

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



TOWN OF DUANESBURG
SCHENECTADY COUNTY

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

Town of Duanesburg
Planning Board Minutes
April 20, 2023
Final Copy

MEMBERS PRESENT:

Jeffery Schmitt- Chairperson, Michael Harris- Vice Chairperson, Elizabeth Novak, Joshua Houghton, Michael Walpole, Matthew Hoffman, Teresa Bakner- Planning Board Attorney, and Clerk Carol Sowycz.

INTRODUCTION:

Chairperson Jeffery Schmitt opened the meeting and welcomed everyone to tonight's Planning Board meeting and stated the agenda for the meeting.

OPEN FORUM:

Schmitt/Novak made a motion to open the open forum at 7:01 pm.

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

Resident Susan Biggs on Zoom. No comment.

Schmitt/Novak made a motion to close the open forum.

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

PUBLIC HEARINGS:

None

OLD BUSINESS:

#23-05 Hewitt, Tyler: SBL#43.11-1-12(R-2) located at 8554 Route 30 Delanson NY is seeking a Special Use Permit under 8.4(10) of the Town of Duanesburg Ordinance.

Mr. Hewitt stated that he has provided an updated business plan & plot plan.

Board members had questions concerning:

- Are there houses across the street and to the south?
- How many vehicles would be on site at any given time?
- Is there any intent for well and septic or anything on the property?
- Is the property going to be used for personal use as well as business?
- What would the business hours be?
- What kind of fencing was put up?

Mr. Hewitt responded that there are houses to the south and across the road. He stated that National Grid clear cut some trees, so he put a fence up. The fence consisted of a regular fence, pallet fence and some sort of invisible fence. He stated that he will be using the garage for both personal and business purposes. Member Novak stated that this falls under a SEQR unlisted action.

Novak/Walpole made a motion to set a public hearing for May 18, 2023, for the Hewitt Special Use Permit application.

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

OLD BUSINESS:

#22-10 Kagas.Spiro: SBL#53.00-1-29.21, (c-1) located at 9938 Western Turnpike is seeking a site plan approval for the accessory parking under section 5.2.2 of the Town of Duaneburg Zoning Ordinance.

Chairman Schmitt stated that Spiro Kagas was on the agenda for a site plan approval for accessory parking, but his consultant had emailed late the prior afternoon saying that they didn't want to be on the agenda. Schmitt stated that the board would like to take the opportunity to speak on this matter as they only meet once a month. He stated that they had received a letter from Doug Cole, the Town Engineer, who has reviewed the Wishy Wash site plan for accessory parking. Chairman Schmitt asked Member Hoffman to explain where this project stands as he has a lot of expertise in this field. Member Hoffman stated that he reviewed the comment letter, plans, and SWPPP and it still is out of our previously approved design standard. He stated that it doesn't appear to be going in the right direction to remedy any of the comments that have come up. He stated that it doesn't appear like they're taking the comments seriously. He also stated that at some point we either move forward with an approvable design or bring the remediated site back to existing conditions. Chairman Schmitt noted that the comment letter from the Town Engineer calls "to divert the flow into neighboring properties, an easement would be required from the landowner". It would have to be a signed permanent easement. Chairman Schmitt stated that there are representatives of the neighboring properties in attendance tonight and would give them an opportunity to speak. Heidi Kretzer stated she would never give Mr. Kagas an easement. Mr. Hoffman stated that one of the sticking points is that Mr. Kagas can't discharge the amount of water into the DOT right away because the flow and volume will be too high. Member Walpole stated that there are engineering solutions to solve the problem. He then asked Town Attorney how long do we keep turning our wheels for a solution?

Attorney Bakner stated that as she understands it, the accessory parking lot is blocked off by a gate and that the parking lot is not currently in use. Board Members and neighbors both stated that the gate is always open. Chairman Schmitt stated that per the towns seize work order the gate was supposed to be locked at all times. He also noted that there were several conditions that were a part of the permit, the other ones being the music and the screening with trees. Residents replied that the music is still playing and that there are several dead trees. Chairman Schmitt asked the Town Attorney for advice for the board to address compliance. Attorney Bakner advised the board to call for a public hearing. Patrick Wren stated that the owner is moving all of his equipment, dumpsters, trailers and barrels along his border line. He's lining them up so I can see them perfectly from my house. Member Harris wanted it to be on record that the board is not turning a blind eye to all this stuff.

Harris/Novak made a motion to set a Public Hearing for May 18th, 2023, for the Special Use Permit for accessory parking.

Harris yes, Novak yes, Schmitt yes, Houghton yes, Hoffman yes, Walpole yes. **Approved.**
Hoffman/Houghton made a motion to table the Wishy Wash/Spiro Kagas special use permit.
Hoffman yes, Houghton yes, Schmitt yes, Novak yes, Walpole yes, Harris yes. **Approved.**

NEW BUSINESS:

#23-01 McKinley/Proctor: SBL# 68.00-3-30.111, (C-1) located at 1896 Western Turnpike is seeking a Minor Subdivision under section 3.4 of the Town of Duanesburg Subdivision Ordinance. Ms. Proctor stated that she got the parcel surveyed like she was asked to do by the board. Member Hoffman asked Ms. Proctor if this is to separate the house from the barn and in the future add the back lot to the barn lot. Also asked was she looking to build a house. Ms. Proctor stated that eventually she would like to build but not right away. She stated that we are doing this to get the proper square footage or acreage. She stated that they are separating from the house parcel. Member Harris asked if she went through zoning for the variance that was needed. Ms. Proctor stated she had. The board asked where the well and septic was located. Ms. Proctor described where they are located and stated that Ed McKinley still owns all the properties, and she is doing this on his behalf. The board members and the Town Planner agreed that this should be a lot line adjustment and not a minor subdivision. The planning board determined the proposed McKinley/Proctor action neither creates an increase or decreases any environmental impact.

Harris/Houghton made a motion to refer to code enforcement.

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

#23-06 Fusco, Salvatore: SBL#25.00-1-6.11, (R-2) located at 756 Wells Road is seeking a Major Subdivision under section 3.5 of the Town of Duanesburg Subdivision Ordinance. Luigi Palleschi P.E. and Sal Fusco/owner are in attendance. Mr. Palleschi addressed a couple of comments made by the Planning Board the prior month. He stated that they went to the site and looked where the best possible locations for the driveway would be. They revised their plans and emailed a copy to the town. He stated that on Lot#3, they are willing to remove a portion of the barn so it's not in the setbacks. Another parcel had a septic to close to the power lines, we have decided to remove that house and septic from this application. Mr. Fusco wants to keep this parcel for himself. Mr. Fusco stated that he wanted to keep it simple. Lots 2 & 3 will be removed. Mr. Palleschi stated that he will revise the map prior to the public hearing. Attorney Bakner reminded Mr. Palleschi to get the wetlands delineated before the public hearing. She also asked if there were any trees that would have to be taken down. Mr. Palleschi stated not on the north side but there is on the west side. It's a wooded area. He also stated that they had reached out to SHIPO and that they had received the no effect letter. Also, that they reached out to Army Corp. Mr. Palleschi will reach out to a wetlands specialist to move the project forward. Member Hoffman asked what the total disturbance would be for the 5 lots? Mr. Palleschi stated less than 5 acres. Member Hoffman then asked if it would be more than 1 acre? Mr. Palleschi answered yes. Member Hoffman stated that a SWPPP will need to be done. Mr. Palleschi agreed. Member Novak stated that based on all the information, she doesn't anticipate any concerns. The Fusco subdivision is deemed a SEQR negative declaration, type 1. The Town Planning Board has been established as the lead agency and we can set a public hearing for May 18, 2023.

Novak/Harris made a motion to set the public hearing for May 18, 2023, for the Fusco Subdivision.

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

SKETCH PLAN REVIEW:

#23-08P Chandler Jr., Robert: SBL#44.00-1-8.21, (R-2) located at 2978 Duanesburg Churches Rd is seeking a Major Subdivision under section 3.5 of the Town of Duanesburg Subdivision Ordinance. Mr. Chandler stated that he didn't know he was supposed to be at the meeting. Chairman Schmitt ask Mr. Chandler what he wishes to do. Mr. Chandler stated that he would like to divide 3 lots on Hardin Road. Chairman Harris ask if the lot size would all be the same? The board asked questions about lot size, slopes, and wetlands. The board informed Mr. Chandler to come to the next planning board meeting on May 18, if he is ready.

OLD BUSINESS:

None

OTHER:

Town attorney Terresa Bakner stated that the Dollar General looks nice and neat.

Minute Approval:

March 21, 2023, PLANNING BOARD MEETING MINUTES:

Hoffman/Houghton made a motion to approve the March 21, 2023, Planning Board minutes.

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

ADJOURNMENT:

Walpole/ Hoffman made the motion to adjourn at 8:30 PM.

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

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



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

**Town of Duanesburg
Planning Board Agenda
April 20, 2023**

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

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

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

Topic: Town of Duanesburg's Planning Board Zoom Meeting

Time: This is a recurring meeting Meet anytime

Join Zoom Meeting

Meeting ID: 858 7403 2498

Passcode: 848175

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

Meeting ID: 858 7403 2498

Passcode: 848175

INTRODUCTION BY CHAIRPERSON JEFFERY SCHMITT:

OPEN FORUM: One presentation per individual **MAXIMUM 4 minutes** on items not on the agenda.

SKETCH PLAN REVIEW:

#23-08P Chandler Jr., Robert: SBL#44.00-1-8.21, (R-2) located at 2978 Duanesburg Churches Rd is seeking a Major Subdivision under section 3.5 of the Town of Duanesburg Subdivision Ordinance.

Comments: _____

PUBLIC HEARINGS:

None

OLD BUSINESS:

#23-05 Hewitt, Tyler: SBL#43.00-1-12, (R-2) located at 8554 Route 30 Delanson NY is seeking a Special Use Permit under 8.4 (10) of the Town of Duanesburg Zoning Ordinance.

Comments: _____

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



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

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

Comments: _____

NEW BUSINESS:

#23-01 McKinley/Proctor: SBL# 68.00-3-30.111, (C-1) located at 1896 Western Turnpike is seeking a Minor Subdivision under section 3.4 of the Town of Duanesburg Subdivision Ordinance.

Comments: _____

#23-06 Fusco, Salvatore: SBL#25.00-1-6.11, (R-2) located at 756 Wells Road is seeking a Major Subdivision under section 3.5 of the Town of Duanesburg Subdivision Ordinance.

Comments: _____

Other:

None

Minute Approval:

March 16, 2023, PLANNING BOARD MEETING MINUTES:

Approved: Yes _____ No: _____

Comments: _____

ADJOURNMENT

TOWN OF DUANESBURG

APPLICATION FOR SITE/ SKETCH DEVELOPMENT PLAN APPROVAL

Preliminary ☐ Date: _____ Final ☐ Date: _____
(Check appropriate box)

Name of proposed development Chandler Subdivision

Applicant:

Name Robert J. Chandler, Jr.
Address 2978 Duanesburg Churches
Delanson NY 12053
Telephone 518 355 2055

Plans Prepared by:

Name Mark Blackstone
Address 1152 Fort Hunter Rd
Sch'dy NY 12303
Telephone 518 355 1791

Owner (if different):

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

Name _____
Address _____
Telephone _____

Ownership intentions, i.e., purchase options

create 3 new lots to sell for residential construction

Location of site

South side of Hardin & East side of Duanesburg Churches

Section 44.00 Block 1 Lot 8.21

Current zoning classification _____

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

NA

Proposed use(s) of site

Residential construction

Total site area (square feet or acres) New lots = 7 acres

Anticipated construction time 2-3 years ±

Will development be phased? as per individual lot owners

Over →

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

Vacant wooded

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

Character of surrounding lands (suburban, agricultural, wetlands, etc.) Agricultural & Rural residential

Estimated cost of proposed improvement \$ _____

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

3 lots X 4 family members = 12

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

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

(Use separate sheet if needed)

3 lots to be improved with 3/4 bedroom
residences & 1/2 stall garages.

This Indenture,

LBN1209 0223

Made the 12th day of December,
Nineteen Hundred and Eighty-eight,

DEC 20 P 3 04

Between EDWARD G. FEUZ, of Esperance, New York, 12066,

6005

as Executor of the last Will and Testament of
ALBERT H. FEUZ,
Town of, Duaneburg, Schenectady County, New York,
deceased, of the first part, and
ROBERT J. CHANDLER, JR. and CHRISTINE A. CHANDLER, husband and wife,
of 2354 Harrison Street, Schenectady, New York, 12306, as tenants by
the entirety.

