2300-2400	*	0.0	1.0	*	*	*	*	0.5	0.5
<hr/>									
Totals									
0700-1900	*	*	52.0	*	*	*	*	52.5	52.5
0600-2200	*	*	58.0	*	*	*	*	58.0	58.0
0600-0000	*	*	59.0	*	*	*	*	59.0	59.0
0000-0000	*	*	60.0	*	*	*	*	60.5	60.5
AM Peak	*	*	0800	*	*	*	*		
	*	*	6.0	*	*	*	*		
PM Peak	*	*	1300	*	*	*	*		
	*	*	7.0	*	*	*	*		

\* - No data.

## MetroCount Traffic Executive Speed Statistics

### SpeedStat-3 -- English (ENU)

#### Datasets:

**Site:** [123-338] Gage Road, approximately 950-feet south of Western Turnpike  
**Attribute:** Parkview at Ticonderoga  
**Direction:** 7 - North bound A>B, South bound B>A. Lane: 1  
**Survey Duration:** 15:05 Tuesday, November 28, 2023 => 10:29 Thursday, November 30, 2023,  
**Zone:**  
**File:** 123-338 0 2023-11-30 1029.EC1 (Plus )  
**Identifier:** FZ12WDHB MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default axle (v4.06)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

#### Profile:

**Filter time:** 16:00 Tuesday, November 28, 2023 => 10:00 Thursday, November 30, 2023  
(1.75)  
**Included classes:** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13  
**Speed range:** 6 - 99 mph.  
**Direction:** North, East, South (bound), P = North  
**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 169 / 179 (94.41%)



## Speed Statistics

### SpeedStat-3

**Site:** 123-338.1.2NS  
**Description:** Gage Road, approximately 950-feet south of Western Turnpike  
**Filter time:** 16:00 Tuesday, November 28, 2023 => 10:00 Thursday, November 30, 2023  
**Scheme:** Vehicle classification (Scheme F3)  
**Filter:** Cls(1 2 3 4 5 6 7 8 9 10 11 12 13 ) Dir(NES) Sp(6,99) Headway(>0) Span(0 - 328.084)

Vehicles = 169

Posted speed limit = 30 mph, Exceeding = 133 (78.70%), Mean Exceeding = 37.18 mph

Maximum = 56.9 mph, Minimum = 14.6 mph, Mean = 34.8 mph

85% Speed = 40.9 mph, 95% Speed = 45.2 mph, Median = 34.4 mph

10 mph Pace = 29 - 39, Number in Pace = 102 (60.36%)

Variance = 46.73, Standard Deviation = 6.84 mph

### Speed Bins (Partial days)

Speed	Bin	Below	Above	Energy	vMult	n * vMult
0 - 5	0 0.0%	0 0.0%	169 100.0%	0.00	0.00	0.00
5 - 10	0 0.0%	0 0.0%	169 100.0%	0.00	0.00	0.00
10 - 15	1 0.6%	1 0.6%	168 99.4%	0.00	0.00	0.00
15 - 20	2 1.2%	3 1.8%	166 98.2%	0.00	0.00	0.00
20 - 25	7 4.1%	10 5.9%	159 94.1%	0.00	0.00	0.00
25 - 30	26 15.4%	36 21.3%	133 78.7%	0.00	0.00	0.00
30 - 35	56 33.1%	92 54.4%	77 45.6%	0.00	0.00	0.00
35 - 40	44 26.0%	136 80.5%	33 19.5%	0.00	0.00	0.00
40 - 45	24 14.2%	160 94.7%	9 5.3%	0.00	0.00	0.00
45 - 50	4 2.4%	164 97.0%	5 3.0%	0.00	0.00	0.00
50 - 55	2 1.2%	166 98.2%	3 1.8%	0.00	0.00	0.00
55 - 60	3 1.8%	169 100.0%	0 0.0%	0.00	0.00	0.00
60 - 65	0 0.0%	169 100.0%	0 0.0%	0.00	0.00	0.00
65 - 70	0 0.0%	169 100.0%	0 0.0%	0.00	0.00	0.00
70 - 75	0 0.0%	169 100.0%	0 0.0%	0.00	0.00	0.00
75 - 80	0 0.0%	169 100.0%	0 0.0%	0.00	0.00	0.00
80 - 85	0 0.0%	169 100.0%	0 0.0%	0.00	0.00	0.00
85 - 90	0 0.0%	169 100.0%	0 0.0%	0.00	0.00	0.00
90 - 95	0 0.0%	169 100.0%	0 0.0%	0.00	0.00	0.00
95 - 100	0 0.0%	169 100.0%	0 0.0%	0.00	0.00	0.00

Total Speed Rating = 0.00

Total Moving Energy (Estimated) = 0.00

### Speed limit fields (Partial days)

Limit	Below	Above
0   30 (PSL)	36 21.3%	133 78.7%

## MetroCount Traffic Executive Speed Statistics

### SpeedStat-4 -- English (ENU)

#### Datasets:

**Site:** [123-338] Gage Road, approximately 950-feet south of Western Turnpike  
**Attribute:** Parkview at Ticonderoga  
**Direction:** 7 - North bound A>B, South bound B>A. Lane: 1  
**Survey Duration:** 15:05 Tuesday, November 28, 2023 => 10:29 Thursday, November 30, 2023,  
**Zone:**  
**File:** 123-338 0 2023-11-30 1029.EC1 (Plus )  
**Identifier:** FZ12WDHB MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default axle (v4.06)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

#### Profile:

**Filter time:** 16:00 Tuesday, November 28, 2023 => 10:00 Thursday, November 30, 2023  
(1.75)  
**Included classes:** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13  
**Speed range:** 6 - 99 mph.  
**Direction:** North (bound), P = North  
**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 76 / 179 (42.46%)

## Speed Statistics

**SpeedStat-4**

**Site:** 123-338.1.2NS  
**Description:** Gage Road, approximately 950-feet south of Western Turnpike  
**Filter time:** 16:00 Tuesday, November 28, 2023 => 10:00 Thursday, November 30, 2023  
**Scheme:** Vehicle classification (Scheme F3)  
**Filter:** Cls(1 2 3 4 5 6 7 8 9 10 11 12 13 ) Dir(N) Sp(6,99) Headway(>0) Span(0 - 328.084)

Vehicles = 76

Posted speed limit = 30 mph, Exceeding = 65 (85.53%), Mean Exceeding = 37.55 mph

Maximum = 56.9 mph, Minimum = 22.9 mph, Mean = 36.0 mph

85% Speed = 40.7 mph, 95% Speed = 52.8 mph, Median = 34.7 mph

10 mph Pace = 30 - 40, Number in Pace = 53 (69.74%)

Variance = 47.97, Standard Deviation = 6.93 mph

### Speed Bins (Partial days)

Speed	Bin	Below	Above	Energy	vMult	n * vMult
0 - 5	0 0.0%	0 0.0%	76 100.0%	0.00	0.00	0.00
5 - 10	0 0.0%	0 0.0%	76 100.0%	0.00	0.00	0.00
10 - 15	0 0.0%	0 0.0%	76 100.0%	0.00	0.00	0.00
15 - 20	0 0.0%	0 0.0%	76 100.0%	0.00	0.00	0.00
20 - 25	2 2.6%	2 2.6%	74 97.4%	0.00	0.00	0.00
25 - 30	9 11.8%	11 14.5%	65 85.5%	0.00	0.00	0.00
30 - 35	27 35.5%	38 50.0%	38 50.0%	0.00	0.00	0.00
35 - 40	24 31.6%	62 81.6%	14 18.4%	0.00	0.00	0.00
40 - 45	8 10.5%	70 92.1%	6 7.9%	0.00	0.00	0.00
45 - 50	1 1.3%	71 93.4%	5 6.6%	0.00	0.00	0.00
50 - 55	2 2.6%	73 96.1%	3 3.9%	0.00	0.00	0.00
55 - 60	3 3.9%	76 100.0%	0 0.0%	0.00	0.00	0.00
60 - 65	0 0.0%	76 100.0%	0 0.0%	0.00	0.00	0.00
65 - 70	0 0.0%	76 100.0%	0 0.0%	0.00	0.00	0.00
70 - 75	0 0.0%	76 100.0%	0 0.0%	0.00	0.00	0.00
75 - 80	0 0.0%	76 100.0%	0 0.0%	0.00	0.00	0.00
80 - 85	0 0.0%	76 100.0%	0 0.0%	0.00	0.00	0.00
85 - 90	0 0.0%	76 100.0%	0 0.0%	0.00	0.00	0.00
90 - 95	0 0.0%	76 100.0%	0 0.0%	0.00	0.00	0.00
95 - 100	0 0.0%	76 100.0%	0 0.0%	0.00	0.00	0.00

Total Speed Rating = 0.00

Total Moving Energy (Estimated) = 0.00

### Speed limit fields (Partial days)

Limit	Below	Above
0   30 (PSL)	11 14.5%	65 85.5%

## MetroCount Traffic Executive Speed Statistics

### SpeedStat-5 -- English (ENU)

#### Datasets:

**Site:** [123-338] Gage Road, approximately 950-feet south of Western Turnpike  
**Attribute:** Parkview at Ticonderoga  
**Direction:** 7 - North bound A>B, South bound B>A. Lane: 1  
**Survey Duration:** 15:05 Tuesday, November 28, 2023 => 10:29 Thursday, November 30, 2023,  
**Zone:**  
**File:** 123-338 0 2023-11-30 1029.EC1 (Plus )  
**Identifier:** FZ12WDHB MC56-L5 [MC55] (c)Microcom 19Oct04  
**Algorithm:** Factory default axle (v4.06)  
**Data type:** Axle sensors - Paired (Class/Speed/Count)

#### Profile:

**Filter time:** 16:00 Tuesday, November 28, 2023 => 10:00 Thursday, November 30, 2023  
**(1.75)**  
**Included classes:** 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13  
**Speed range:** 6 - 99 mph.  
**Direction:** South (bound), P = North  
**Separation:** Headway > 0 sec, Span 0 - 328.084 ft  
**Name:** Default Profile  
**Scheme:** Vehicle classification (Scheme F3)  
**Units:** Non metric (ft, mi, ft/s, mph, lb, ton)  
**In profile:** Vehicles = 93 / 179 (51.96%)

## Speed Statistics

**SpeedStat-5**

**Site:** 123-338.1.2NS  
**Description:** Gage Road, approximately 950-feet south of Western Turnpike  
**Filter time:** 16:00 Tuesday, November 28, 2023 => 10:00 Thursday, November 30, 2023  
**Scheme:** Vehicle classification (Scheme F3)  
**Filter:** Cls(1 2 3 4 5 6 7 8 9 10 11 12 13 ) Dir(S) Sp(6,99) Headway(>0) Span(0 - 328.084)

Vehicles = 93

Posted speed limit = 30 mph, Exceeding = 68 (73.12%), Mean Exceeding = 36.83 mph

Maximum = 46.8 mph, Minimum = 14.6 mph, Mean = 33.8 mph

85% Speed = 41.2 mph, 95% Speed = 43.2 mph, Median = 33.3 mph

10 mph Pace = 27 - 37, Number in Pace = 52 (55.91%)

Variance = 44.03, Standard Deviation = 6.64 mph

### Speed Bins (Partial days)

Speed	Bin	Below	Above	Energy	vMult	n * vMult
0 - 5	0 0.0%	0 0.0%	93 100.0%	0.00	0.00	0.00
5 - 10	0 0.0%	0 0.0%	93 100.0%	0.00	0.00	0.00
10 - 15	1 1.1%	1 1.1%	92 98.9%	0.00	0.00	0.00
15 - 20	2 2.2%	3 3.2%	90 96.8%	0.00	0.00	0.00
20 - 25	5 5.4%	8 8.6%	85 91.4%	0.00	0.00	0.00
25 - 30	17 18.3%	25 26.9%	68 73.1%	0.00	0.00	0.00
30 - 35	29 31.2%	54 58.1%	39 41.9%	0.00	0.00	0.00
35 - 40	20 21.5%	74 79.6%	19 20.4%	0.00	0.00	0.00
40 - 45	16 17.2%	90 96.8%	3 3.2%	0.00	0.00	0.00
45 - 50	3 3.2%	93 100.0%	0 0.0%	0.00	0.00	0.00
50 - 55	0 0.0%	93 100.0%	0 0.0%	0.00	0.00	0.00
55 - 60	0 0.0%	93 100.0%	0 0.0%	0.00	0.00	0.00
60 - 65	0 0.0%	93 100.0%	0 0.0%	0.00	0.00	0.00
65 - 70	0 0.0%	93 100.0%	0 0.0%	0.00	0.00	0.00
70 - 75	0 0.0%	93 100.0%	0 0.0%	0.00	0.00	0.00
75 - 80	0 0.0%	93 100.0%	0 0.0%	0.00	0.00	0.00
80 - 85	0 0.0%	93 100.0%	0 0.0%	0.00	0.00	0.00
85 - 90	0 0.0%	93 100.0%	0 0.0%	0.00	0.00	0.00
90 - 95	0 0.0%	93 100.0%	0 0.0%	0.00	0.00	0.00
95 - 100	0 0.0%	93 100.0%	0 0.0%	0.00	0.00	0.00

Total Speed Rating = 0.00

Total Moving Energy (Estimated) = 0.00

### Speed limit fields (Partial days)

Limit	Below	Above
0   30 (PSL)	25 26.9%	68 73.1%





January 17, 2024

Kylie Holland  
Parkview at Ticonderoga, LLC  
885 Route 67  
Ballston Spa, NY 12020

**RE: Proposed Test Well Locations  
Parkview at Ticonderoga, LLC  
Duanesburg, New York**

Dear Ms. Holland,

Hanson Van Vleet, PLLC (HVV) provides this letter report to describe three proposed test well locations that were staked by HVV at the above-referenced property on January 16, 2024.

