

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



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

TOWN OF DUANESBURG
SCHENECTADY COUNTY

Town of Duanesburg
Planning Board Minutes
February 16, 2023
Final Copy

MEMBERS PRESENT:

Jeffery Schmitt- Chairperson, Michael Harris- Vice Chairperson, Elizabeth Novak, Joshua Houghton, Michael Walpole, Teresa 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 mentioned that board member Matt Hoffman was absent from tonight's meeting. Chairperson Schmitt introduced two new employees, Carol Sowycz as the new planning board clerk and Chris Parslow the new town planner. Chairperson Schmitt asked for everyone to have patience with the new employees. Chairperson Schmitt asked the Board to introduce themselves to the public. Jeff Schmitt- Chairperson, Elizabeth Novak-Board Member, Josh Houghton- Planning Board Member, Mike Walpole- Planning Board Member, and Michael Harris Vice Chairperson.

OPEN FORUM:

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

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

Lynn Bruning located at 13388 Duanesburg Road via Zoom. Lynn wanted to thank the town for posting the agenda online, having the supporting documents to review before the meeting is very important for everybody for accountability and transparency of the town. She wanted to remind everyone that the Public Hearing for the solar law remains open and will continue next Thursday night at 7PM. While some people believe that the substation is full and therefore there will not be more solar in Duanesburg. It's important to understand that the substation can be added to. That solar projects can connect to substations in other towns, not just the one on Alexander Road and that the projects can connect to the high-powered lines. So, solar will be coming through. There will be more projects and it's important that everybody read the laws ahead of time and understand how it can help or harm you. Also, the law has gone from 3 ½ pages to 22 or 25 pages. Lynn asked if the planning board has given any thought as to how they are going to keep track of all the documentation.

Chairman Schmidt informed Lynn Bruning that there is a member on the board that is quite familiar with the laws. He assured Lynn Bruning that everything would be in compliance.

Harris/Walpole made a motion to close the open forum at 7:09 pm.

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

PUBLIC HEARINGS:

None

OLD BUSINESS:

#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.

Novak/Houghton make a motion for a public hearing for Mr. Farnum for a special use permit on March 16, 2023 and to amend the SEQR classification to a type II instead of a type I so no review is needed.

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

NEW 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. Chairman Schmitt would like some clarity on the area around Mexico Road. He thinks it should be enhanced as there are concerns that Mexico Road is very narrow and would pose a problem with Lot #1 to the point that it would not be able to be used for commercial purposes. Other concerns are that there are possible wetlands on the eastern side of Route 30, as well as the driveway for Lot#5 & Lot#6 staked out to close to the intersection.

Landowners Mike Behrman and Ken Ruthers were in attendance as they were curious about the subdivision.

Town attorney, Terresa Bakner stated that a public hearing could be setup as soon as all requirements are met as there were quite a few items missing. She pointed out that all items that are needed are listed on the top of the application for a major subdivision.

Novak/Schmitt made a motion to table the Whipple major subdivision until Mr. Whipple meets all requirements.

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

SKETCH PLAN REVIEW:

None

OTHER:

None

MINUTES APPROVAL:

Harris/Walpole made the motion to approve, January 6, 2023, Planning Board minutes with no corrections.

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

ADJOURNMENT:

Houghton/Novak made the motion to adjourn at 7:52 pm.

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

APPLICATION FOR THE PLANNING BOARD

Revised 04/12/2017

TOWN OF DUANESBURG

*******FOR OFFICE USE ONLY*********RECEIVED**
JAN 30 2023**CHECKLIST OF REQUIRED INFORMATION:**

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

- ☒ Septic system: Soil Investigation completed?
☒ Sewer System: Which district?
☐ Basic SWPPP (1≥ & <5)
☐ Full Storm Water Control Plan (5acres or more)
☐ Storm Water Control Plan
☒ Short or long EAF www.dec.ny.gov/efmapperr/
☐ 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 1-30-23

Application type: ☐ Major Subdv ☐ Minor Subdv ☒ Special Use Permit ☐ Site/ Sketch Plan Review ☐ LotLine Adjust
Proposal: SINGLE FAMILY RES.

Section 11-4(10) of Zoning Ordinance.Present Owner: JOHN FARROW (AS APPEARS ON DEED!!)Address: 972 N. HANSON RD. Zip code: 12056Phone # (required) 518-491-1650Applicants Name (if different): JOHN FARROW Phone# (required) 518-491-1650Location of Property (if different from owners) 8175 DUANESBURG RD.Tax Map # 66.00-5-2.14 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 [Signature] (AS APPEARS ON DEED!!)