Witnesseth, That the party of the first part, by virtue of the power and
authority to him given in and by the said last Will and Testament,
and in consideration of ---ONE HUNDRED TWENTY-FIVE THOUSAND ---
Dollars,
(\$ 125,000.00--) lawful money of the United States,
paid by the parties of the second part,
does hereby grant and release unto the parties of the second part,
their distributees and assigns forever, all

THAT CERTAIN FARM OF LAND, situate in the Town of Duaneburg, in the
County of Schenectady, New York, distinguished on a map of said Town
and subdivision thereof, as Lot number one hundred and thirty-four (34)
and parts of Lots numbers one hundred and seven (107) and three hundred
and nine (309). Said lot number 134 contains ninety-one acres, one
rod and nine perches of land. The part of said lot number 107 hereby
conveyed is bounded north by lots numbers 309 and 310; east by lot
number 92; on the south by part of said lot number 107, formerly
conveyed to John McFarlan; west by lots numbers 108 and 134, and con-
taining seventy-four acres, three rods and two perches of land. The
part of lot number 309 hereby sold and conveyed is bounded south by
lots number 107 and 134; north by the Highway; east by lot number 310;
west by lot number 308 and contains fifty-six acres, three rods and
twenty perches of land, be the same contents, more or less.

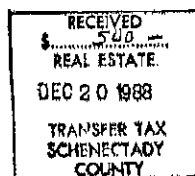
EXCEPTING AND RESERVING THEREFROM all lands situate on the
west side of Duaneburg Churches Road, which contain 65 acres, more
or less.

The lands hereby conveyed (approx. 157 Acres) are a portion of the
lands conveyed from Gottfried Feuz to Albert and Cora Belle Feuz,
dated May 17, 1927 and recorded in Schenectady County Clerk's Office
in Book 346 of Deeds at Page 289. Said Cora Belle Feuz having died
June 7, 1954, survived by her husband, Albert Feuz, who died September
29, 1988, a resident of the Town of Duaneburg, Schenectady County,
New York.

The Grantor herein, Edward G. Feuz, having been appointed Executor
of the Last Will and Testament of Albert Feuz, by the Surrogate's
Court of Schenectady County, on December 5th, 1988, which Letters
remain in full force and effect.

THE ABOVE LANDS INCLUDE a house and 10.122 acres of land,
more particularly bounded and described as follows:

1985



2631
LW 1209 0224

ALL THAT TRACT, PIECE OR PARCEL OF LAND, situate, lying and being in the Town of Duanesburg, County of Schenectady and State of New York, being along the easterly side of Duanesburg Churches Road, and more particularly bounded and described as follows:

BEGINNING at a point, being South $21^{\circ}51'10''$ East a distance of 254.0 feet, measured along the easterly side of Duanesburg Churches Road, from the intersection of the division line between the lands now or formerly of Rossi, as described in Book 1201 of Deeds at page 72, on the north, and the lands now or formerly of Feuz, on the south, with the easterly side of Duanesburg Churches Road, said point also being 888+ feet southerly of Hardin Road;

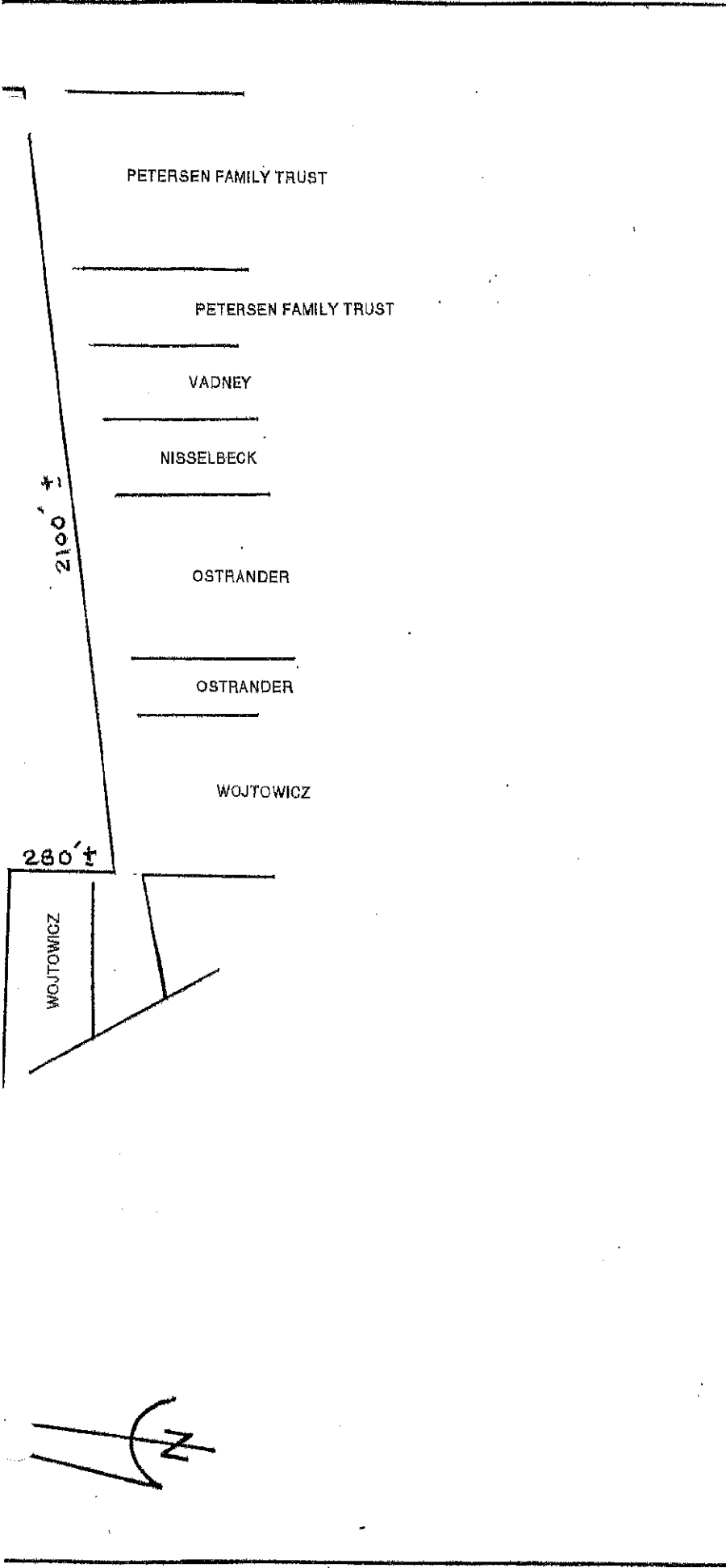
Thence running South $81^{\circ}51'45''$ East a distance of 1,239.0 feet through the lands now or formerly of Feuz, to a point;

Thence running South $18^{\circ}52'40''$ East a distance of 399.93 feet through the lands now or formerly of Feuz, to a point;

Thence running North $81^{\circ}51'45''$ West a distance of 1,239.0 feet through the lands now or formerly of Feuz, to a point on the easterly side of Duanesburg Churches Road;

Thence running North $18^{\circ}27'10''$ West a distance of 350.0 feet, and North $21^{\circ}51'10''$ West a distance of 50.0 feet along the easterly side of Duanesburg Churches Road to a point, being the point or place of beginning.

CONTAINS 440,926 sq. ft. or 10.122 acres.

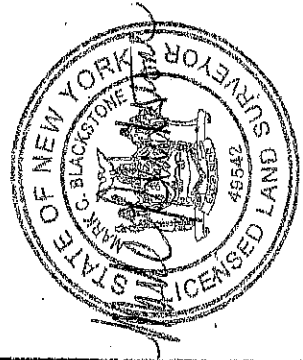


MAP SHOWING PROPOSED SUBDIVISION OF
LANDS OF CHANDLER

TOWN OF DUANESBURG
SCHENECTADY COUNTY, N.Y.

SCALE 1" = 400'
MARCH 30, 2023

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



DENNINGER

1400' ±

650' ±

DERUSSO
515'

950' ±

200'

515'

800'

200'

515'

200'

515'

HARDIN ROAD

1200' ±

PROPOSE 3 NEW LOTS
@ 2.3 ACRES EACH

RPTSA # 44.00 - 1 - 8.21

151 ± acres

1000' ±

SINDONI

WOOD

CHODNICKI

800' ±

1590' ±

DUANESBURG CHURCHES ROAD

Notes

APPLICATION FOR THE PLANNING BOARD
TOWN OF DUANESBURG

Revised 04/12/2017

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

CHECKLIST OF REQUIRED INFORMATION:

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

- ☒ Septic system: Soil investigation completed?
- ☒ Sewer System: Which district?
- ☐ Basic SWPPP (12 & <5)
- ☐ Full Storm Water Control Plan (5 acres or more)
- ☐ Storm Water Control Plan
- ☒ Short or long EAF www.dec.ny.gov/eafmapper/
- ☐ Street pattern: Traffic study needed?
- ☐ All property Mergers **REQUIRE** both owners Signatures on the Application

Additional Requirements for Special Use Application:

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

Date 2/27/23

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

Proposal: Public garage - repair garage - light duty corp truck

Section _____ of _____ Ordinance.

Present Owner: Tyler R Hewitt (AS APPEARS ON DEED!!)

Address: 8554 Rt 30 Delanson NY Zip code: 12053

Phone # (required) (518) 396-7697

2 ACRES

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

Location of Property (if different from owners) _____

Tax Map # _____ Zoning District _____

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

LANDS CONVEYED TO (REQUIRED FOR MERGERS) _____

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

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

[Signature]

Date 2/27/23

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

NOT in Ag DIST - with 500 FT of Skt. Rd

TOWN OF DUANESBURG

Application# _____

Agricultural Data Statement

Date: _____

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>TYLER HENCK</u>	Name: _____
Address: <u>8554 RT 30</u>	_____
<u>DeLansea NY 12053</u>	_____

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

2. Description of proposed project:

car-truck repair shop

3. Location of project: Address: 8554 RT 30 DeLansea NY 12053

Tax Map Number (TMP) 43.00-1-12

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

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

[Signature]
Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by: Dale R. Warner

Date

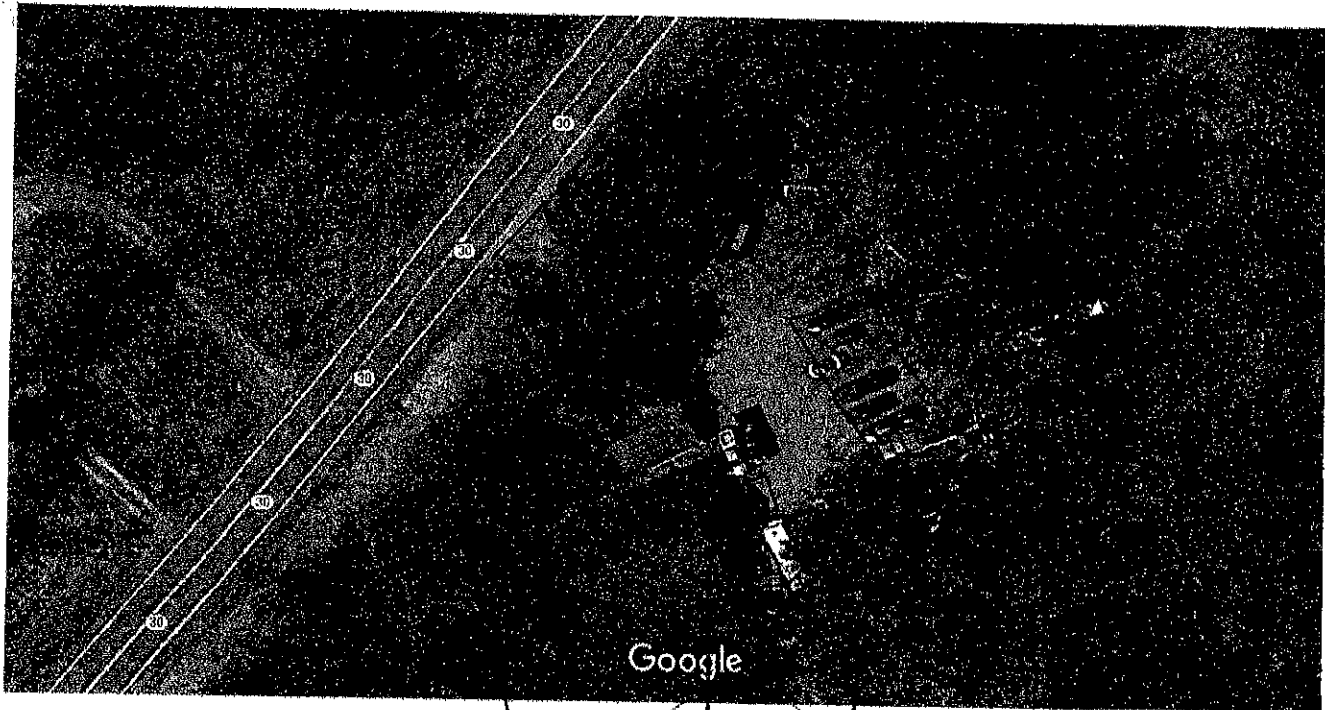
Revised 4/4/17

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.