The groundwater potential in the area of the facility is primarily limited to bedrock aquifers. The bedrock in the area is interbedded sandstone, siltstone and shale of the Upper Ordovician Schenectady formation. The three test well locations were selected based on a fracture trace analysis of the property and site reconnaissance completed by HVV Senior Hydrogeologist, Jamie Gironda, P.G.

#### **Fracture Trace/Lineament Analysis**

The fracture trace/lineament analysis was performed to identify linear features that may represent water bearing fractures and/or shear zones on the proposed project site. The fracture trace/lineament analysis utilized available USGS topographic maps, geologic maps and aerial photographs. The objective for locating a groundwater source in the bedrock is to encounter a fracture or joint at a depth sufficient to yield a viable supply of groundwater.

The fracture trace analysis identified three separate linear topographic lows that traverse the subject property from east to west. These features are indicative of fracturing and weathering of the shallow bedrock at the subject site, and likely represent secondary porosity in the bedrock expected to provide enhanced well yields. The linear depressions located in the northern and central portion of the property were targeted for proposed test well locations intended to be suitable to provide potable water to meet future project demands.

#### **Site Reconnaissance**

On January 16, 2024 Jamie Gironda, P.G. of HVV performed field reconnaissance to verify the geologic and hydrogeologic features and conditions identified during the fracture trace analysis.

Wetland flagging was observed along the axis of the linear topographic features identified in the fracture trace analysis that are associated with riparian wetland areas along minor streams. All three proposed well locations were sited in close proximity to, but outside of the flagged wetland areas.

An existing well reported to service the facilities at Lot 6 was located and its coordinates were recorded to ensure that the proposed test well locations provide adequate separation distance from



## Proposed Test Well Locations

Parkview at Ticonderoga

January 17, 2023

the existing well to minimize the potential for pumping interference between wells. The location of the existing well and the proposed test wells are provided on the attached Figure 1.

A well log for the existing well was sourced from NYSDEC databases and is included as Appendix A. The well log for the existing well indicates that clay was encountered overlying bedrock to a depth of 14' where shale bedrock was encountered, and that the well was installed to a depth of 240' before encountering a 10 gpm yield. Clay overburden overlying bedrock at the site is advantageous as it provides a confining layer to reduce the potential for surficial contamination to migrate down into the fractured bedrock aquifer.

Site reconnaissance in the area of the proposed test wells identified generally flat terrain overgrown with thicket and sparse small trees. Road building will be necessary to access the proposed test well target areas, but the locations of the proposed test wells take into account proposed road construction as depicted on the Site Layout Plan prepared by The Environmental Design Partnership (EDP) (See Figure 2). Site conditions appear to be conducive to road building for drill rig access with well drained soils and without excessive elevation changes. An existing semi-improved road is present in the area of proposed test well location PV-3.

### **Proposed Test Well Locations**

Three proposed test well locations PV-1, PV-2, and PV-3 were staked and marked with pink ribbon based on the fracture trace analysis and site reconnaissance. All locations were surveyed in the field with a mapping-quality Geode brand GPS antenna. At the time of the survey, the equipment reported an estimated horizontal accuracy of less than one foot at each respective location. coordinates for each proposed test well and a description of each location is provided below.

PV-1: 42.76124, -74.22125

Proposed test well location PV-1 (See Figure 1) is along a prominent linear topographic traversing the property from east to west in the northern portion of the property. The location meets setback requirements to the property boundaries, and is intended to be immediately outside of a flagged wetland boundary. This location was intended to provide a well that would be logistically available to service Lots 4 and 5 based on its location on the south side of the stream valley. This location was marked in the field with a stake and pink ribbon.

PV-2: 42.76147, -74.22033

Proposed test well location PV-2 is along a prominent linear topographic traversing the property from east to west in the northern portion of the property. The location meets setback requirements to the property boundaries, and is intended to be immediately outside of a flagged wetland boundary. This location was intended to provide a well that would be logistically available to service Lots 2 and 3 based on its location on the north side of the stream valley. This location was marked in the field with a stake and pink ribbon.

PV-3: 42.76147, -74.22033

Proposed test well location PV-3 is along a prominent linear topographic traversing the property from east to west in the central portion of the property. The location meets setback requirements to the property boundaries, and is intended to be immediately outside of a flagged wetland boundary. This location was intended to provide a well that would be logistically available to service Lots 7 and 10 based on its location on the south side of the stream valley. This location was marked in the field with a stake and pink ribbon.

Proposed Test Well Locations  
Parkview at Ticonderoga  
January 17, 2023

### **Recommendations**

HVV recommends pursuing installation of 6" diameter bedrock wells at PV-1, PV-2 or PV-3 depending on the needs of the project and the project development schedule. All three proposed well locations are sighted on prominent fracture trace features and have an approximately equal potential for enhanced well yield. HVV will seek quotes and availability for test well installation and development from at least two NYS licensed well drillers who service the area of the subject site. Drilling contractors will be provided with specifications for bidding to install each well in accordance with NYSDOH regulations as specified in the 10 State Standards for Water Wells, in the event that the wells will require NYSDOH approval for a public water system in the future.

Thank you for providing HVV the opportunity to be of service to your project. If you have any questions, please do not hesitate to contact me at [Jgironda@hansonvanvleet.com](mailto:Jgironda@hansonvanvleet.com) or 518-371-7940 ext. 129.

Very truly yours,  
Hanson Van Vleet, PLLC



James Gironda  
Partner / Senior Hydrogeologist

### **ATTACHMENTS**

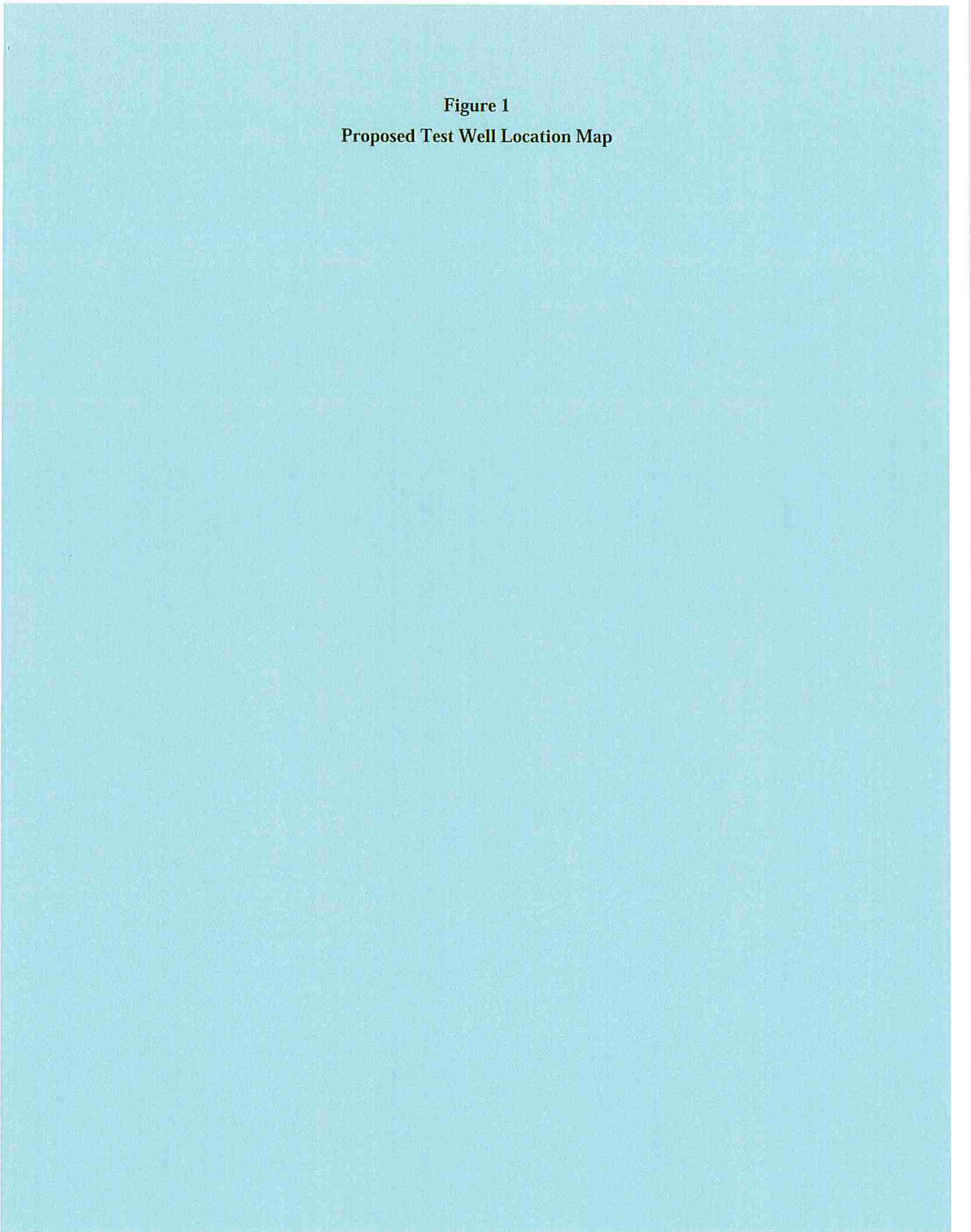
Figure 1: Proposed Test Well Location Map

Figure 2: Proposed Site Layout Map

Appendix A: DEC Completion Report for Existing Well



**Figure 1**  
**Proposed Test Well Location Map**







HANSON

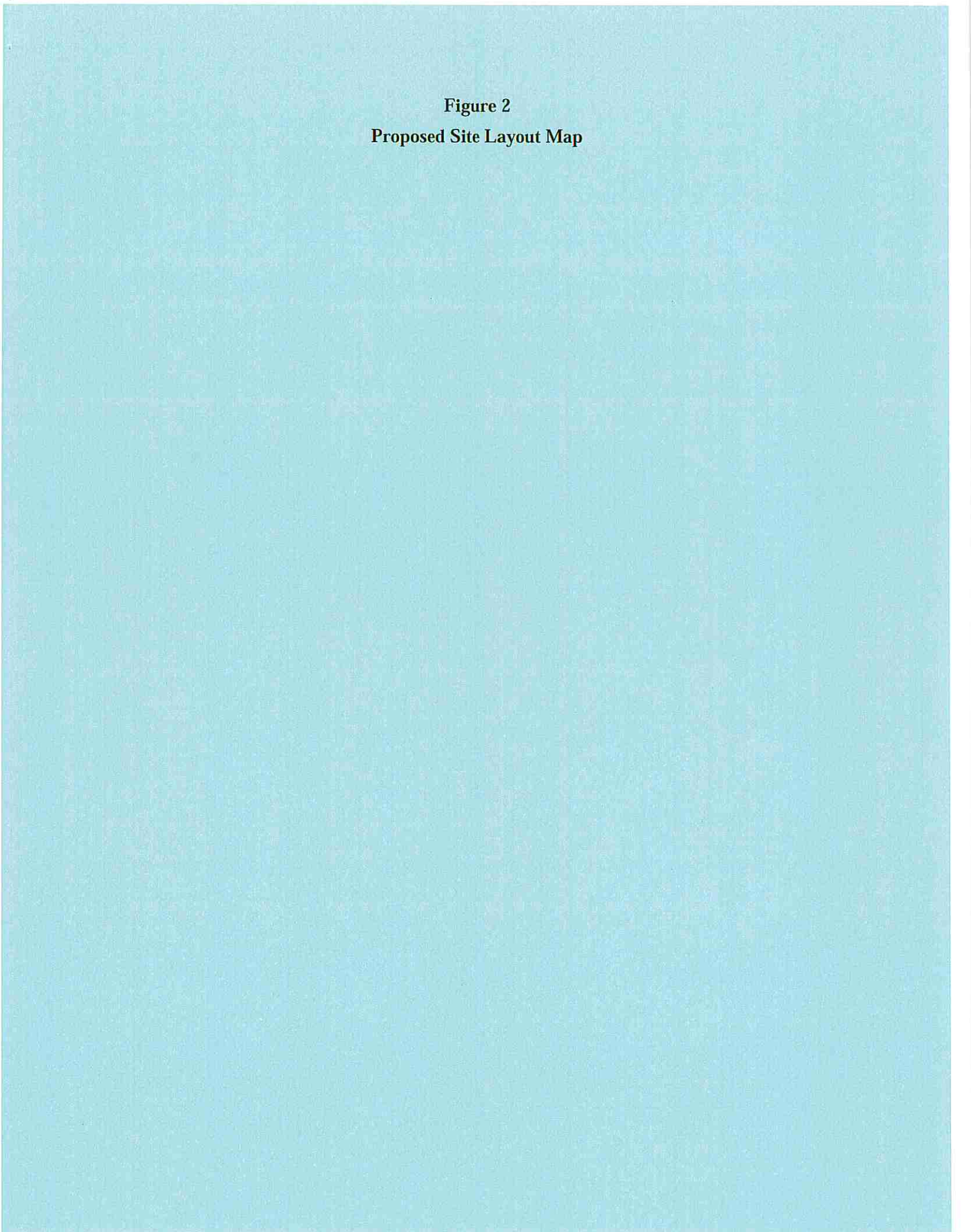
VAN VLEET, PLLC

HYDROGEOLOGIC CONSULTANTS

**Figure 1**  
**Proposed Test Well Location Map**  
 Parkview at Ticonderoga, LLC  
 Western Turnpike and Gage Road  
 Duaneburg, New York