Google Maps



Map data ©2023, Map data ©2023 20 ft


DRIVEWAY

Handicap
PARKING

PARKING

Business Plan

Hewitts Garage LLC
8554 Route 30
Delanson, NY 12053
518-396-7697

Car, truck and motorcycle repairs, to include all aspects of vehicle maintenance and repairs. 
Business Hours: Monday - Friday, 9AM-5PM ET

Employees: No employees, owner operator.

Designated parking area will be provided for vehicles coming in for repair.

Handicap parking spot is designated directly next to door entrance pad.

Motion activated flood light to provide lighting over the pedestrian and overhead doors.

No signage.

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			
Tyler Hewitt, Hewitts Garage LLC			
Name of Action or Project: Establish special use permit for public garage.			
Project Location (describe, and attach a location map): 8554 Route 30, Delanson, NY 12053			
Brief Description of Proposed Action: Approval of special use permit to allow for normal business operations.			
Name of Applicant or Sponsor: Tyler Hewitt		Telephone: 518-378-7697 E-Mail: tyler1000rr@yahoo.com ,	
Address: 8554 Route 30			
City/PO: Delanson	State: NY	Zip Code: 12053	
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	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 2 acres			
b. Total acreage to be physically disturbed? _____ 0 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 2 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input checked="" 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 checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

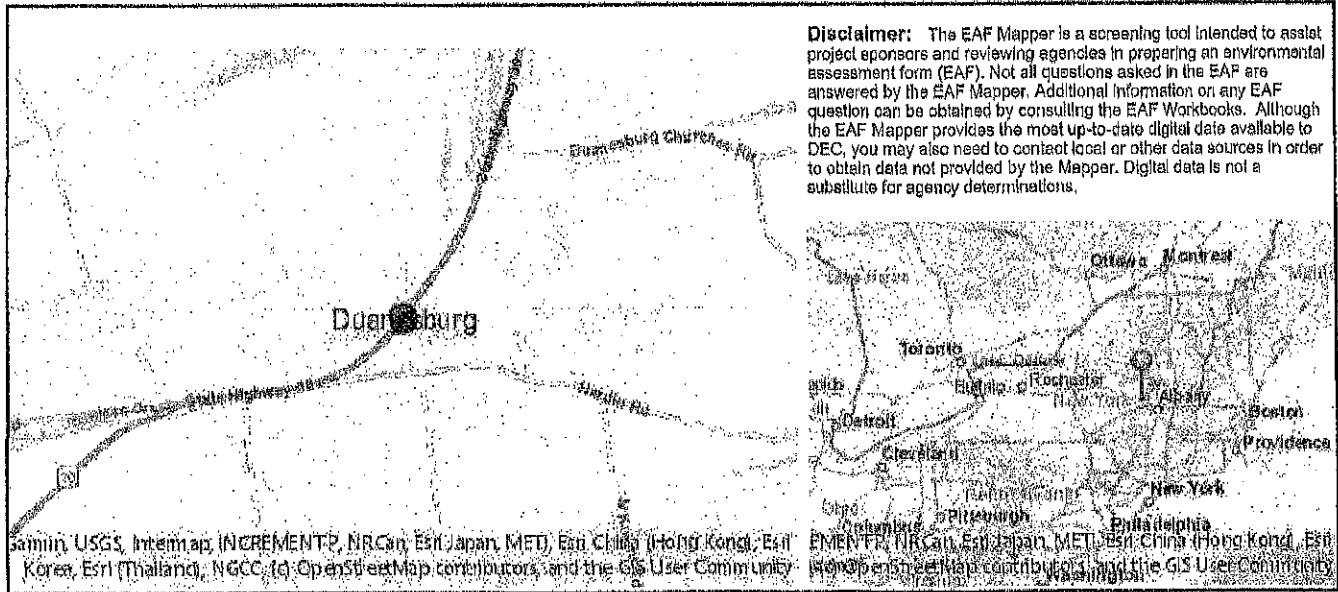
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input 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: _____ _____	<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 checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100-year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	NO <input checked="" type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Tyler Hewitt</u> Date: <u>02/21/23</u> Signature: <u>[Signature]</u> Title: <u>2/21/23</u>		

PRINT FORM

EAF Mapper Summary Report

Monday, February 27, 2023 11:20 AM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
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

Recycling/Waste Plan

Hewitts Garage LLC
8854 Route 30
Delanson, NY 12053
518-396-7697

Waste: Dumpster on site for regular waste removal. Emptied weekly or as needed.

Waste Oil: Stored in 55 gallon drum, specifically labeled, located inside garage. Oil is recycled by using local supplier. Supplier comes to the shop and removes the drum, leaves empty 55 gallon drum. Supplier comes weekly or as needed.

Waste Tires: Local company, paid service to come and pick up tires.

Waste Coolant: Local company, paid service to come and pick up tires.

Waste Metals: Waste metals are stored and recycled in house.

CAR FOR SALE

SQR LEAD Agency - Town P.B.

DOT → coordinator L. Agency

DEC →

MOTION TO TABLE

APRIL 20

10

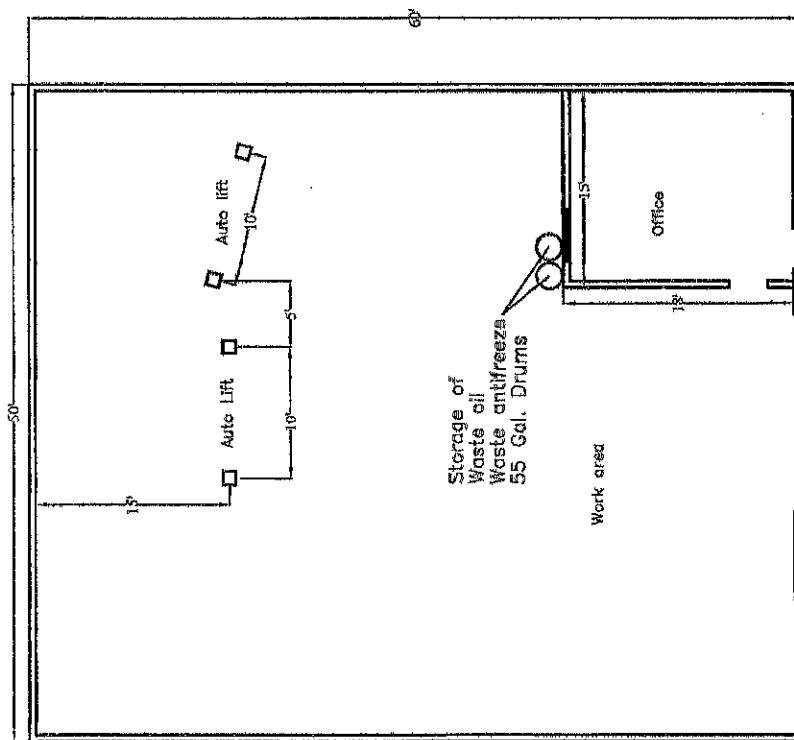
Business Plan

Hewitts Garage LLC
8554 Route 30
Delanson, NY 12053
518-396-7697

Car, truck and motorcycle repairs, to include all aspects of vehicle maintenance and repairs.
Business Hours: Monday - Friday, 9AM-5PM ET

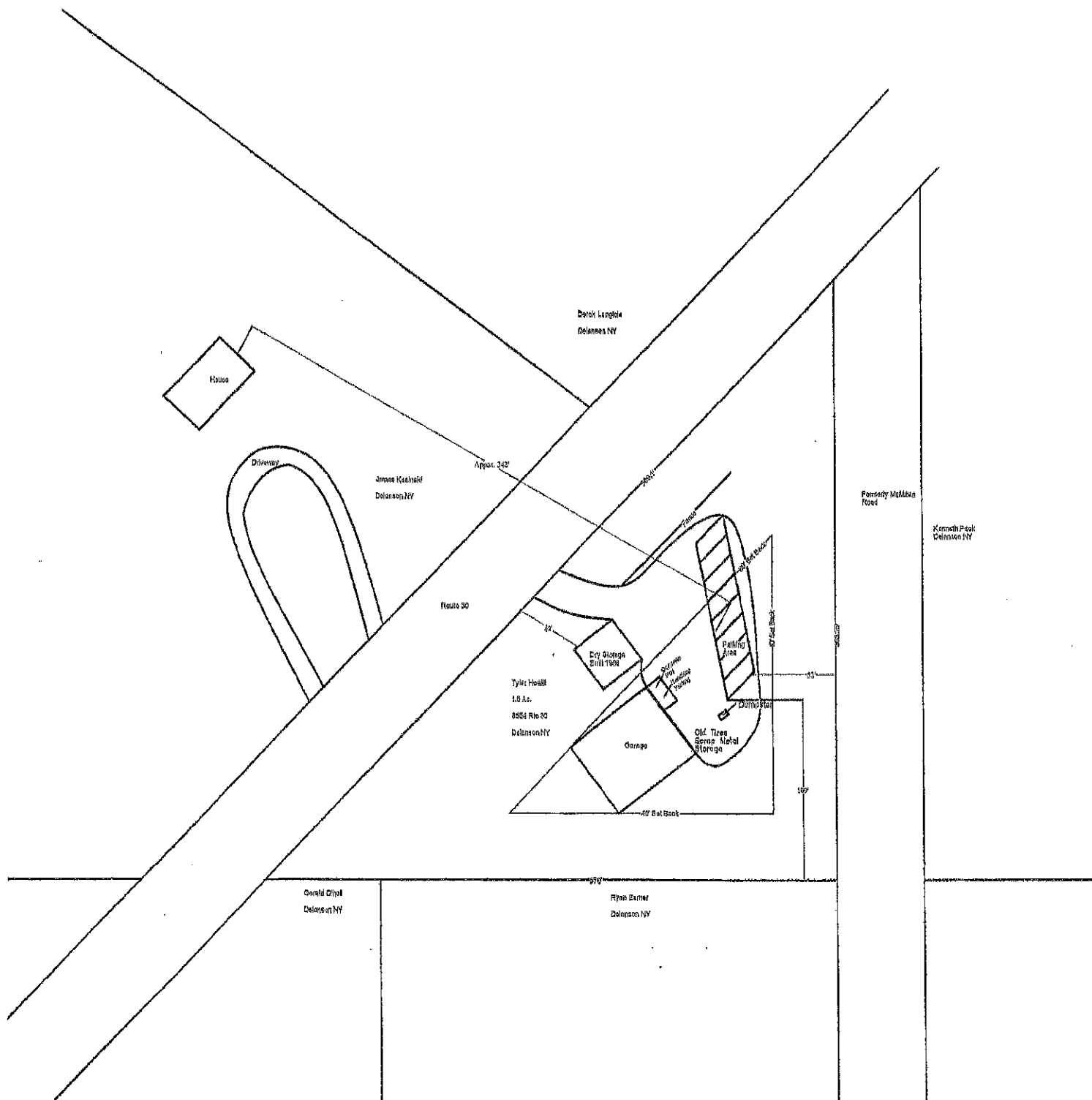
Employees: No employees, owner operator.

Designated parking area will be provided for vehicles coming in for repair and vehicles will be locked and video surveillance at all times. estimated vehicles in for repair perday is 5 to 10.
Handicap parking spot is designated directly next to door entrance pad. vehicles that will be dropped off after hours will have a provided a over night locked drop box for security.
Motion activated flood light to provide lighting over the pedestrian and overhead doors.
No signage.



Old Tires
Scrap Metal
Storage

Front of Building



Notes

Blank lined paper for notes.



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

April 12, 2023

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

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

Dear Mr. Schmitt :

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

FEAF

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



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

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

Site Plan

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



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

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

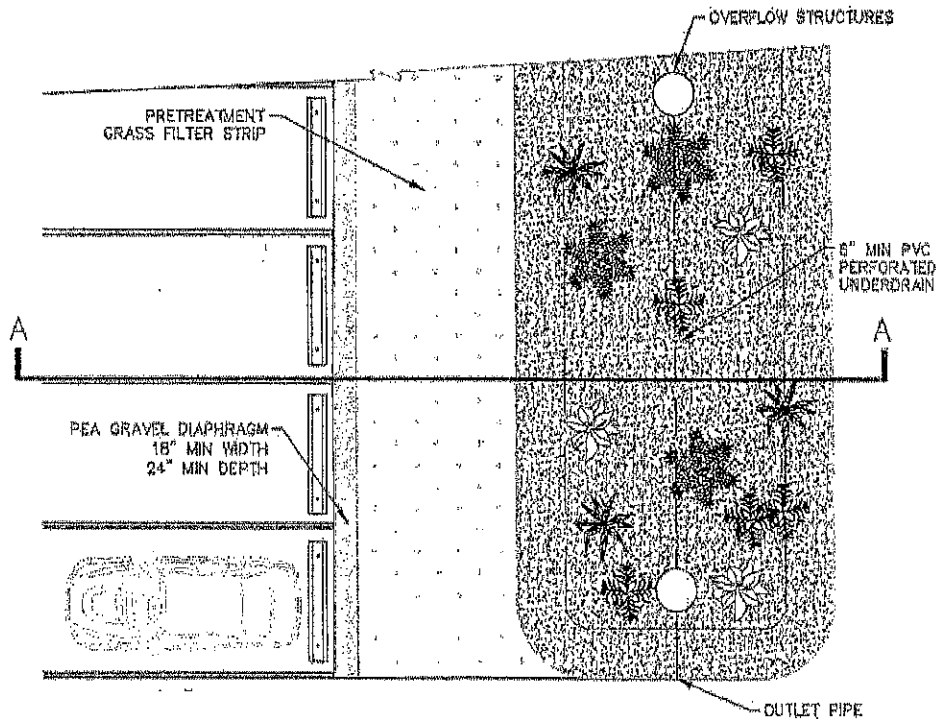


~~signs be provided.~~ The Applicant has verified that no new signage is proposed. If any new signage is proposed on this project, the details must be submitted for review prior to final Application approval.

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

Filtration Bioretention (F-5)

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



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



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

SWPPP

1. ~~The total area being disturbed needs to be clearly stated under "Project Description". The end of the section mentions the prior disturbance but should include the proposed new disturbance for a complete project total. The applicant has addressed the comment.~~
2. The "Project Description" section should include a mention of which type of construction project is being proposed (i.e., which table does the project fall under in Appendix B of the NYSDEC SPDES General Permit). *Applicant needs to mention "this project requires the preparation of a SWPPP which includes post-construction stormwater management practices". We agree that commercial projects fall under Table 2 of Appendix B and thereby requires both Sediment and Erosion Control practices as well as Post-Construction Stormwater practices. The applicant still needs to include the following in the Project Description: "this project requires the preparation of a SWPPP which includes post-construction stormwater management practices"*
3. ~~Please clarify whether the existing stormwater underdrains below the 8" crusher run will be abandoned/demolished. The applicant has advised that the pipe will be "destroyed" by the new construction. The Drainage Narrative mentions that the existing three (3) drain tiles under the parking lot "were terminated in order to prevent future runoff to the Wren property." The location of this termination should be shown on the plans and the end of the pipes confirmed to be sealed in the field. The applicant has addressed the comment. No further comment.~~
4. ~~The surface area of the adjacent parking lot which will be overlaid with asphalt needs to be stated in the "Project Description" section. The applicant needs to mention the surface area of the parking lot which will be overlaid with asphalt. (16,776 SQ. FT. has not been incorporated) The applicant has addressed the comment. No further comments~~
5. ~~Section 2.2 does not provide any description for "rock outlet protection" which is listed as a proposed permanent structural practice in the NOI. The applicant has addressed the comment. No further comments.~~
6. ~~Please provide more details regarding how often sanitary waste shall be cleaned. The applicant has addressed the comment stating that the recycling tanks are pumped out every 2 to 4 months, as needed. No further comments.~~
7. ~~Please specify the waterbody which would receive any potential pollutant discharges under section 6.0. We acknowledge your response in the letter. However, the information was not included in the SWPPP under Section 6.0. The applicant has addressed the comment. No further comments.~~
8. ~~Under section 7.0, the maintenance guidelines specify that sediment needs to be cleaned from the basin when it accumulates to more than 1 inch. How will this be measured? The applicant has addressed the comment by stating that it will be a visual inspection to determine sediment depth. No further comments~~
9. ~~Please add the following under Stormwater Management Maintenance requirements: The applicant has addressed all subpoint. No further comments~~
 - a. ~~Vegetation within the basin shall be limited to 18 inches~~
 - b. ~~Basin outlet devices shall be cleaned/repared when drawdown times exceed 36 hours~~



~~c. Areas devoid of mulch shall be re-mulched on an annual basis.~~

10. The MS4 SWPPP Acceptance Form contained in Appendix B can be removed, as the Town of Duaneburg is not a MS4 community. Question number 43 of the NOI will need to be revised as well. ~~The applicant needs to revise the response to Q.43 of NOI to reflect that the project is not subject to MS4 requirements. The response was revised by the applicant. No further comment.~~

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

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



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

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

Architectural Plans

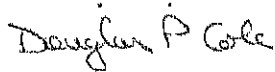
1. ~~The Architectural Plans do not clearly provide the total height of the proposed new truck bay. We ask the Applicant to provide the total height on the Front Elevation drawing to determine if this corresponds with the 20' +/- stated in the FEAF. The Applicant has provided plans and elevations that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



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

Sincerely,

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



Douglas P. Cole, PE
Senior Director of Engineering

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



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[illegible]

TOWN OF DUANESBURG

Application# _____

ORIG:

Agricultural Data Statement

Date: _____

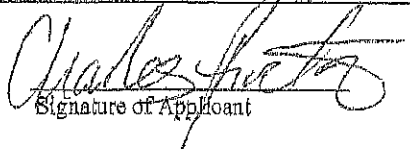
Instructions: Per § 305-a of the New York State Agriculture and Markets Law, any application for a special use permit, site plan approval, use variance or a subdivision approval requiring municipal review and approval would occur on property within a New York State Certified Agricultural District containing 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>Charles Proctor</u>	Name: <u>Edward McViolet</u>
Address: <u>319 Holt Rd</u> <u>Duanesburg NY 12056</u>	<u>1896 Western Turnpike</u> <u>12056</u>

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

3. Location of project: Address: 1896 Western Turnpike 12056
Tax Map Number (TMP) _____
4. Is this parcel within an Agricultural District? YES NO (Check with your local
5. If YES, Agricultural District Number _____ assessor if you do not know.)
6. Is this parcel actively farmed? YES NO
7. List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

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


Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by:

Dale R. Warner

Date

Revised 4/4/17

FARM NOTE

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

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

APPLICATION FOR THE PLANNING BOARD
TOWN OF DUANESBURG

Revised 04/12/2017

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



ORIGINAL

CHECKLIST OF REQUIRED INFORMATION:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Title of drawing. | <input checked="" type="checkbox"/> Septic system: Soil investigation completed? |
| <input checked="" type="checkbox"/> Tax Map ID # | <input checked="" type="checkbox"/> Sewer System: Which district? |
| <input checked="" type="checkbox"/> Zoning district | <input type="checkbox"/> Basic SWPPP (1 > & < 5) |
| <input checked="" type="checkbox"/> Current Original Deed | <input type="checkbox"/> Full Storm Water Control Plan (6 acres or more) |
| <input checked="" type="checkbox"/> NYS Survey (L.S. & P.E.) | <input type="checkbox"/> Storm Water Control Plan |
| <input checked="" type="checkbox"/> North Arrow, scale (1"=100') | <input checked="" type="checkbox"/> Short or long EAF www.dec.ny.gov/efmmaper/ |
| <input checked="" type="checkbox"/> Boundaries of the property plotted and labeled to scale. | <input type="checkbox"/> Street pattern: Traffic study needed? |
| <input checked="" type="checkbox"/> School District/Fire District | <input type="checkbox"/> All property Mergers REQUIRE both owners Signatures on the Application |
| <input checked="" type="checkbox"/> Green area/landscaping | Additional Requirements for Special Use Application: |
| <input checked="" type="checkbox"/> Existing watercourses, wetlands, etc. | <input checked="" type="checkbox"/> New or existing building |
| <input checked="" type="checkbox"/> Contour Lines (increments of 10ft.) | <input checked="" type="checkbox"/> Business Plan, Hours of operation, & number of employees, |
| <input checked="" type="checkbox"/> Easements & Right of ways | floor plan, uses, lighting plan/ landscaping/signage |
| <input checked="" type="checkbox"/> Abutting Properties Wells/ Sewer Systems within 100ft. | Parking, Handicap Spaces, & lighting plan |
| <input checked="" type="checkbox"/> Well/ Water system | |

Date 4-10-2024

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

Proposal: (Subdy)

Section _____ of _____ Ordinance.

Present Owner: Edward McKinley (AS APPEARS ON DEED!!)

Address: 1896 Western Turnpike Zip code: 12056

Phone # (required) (518)

Applicants Name (if different): Charles Proctor Phone# (required) (518) 576-4991

Location of Property (if different from owners)

Tax Map # _____ Zoning District _____

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

LANDS CONVEYED TO (REQUIRED FOR MERGERS)

Signature of receiving Property Owner Charles Proctor (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.

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

Date 4/10/2024

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

VARIANCE APPLICATION
TOWN OF DUANESBURG
ZONING BOARD OF APPEALS

Revised 03/5/15

Date: _____ Zoning District C-1 + R-2 Type of Variance
☐ Use Variance ☒ Area Variance
SBL# _____ Phone #: _____ Email: _____

Applicant's Name: Charles Proctor

Applicant's Address: 319 Mott Rd

Property Owner Name (if different): Ed McKinley

Property Address (if different): 1896 Western Turnpike

Property Owner's Signature _____

(Signature of owner indicates they have reviewed the proposal and give their permission)

Proposal: (Brief description of request)
Separation of property on 1896 Western Turnpike

A copy of this notarized application and the accompanying information must be submitted to the Planning and Zoning Department for approval before being placed on the ZBA agenda. Eight (8) copies of this application must be reviewed and filed at least 10 days prior to the next ZBA meeting.

REQUIRED INFORMATION:

- Copy of the property deed
- Location map showing the location of the property with
 - A) Name of applicant and SBL#
 - B) North arrow; Street and if applicable the lake shore
 - C) Adjoining property owners names with location of wells and septic systems within 100ft of the adjoining property boundaries
- Property map to scale
 - A) Name of applicant and SBL#
 - B) North arrow; Location of any structures currently on the property with dimensions of the structures and distances to the property boundaries
 - C) Location of proposed structure, dimensions and intended use; Distances from the proposed structure to the property boundaries
 - D) Location of well and septic system; Any easements or right of ways and any other geographic or environmental characteristics of the property which may have a bearing on the Board's decision

I certify that all the information submitted is true and accurate to the best of my knowledge.

[Signature]
Applicant

12-8-22
Date

State of New York, county of Schenectady sworn this _____ day of _____ 20____, Notary Public

***** (For Office use only) *****

Reviewed by _____ Date _____
Fee _____ Date _____ Check# _____ Rec'd By _____
Hearing Date _____ Approved: YES NO Approval Date _____

Conditions of approval: A permit must be obtained within 6 months of approval of this application and all other aspects of the Zoning Ordinance must be followed or the approval becomes null and void.

Other Conditions include: _____

Authorized Signature [Signature] Date 3/21/23
(ZBA Chairperson)



ORIGINAL

ZONING BOARD OF APPEALS
AREA VARIANCE FINDINGS AND DECISIONS

Applicant: CHARLES PROCTOR
319 MOTT ROAD
DURNESBURG, NY 12054

Variance No: 22-11
Zoning District: C-1
Published Notice on: _____
Notice to County Sent on: _____
Hearing Held on: 3/21/23

Property Location: SBL # 68.00-3-30.111 1896 WESTERN TURNPIKE

Requirement for which Variance is Requested:

SUBDIVISION OF LOT INTO TWO DIFFERENT PARCELS
REQUIRING SIDEYARD AND AREA VARIANCES.

Applicable Section of Town Zoning Code: 11.6(2) AND 11.5(15)

FACTORS CONSIDERED:

1. Whether undesirable change would be produced in character of neighborhood or a detriment to nearby properties: YES _____ NO ✓

Reasons:

2. Whether benefit sought by applicant can be achieved by a feasible alternative to the variance: Yes _____ No ✓

Reasons:

3. Whether the requested variance is substantial: Yes _____ No ✓

Reasons:

4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood: Yes _____ No ✓

Reasons:

5. Whether the alleged difficulty was self-created: Yes ✓ No _____

Reasons:

Revised 5/9/07

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors, finds that:

- ☐ the Benefit to the Applicant DOES NOT Outweigh the Detriment to the Neighborhood or Community and therefore the variance is denied.
- ☒ the Benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community.

Reasons:

FACILITATES THE SUBDIVISION OF A LOT INTO TWO
PARCELS. VARIANCE REQUESTS (SIDEYARD AND AREA)
WITHIN PARAMETERS OF APPROVED REQUESTS BY THE ZBA.