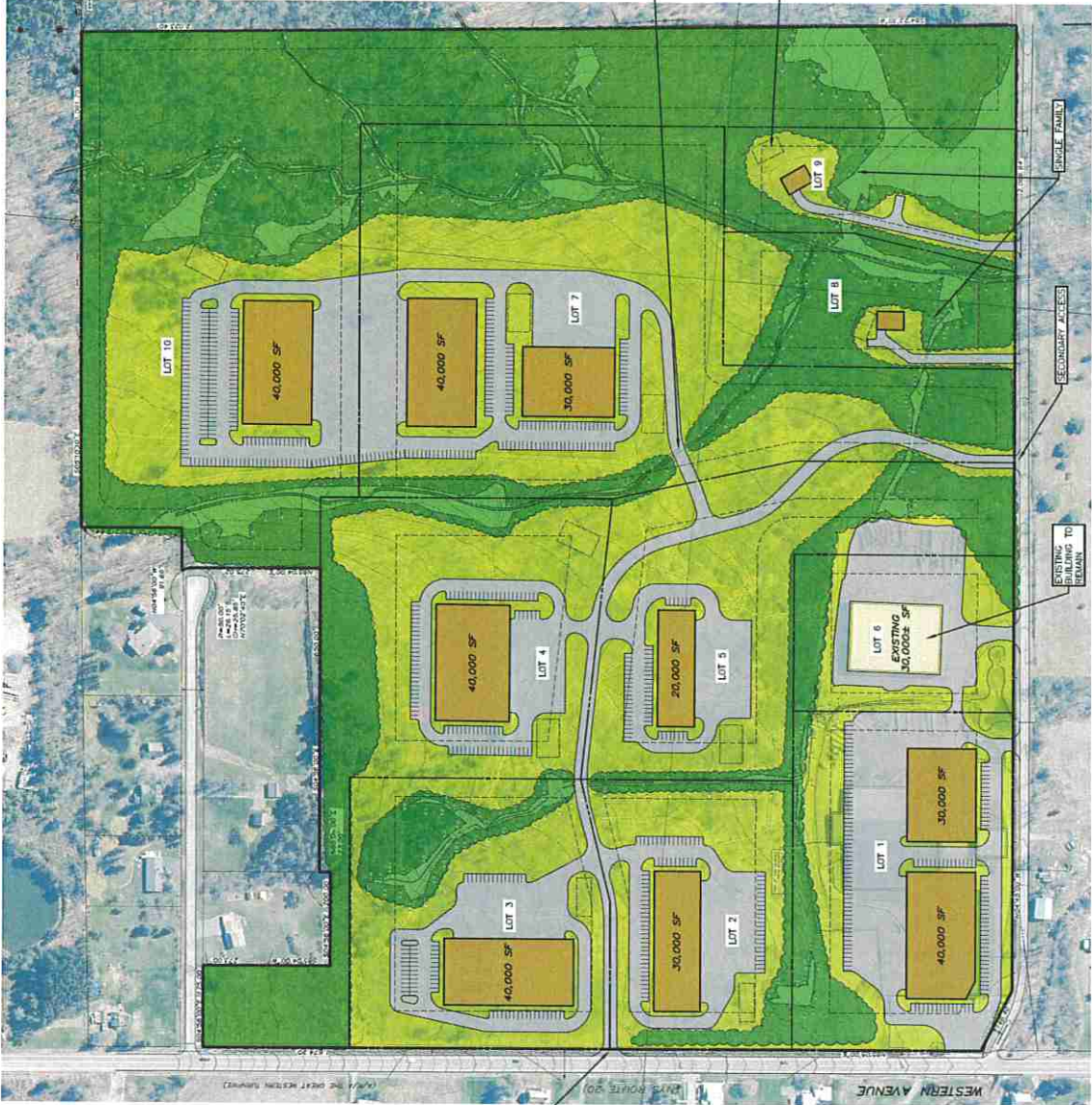


**Figure 2**  
**Proposed Site Layout Map**



**SITE STATISTICS**

EXISTING ZONING	MANUFACTURING LIGHT INDUSTRIAL (I-2)
PARCEL AREA	89,244 ACRES
MAXIMUM BUILDING HEIGHT	3 STORES (42 FEET)
MIN. LOT AREA	100,000 SF
MIN. LOT WIDTH	300 FT
MIN. LOT DEPTH	200 FT
MAXIMUM LOT COVERAGE	50%
BUILDING SETBACK	
FRONT YARD	80 FT
SIDE YARD	40 FT
REAR YARD	50 FT CORNER (LOT)
MAXIMUM BUILDING AREA	80 FT
PROPOSED NO. OF LOTS	40,000 SF OF TOTAL FLOOR AREA
	10

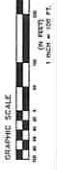


PRIMARY ACCESS

SEPTIC TANK FIELD (TYP.)

SECONDARY ACCESS

EXISTING BUILDING TO REMAIN



TITLE	1" = 100'
DATE FOR CONSTRUCTION	
DATE	
SKETCH PLAN	
SHEET	



**Appendix A**  
**DEC Completion Report for Existing Well**

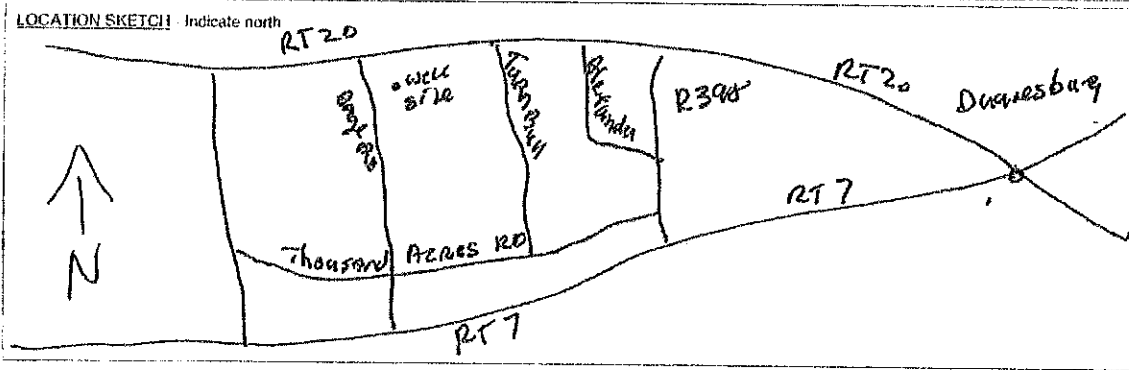
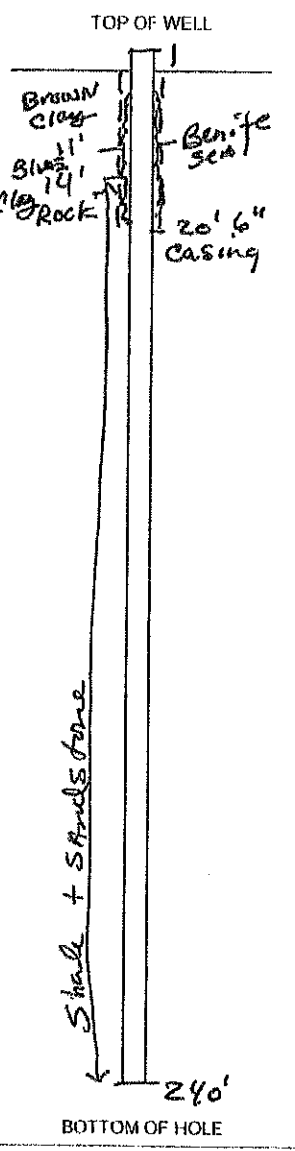


OWNER SCHOLY  
 COUNTY Duanesburg

(3) DEC Well Number  
SN1472

**WATER WELL COMPLETION REPORT**

(1) OWNER <u>Joe Lucarelli</u>		(19) WELL LOG	
(2) ADDRESS <u>1266 Duanesburg Rd. Schenectady NY 12306</u>		Depth to Bedrock <u>14'</u> (ft. below land surface)	
(5) LOCATION OF WELL (See instructions on Reverse) <u>RT 20 Delanson 12053</u>		Ground Elevation <u>903</u> (ft. above sea level)	
(7) LATITUDE, LONGITUDE AND METHOD USED <input checked="" type="checkbox"/> GPS <input type="checkbox"/> Map <u>N42°45.608'W 074°93.355'</u>		Top of Casing <u>1'</u> (ft. above (+) or below (-) land surface)	
(9) DEPTH OF WELL BELOW LAND SURFACE (feet) <u>239'</u>	(10) DEPTH TO GROUNDWATER BELOW LAND SURFACE (feet) <u>44'</u>	DATE MEASURED <u>11/13/14</u>	
<b>CASINGS</b>			
(11) DIAMETER <u>6 in</u>	in	in	in
(12) LENGTH <u>20 ft</u>	ft	ft	in
(13) GROUT TYPE, SEALING <u>Benite Seal</u>	(14) GROUT SEALING INTERVAL (feet) FROM <u>4</u> TO <u>20</u>		
<b>SCREENS</b>			
(15) MAKE & MATERIAL	(16) OPENINGS		
(17) DIAMETER in	in	in	in
(18) LENGTH ft	ft	ft	in
(19) DEPTH TO TOP OF SCREEN FROM TOP OF CASING (feet)			
<b>YIELD TEST</b>			
(20) DATE <u>11/13/14</u>	(21) DURATION OF TEST <u>2 HRS</u>		
(22) PUMP DEPTH <input type="checkbox"/> Pump <input checked="" type="checkbox"/> Air <input type="checkbox"/> Hand	(23) STABILIZED DISCHARGE (GPM) <u>10 GPM</u>		
(24) STATIC LEVEL PRIOR TO TEST (feet below top of casing) <u>45'</u>	(25) MAXIMUM DRAWDOWN (Stabilized) (feet below top of casing) <u>240'</u>		
(26) RECOVERY - Time to 90% of max. flow <u>4 HRS</u>	(27) Was the water produced during the last discharge found to be potable? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
<b>PUMP INSTALLATION</b>			
(28) PUMP INSTALLED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	(29) DATE	(30) PUMP INSTALLER	
(31) TYPE	(32) MAKE	(33) MODEL	
(34) MAXIMUM CAPACITY (GPM)		(35) PUMP INSTALLATION LEVEL FROM TOP OF CASING (feet)	
<b>DRILLER INFORMATION</b>			
(36) METHOD OF DRILLING <input checked="" type="checkbox"/> Rotary <input type="checkbox"/> Cable Tool <input type="checkbox"/> Other	(37) USE OF WATER (See instructions for choices) <u>Domestic</u>		
(38) DATE DRILLING WORK STARTED <u>11/13/14</u>	(39) DATE DRILLING WORK COMPLETED <u>11/13/14</u>		
(40) DATE REPORT FILED <u>11/13/14</u>	(41) REGISTERED COMPANY <u>Lawrence Water Wells INC</u>	(42) DEC REGISTRATION NO. <u>NYRD 10027</u>	
(43) CERTIFIED DRILLER SIGNATURE <u>Thomas Lawrence III</u>	(44) CERTIFIED DRILLER SIGNATURE <u>Thomas Lawrence III</u>		



By signing this document I hereby affirm that: (1) I am certified to supervise water well drilling activities as defined by Environmental Conservation Law 15-1502, (2) this water well was constructed in accordance with water well standards promulgated by the New York State Department of Health, (3) under the penalty of perjury the information provided in this Well Completion Report is true, accurate and complete, and I understand that any false statement made herein is punishable as a Class A Misdemeanor under Penal Law §210.45



New York State  
Parks, Recreation and  
Historic Preservation

**KATHY HOCHUL**  
Governor

**ERIK KULLESEID**  
Commissioner

September 22, 2023

Bailey Godson  
Environmental Design Partnership  
900 Route 146  
Clifton Park, NY 12065

Re: DEC  
Western Turnpike Curtis Lumber  
9811 Western Tpke, Duanesburg, NY 12053  
23PR07823

Dear Bailey Godson:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the opinion of OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project.

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

Sincerely,

R. Daniel Mackay

Deputy Commissioner for Historic Preservation  
Division for Historic Preservation

rev: L. Krupa



**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

Division of Fish and Wildlife, New York Natural Heritage Program  
625 Broadway, Fifth Floor, Albany, NY 12233-4757  
P: (518) 402-8935 | F: (518) 402-8925  
www.dec.ny.gov

October 31, 2023

Thomas M. Ward, CWB, PWS  
Environmental Design Partnership  
900 Route 146  
Clifton Park, NY 12065

Re: Park View at Ticonderoga  
County: Schenectady Town/City: Duanesburg

Dear Thomas M. Ward:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

We have no records of rare or state-listed animals or plants, or significant natural communities at the project site.

Within four miles of the project site is a documented winter hibernaculum of **Northern long-eared bat** (*Myotis septentrionalis*, state and federally listed as Endangered). The bats may travel five miles or more from documented locations. The main impact of concern for bats is the removal of potential roost trees. For information about any permit considerations for your project, please contact the Permits staff at the NYSDEC Region 4 Office, Division of Environmental Permits, at [dep.r4@dec.ny.gov](mailto:dep.r4@dec.ny.gov).

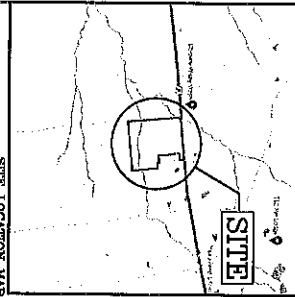
For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other resources may be required to fully assess impacts on biological resources.

For information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the Permits staff at the NYSDEC Region 4 Office as described above.

Sincerely,



Heidi Krahling  
Environmental Review Specialist  
New York Natural Heritage Program

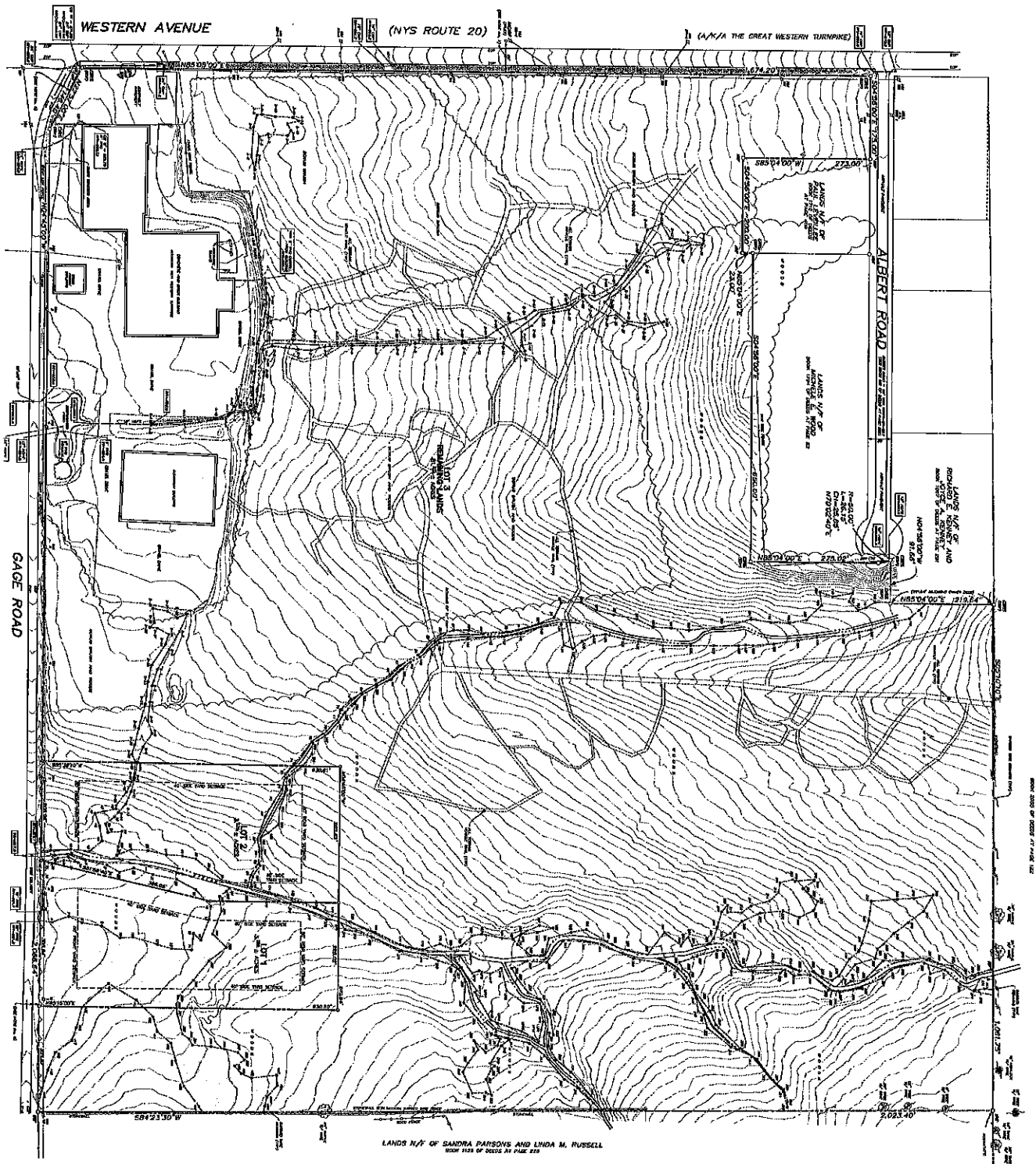


**SITE STATISTICS**

EXISTING ZONING	MANUFACTURING LIGHT INDUSTRIAL (C-3)
PARKING AREA	82,342 SQUARE FEET
MAX. LOT AREA	100,000 SF
MAX. LOT WIDTH	200 FT
MAX. LOT DEPTH	200 FT
MINIMUM LOT COVERAGE	50%
BUILDING SETBACK	80 FT
FRONT YARD	40 FT
SIDE YARD	80 FT (CORNER LOT)
REAR YARD	80 FT

**SUBDIVISION STATISTICS**

PROPOSED NO. OF LOTS	2
LOT 1	3,298 SQUARE FEET
LOT 2	96,702 SQUARE FEET
TOTAL	100,000 SQUARE FEET



LANDS N/W OF SANDRA PARSONS AND LINDA M. RUSSELL  
3000 FEET OF 2000 FT. PAV. RD.

**SUBDIVISION OF LANDS OF  
PARKVIEW AT TICONDEROGA, LLC**

WESTERN TURNPIKE AND GAGE ROAD  
TOWN OF DANBURGO  
SCHENECTADY COUNTY, NEW YORK

TAX MAP NO. 65.00-1-19-1  
FEBRUARY 6, 2024



SUBDIVISION PLAN  
NOT FOR CONSTRUCTION

**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/](http://www.dec.ny.gov/eafmapper/)
- Street pattern: Traffic study needed?
- All property Mergers **REQUIRE** both owners Signatures on the Application

**Additional Requirements for Special Use Application:**

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

Date 10-11-23

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

Section 8.2 of Permitted Uses Ordinance.

Present Owner: Joseph R. Hoffman Jr. (AS APPEARS ON DEED!!)  
Frances A. Hoffman  
 Address: 382 Braman Corners Rd. Espenace Zip code: 12066  
 Phone # (required) 518-312-2835 -F  
518-312-2836 -JR.

Applicants Name (if different): \_\_\_\_\_ Phone# (required) \_\_\_\_\_

Location of Property (if different from owners) \_\_\_\_\_

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

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

LANDS CONVEYED TO (REQUIRED FOR MERGERS) \_\_\_\_\_

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

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

Joseph R. Hoffman Jr. Frances A. Hoffman Date 10/12/23  
 Signature of Owner (S) and/or Applicant(S)

**ALL APPLICATION FEES ARE NON-REFUNDABLE!**

\*\*\*\*\*  
 (For office use only)  
 Application fee paid: \_\_\_\_\_ Check# \_\_\_\_\_ Reviewed By \_\_\_\_\_ Date \_\_\_\_\_

Approved  Disapproved  Refer to Code Enforcement Section \_\_\_\_\_ of \_\_\_\_\_ Ordinance

Planning Commission Comments: \_\_\_\_\_

\_\_\_\_\_  
 Planning Chairperson Date Code Enforcement Date



**Agricultural Data Statement**

Date: 10-11-23

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

Applicant	Owner if Different from Applicant
Name: <u>Joseph Hoffman</u> Address: <u>382 Braman Corners Rd</u> <u>Esperance NY</u>	Name: _____ _____ _____

1. Type of Application: Special Use Permit; Site Plan Approval; Use Variance; Area Variance; Subdivision Approval (circle one or more)
2. Description of proposed project:  
Lot Line Adjustment. Combining two (2) existing parcels into a single lot and adding a portion of the adjacent lot into the proposed new single lot.
3. Location of project: Address: 382 Braman Corners Road, Millers Corners Road  
Tax Map Number (TMP) 43.00-1-1, 43.00-1-2, 43.00-1-3.4
4. Is this parcel within an Agricultural District?  YES  NO (Check with your local
5. If YES, Agricultural District Number 1 (SCHE001) assessor if you do not know.)
6. Is this parcel actively farmed?  YES  NO 43.00-1-3.4
7. List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

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

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

Reviewed by: Dale R. Warner

Date: \_\_\_\_\_

Revised 4/4/17

**FARM NOTE**

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

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

**NOTICE OF DETERMINATION**  
**of the Town of Duanesburg**

Date of Determination 10/18/23

Application of Joseph Hoffman under section  
LOCAL LAW 2 of 2016 of the (Village of Delanson) Town of Duanesburg  
~~Subdivision Ordinance~~ Ordinance.

Applicant Joseph Hoffman  
Address 382 BLANKS CORNERS RD.  
ESPERANCE, N.Y. 12066

Phone 518-92-2835 Zoning District R-2 SBL# 43.00-1-3.4

Description of  
Project: LOT LINE ADJUSTMENT

Determination:  
PLANNING BOARD for LOT LINE ADJUSTMENT

Reason supporting determination:  
LOCAL LAW TOWN of DUANESBURG LOCAL LAW 2 of 2016  
A LOCAL LAW AMENDING THE SUBDIVISION ORDINANCE OF THE TOWN  
of DUANESBURG.

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

Code Enforcement Officer: Cheryl Parker

## Property Record Card Changes

**FROM:**

Section: 43.00 Block: 1 Lot: 1  
Coordinate Locator:  
Acreage:  
Dimensions:

**TO:**

Section: Block: Lot:  
Coordinate Locator:  
Acreage:  
Dimensions:  
Location:  
Subdivision Data:  
Deed Reference:  
Owner:

**43.00-1-1 Obsolete and Combine with 43.00-1-2.1**  
**As per Assessor and Owner request. See attached map**

---

Section: 43.00 Block: 1 Lot: 2  
Coordinate Locator:  
Acreage:  
Dimensions:

---

Section: 43.00 Block: 1 Lot: 2.1  
Coordinate Locator: 566276 E - 1448263 N  
Acreage: 6 A(C)  
Dimensions:  
Location: Braman Corners Road  
Subdivision Data: Farm Lots Pt. Lot 268  
Deed Reference: 1929/645 December 30, 2015 &  
2123/129 November 11, 2023  
Owner: Hoffman Jr., Joseph R. (LE), Frances A.  
Hoffman (LE), Leda M. Sao Bento, Joseph R.  
Hoffman, III.

---

Section: Block: Lot:  
Coordinate Locator:  
Acreage:  
Dimensions:

---

Section: Block: Lot:  
Coordinate Locator:  
Acreage:  
Dimensions:  
Location:  
Subdivision Data:  
Deed Reference:  
Owner:



**Town of Duanesburg**

Office of the Assessor  
Duanesburg, NY 12056  
5853 Western Turnpike  
[www.Duanesburg.net](http://www.Duanesburg.net)

RECEIVED

OCT 19 2023

To: Schenectady County Real Property  
Tax Service Agency (RPTSA)  
620 State Street  
Schenectady, New York 12305

REAL PROPERTY TAX SERVICE

Owner Name Frances Hoffman  
Address 382 Braman Corners Rd Phone 518 312 2835  
Esperance NY 12066 Parcel ID# 43.00.1-1  
ID# 43.00.1-2  
ID# \_\_\_\_\_

Would you please:

- Combine Parcels
- Review for accuracy

Comments:

Owner Signature: [Signature]  
Assessor Signature: [Signature]  
Date: 10/17/2023

(Required Signature)

Owner recognizes that by signing and submitting this request owner accepts knowledge that any future division of property requires Planning Board subdivision approval.

[Signature] Owner Signature

Sworn to before me

This 17th day of October, 2023

JENNIFER M. HOWE  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01HO6351801  
Qualified In Schenectady County  
My Commission Expires 12/12/2024

Notary Public [Signature]

This notarized document must be filed with Duanesburg Assessment File; copy to Schenectady Real Property Tax Service Agency; copy Planning Board file.



# OFFICE OF THE SCHENECTADY COUNTY CLERK



620 STATE STREET  
SCHENECTADY, NY 12305-2114

PHONE (518) 388-4220

FAX (518) 388-4224

Cara M. Ackerley  
County Clerk

Instrument Number - 202402350  
Recorded On 1/10/2024 At 12:05:01 PM

\* Instrument Type - DEED

\* Book/Page - DEED/2123/129

\* Total Pages - 3

Invoice Number - 1195935 User ID: TMH

\* Document Number - 2024-242

\* Grantor - HOFFMAN JOSEPH R JR

HOFFMAN FRANCES A

\* Grantee - HOFFMAN JOSEPH R JR

HOFFMAN FRANCES A

\*RETURN DOCUMENT TO:

SPRING STREET TITLE

112 SPRING ST STE 303

SARATOGA SPRINGS, NY 12866

ATTN: PPE SENDER

\* FEES

NY LAND SUR	\$4.75
NY E & A FEES	\$241.00
NY LAND COMP SUR	\$14.25
CO GENERAL REVENUE	\$43.00
CO LAND SUR	\$0.25
CO E & A FEES	\$9.00
CO LAND COMP SUR	\$0.75
CONVEYANCE NOTIFICATION	\$10.00
TOTAL PAID	\$323.00

TRANSFER TAX

Real Estate Transfer Tax Num - 1931

Transfer Tax Amount - \$ 0.00

I hereby CONFIRM that this document is  
Recorded in the Schenectady County Clerk's Office  
in Schenectady, New York

*C. Ackerley*

Cara M. Ackerley  
Schenectady County Clerk

THIS IS AN ENDORSEMENT PAGE

**Do Not Detach**

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

\* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.