The ZBA further finds that a variance of 22' SIDE YARD
13' SIDE YARD from Section 11.6(R)
of the Zoning Code is the minimum variance that should be granted in order to preserve
and protect the character of the neighborhood and the health, safety and welfare of the
community because: 7,653 SQUARE FOOT AREA FROM SECTION 11.5 (1)

Condition No. 1:

Adverse impact to be minimized:

Condition No. 2:

Adverse impact to be minimized:

Nelson W. Gage
Chairman, Zoning Board of Appeals

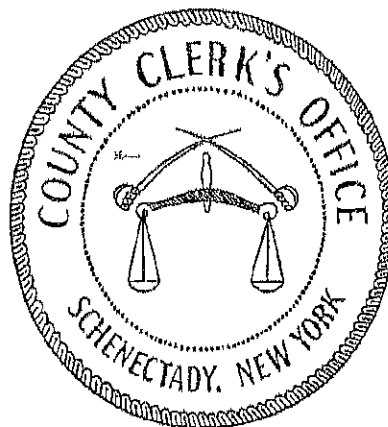
3/21/23
Date

RECORD OF VOTE

MEMBER:	AYE	NAY
Nelson Gage	✓	
Jonathan Lack		N/A
Link Pettit		N/A
Daniel Boggs		N/A
Matthew Ganster	✓	
Charles Leoni	✓	
CAITLIN MATOS	✓	

Schenectady County Endorsement Page

JOHN J. WOODWARD
Schenectady County Clerk
620 State Street
Schenectady, NY 12305



Document Type WARRANTY DEED

From Party ANN MARIE DOGKAL AND TINA MARKOWSKI

To Party VAMR DEVELOPMENT, LLC

RETURN TO ANDREW T. PELLETIER, ESQ.

400 ALTAMONT ROAD

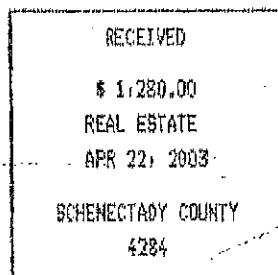
ALTAMONT, NY 12009

RECORDED
06/22/2003 11:28:48 AM
County Clerk
JOHN J. WOODWARD
SCHENECTADY COUNTY, NY

Book/Pages: DEED/1648/376
Total Pages: 3

Receipt No: 207953
Doc No: 2003-2184
Inst Num: 200312704

CO GENERAL REVENUE	\$19.50
CO E & A FEES	\$3.00
CO LAND COMP SUR	\$0.75
CO LAND SUR	\$0.25
NY E & A FEES	\$22.00
NY LAND COMP SUR	\$14.25
NY LAND SUR	\$4.75
NY REALTY	\$1,280.00
TRANSFER TAX	
TOTAL	\$1,344.50
INV: 207953 USER: DOF	



Important: This endorsement page constitutes the Clerk's endorsement in accordance with Local Law #7 of 1996-DQ NOT DETACH-Upon recording, this page becomes part of the document.

THIS IS A LEGAL INSTRUMENT AND SHOULD BE EXECUTED UNDER SUPERVISION OF AN ATTORNEY

WARRANTY DEED

THIS INDENTURE, Made the 10th Day of April, Two Thousand Three

BETWEEN Ann Marie Dockai, residing at 679 Schoharie Turnpike, Duanesburg, New York 12056, and Tina Markle, residing at 221 Chiswell Road, Schenectady, New York 12304,

Grantor, and

VAMR Development, LLC, with an address at 1614 McGuire School Road, Delanson, New York 12053,

Grantee,

WITNESSETH, that the grantor, in consideration of ONE (\$1.00) DOLLAR, lawful money of the United States, and other good and valuable consideration, paid by the grantee, hereby grants and releases unto the grantee, the heirs or successors and assigns of the grantee forever,

ALL that parcel of land, situate in the Town of Duanesburg, County of Schenectady and State of New York, lying westerly of Mott Road, more particularly described as follows: Beginning at a point located in the westerly bounds of Mott Road (County Road 76), said point being located N. 11 deg.-07'-09" E., 289.15 feet along said westerly bounds from its intersection with the northerly bounds of U.S. Route 20; thence N. 69 deg.-11'-15" W., through lands now or formerly of Alan S. and Helen R. Wood, a distance of 751.26 feet to a point located in the division line between lands now or formerly of Waldron on the south and lands herein described on the north; thence N. 71 deg.-00'-01" W., along said division line, a distance of 212.70 feet to a point located in the division line between lands now or formerly of Konwisarz on the west and lands herein described on the east; thence N. 07 deg.-39'-54" E., along said division line, 200.00 feet to a point; thence S. 76 deg.-29'-08" E., through lands now or formerly of Alan S. and Helen R. Wood, a distance of 964.12 feet to a point located in the aforementioned westerly bounds of Mott Road; thence S. 11 deg.-07'-09" W., along said westerly bounds, a distance of 315.00 feet to the point of beginning, being 5.58 acres, more or less.

The above described premises being Lot 2 on a map entitled "Grandview Subdivision" filed in Schenectady County on July 22, 1992 as Map #1-159.

BEING the same premises as described in a Warranty Deed dated April 26, 2000 and recorded in the Schenectady County Clerks Office in Book 1577 of Deeds at Page 291.

SUBJECT to the provisions of the zoning ordinance, rules and regulations and all enforceable covenants, conditions, restrictions and/or easements of record, if any, affecting same.

D
R. A. MAP IDENT
68.00 BLK. 3 LOT 30.4
SEC.

DEED Book 1649 Page 377
Doc No 2003-2184

TOGETHER with the appurtenances and all the estate and rights of the grantor in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the grantee, the heirs or successors and assigns of the grantee forever.

AND the grantor covenants as follows:

FIRST, that the grantee shall quietly enjoy the said premises;

SECOND, that the grantor will forever Warrant the title to said premises;

This deed is subject to the trust provisions of Section 13 of the Lien Law. The words "grantor" and "grantee" shall be construed to read in the plural whenever the sense of this deed so requires.

IN WITNESS WHEREOF, the grantor has executed this Deed the day and year first above written.

IN PRESENCE OF

Ann Marie Dockal L.S.
ANN MARIE DOCKAL

Tina Markle L.S.
TINA MARKLE

STATE OF NEW YORK)
COUNTY OF SCHENECTADY)ss.:

On April 12, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared Anne Marie Dockal and Tina Markle, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

R+R: ANDREW T. PELLETIER, ESA.
400 ALTAMONT RD.
ALTAMONT, NY 12009

Paul M. Callahan
NOTARY PUBLIC

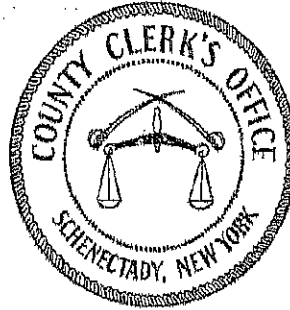


PAUL M. CALLAHAN
Notary Public, State of New York
No. 4822813
Qualified in Schenectady County
Commission Expires February 28, 2006

DEED Book 1649 Page 378
Doc No 2003-2184

Schenectady County Endorsement Page

JOHN J. WOODWARD
Schenectady County Clerk
620 State Street
Schenectady, NY 12305

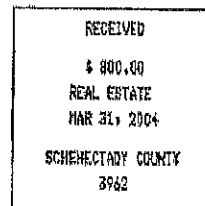


Document Type DEED
From Party RAU
To Party McKINLEY

RETURN TO PAUL B. BAIER, Esq.
202 UNION ST
SCHENECTADY, NY 12305

RECORDED
03/31/2004 11:30:22 AM
County Clerk
JOHN J. WOODWARD
SCHENECTADY COUNTY, NY
Book/Page: DEED/1675/244
Total Pages: 2
Receipt Not 264988
Doc No: 2004-1209
Inst No: 200415254
CO GENERAL REVENUE \$19.50
CO E & A FEES \$9.00
CO LAND COMP BUR \$0.75
CO LAND BUR \$0.25
NY E & A FEES \$41.00
NY LAND COMP BUR \$11.25
NY LAND BUR \$1.75
NY REALTY TRANSFER \$800.00
TAX
TOTAL \$899.50
INV: 264988 LIBERTY NLS

Visit our Webpage:
Schenectadycountyclerk.com



Important: This endorsement page constitutes the Clerk's endorsement
In accordance with Local Law #7 of 1996-DO NOT DETACH-Upon
recording, this page becomes part of the document.

This Deed is house preent.

This Indenture made *MARCH 30,* 2004

Between

ERNEST RAU, residing at 461 Settles Hill Road, Altamont, New York 12009,

party of the first part, and

EDWARD E. MC KINLEY, IV and STEPHANIE A. MC KINLEY, husband and wife, as tenants by the entirety, residing at 1896 Western Turnpike, Duanesburg, New York 12056,

party of the second part,

Witnesseth that the party of the first part, in consideration of One and 00/100-----
Dollars (\$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 piece or parcel of land, situate, and being in the Town of Duanesburg, County of Schenectady and State of New York, more particularly bounded and described as follows:

BEGINNING at a point in the Northerly line of U.S. Route 20 (Western Turnpike), said point being in the Westerly line of Mott Road; THENCE North 62°01'20" West along said line of Route 20, a distance of 143.06 feet to a point; THENCE North 60°11'12" West, again along the same, a distance of 145.01 feet to a point; THENCE North 30°13'11" East, a distance of 272.88 feet to a point; THENCE South 69°11'15" East, a distance of 331.26 feet to a point in the West line of Mott Road, aforesaid; THENCE South 11°07'09" West, along the same, a distance of 289.15 feet to a point; THENCE South 70°53'20" West, again along the same, a distance of 51.49 feet to the Point and Place of Beginning. Containing 2.59 acres of land, more or less.

Being a portion of the premises conveyed to the party of the first party by deed dated September 17, 2002 and recorded in the Schenectady County Clerk's Office on October 25, 2002 at Book 1636 of Deeds at Page 155.

DEED Book 1675 Page 245
Doc No 2004-1909

N.P.T.S.A.
TAX MAP IDENT
SEC 68.00K 3 LOT 30.1

D

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, the heirs or successors and assigns of the party of the second part forever.

And said

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

Second, That said 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.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires,

In Witness Whereof, the party of the first part has duly executed this deed the day and year first above written.

In Presence of


ERNEST RAU

STATE OF NEW YORK, COUNTY OF

On the day of in the year
before me, the undersigned, personally appeared

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person on behalf of which the individual(s) acted, executed the instrument.

STATE OF NEW YORK, COUNTY OF SCHENECTADY

On the day of March in the year 2004
before me, the undersigned, personally appeared

ERNEST RAU

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person on behalf of which the individual(s) acted, executed the instrument.

NOTARY PUBLIC

PAUL BRIGGS

Notary Public, State of New York

No. 4370823

Qualified in Schenectady County

Commission Expires August 20, 2006

Deed

WARRANTY WITH LIEN CONVEYANT

ERNEST RAU,

TO

EDWARD E. MC KINLEY, IV AND STEPHANIE A. MC KINLEY,

Dated March 30, 2004

STATE OF NEW YORK
County of

RECORDED ON THE
day of 19
at o'clock P.M.
in Liber of Deeds
at Page and examined

Clerk

PLEASE RECORD AND RETURN TO:

PEMBERTON AND BRIGGS

Attorneys at Law

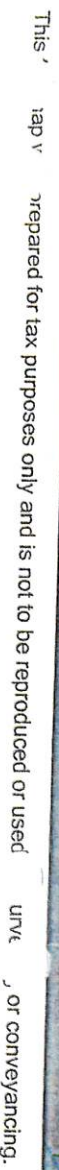
202 Union Street

Schenectady, New York 12305

Ph: (518) 372-5689

DEED Book 1675 Page 246
Ser No 2604-1909

TOWN OF DUANESBURG



5.58 A 1 A(C)

30.4

315

275

39

31

30.12

1.2 1 2.12^x A(C)
345

30.11

2.59 A(C)

289.15

288.07

30

230(S)
20(S)
201/43
209/65(S)

(K-3)

40

230

169.45

2.

43

TD ROAD (H-317)

PEMBERTON AND BRIGGS

ATTORNEYS AT LAW

202 Union Street

Schenectady, New York 12305

Ph: (518) 372-5689

Fax: (518) 372-5768

E-Mail Address: paul@pembertonbriggs.com

August 12, 2022

Attorney Terresa M. Bakner
Planning Board
Town of Duanesburg
5853 Western Turnpike
Duanesburg, NY 12056

Re: Town of Duanesburg Planning Board
McKinley/Proctor

Dear Attorney Bakner:

I represent Charles Proctor. Mr. Proctor has a matter before the Town Planning Board concerning the purchase of a portion of the property at 1896 Western Turnpike from Edward E. McKinley, IV. That parcel at 1896 Western Turnpike consists of two separately described parcels. I have knowledge of this matter as I assisted Mr. McKinley in combining the two parcels on one deed. The first parcel is 2.59 acres in size on which is located Mr. McKinley's home. The second parcel is 2.12 acres in size on which is located a barn and a riding arena.