INSTRUMENT NUMBER - 202402350



1-10-24 129 3.70

NEW YORK LIFE ESTATE DEED

THIS INDENTURE, Made the 27<sup>th</sup> day of November, Two Thousand Twenty Three

BETWEEN Joseph R. Hoffman, Jr. (a/k/a Joseph Raymond Hoffman, Jr.) and Frances A. Hoffman, (a/k/a Frances Hoffman), residing at 382 Braman Corners Road, Esperance, New York 12066, Party of the First Part, and

Joseph R. Hoffman, Jr. and Frances A. Hoffman, residing at 382 Braman Corners Road, Esperance, New York 12066, for their joint lives, and the remainder to Leda M. Sao Bento, residing at 35 Monmouth Drive, Riverside, Rhode Island 02915 and Joseph R. Hoffman, III, residing at 1667 Bozenkill Road, Delanson, New York 12053, or the survivor, Parties of the Second Part

WITNESSETH that the Party of the First Part, in consideration of ONE DOLLAR (\$1.00), lawful money of the United States, and other good and valuable consideration, paid by the Parties of the Second Part, does hereby grant and release unto the Parties of the Second Part, their heirs and assigns forever,

ALL THAT TRACT, PIECE AND PARCEL OF LAND, situate, lying and being in the Town of Duanesburg, County of Schenectady and State of New York, bounded and described as follows:

COMMENCING at the intersection of the East line of the lands of Charles Carey and the North bounds of the Burtonville Road; running from thence in a Northerly direction along the East line of the lands of Charles Carey, 200 feet to a concrete post sent in the ground; running from thence in an Easterly direction through the lands of the parties of the first part, 200 feet to a concrete post set in the ground; running from thence in a Southerly direction through the lands of the parties of the first part, 200 feet to a concrete post set in the ground; running from thence in a Westerly direction along the North side of the Burtonville Road, 200 feet to the point or place of beginning, containing all the lands within said bounds, be the same more or less.

ALSO, ALL THAT PIECE AND PARCEL OF LAND, situate in the Town of Duanesburg, County of Schenectady, State of New York, bounded and described as follows:

BEGINNING at a point marked by an iron pin set in the ground in the northerly margin of Burtonville Road at the southwesterly corner of lands of Joseph and Frances Hoffman; running thence westerly along the margin of said road 268 feet +/- to a concrete marker at the southeasterly corner of lands of Pahlke; thence northerly along said Pahlke's lands 200 feet to a point marked by a concrete marker; thence westerly along said Pahlke's lands 200 feet +/- to a concrete marker in the line of lands of Carey; thence northerly along said Carey's lands 136 feet +/- to a concrete marker; thence easterly through lands of Miller 455 feet +/- to an iron pin set in the ground in the line of lands of Joseph and Frances Hoffman; thence southerly along said Hoffman's lands 336 feet +/- to the point or place of beginning.

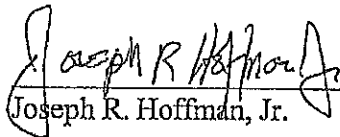
SEC 4380 E.P.T.S.A. IDENT. E.P.Y. DT


**SECOND**, That said Party of the First Part will forever Warrant the title to said premise;

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

**IN WITNESS WHEREOF**, The Party of the First Part have hereunto sets her hand and seal the day and year first above written.

In Presence Of

  
Joseph R. Hoffman, Jr.

  
Frances A. Hoffman,  
a/k/a Frances Ann Hoffman

STATE OF NEW YORK     )  
COUNTY OF SARATOGA   ) ss.:

On the 27<sup>th</sup> day of November, 2023 before me, the undersigned, a Notary Public in and for said State, personally appeared Joseph R. Hoffman, Jr. and Frances A. Hoffman, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacity, and that by their signature on the instrument, the individuals, ~~of the~~ persons upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public

JOANN SHARTRAND  
Notary Public, State of New York  
No. 029H4855731  
Qualified In Saratoga County  
Commission Expires March 10, 2027

# 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  Special Permit  
 Zoning Map Amendment  Use Variance  
 Subdivision Review  Area Variance  
 Site Plan Review  Other (specify) Lot Line Adjustment

PUBLIC HEARING OR MEETING DATE: 02/15/2024

SUBJECT: #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.

**REQUIRED ENCLOSURES:**

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

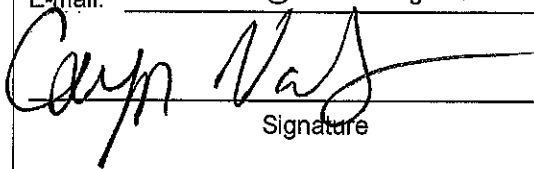
1. This zoning case is forwarded to your office for review in compliance with Sections 239-l, 239-m and 239-n of Article 12-B of the General Municipal Law, New York State.
2. This material is sent to you for review and recommendation because the property affected by the proposed action is located within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

**SUBMITTED BY:**

Name: Coryn VanDeusen Title: Planning/Zoning/Building Clerk

Address: 5853 Western Turnpike Duanesburg, NY 12056

E-mail: cvandeusen@duanesburg.net Phone: (518) 895-2040

  
Signature

Date: 02/08/2024

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

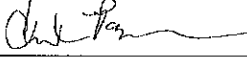
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

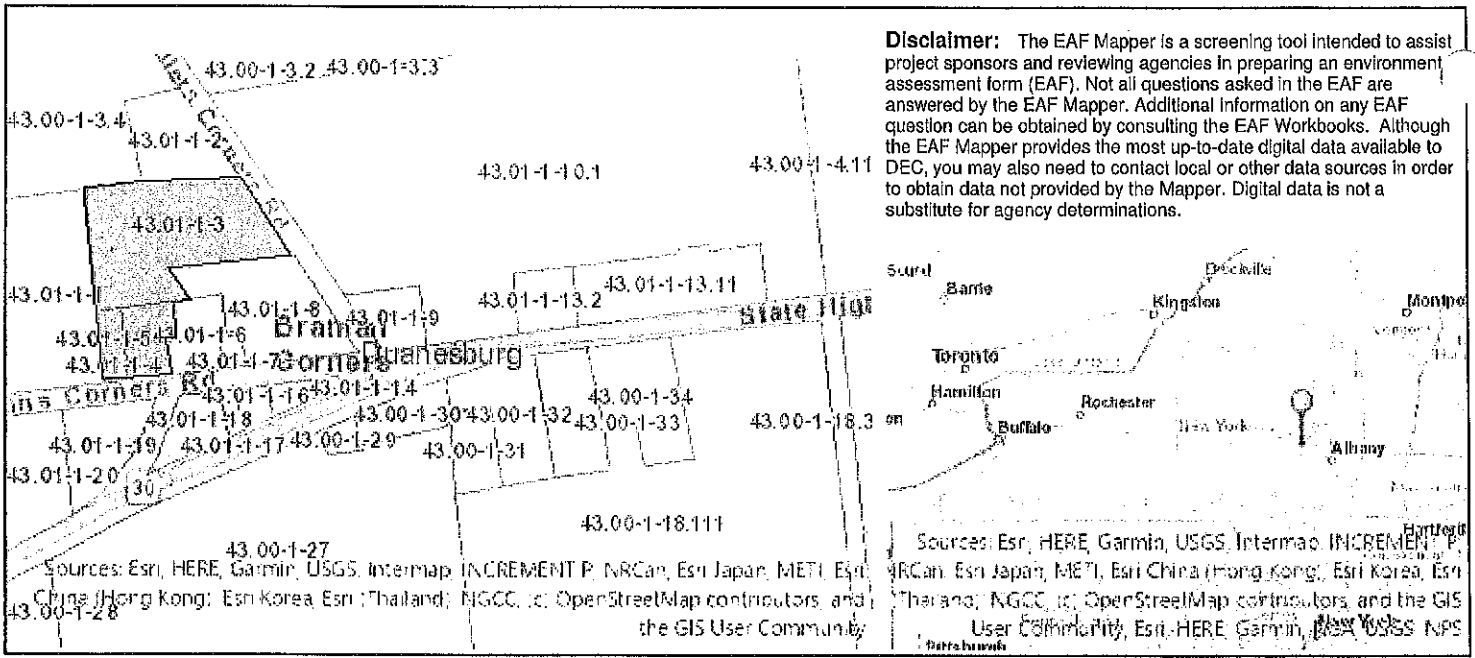
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Lot line Adjustment			
Project Location (describe, and attach a location map): 382 Braman Corners Road			
Brief Description of Proposed Action: The applicant proposed to combine two adjoining lots and take an area of an adjoining lot to mak one lot.			
Name of Applicant or Sponsor: Joseph R. Hpfman		Telephone: 518-312-2835	
Address: 382 Bramans Cornerrs Road		E-Mail: regwagonfarms@gmail.com	
City/PO: Esperance		State: NY	Zip Code: 12066
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 34.29 acres b. Total acreage to be physically disturbed? _____ .5 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 34.29 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

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



14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor/name: <u>Chad Pagan</u> Date: <u>10-16-23</u>		
Signature: <u></u> Title: <u>agent for applicant</u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

**Full Environmental Assessment Form  
Part 1 - Project and Setting**

**Instructions for Completing Part 1**

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

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

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

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Lot Line Adjustment		
Project Location (describe, and attach a general location map): 382 Braman Corners Road		
Brief Description of Proposed Action (include purpose or need): The applicant proposed to merge two adjoining lots and take an area of the adjoining lot to on the norther boundary to create one lot.		
Name of Applicant/Sponsor: Joseph R. Hoffman		Telephone: 518-312-2835
		E-Mail: regwagonfarms@gmail.com
Address: 382 Bramans Cornerrs Road		
City/PO: Esperance	State: NY	Zip Code: 12066
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

**B. Government Approvals**

<b>B. Government Approvals, Funding, or Sponsorship.</b> ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
<b>Government Entity</b>	<b>If Yes: Identify Agency and Approval(s) Required</b>	<b>Application Date (Actual or projected)</b>
a. City Counsel, Town Board, <input type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Duanesburg Planning Board	10-17-23
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Town of Duanesburg Assessor, Lot merger	10-17-23
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**C. Planning and Zoning**

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

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  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

b. What police or other public protection forces serve the project site?  
Schenectady County Sheriff, New York State Police

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

d. What parks serve the project site?  
None

**D. Project Details**

**D.1. Proposed and Potential Development**

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

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ 34.29 acres  
b. Total acreage to be physically disturbed? \_\_\_\_\_ 0.0 acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ 34.29 acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
If Yes,  
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
\_\_\_\_\_

ii. Is a cluster/conservation layout proposed?  Yes  No

iii. Number of lots proposed? \_\_\_\_\_

iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  No

i. If No, anticipated period of construction: \_\_\_\_\_ months

ii. If Yes:

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

f. Does the project include new residential uses?  Yes  No

If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
--	-------------------	-------------------	---------------------	---------------------------------------

Initial Phase

At completion

of all phases


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

If Yes,

i. Total number of structures \_\_\_\_\_

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

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

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

If Yes,

i. Purpose of the impoundment: \_\_\_\_\_

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

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

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

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

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

### D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  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: \_\_\_\_\_ gallons/day

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

If Yes:

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

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

If Yes:

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

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

If Yes:

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

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

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

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

If Yes:

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

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

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

If Yes:

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

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

If Yes:

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

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

If Yes:

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

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

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

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

If Yes:

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

\_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)

\_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)

ii. Describe types of new point sources. \_\_\_\_\_

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

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

- Will stormwater runoff flow to adjacent properties?  Yes  No

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

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

If Yes, identify:

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

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

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

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

If Yes:

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

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

- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
- \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
- \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
- \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
- \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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

If Yes:

- i. Estimate methane generation in tons/year (metric): \_\_\_\_\_
- ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

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

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

\_\_\_\_\_

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

If Yes:

- i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.
- ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

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

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

\_\_\_\_\_

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

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

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

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

If Yes:

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

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

\_\_\_\_\_

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

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

i. During Construction:

- Monday - Friday: \_\_\_\_\_ N/A \_\_\_\_\_
- Saturday: \_\_\_\_\_
- Sunday: \_\_\_\_\_
- Holidays: \_\_\_\_\_

ii. During Operations:

- Monday - Friday: \_\_\_\_\_ N/A \_\_\_\_\_
- Saturday: \_\_\_\_\_
- Sunday: \_\_\_\_\_
- Holidays: \_\_\_\_\_

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

If yes:

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

\_\_\_\_\_

\_\_\_\_\_

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

Describe: \_\_\_\_\_

\_\_\_\_\_

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

If yes:

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

\_\_\_\_\_

\_\_\_\_\_

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

Describe: \_\_\_\_\_

\_\_\_\_\_

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

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

\_\_\_\_\_

\_\_\_\_\_

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

If Yes:

i. Product(s) to be stored \_\_\_\_\_

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

iii. Generally, describe the proposed storage facilities:

\_\_\_\_\_

\_\_\_\_\_

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

If Yes:

i. Describe proposed treatment(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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

If Yes:

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

- Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)
- Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)

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

- Construction: \_\_\_\_\_
- Operation: \_\_\_\_\_

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

- Construction: \_\_\_\_\_
- Operation: \_\_\_\_\_

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: \_\_\_\_\_ years

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: \_\_\_\_\_

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

**E. Site and Setting of Proposed Action**

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

a. Existing land uses.