A foreclosure action has been commenced by U.S. Bank Trust against Mr. McKinley in Schenectady County Supreme Court (Index #: 2019-2201). I am in possession of the summons and complaint. The complaint seeks to foreclose as against the 2.59 acre parcel only. I have compared the legal description in the complaint to confirm that the 2.59 acre parcel is the only lands affected by the foreclosure action.

Mr. Proctor is purchasing only the 2.12 acre parcel which parcel is not encumbered by the foreclosure action.

Respectfully yours,


PAUL BRIGGS

PB/kmm
cc: Charles Proctor

September 6, 2022

Charles Proctor
319 Mott Road
Duanesburgh, NY 12056

Re: McKinley/Proctor

Dear Mr. Proctor:

Duanesburgh Planning Board Attorney Terresa M. Bakner has advised me that the August 12, 2022 letter I sent her has cleared the way for the subdivision and your purchase of the 2.12 acre parcel. The lien/judgment search against Ed McKinley came back clean – no judgments or liens encumbering the parcel you are purchasing.

Please advise me whether you need additional assistance. Attached is my bill for legal services to date.

Very truly yours,

PAUL BRIGGS

PB/kmm

Enclosure

LANDS N/F
VALLEY MOBILE
HOME COURT, LLC
L 1835, P. 653
TAX ID: 88.00-3-28

LOT 3
LANDS N/F
CHARLES F. PROCTOR
L 1856, P. 720
TAX ID: 88.00-3-30.11

LANDS FORMERLY OF
VAMR DEVELOPMENT, LLC
L 1848, P. 578
REPUTED CURRENT OWNER
EDWARD E. MC KINLEY IV &
STEPHANIE A. MC KINLEY
TAX ID: 88.00-3-30.41
WESTERN PIKE
LOT 2B - PER MAP REF. 1

LANDS N/F OF
THE YOUNG MEN'S CHRISTIAN
ASSOCIATION OF THE CAPITAL
DISTRICT, INC.
L 1847, P. 499
TAX ID: 88.00-3-30.42
STREET NO. 183
LOT 2A - PER MAP REF. 1

LANDS N/F OF
LORELL M. CARSON
L 1808, P. 668
TAX ID: 88.00-3-31
STREET NO. 2002

PARCEL 2
L 1708, P. 268
AREA=2.12 ± ACRES

AREA=2.12 ± ACRES

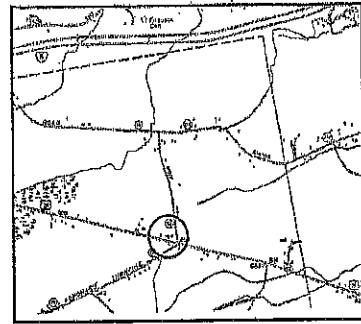
LANDS N/F OF
EDWARD E. MC KINLEY
STEPHANIE A. MC KINLEY
L 1708, P. 268
TAX ID: 88.00-3-30
STREET NO. 183
LOT 1 - PER MAP 8
AREA=4.71 ± ACRES

AREA=2.71
AREA=

GRAPHIC SCALE



(IN FEET)
1 inch = 60 ft.



SITE LOCATION MAP
N.T.S.

SURVEY NOTES:

1. BOUNDARY EVIDENCE AND PLANNING INFORMATION SHOWN HEREON WAS COMPILED FROM AN ACTUAL FIELD SURVEY CONDUCTED BY ABE ENGINEERS LLP ON FEBRUARY 27, 2023 UNDER SHOW AND ICE COVERED CONDITIONS AND REFLECTS VISIBLE CONDITIONS EXISTING ON THAT OCCASION.
2. TAX MAP DESIGNATION: 88.00 - 3 - 30.111.
3. THE OFFSETS OF DIMENSIONS SHOWN HEREON, FROM PROPERTY LINES TO BUILDINGS ARE FOR BUILDING REFERENCE AND LOCATION AND ARE NOT INTENDED TO MONUMENT THE PROPERTY LINES OR TO GUIDE THE ERECTION OF FENCES, ADDITIONAL STRUCTURES, OR ANY OTHER IMPROVEMENT.
4. SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD.
5. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN UP-TO-DATE ABSTRACT OF TITLE OR TITLE REPORT AND IS THEREFORE SUBJECT TO ANY EASEMENTS, COVENANTS, RESTRICTIONS OR STATE OF FACTS THAT AN UP-TO-DATE ABSTRACT OF TITLE WOULD DISCLOSE.
6. NORTH ORIENTATION BASED ON MAP REFERENCE 1.
7. UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON UTILITY EVIDENCE, VISIBLE AT GROUND SURFACE AND AVAILABLE SECOND DRAWINGS AND ARE SUBJECT TO FIELD VERIFICATION BY EXCAVATION. UTILITIES SHOWN DO NOT PURPORT TO CONSTITUTE OR REPRESENT ALL UTILITIES THAT MAY EXIST UPON OR ADJACENT TO THE SURVEYED PREMISES.

MAP REFERENCES:

1. BOUNDARY ADJUSTMENT QUANESBURG COMMUNITY CENTER 185 MOTT ROAD LOT 2 GRANDVIEW SUBDIVISION, TOWN OF QUANESBURG, COUNTY OF SCHENECTADY, STATE OF NEW YORK, DATED MARCH 6, 2017, LAST REVISED JUNE 21, 2017, AS PREPARED BY ABE ENGINEERS, LLP AND FILED IN THE SCHENECTADY COUNTY CLERK'S OFFICE ON JUNE 28, 2017 AS INSTRUMENT NO. 201720071.
2. FINAL PLAN, MAP SHOWING GRANDVIEW SUBDIVISION, PREPARED BY ABE ENGINEERS AND SURVEYED DATED JANUARY, 1992, LAST REVISED APRIL, 1992 AND FILED IN THE SCHENECTADY COUNTY CLERK'S OFFICE ON JULY 22, 1992 AS MAP NO. 1-169.

ZONING DATA:

ZONE COMMERCIAL (C-1)

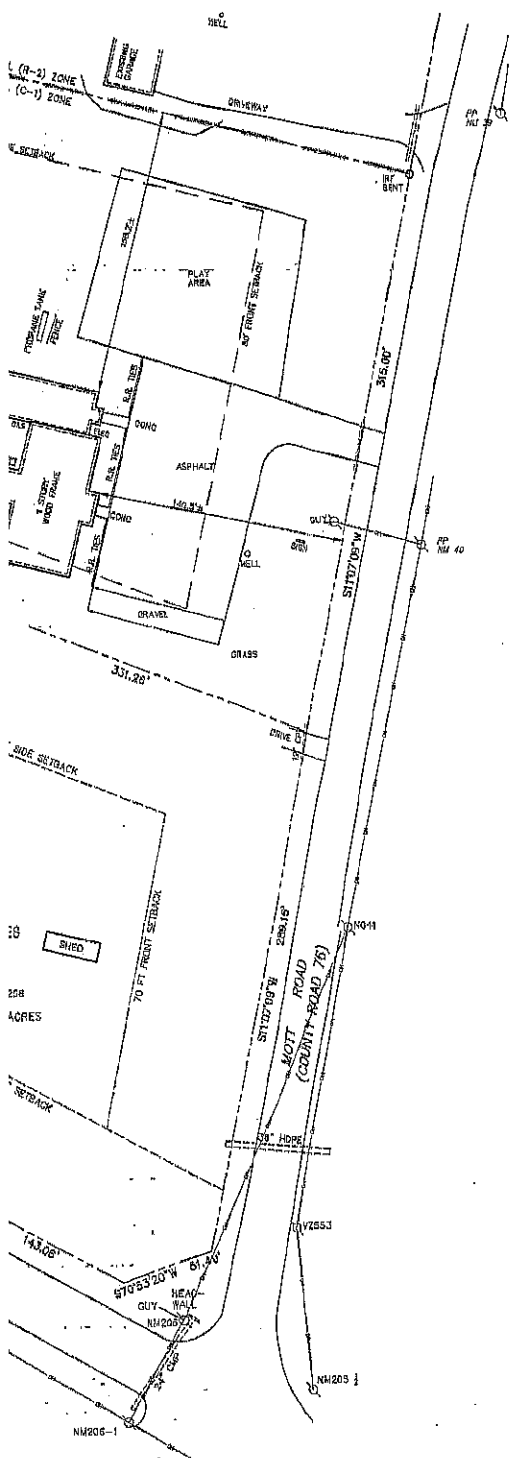
MIN. LOT AREA: 43,560 SQUARE FEET
MIN. LOT WIDTH: 120 FEET
MIN. LOT DEPTH: 400 FEET
MAX. LOT COVERAGE: 35%
MIN. FRONT SETBACK: 20 FEET
MIN. SIDE SETBACK: 20 FEET
MIN. REAR SETBACK: 50 FEET
MAX. BUILDING HEIGHT: 3-STORY(12 FEET)

SCHOOL DISTRICT:

QUANESBURG CENTRAL SCHOOL DISTRICT

FIRE DISTRICT:

FIRE DISTRICT #2
(QUANESBURG FIRE DEPT.)



NO.	REVISION	BY	DATE

ROBERT S. DANIEL, P.E.
N.Y.S. LICENSE NO. 51060

MINOR SUBDIVISION PLAN			
LANDS NOW OR FORMERLY OF			
EDWARD E. MC KINLEY, IV & STEPHANIE A. MC KINLEY			
STREET No. 1896 WESTERN TURNPIKE			
TOWN OF QUANESBURG		COUNTY OF SCHENECTADY	
STATE OF NEW YORK			
ABE ENGINEERS, LLP			
411 Union Street			
Schenectady, NY 12305			
518-377-0313 Fax 518-377-0379			
www.abedong.com			
DATE:	SCALE:	DWG.	SHEET OF
FEBRUARY 28, 2023	1" = 50'	7017A-P2	1

Notes

TOWN OF DUANESBURG

Application# 23-06

Agricultural Data Statement

Date: 3-6-23

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>Sal Fusco</u>	Name: <u>Same</u>
Address: <u>1724 Skyline Drive</u>	
<u>Schenectady, NY 12306</u>	

1. Type of Application: Special Use Permit; Site Plan Approval; Use Variance; Area Variance; X Subdivision Approval (circle one or more)
2. Description of proposed project:
Subdivision of parcel into 6 lots, meeting all zoning requirements. House and barns to remain on proposed lots.

3. Location of project: Address: 756 Wells Road
Tax Map Number (TMP) 25.00-1-6.11
4. Is this parcel within an Agricultural District? YES ☒ NO (Check with your local
5. If YES, Agricultural District Number _____ assessor if you do not know.)
6. Is this parcel actively farmed? YES ☒ NO
7. List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

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

Sal Fusco
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.

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 - 202307035
Recorded On 2/7/2023 At 10:06:38 AM
* Instrument Type - DEED
* Book/Page - DEED/2102/387
* Total Pages - 4
Invoice Number - 1157215 User ID: LPD
* Document Number - 2023-548
* Grantor - BEJIAN MICHAEL F

* Grantee - FUSCO SALVATORE

*RETURN DOCUMENT TO:
MERIDIAN RESEARCH GROUP, LLC
12 CORNELL RD.
LATHAM, NY 12110

* FEES

NY REALTY TRANSFER TAX	\$920.00
NY LAND SUR	\$4.75
NY E & A FEES	\$116.00
NY LAND COMP SUR	\$14.25
CO GENERAL REVENUE	\$45.00
CO LAND SUR	\$0.25
CO E & A FEES	\$9.00
CO LAND COMP SUR	\$0.75
CONVEYANCE NOTIFICATION	\$10.00
TOTAL PAID	\$1,120.00

TRANSFER TAX

Real Estate Transfer Tax Num - 2349
Transfer Tax Amount - \$ 920.00

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

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 - 202307035



Warranty Deed: Full Covenants

This Indenture made this 22nd day of December, 2022.

Michael F. Bejian, an individual residing at 941 Upper Gregg Road, Schenectady, New York 12306,

Party of the first part, and

Salvatore Fusco, an individual residing at 1774 Skyline Drive, Schenectady, New York 12306,

Party of the second part,

Witnesseth that the party of the first part, in consideration of -----
-----ONE and 00/100-----Dollars (\$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, the heirs or successors and assigns of the parties of the second part forever, all

SEE ATTACHED SCHEDULE "A"

Being a group of premises:

originally conveyed to Verna R. Bejian by deed dated April 18, 1990 and recorded in the Schenectady County Clerk's Office on April 25, 1990 in Liber 1262 of Deeds at Page 0003; and

originally conveyed to Verna Bejian by deed dated March 12, 1974 and recorded in the Schenectady County Clerk's Office on March 13, 1974 in Liber 977 of Deeds at Page 177; and

originally conveyed to Verna R. Bejian by deed dated August 21, 1980 and recorded in the Schenectady County Clerk's Office on August 22, 1980 in Liber 1039 of Deeds at Page 614.

The premises above were consolidated in a deed from Verna R. Bejian a/k/a Verna Bejian to Daniel Bejian and Mary Bejian dated the 31st day of December, 1996 and recorded in the Schenectady County Clerk's Office on the 13th day of January, 1997 in Book 1511 of Deeds at Page 890. Note that said deed retained a Life Estate in favor Verna Bejian and her husband, Henry L. Bejian, and reserved a Power of Appointment to convey the referenced property to others in a specified class; as further evidenced by Decision/Order filed in the Schenectady County Clerk's Office under Index No. 2000-1920 on July 14, 2003.

Being deed dated the 22nd day of June, 1998, and recorded on the 27th day of March, 2000, in Book 1575 of Deeds at page 442, Verna R. Bejian and Henry L. Bejian expressly exercised the special Power of Appointment retained in the above referenced deed dated December 31, 1996, thereby conveying the property to Mary Bejian. In said deed Verna R. Bejian and Henry L. Bejian retained their life estate. Verna R. Bejian died on June 24th, 2009. Henry L. Bejian died on May 28th, 2008.

Being the same premises conveyed by Mary Bejian to herself and Michael F. Bejian, the grantor herein, by deed dated August 10, 2022 and recorded in the Office of the Clerk of the County of Schenectady on September 2, 2022 in Book 2092 of Deeds at Page 313.

Mary Bejian died on the 6th day of September, 2022,

SUBJECT to any and all enforceable covenants, conditions, easements and restriction of record affecting said premises.

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

To have and to hold the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

*Salvatore Fusco by SCA
1724 J Ky Ave
Schenectady NY 12306
P+R*

And the party of the first part covenant as follows:

First, that the party of the first part is seized of the said premises in fee simple, and has good right to convey the same;

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

Third, that the premises are free from incumbrances, except as aforesaid,

Fourth, that the party of the first part will execute or procure any further necessary assurance of the title to said premises;

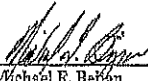
Fifth, that the party of the first part will forever Warrant the title to said premises;

Sixth, the party of the first part, in compliance with Section 13 of the Lien Law, covenant that the party of the first part 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.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

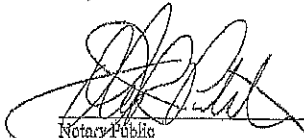
In Witness Whereof, the party of the first part has duly executed this deed the day and year first above written.

In Presence of


Michael F. Began (L.S.)

STATE OF NEW YORK)
COUNTY OF HEPHERD) ss.:

On the 22nd day of December, in the year 2022 before me, the undersigned, personally appeared Michael F. Began, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the persons upon behalf of which the individual acted, executed the instrument.


Notary Public
John R. Polster
Qualified in Schenectady County
Commission Exp.: 7/10/23

Chicago Title Insurance Company

Title Number: MRG22-7757

Page 1

SCHEDULE A DESCRIPTION

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND, with the buildings and improvements thereon erected, situate, lying and being in the Town of Duaneburg, County of Schenectady and State of New York, and bounded and described as follows:

ALL THAT TRACT, PIECE OR PARCEL OF LAND, situate in the Town of Duaneburg, County of Schenectady, New York, and commonly known as the "Wells Homestead Farm", bounded and described as follows: On the southerly side by the lands now or formerly of John McConaghy; on the westerly side by the lands now or formerly of Minerva Keams; on the northerly side by the southerly line of the "Stillwell Farm"; and on the easterly side by lands now or formerly of William Waddell and Harvey Turnbull.

FOR CONVEYANCE NOT FOR POLICY

ALSO, ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND, situate in the Town of Duaneburg, County of Schenectady and State of New York, bounded and described as follows:

Beginning at a point in the southeasterly corner of the lands of Thomas and proceeding thence S 62° - 29' W and along the center of a stone wall marking the northerly line of the farm lot 328, a distance of 981.3 feet to a point in the easterly line of Wells Road; thence in a northerly direction and along the easterly line of Wells Road as it winds and turns a distance of 1026.8 feet to a point in a stone wall; thence N 84° - 52' E and along the center of a stone wall through the lands of Thomas and continuing on the same course along a wire fence, a total distance of 949.1 feet to a point in a stone wall marking the westerly line of lands of Bellan; thence S 8° - 07' E and along the westerly line of the lands of Bellan, a distance of 698.2 feet to the point of beginning.

FOR CONVEYANCE NOT FOR POLICY

TOWN OF DUANESBURG

APPLICATION FOR SITE/ SKETCH DEVELOPMENT PLAN APPROVAL

Preliminary ☒ Date: March 6, 2023 Final ☐ Date: _____
(Check appropriate box)

Name of proposed development Fusco Subdivision

Applicant:

Name Sal Fusco
Address 1724 Skyline Drive
Schenectady, NY 12306
Telephone _____

Plans Prepared by:

Name Luigi A. Palleschi, P.E., ABD Engineers, LLP
Address 411 Union Street
Schenectady, NY 12305
Telephone 518-377-0315

Owner (if different):

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

Name Same
Address _____
Telephone _____

Ownership intentions, i.e., purchase options

Location of site

756 Wells Road, Pattersonville, NY 12137

Section 25.00 Block 1 Lot 6.11

Current zoning classification AR

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

Proposed use(s) of site

Six (6) residential lots meeting current zoning requirements

Total site area (square feet or acres) 76± acres

Anticipated construction time To be determined

Will development be phased? Each lot separately

Over →

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

Existing house, barns, well, and septic

Current condition of site (buildings, brush, etc.) Good

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

Estimated cost of proposed improvement \$ To be determined

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

12-18 residents

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)

Typical 3-4 bedroom houses for family.

Full Environmental Assessment Form
Part I - 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: Fusco Subdivision		
Project Location (describe, and attach a general location map): 756 Wells Road, Pattersonville, NY 12137		
Brief Description of Proposed Action (include purpose or need): Subdivide 76± parcel into six (6) residential lots. Each new lot will have on-site septic and well. Existing residential home and barns to remain with on-site septic and well.		
Name of Applicant/Sponsor: Sal Fusco		Telephone: E-Mail:
Address: 1724 Skyline Drive		
City/PO: Schenectady	State: NY	Zip Code: 12306
Project Contact (if not same as sponsor; give name and title/role): Luigi A. Palleschi, P.E., ABD Engineers, LLP		Telephone: 518-377-0315 E-Mail: luigi@abdeng.com
Address: 411 Union Street		
City/PO: Schenectady	State: NY	Zip Code: 12305
Property Owner (if not same as sponsor):		Telephone: E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Duanesburg Planning Board for Subdivision Approval	March 6, 2023
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Schenectady County Department of Health	To be scheduled
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

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

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
AR _____	
b. Is the use permitted or allowed by a special or conditional use permit?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <u>Schalmont</u>	
b. What police or other public protection forces serve the project site? <u>Schenectady County Sheriff and New York State Police</u>	
c. Which fire protection and emergency medical services serve the project site? <u>Fire District #2, Marlarville Volunteer Fire Department</u>	
d. What parks serve the project site? <u>Ron Mead Park</u>	

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)? <u>Developed and wooded</u>	
b. a. Total acreage of the site of the proposed action?	<u>76±</u> acres
b. Total acreage to be physically disturbed?	<u>4.5±</u> acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	<u>76±</u> acres
c. Is the proposed action an expansion of an existing project or use? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) <u>Residential</u>	
ii. Is a cluster/conservation layout proposed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
iii. Number of lots proposed? <u>6</u>	
iv. Minimum and maximum proposed lot sizes? Minimum <u>6± Acres</u> Maximum <u>17± Acres</u>	
e. Will the proposed action be constructed in multiple phases? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> No				
If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	1	0	0	0
At completion				
of all phases	5	0	0	0

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

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? _____ • Will a line extension within an existing district be necessary to serve the project? _____ <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____	
If Yes: <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ 	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. How much impervious surface will the project create in relation to total size of project parcel?	
_____ N/A Square feet or _____ N/A acres (impervious surface)	
_____ Square feet or _____ acres (parcel size)	
ii. Describe types of new point sources. <u>Swales</u>	
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: _____ Tributaries	
• Will stormwater runoff flow to adjacent properties? _____	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify:	
i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____	
ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____	
iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
ii. In addition to emissions as calculated in the application, the project will generate:	
<ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 	

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

If Yes:

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

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

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

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

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

If Yes:

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

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

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

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

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

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

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

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

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

If Yes:

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

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

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

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

i. During Construction:	ii. During Operations:
• Monday - Friday: _____	• Monday - Friday: _____
• Saturday: _____	• Saturday: _____
• Sunday: _____	• Sunday: _____
• Holidays: _____	• Holidays: _____

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

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

☐ Urban ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

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

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

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

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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
<ul style="list-style-type: none"> • 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? <input type="checkbox"/> Yes <input type="checkbox"/> No • Explain: _____ 													
E.2. Natural Resources On or Near Project Site													
a. What is the average depth to bedrock on the project site? _____ >4 feet													
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %													
c. Predominant soil type(s) present on project site: <table style="width: 100%; border: none;"> <tr> <td style="border-bottom: 1px solid black; width: 60%;">Silt Loam</td> <td style="border-bottom: 1px solid black; width: 40%; text-align: right;">100 %</td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black; text-align: right;">%</td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black; text-align: right;">%</td> </tr> </table>		Silt Loam	100 %		%		%						
Silt Loam	100 %												
	%												
	%												
d. What is the average depth to the water table on the project site? Average: _____ feet													
e. Drainage status of project site soils: <table style="width: 100%; border: none;"> <tr> <td style="width: 30%;"><input type="checkbox"/> Well Drained:</td> <td style="width: 70%; text-align: right;">_____ % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> Moderately Well Drained:</td> <td style="text-align: right;">50 % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> Poorly Drained</td> <td style="text-align: right;">50 % of site</td> </tr> </table>		<input type="checkbox"/> Well Drained:	_____ % of site	<input checked="" type="checkbox"/> Moderately Well Drained:	50 % of site	<input checked="" type="checkbox"/> Poorly Drained	50 % of site						
<input type="checkbox"/> Well Drained:	_____ % of site												
<input checked="" type="checkbox"/> Moderately Well Drained:	50 % of site												
<input checked="" type="checkbox"/> Poorly Drained	50 % of site												
f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border: none;"> <tr> <td style="width: 40%;"><input checked="" type="checkbox"/> 0-10%:</td> <td style="width: 60%; text-align: right;">50 % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> 10-15%:</td> <td style="text-align: right;">25 % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> 15% or greater:</td> <td style="text-align: right;">25 % of site</td> </tr> </table>		<input checked="" type="checkbox"/> 0-10%:	50 % of site	<input checked="" type="checkbox"/> 10-15%:	25 % of site	<input checked="" type="checkbox"/> 15% or greater:	25 % of site						
<input checked="" type="checkbox"/> 0-10%:	50 % of site												
<input checked="" type="checkbox"/> 10-15%:	25 % of site												
<input checked="" type="checkbox"/> 15% or greater:	25 % of site												
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No													
ii. Do any wetlands or other waterbodies adjoin the project site? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No													
iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <table style="width: 100%; border: none;"> <tr> <td style="width: 10%;">• Streams:</td> <td style="width: 40%;">Name 876-160, 876-164</td> <td style="width: 50%;">Classification C(T)</td> </tr> <tr> <td>• Lakes or Ponds:</td> <td>Name _____</td> <td>Classification _____</td> </tr> <tr> <td>• Wetlands:</td> <td>Name Federal Waters, Federal Waters, Federal Waters,...</td> <td>Approximate Size _____</td> </tr> <tr> <td>• Wetland No. (if regulated by DEC)</td> <td colspan="2">_____</td> </tr> </table>		• Streams:	Name 876-160, 876-164	Classification C(T)	• Lakes or Ponds:	Name _____	Classification _____	• Wetlands:	Name Federal Waters, Federal Waters, Federal Waters,...	Approximate Size _____	• Wetland No. (if regulated by DEC)	_____	
• Streams:	Name 876-160, 876-164	Classification C(T)											
• Lakes or Ponds:	Name _____	Classification _____											
• Wetlands:	Name Federal Waters, Federal Waters, Federal Waters,...	Approximate Size _____											
• Wetland No. (if regulated by DEC)	_____												
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, name of impaired water body/bodies and basis for listing as impaired: _____													
i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
j. Is the project site in the 100-year Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
k. Is the project site in the 500-year Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No													
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes:													
i. Name of aquifer: Principal Aquifer													

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

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes: <ul style="list-style-type: none"> i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District ii. Name: <u>Green, Joseph, Farmhouse</u> iii. Brief description of attributes on which listing is based: _____ 	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes: <ul style="list-style-type: none"> i. Describe possible resource(s): _____ ii. Basis for identification: _____ 	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes: <ul style="list-style-type: none"> i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles. 	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes: <ul style="list-style-type: none"> i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <input type="checkbox"/> Yes <input type="checkbox"/> No 	