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

- Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe: \_\_\_\_\_

b. Land uses and covertypes on the project site.

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

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

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

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

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

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

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



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

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

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ >8 feet

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

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

Burdett-Scriba	_____	73 %
Illion	_____	27 %
	_____	%

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ 5 feet

e. Drainage status of project site soils:

<input type="checkbox"/> Well Drained:	_____ % of site
<input checked="" type="checkbox"/> Moderately Well Drained:	100 % of site
<input type="checkbox"/> Poorly Drained	_____ % of site

f. Approximate proportion of proposed action site with slopes:

<input type="checkbox"/> 0-10%:	70 % of site
<input type="checkbox"/> 10-15%:	29 % of site
<input type="checkbox"/> 15% or greater:	1 % of site

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

h. Surface water features.

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

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

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

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

- Streams: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name \_\_\_\_\_ Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

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

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

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

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

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: Principal Aquifer \_\_\_\_\_

m. Identify the predominant wildlife species that occupy or use the project site: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

n. Does the project site contain a designated significant natural community?  Yes  No  
 If Yes:  
 i. Describe the habitat/community (composition, function, and basis for designation): \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Source(s) of description or evaluation: \_\_\_\_\_  
 iii. Extent of community/habitat:  
 • Currently: \_\_\_\_\_ acres  
 • Following completion of project as proposed: \_\_\_\_\_ acres  
 • Gain or loss (indicate + or -): \_\_\_\_\_ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?  Yes  No  
 If Yes:  
 i. Species and listing (endangered or threatened): \_\_\_\_\_  
 \_\_\_\_\_

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern?  Yes  No  
 If Yes:  
 i. Species and listing: \_\_\_\_\_  
 \_\_\_\_\_

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  Yes  No  
 If yes, give a brief description of how the proposed action may affect that use: \_\_\_\_\_  
 \_\_\_\_\_

**E.3. Designated Public Resources On or Near Project Site**

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304?  Yes  No  
 If Yes, provide county plus district name/number: \_\_\_\_\_

b. Are agricultural lands consisting of highly productive soils present?  Yes  No  
 i. If Yes: acreage(s) on project site? \_\_\_\_\_  
 ii. Source(s) of soil rating(s): \_\_\_\_\_

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  Yes  No  
 If Yes:  
 i. Nature of the natural landmark:  Biological Community  Geological Feature  
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: \_\_\_\_\_  
 \_\_\_\_\_

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  Yes  No  
 If Yes:  
 i. CEA name: \_\_\_\_\_  
 ii. Basis for designation: \_\_\_\_\_  
 iii. Designating agency and date: \_\_\_\_\_

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

If Yes:

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

ii. Name: Chapman Farmhouse, Braman, Joseph, House

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

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

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

If Yes:

i. Describe possible resource(s): \_\_\_\_\_

ii. Basis for identification: \_\_\_\_\_

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

If Yes:

i. Identify resource: \_\_\_\_\_

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

iii. Distance between project and resource: \_\_\_\_\_ miles.

---

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

If Yes:

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

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

**F. Additional Information**

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

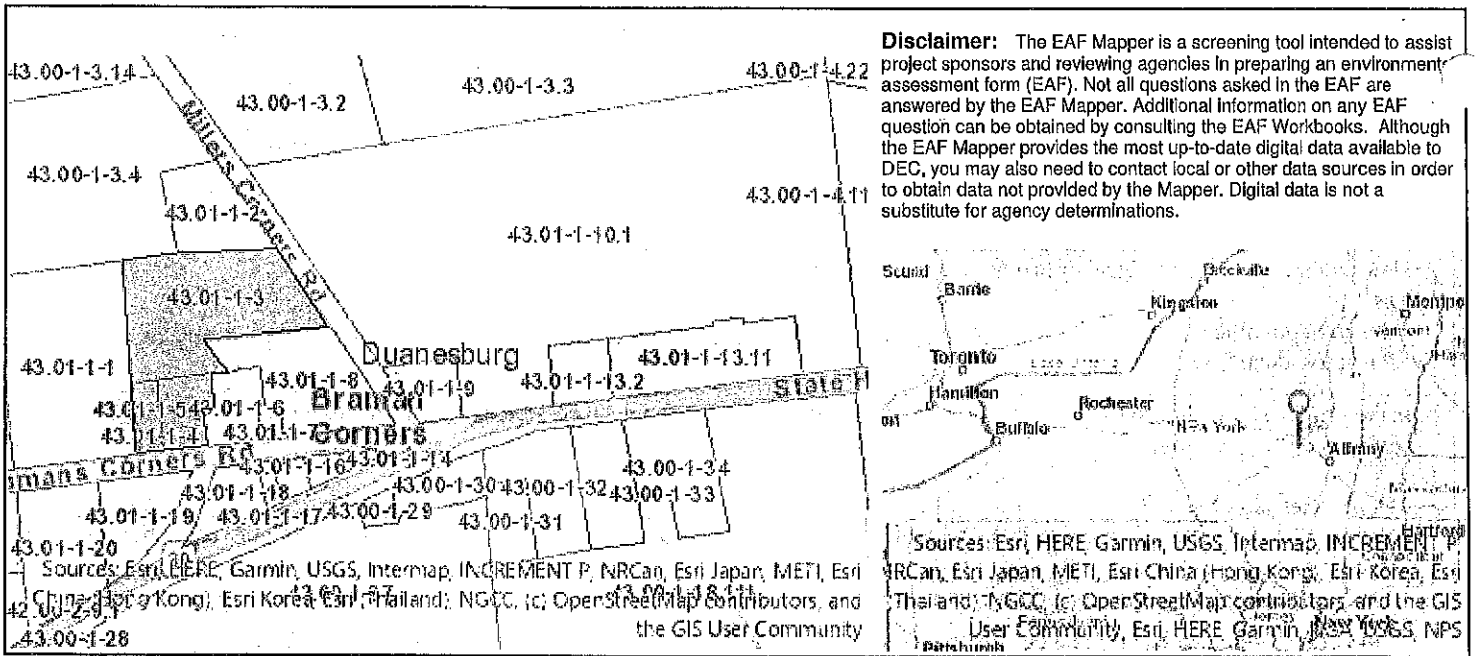
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

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

Applicant/Sponsor Name Chad Pagan Date 10-17-23

Signature  Title Agent for applicant



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

- E.2.v. [Endangered or Threatened Species] No
- E.2.p. [Rare Plants or Animals] No
- E.3.a. [Agricultural District] No
- E.3.c. [National Natural Landmark] No
- E.3.d. [Critical Environmental Area] No
- E.3.e. [National or State Register of Historic Places or State Eligible Sites] Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
- E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name] Chapman Farmhouse, Braman, Joseph, House
- E.3.f. [Archeological Sites] No
- E.3.i. [Designated River Corridor] No

**NOTICE OF DETERMINATION**  
**of the Town of Duanesburg**

Date of Determination 1/25/24

Application of ZACHARY MILLER under section  
7.1.4 (1) of the (Village of Delanson/Town of Duanesburg)  
ZONING Ordinance.

Applicant ZACHARY MILLER  
Address 372 KENNEDY AVE  
ROTTERDAM

Phone \_\_\_\_\_ Zoning District L-1 SBL# 35.09 - 2-10

Description of  
Project: CONSTRUCT TWO FAMILY DWELLING, SINGLE STORY

Determination: NEED SPECIAL USE PERMIT FOR TWO FAMILY

Reason supporting determination:  
TOWN OF DUANESBURG ZONING ORDINANCE ADOPTED 6/11/15  
UNDER SECTION 7.1.4(1); USES REQUIRING SPECIAL USE PERMIT  
(TWO FAMILY DWELLING)

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

Code Enforcement Officer: Cheryl Parker



**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 <a href="http://www.dec.ny.gov/eafmapper/">www.dec.ny.gov/eafmapper/</a> |
| <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 <b>REQUIRE</b> both owners Signatures on the Application                         |
| <input checked="" type="checkbox"/> Green area/ landscaping                                  |  |
| <input checked="" type="checkbox"/> Existing watercourses, wetlands, etc.                    |  |
| <input checked="" type="checkbox"/> Contour Lines (increments of 10ft.)                      |  |
| <input checked="" type="checkbox"/> Easements & Right of ways                                |  |
| <input checked="" type="checkbox"/> Abutting Properties Wells/ Sewer Systems within 100ft.   |  |
| <input checked="" type="checkbox"/> Well/ Water system                                       |  |

**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 01/18/24

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

Proposal: Construct two family dwelling, one story

Section \_\_\_\_\_ of \_\_\_\_\_ Ordinance.

Present Owner: Ethel Phillips (AS APPEARS ON DEED!!)  
 Address: 766 S Shore Rd Zip code: 12053  
 Phone # (required) 518 912 2668

Applicants Name (if different): Zachary Miller Phone# (required) 518 912 2668  
 Location of Property (if different from owners) \_\_\_\_\_  
 Tax Map # 35.09-2-10 Zoning District 1-1

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

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

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

[Signature] Date 01/18/24  
 Signature of Owner (S) and/or Applicant(S)

**ALL APPLICATION FEES ARE NON-REFUNDABLE!**

\*\*\*\*\*  
 (For office use only)  
 Application fee paid: \_\_\_\_\_ Check# \_\_\_\_\_ Reviewed By \_\_\_\_\_ Date \_\_\_\_\_

Approved  Disapproved  Refer to Code Enforcement Section \_\_\_\_\_ of \_\_\_\_\_ Ordinance

Planning Commission Comments: \_\_\_\_\_

\_\_\_\_\_  
 Planning Chairperson Date Code Enforcement Date

TOWN OF DUANESBURG

Application# 24-2

Agricultural Data Statement

Date: 1/15/24

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>Zachary Miller</u>	Name: <u>Ethel M. Phillips</u>
Address: <u>372 Kenmore Ave.</u>	<u>766 So. Shore Rd.</u>
<u>Rotterdam</u>	<u>Delanson</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: Removal of one (1) mobile home and shed. Construction of one (1) one story Two family duplex
3. Location of project: Address: 766 So. Shore Road

Tax Map Number (TMP) 35.09-2-10

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

[Signature]  
Signature of Applicant

[Signature]  
Signature of Owner (if other than applicant)

Reviewed by: Dale R. Warner

Date: \_\_\_\_\_

Revised 6/30/08

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

## Short Environmental Assessment Form

### Part 1 - Project Information

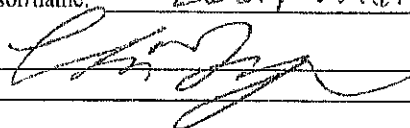
#### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

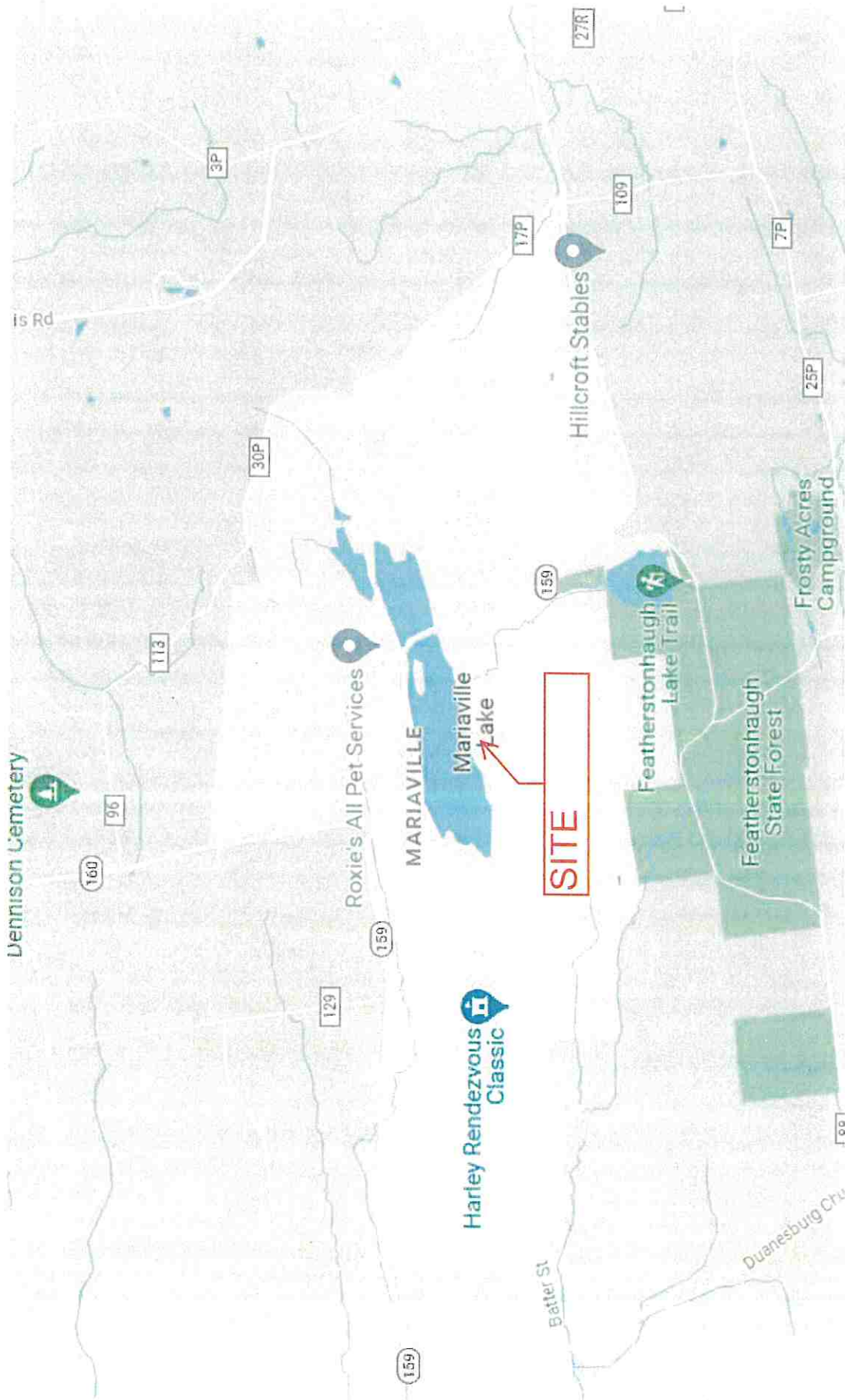
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: One (1), two family - single story building construction			
Project Location (describe, and attach a location map): 768 South Shore Road, Marlaville Lake			
Brief Description of Proposed Action: Construction of one (1) 66 x 30' two family, four bedroom single story unit with an approximate height of 20'. Outdoor parking is proposed. An existing mobile home and shed located on the lot are to be removed.			
Name of Applicant or Sponsor: Zachary Miller		Telephone: 518-912-2668 E-Mail: zac4796@yahoo.com	
Address: 372 Kenmore Ave.			
City/PO: Rotterdam		State: NY	Zip Code: 12066
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		0.57 acres	
b. Total acreage to be physically disturbed?		0.05 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.57 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  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:		
<input checked="" type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe:		
_____		
_____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____		
_____		
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor/name: <u>Zachary Miller</u> Date: <u>1/18/21</u> Signature: <u></u> Title: <u>Engineer for Applicant</u>		

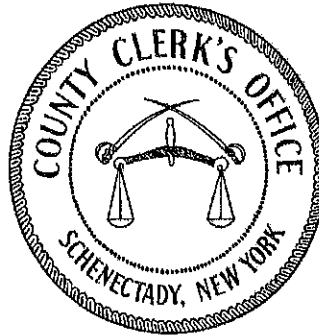
**PRINT FORM**





**Schenectady County Endorsement Page**

**JOHN J. WOODWARD**  
Schenectady County Clerk  
620 State Street  
Schenectady, NY 12305



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CO LAND SUR 40.25  
CO E & A FEES 49.00  
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# Warranty Deed

This Indenture made this ~~30th~~ day of APRIL, 2009

Between **ETHEL M. PHILLIPS**, presently residing at P. O. Box 30, Schenectady, New York 12301, *party of the first part, and*

**ETHEL M. PHILLIPS**, presently residing at P. O. Box 30, Schenectady, New York 12301, **RANDALL A. MYERS, JR., AND COLLEEN R. MYERS**, presently residing at 2462 Putnam Road, Schenectady, New York 12306, as joint tenants with the right of survivorship, *party of the second part*

## Witnesseth

that the party of the first part, in consideration of One dollar and no/100 (\$1.00), lawful money of the United States, and for other good and valuable consideration, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the

THAT CERTAIN LOT, piece or parcel of land, situated on the Southerly side of the Mariaville Pond, in the Town of Duaneburg, County of Schenectady and State of New York, and being Lot No. 3 on map of lots belonging to Emma Bradshaw, et al, situated in the Town of Duaneburg, Schenectady County, New York, made by E. Prentice, Surveyor, in September 1910, which said map is filed in the Schenectady County Clerk's Office, which said Lot No. 3 is bounded and described as follows: On the North by Mariaville Pond, about one hundred three (103) feet along the same, Easterly by Lot No. 2, as designated on said map, two hundred fifty (250) feet along the same, Southerly by the lands of Emma H. Bradshaw and others, one hundred two and two tenths (102.2) feet along the same, and Westerly by Lot No. 4, as designated on said map, two hundred twelve (212) feet along the same.

This conveyance is made subject to any and all covenants, easements, conditions and restrictions of record.

BEING THE SAME PREMISES conveyed to James G. Phillips and Ethel M. Phillips, the party of the first part by a Deed dated November 15, 1996, and recorded in the Office of the Schenectady County Clerk on December 27, 1996 in Liber 1511 of Deeds at Page 94. The said James G. Phillips died on January 23, 2007 in the City of Albany, New York leaving Ethel M. Phillips as his surviving spouse.

THERE IS RESERVED to Ethel M. Phillips, only a life estate in and to the above described premises, as a condition of which, she agrees that she will be responsible for any repair and maintenance on the property along with the payment of all utilities, real estate taxes and other municipal assessments levied on the above premises for as long as she is able to live independently on the premises.

D 35.09 2 10





**PROJECT INFORMATION:**

OWNER:  
EMIL W. PHILLIPS  
26140 STATE ROAD  
DUNESBURG, NY

APPLICANT:  
ZACHARY MILLER  
1000 STATE ROAD #15  
DUNESBURG, NY 12829

PROJECT AREA:  
265722 SQ / 6874 AC

MUNICIPALITY:  
TOWN OF DUNESBURG  
Schenectady County

ZONING:  
C-1 (MARIAVILLE LAKE)

L-1 ZONING REQUIREMENTS:  
LOT AREA: 10,000 SQ FT  
EXTENDED: 24,372 SQ FT  
BUILDING LOT WIDTH:  
EXTENDED: 162.1 FT  
BUILDING LOT DEPTH:  
EXTENDED: 208.1 FT  
LOT COVERAGE:  
PROPOSED: 30%

MINIMUM BUILDING SETBACK REQUIREMENTS:  
REAR: 40 FT  
FRONT: 40 FT  
SIDE: 40 FT  
PROPOSED: 94.48 FT  
REAR: 100.0 FT  
FRONT: 100.0 FT  
SIDE: 100.0 FT

BUILDING HEIGHT:  
REQUIRED: MAX. 35 FT  
PROPOSED: 35 FT

BUILDING SIZE:  
REQUIRED: MAX. 60,000 SF  
PROPOSED: 1,000 SF

PROPOSED USE:  
SINGLE STORY TWO-FAMILY  
RESIDENTIAL BUILDING 2 - 04

No.	Revision Description	Date

FROM: ANY ENTITY OR PERSON TO WHOM THE DEED OR SMALL CALL IN A DEED TO BE SAVED IN AND OBTAIN A DEED TO THE PROPERTY.

IT IS A VIOLATION OF SECTION 1707 OF THE REAL PROPERTY LAW FOR ANY PERSON TO ALTER OR REVERSE THE DEED TO WHOM THE DEED IS ACTING AS A PROFESSIONAL ENGINEER OR A PROFESSIONAL ARCHITECT.

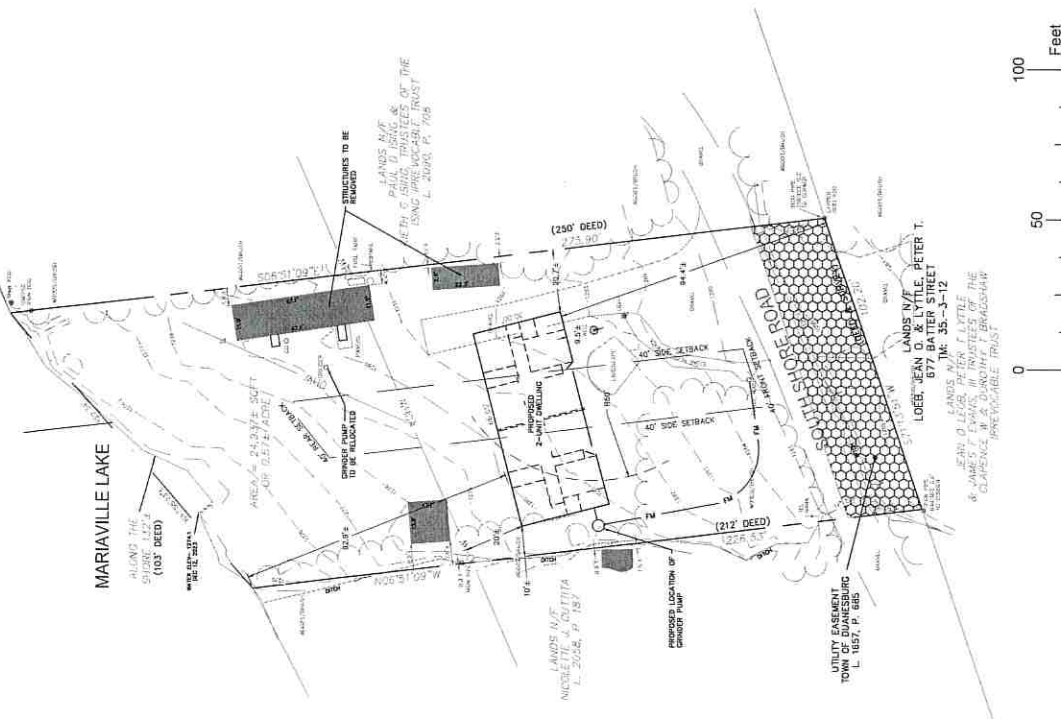


CHRISTOPHER D. LOEB, PE  
1000 STATE ROAD #15  
DUNESBURG, NY 12829

EMPIRE ENGINEERING, PLLC  
1000 STATE ROAD #15  
DUNESBURG, NY 12829  
EMAIL: CLOEB@EMPIREENG.COM

LANDS OF ZACHARY MILLER  
766 SQ. 31000 ROAD  
TOWN OF DUNESBURG  
SCHENECTADY COUNTY

CONCEPT SITE PLAN	
DATE	1/15/2024
SCALE	1"=50'
NO.	C101
REV.	2/20/22



- GENERAL NOTES:**
- 1) SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS OR RESTRICTIONS, RECORDED OR UNRECORDED.
  - 2) BASE MAPING PER MAP REFERENCE 1.
  - 3) NORTH IS REFERENCED TO NAD 83 NEW YORK STATE PLACES DATA. ALL ELEVATIONS ARE REFERENCED TO NAVD 1988.
  - 4) SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS OR RESTRICTIONS, RECORDED OR UNRECORDED.
  - 5) SUBJECT TO ANY STATEMENT OF FACT CONTAINED IN AN ADJACENT DEED OR RECORDS OF THE COUNTY CLERK'S OFFICE, THE VISIBLE INTERFERENCES THAT SHOULD BE CONSIDERED IN THE DESIGN OF THIS PROJECT SHALL BE THE RESPONSIBILITY OF THE CLIENT. THE DESIGNER HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS NOT CONDUCTED A SURVEY TO VERIFY THE ACCURACY OF THE ADJACENT DEEDS OR RECORDS. THE DESIGNER HAS NOT CONDUCTED A SURVEY TO VERIFY THE ACCURACY OF THE ADJACENT DEEDS OR RECORDS.
  - 6) SURVEY IS REQUIRED IN ACCORDANCE WITH THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS (NYSALS) STANDARD PRACTICES AND SPECIFICATIONS, EDITION OF 1988 AND LAST REVISED ON JULY 16, 1997.
  - 7) NO SEPTIC SYSTEMS ARE WITHIN 100' OF THE PROPOSED WELL.

**MAP REFERENCES:**

- 1) BASE MAPING PREPARED BY DELOE & LYTTLE, PETER T. FROM A RECORD MAP OF THE TOWN OF DUNESBURG, NY, DATED OCTOBER, 1923 SUBJECT TO RECORDING BOOK 1.

ZONING CODE	DESCRIPTION	REQUIRED	PROPOSED	VARIANCE
R1A(1)	RESIDENTIAL SINGLE-FAMILY	N/A	N/A	N/A
R1A(2)	RESIDENTIAL SINGLE-FAMILY	MIN. 10,000 SQ. FT. BUILDING FT.	10,000 SQ. FT. BUILDING FT.	10,000 SQ. FT. BUILDING FT.

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



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

TOWN OF DUANESBURG  
SCHENECTADY COUNTY

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Town of Duanesburg  
Planning Board Minutes  
January 18, 2024  
**Draft Copy**

**MEMBERS PRESENT:**

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

**INTRODUCTION:**

Chairperson Jeffery Schmitt opened the meeting and welcomed everyone to the January 18, 2024, Planning Board meeting and stated the agenda for the night's meeting.

**OPEN FORUM:**

Schmitt/Harris made a motion to open the open forum.

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

Lynne Bruning submitted a letter concerning fire district boundary lines for tax id parcel 64.00-2-8 regarding the application of C-Tec Solar. Please see the attached letter and response that was read aloud from town attorney Teresa Bakner.

Schmitt/Hoffman made a motion to close the open forum.

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

**SKETCH PLAN REVIEW:**

**PUBLIC HEARINGS:**

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

Schmitt/Hoffman made a motion to open the public hearing for Serth.

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

Mr. Serth advised the board of his reasoning as to why he wants to amend the restriction on the special use permit to include on-site cooking. Mr. Serth advised the board of the areas that cooking will take place in coinciding with his operational plan.