F. Additional Information

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

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

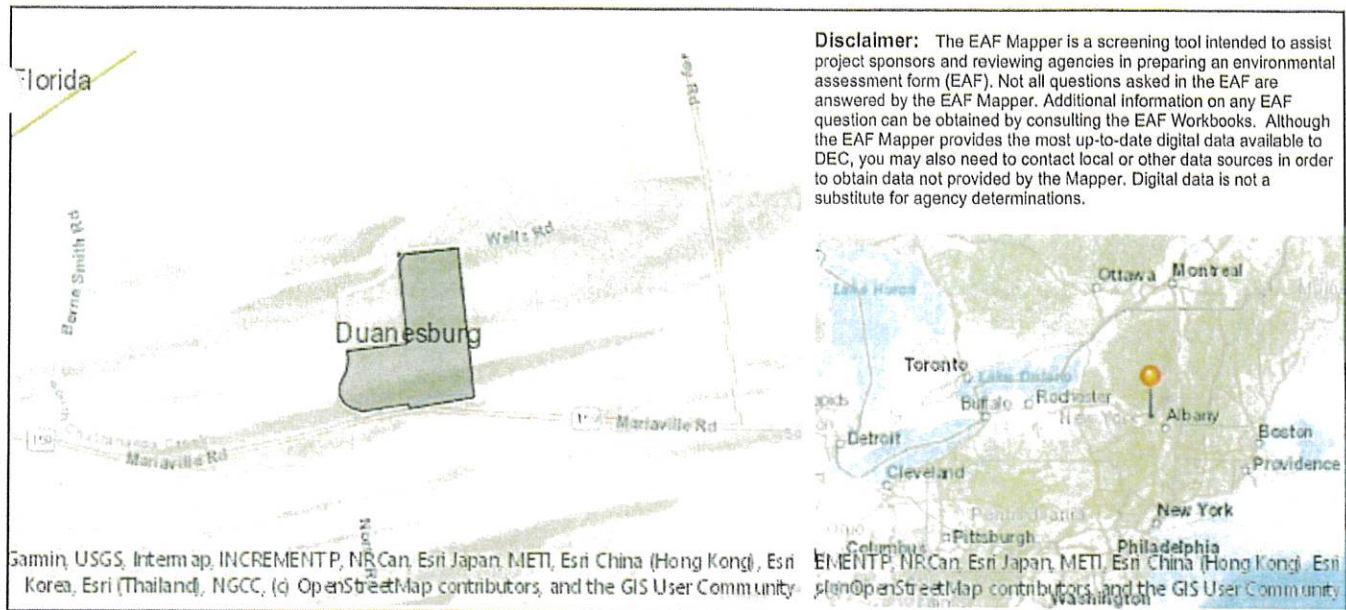
G. Verification

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

Applicant/Sponsor Name Luzi A. Palleschi, P.E., ABD Engineers, LLP Date March 3, 2023

Signature  Title Professional Engineer

PRINT FORM



B.1.i [Coastal or Waterfront Area]	No
B.1.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas: Mohawk Valley Heritage Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	876-160, 876-164
E.2.h.iv [Surface Water Features - Stream Classification]	C(T)
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No

E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [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]	Green, Joseph, Farmhouse
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

[illegible][illegible]

R-2 ZONING:

MIN LOT AREA	10,000 SF
MIN LOT WIDTH	300' 0" (327)
MIN LOT DEPTH	300' 0" (327)
MIN LOT COVERAGE	25%

SETBACKS:

FRONT	60' 0" (71)
REAR	40' 0" (51)
SIDE	20' 0" (27)

SCHOOL DISTRICT
SPRINGFIELD, MA
FIRE DISTRICT

[illegible]

Severing Falls
1790 Spring Lane
Kilgus, NC 27541 1238

TOWN OF QUINCY, ILL.

SKETCH SUBMISSION PLATE

LANDS NOW OR FORMERLY OF
SALVATORE FUSCO
STREET No. 756 WELLS ROAD

STATE OF NEW YORK
ENGINEERS, LLP
488 Madison Street
Schuylerville, NY 12085
518.577.6013 fax 518.577.0479

2023.3	SCALE: 1" = 100'	DATE: FEB 24 - 2008	SHEET: 1
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[illegible]

DATE			
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[illegible]

A. 34	

1121

SALVATORE FUSCO
STREET No. 756 WELLS ROAD
LANSING MI 48204

ENGINEERS, LLP
4441 Main Street
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Jeffery Schmitt, Planning Board Chair
Michael Harris, Vice Chairman
Chris Parslow, Town Planner
Carol Sowycz, Clerk
Terresa Bakner, Board Attorney



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

TOWN OF DUANESBURG
SCHENECTADY COUNTY

Town of Duanesburg
Planning Board Minutes
March 16, 2023
Draft Copy

MEMBERS PRESENT:

Jeffery Schmitt- Chairperson, Michael Harris- Vice Chairperson, Elizabeth Novak, Joshua Houghton, Michael Walpole, Matthew Hoffman, Terresa Bakner- Planning Board Attorney, Chris Parslow -Town Planner and Planning Board Clerk Carol Sowycz.

INTRODUCTION:

Chairperson Jeffery Schmitt opened the meeting and welcomed everyone to tonight's Planning Board meeting. Chairperson Schmitt asked the Board to introduce themselves to the public. Jeff Schmitt- Chairperson, Elizabeth Novak- Board Member, Josh Houghton- Planning Board Member, Matthew Hoffman, Mike Walpole- Planning Board Member, and Michael Harris Vice Chairperson.

OPEN FORUM:

Schmitt/Hoffman made a motion to open the open forum at 7:01 pm.

Schmitt yes, Hoffman yes, Novak yes, Houghton yes, Walpole yes, Harris yes. **Approved.** Heidi Kreitzer located at 9848 Western Turnpike was wondering what the status of the Wishy Wash ongoing special use permit project is. She asked if there was a statute of limitations. She stated that this situation has been going on for two years. Chairman Schmitt says that the issue has been referred to the Town Engineer, Doug Cole. A stop work order was put into place. Board member Hoffman states that the owners are still working on the situation to make it acceptable to the town. Attorney Bakner stated that the party has a special use permit, so they have an application pending to keep the parking lot and to modify the storm water. She stated that Doug Cole was not originally involved but will be now, hopefully to find a solution. She suggested that the resident call DOT with questions and concerns.

Lynn Bruning is located at 13388 Duanesburg Road via Zoom. Lynn wanted to thank the town for the opportunity to speak during the planning board's privilege of the floor. Lynn requested that her comments be included in the official record of the meeting minutes posted to the town website. Please see attached.

Schmitt/Novak made a motion to close the open forum.

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

PUBLIC HEARINGS:

Schmitt/Novak made a motion to open the Public Hearing.

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

#23-01 Farnum, John: SBL# 66.00-5-2.14, (C-1) located at 8175 Duanesburg Rd is seeking a Special Use Permit to convert existing building into a single-family residence under Section 11.4(10);11.3(22) of the Town of Duanesburg Zoning Ordinance.

Mr. Farnum made his presentation to the public.

No public comment was made.

Schmitt/Houghton made a motion to close the public hearing.

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

Novak/Houghton made a motion to approve the Farnum special use permit.

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

NEW BUSINESS:

#23-05 Hewitt, Tyler: SBL#43.11-1-12(R-2) located at 8554 Route 30 Delanson NY is seeking a Special Use Permit under 8.4(10) of the Town of Duanesburg Ordinance.

Mr. Hewitt states that he would like to use his garage that is currently on the property as a garage, he believes this is the appropriate action that needs to follow. Board members have questions concerning the property and its intended use.

- How much land is there?
- Is the access to the property on Route 30?
- How many vehicles would be on site at any given time?
- How would he dispose of used tires and used motor oil?
- Would Mr. Hewitt be taking in wrecks?
- Will Mr. Hewitt be using the property to store personal equipment? If so, where would he store it so that the town could differentiate between business and personal.
- Does Mr. Hewitt have to register with NYS DOT?
- Is there a well and septic on the property?
- Will there be any signage?
- Is there lighting on the property?

Mr. Hewitt responded that the property is approximately 2 acres, the access is on Route 30. He also stated that he can't register with DOT until he has a special use permit in place. He stated that he would have between 10 and 15 maximum vehicles at one time on the premises. He also stated that he already has a legal way to dispose of used tires and oil. There would be no signs displayed and there wouldn't be any well or septic and he would not have any wrecked cars at the location.

The board referred Mr. Hewitt to Chris Parslow the town building inspector for help with any paperwork if needed. It was requested that Mr. Hewitt expand on his business plan and to look into any potential environmental issues.

Novak/Harris made a motion to be lead agency.

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

Houghton/Walpole made a motion to table the special use permit application until April 20th meeting.

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

SKETCH PLAN REVIEW:

#23-04 Dergosits, John: SBL#65.00-2-29, (R-2) located at 863 Turnbull Road is seeking a Minor Subdivision under Section 3.5 of the Town of Duanesburg Subdivision Ordinance. Michael Harris recused himself as he is Mr. Dergosits neighbor. Mr. Dergosits states that he would like to split his parcel in two. He has no plans for the split currently. The board asked about setbacks, well and septic. Mr. Dergosits replied that the setbacks are okay and described where the well and septic are located. He also stated that this is a preliminary before he hires a surveyor, and the surveyor will locate the well.

Walpole/Houghton made a motion that the planning board declares the proposed action to be further exempt from any further subdivision review pursuant to Article 3.4, and refer the application to the Code Enforcement Officer to complete administration of the same. Walpole yes, Houghton yes, Novak yes, Hoffman yes, Schmitt yes. **Approved**

#23-06 Fusco, Salvatore: SBL#25.00-1-6.11, (R-2) located at 756 Wells Road is seeking a Major Subdivision under section 3.5 of the Town of Duanesburg Subdivision Ordinance. Luigi Palleschi, P.E. is present to represent Salvatore Fusco regarding a 6-parcel residential subdivision. Mr. Palleschi explains where the 76-acre parcel of land is located. He states that Mr. Fusco would like to propose a single-family subdivision, zoned R-2. Each lot would have a single-family home, well and septic system. He states his client is aware of all the necessary distances that the well and septic need to be away from streams and ponds. Each home will have a private driveway and the layout is such that they are split so 3 are off the north side of road and the other 3 from the west side. The minimum lot size is around 6 acres and the largest about 17 acres. The proposed septic systems will be engineered knowing that the soil in Duanesburg is silty and they are anticipating a raised bed septic system. They will do testing as soon as weather conditions allow. They anticipate that the total disturbance for the subdivision will be less than 5 acres. Board members asked about barns that are located on the property as well as the septic being located under the National Grid easement. Mr. Palleschi states that barns can be modified or taken down if need be.

Novak/Walpole made a motion for the Town of Duanesburg to be lead agency for the Fusco Major Subdivision.

Novak yes, Walpole yes, Houghton yes, Hoffman yes, Harris yes, Schmitt yes. **Approved**
Type 1 action in accordance with SEQRA was requested, including county referral, DEC, County DPW, SHPO, and Army Corp of Engineers.

Novak/ Harris made a motion to table Fusco until April 20th meeting.

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

OLD BUSINESS:

#22-20 Whipple, Henry: SBL PT/O#64.00-1-4.3, (C-1) located at Youngs Rd and St Hwy 30 is seeking a Major Subdivision under Section 3.5 of the Town of Duanesburg Subdivision Ordinance. The planning board had concerns on mapping, needing to be enhanced a bit more. JoAnn Darcy Krum, Attorney from Cobleskill introduced herself. She is representing Henry Whipple. She states that there is a revised map. She also stated that Mr. Whipple had contacted NYS DOT and Schenectady County concerning the driveway locations. Mrs. Krum is requesting that because these lots are so large and they are commercial that the property would be difficult to do a full SWPPP. She is proposing to change the SWPPP notes to say driveway, house and septic will require full SWPPP notes so potential developers will need a special use permit. Board member Matt Hoffman states that you don't have to do a SWPPP until you propose a land disturbance and right now this is just a subdivision. Mr. Whipple is selling this as vacant commercial land. Mr. Hoffman asked when the wetlands were going to be delineated. Mrs. Krum says someone will be out sometime when the weather breaks. **Novak/Houghton** made a motion to table the Whipple subdivision until May 18th meeting. Novak yes, Houghton yes, Hoffman yes, Walpole yes, Harris yes, Schmitt yes. **Approved**

MINUTES APPROVAL:

Harris/Walpole made the motion to approve, February 16, 2023, Planning Board minutes with no corrections.

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

OTHER:

Town attorney Teresa Bakner states that there might be interest in future development at the Jamiaca Millwork LLC property located at 9811 Western Turnpike. She states that as it sits it would be considered underused property.

ADJOURNMENT:

Novak/Harris made the motion to adjourn.

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