Joann Vergine, 864 Kings Rd Rotterdam, NY, expressed her approval for the application. Ms. Vergine stated to the board that her family has had many events at the location, and it is a great venue, but she agrees that it would be nice to do small cooking on-site.

Peter B Sweeny and Tony Tenicela, 176 Batter St Pattersonville NY, submitted a letter concerning their opposition to the Joseph Serth application. Please see the attached letter.

Mary Hughes, 242 Batter St Pattersonville, NY, also expressed her approval for the application. Ms. Hughes stated to the board that the venue keeps the noise down and she has no complaints about them being there and doing what they want to do.

**Harris/Houghton** made a motion to close the public hearing for Serth.

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

Town planner, Chris Parslow, advised the board that there is no classification listed on the building because it is listed as an accessory structure to a residential dwelling with special use to allow for commercial events. Mr. Parslow also stated that if it were commercial, it would require an operating permit and then be classified as A2. The board advised the applicant that he is already meeting some requirements for an A2 classification, but because it is seasonal, he does not require an energy code. Mr. Serth stated to the board that he hired a licensed professional who classified the building for A2 and A3. Mr. Parslow advised the applicant that the town does not have the building classified as commercial right now, but if it was it would require a yearly building and fire inspection for the whole thing. Board member Hoffman asked the board how an A2 classification would affect the other buildings on the property and Ms. Bakner, town attorney, advised back that the planning board is getting into the building inspector's arena, and that the question presented for the night was whether the board would like to change condition number 16 of the previously approved resolution. Board member Hoffman asked town planner, Chris Parslow, if he received any reports prior to events and at the end of the year. Mr. Parslow advised the board that there was only one event that he received notice of. Mr. Serth advised the board that he disagreed and that he notified the town planner of five events, and he asked if Mr. Parslow wanted to meet with the fire chief to which the response was no. Mr. Serth also advised the board that he and the town planner made an agreement that he will submit notification via email this year. Board member Hoffman advised the applicant that a letter should be sent to the building inspector each time an event is being held and a letter should be sent at least five days before the event. Board member Hoffman asked town planner, Chris Parslow, if he received five letters and he replied no, I received phone calls. Town attorney Terresa Bakner advised the applicant that he should send letters because that is what the approval says. Mr. Serth stated that he and the town planner agreed to emails this year. Board member Hoffman asked Mr. Parslow if he received a final report at the end of the year and his response was no, you would get the report from me. Mr. Serth then advised the board that he was supposed to have a meeting and he did. Board member Hoffman asked if this occurred before Dec. 31<sup>st</sup> and Mr. Serth responded that the meeting was before that, but Mr. Parslow stated that he will get them the letter he just found out. Mr. Hoffman stated that he would



like to see everything located on a plan because that is what the building inspector has to go by when he receives complaints. Mr. Serth stated that at the November meeting he was asked to incorporate it into his operational plan, and he asked if they wanted a site plan and got told no. Mr. Serth stated that everything is listed in his operational plan and to have to go back to a licensed professional is just unnecessary. Board member Houghton asked Mr. Parslow if he would like to have an updated site plan and he said it would be better to restrict the number of feet from certain aspects such as structures and property lines. Ms. Bakner suggested the amendment of condition 16 of the original resolution to be as stated: Food preparation may occur on-site providing the facility, preparer, caterer and food trucks shall have all required County and NYS DOH permits and approvals for such on-site food preparation. The food preparation shall be as described in the "operations plan" submitted by the Applicant seeking the amendment to the existing special use permit, however, in no event will outdoor food preparation occur within the area zoned as the Lake District or within 20 feet from any property boundary. Ms. Bakner asked if the board was comfortable with 20 feet and Chairman Schmitt questioned smoke. Ms. Bakner advised increasing the footage limiting the outdoor portion of cooking. Ms. Bakner advised that food trucks are considered outdoor cooking. Mr. Serth asked board member Hoffman what distant he wants to which Mr. Hoffman responded it is up to the board. Ms. Bakner suggested changing condition 16 to state all of the same except change the footage to 30 feet reading as: Food preparation may occur on-site providing the facility, preparer, caterer and food trucks shall have all required County and NYS DOH permits and approvals for such on-site food preparation. The food preparation shall be as described in the "operations plan" submitted by the Applicant seeking the amendment to the existing special use permit, however, in no event will outdoor food preparation occur within the area zoned as the Lake District or within 30 feet from any property boundary. The board asked that the approval be conditional because the applicant must update his operational plan. Ms. Bakner advised that the operational plan supersedes the site plan, but it would be useful to the building inspector and Mr. Serth agreed he is willing to do so. The board asked if they needed any separation from buildings and Ms. Bakner advised that is covered under fire code. Mr. Parslow advised the board that Mr. Serth has a CO for the bed and breakfast.

**Harris/Novak** made a motion to approve the Joseph Serth application for a special use permit amendment to condition 16 which reads as stated: Food preparation may occur on-site providing the facility, preparer, caterer and food trucks shall have all required County and NYS DOH permits and approvals for such on-site food preparation. The food preparation shall be as described in the "operations plan" submitted by the Applicant seeking the amendment to the existing special use permit, however, in no event will outdoor food preparation occur within the area zoned as the Lake District or within 30 feet from any property boundary. Harris yes, Novak yes, Houghton yes, Schmitt yes, Hoffman yes. **Approved.**

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

Scott Greschner, 3851 Western Tpke, advised the board that the sale has been finalized. Frank Palumbo, C.T. Male Associates, advised the board that the plan has basically stayed

the same with changes to the gravel lay down area and a few other areas. Mr. Palumbo advised the board that they do not have any further information on the pond, but they want to eliminate issues with the SWPPP, so they are staying away from it. Mr. Palumbo also advised that they have a series of pre-treat collection and pre-treatment swales that come down to a plunge pool into a bio retention area and then the detention pond before that exits the site. He advised that they moved the gravel lay down area actually back to near where the building set was, and they were originally intending to only have the 40 feet but realized they needed some earth work in there and they wanted to leave a full buffer. Mr. Palumbo advised that they provided a SWPPP narrative which includes the sediment and erosion control plan.

**Harris/Schmitt** made a motion to open the public hearing for Northern Clearing. Harris yes, Schmitt yes, Houghton yes, Hoffman yes, Novak yes. **Approved.**

**Schmitt/Harris** made a motion to close the public hearing for Northern Clearing. Schmitt yes, Harris yes, Houghton yes, Hoffman yes, Novak yes. **Approved.**

Board member Hoffman questioned the hydro cad calcs and the intent of the storm water. He also stated that the board doesn't have the sub catchment maps in the plans. Mr. Hoffman advised the reason for his concern is the existing parking lot is caught by a swale that kind of goes down and around and there's a pre-existing storm water practice based on the layout and design, but that swale looks like it's gone. He asked without seeing the sub catchment maps is the existing gravel area treated by going into the detention pond. Mr. Palumbo stated it's some fine-tuning of the grading that they can do to make that match up and provide the sub catchment map that clarifies that. Board member Hoffman stated everything looks like new development and there are no proposed redevelopment areas. Mr. Palumbo stated that is correct. Board member Hoffman advised the applicant it is hard to review without the missing pieces. Board member Novak suggested conditionally approving the application upon receipt and review of the SWPPP as well as DEC approval. Ms. Bakner advised the board that it should also be conditioned on not taking down trees during bat season. Mr. Greschner stated that he is aware, and they will get their work done before March 31<sup>st</sup> otherwise the bat window will close them down.

**Novak/Hoffman** made a motion to declare the Northern Clearing application as an unlisted action with a negative declaration per SEQRA. Novak yes, Hoffman yes, Houghton yes, Schmitt yes, Harris yes. **Approved.**

Mr. Palumbo advised the board that everything listed on the concept they still intend to include. The board asked if the site plan could be updated to reflect that, and Mr. Palumbo said yes that he had already planned to.

**Schmitt/Harris** made a motion to conditionally approve the Northern Clearing application for a special use permit. Schmitt yes, Harris yes, Houghton yes, Hoffman yes, Novak yes. **Approved.**

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

Ms. Stealey advised that her plan is to live in the existing trailer until the new one is set and then she will demo the original trailer. She also advised that she is using the same septic and well and already has that approval.

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

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

**Harris/Novak** made a motion to approve the Tricia Stealey application for a special use permit. Harris yes, Novak yes, Houghton yes, Hoffman yes, Schmitt yes. **Approved.**

#### **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.

Shaun Ryba presented a review of information to the board on behalf of the applicant. Board member Harris asked how many cars can be parked alongside the building. Mr. Ryba said six-eight. Board member Hoffman states they don't have a plan showing what they did, and we need a revised survey to show where the gravel was installed and where the parking spaces will be on the plan to make sure that they are legal parking spaces and they're not in the state right away. Mr. Parslow advised the board that there are two areas where they cannot park and that is along route 7 and the town park. He also advised that DOT does not want anyone backing out on route 7 so the front can only be used as turn around. The board members questioned how many spots he would need for a two-family dwelling and answered with four spots. Mr. Parslow advised that the spots need to be 9'X18'. The board advised the applicant that he needs an updated site plan and that needs to include the area where the steps encroach into the parking area, signs for parking for each apartment, no parking signs in certain areas and some type of border from the town property. The board also advised the applicant that they need a barrier on the Northern side of the property due to elevation of the parking area.

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

**#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.

Board member Novak advised that the town is still waiting to hear back from SHPO. She also stated that this is a SEQRA Type 1 action and requires coordinated review so the town can not make a SEQRA motion yet. The applicant asked what concerns there could be and Ms. Novak stated that the property is within proximity to the historic mansion. The board advised the applicant that they are still looking for a revised site plan to include the entire piece of property. Board member Hoffman advised that a SWPPP is needed due to more than 1 acre of disturbance.

**Novak/Houghton** made a motion to set a public hearing for the Putnam application for 02/15/2024.

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

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

Mr. Thomas advised the board that they updated their site plan to include gravel off from Depot Rd for parking as well as locations of garbage cans, dumpsters, food, flea market and the farmer's market. The board asked if the septic mound in the back supplied a building and the applicant said no that is closed off. Mr. Thomas advised the board that they aren't going to disturb the land where the flea market is, and it will stay grass. The board advised the applicant that the town has awful soil and without gravel the rain may cause issues. Board member Hoffman asked Mr. Parslow if he did a parking analysis and he said no; the applicant is working with Lance Manus. The board advised the applicant that they would like a parking analysis and parking requirements on the site plan. Mr. Thomas advised the board that there are different areas of parking for different vendors such as the produce trucks would be in the back. He also stated that others would be pulling in setting up and moving their vehicle. The board advised the applicant that they will need a county permit to put driveway access in on Depot Rd. The applicant asked what would be needed if he came out of his own parking lot and the board advised that wouldn't require anything. Board member Hoffman advised that he wants Lance to make a parking table. The board also reminded the applicant that they need an operational plan. Mr. Thomas advised the board that each vendor will set up and take down their own area and nothing is a permanent structure. Board member Novak advised the applicant that the town needs an EAF form as well as notification sent to DOT, DPW, and Mr. Feeney at the county.

**Novak/Hoffman** made a motion to declare the Town of Duanesburg SEQRA lead agency as it is an unlisted action and to set a public hearing for the Thomas application for 02/15/2024.

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

**NEW BUSINESS:**

**#23-31 Kniese, Robert:** SBL#55.00-4-22.11, SBL#55.00-4-22.12, (H), located at Depot Rd is seeking approval of a major subdivision of two lots into 5 lots under section 3.5 of the Town of Duanesburg Subdivision Ordinance.

Mr. Kniese advised the board that he has a little over five acres and wants to divide into one acre lots. He also advised that the town has the right of way for sewer on the land and he can hook up to it if he were to build. The board advised the applicant that he will need a basic SWPPP and wetland delineation. The board also advised that the sewer lateral needs to be moved so it is going into a main and not a manhole. Ms. Bakner advised that the town would need a short EAF and a county referral.

**Novak/Hoffman** made a motion to table the application for Robert Kniese. Novak yes, Hoffinan yes, Schmitt yes, Houghton yes, Harris yes. **Approved.**

**#23-32 Splittgerber, Dean:** SBL#44.00-2-57.1 (R-2), located at 2034 Duanesburg Churches Rd is seeking a lot line adjustment under section 4 of the Town of Duanesburg Local Law #2 of 2016.

Ken Hellijas, 479 W Main St Cobleskill, NY (Joann Darcy Crum LS), advised the board of the applicants plans to adjust the lot line to give more land to one parcel. The board advised that the application can be exempt from further subdivision review.

**Harris/Novak** made a motion to refer the application for Dean Splittgerber to the code enforcement officer and declared that the application is exempt from further review. Harris yes, Novak yes, Houghton yes, Hoffman yes, Schmitt yes. **Approved.**

#### **OTHER:**

Chairman Schmitt advised the board that the TDE review quotes came in for C-Tec Solar and the numbers vary but the scope of service is about even.

**Schmitt/Novak** made a motion to designate PrimeAE as the TDE for the C-Tec Solar application.

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

Chairman Schmitt advised the board that Spiro Kagas does not want to pay any further money for the TDE on the Wishy Wash project. Ms. Bakner advised that the town reach out to Mr. Kagas's attorney.

#### **MINUTE APPROVAL:**

**Schmitt/Hoffman** made a motion to approve the December 21, 2023, Planning Board minutes with amendments.

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

#### **ADJOURNMENT:**

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Over →

Harris/Novak made a motion to adjourn.

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