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

[Signature]
Signature of Owner(S) and/or Applicant(S)Date 1-30-23**ALL APPLICATION FEES ARE NON-REFUNDABLE!**

(For office use only)

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

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

Planning Commission Comments: _____

Planning Chairperson_____
Date_____
Code Enforcement_____
Date

100-1000

100-1000

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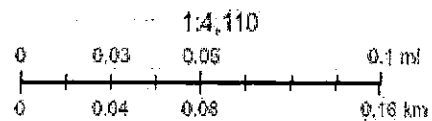
100-1000

66.00-5-2.14



January 12, 2023

 Parcels

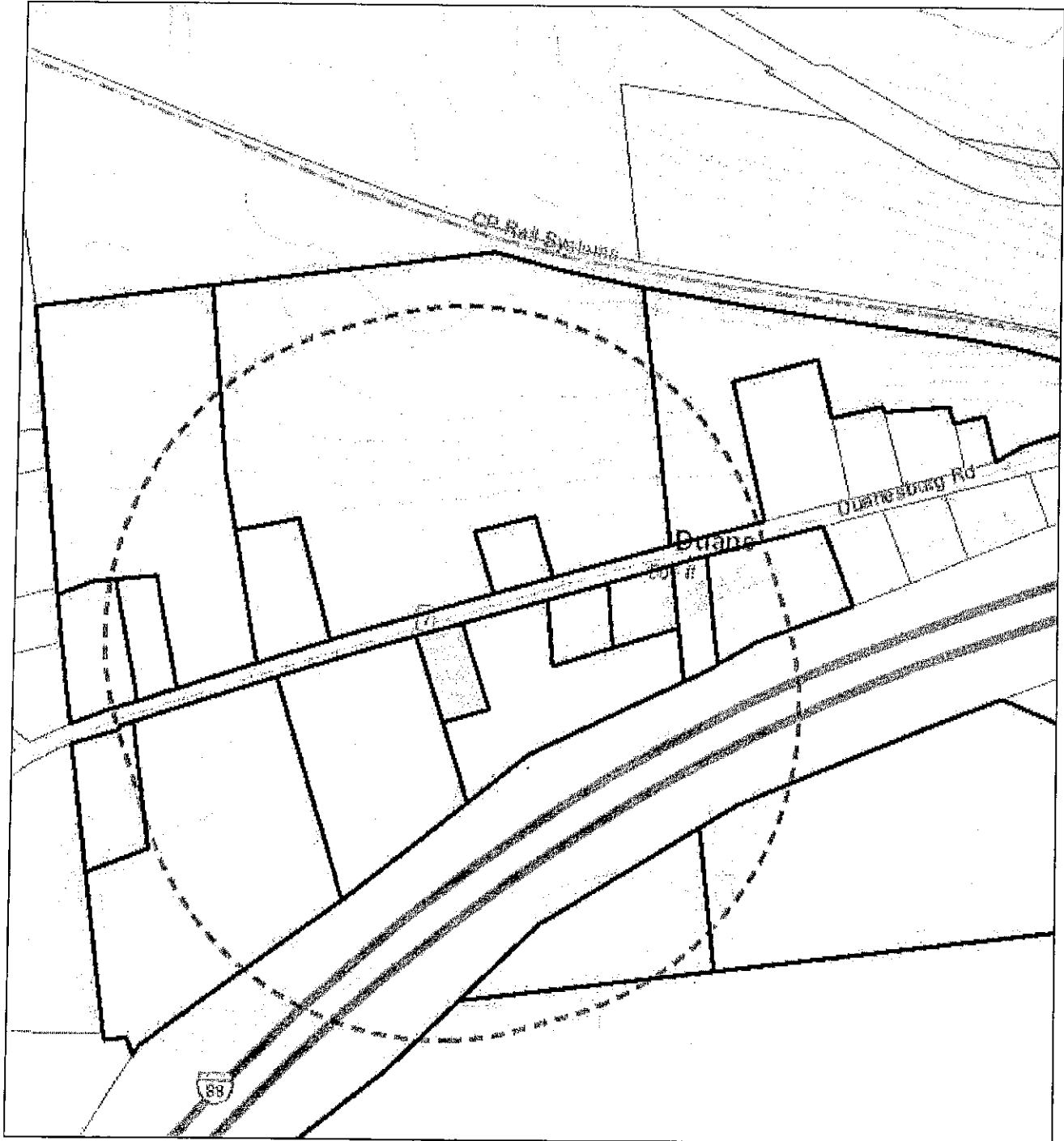


Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

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



Untitled Map



January 27, 2023

Override 1

1 - 1 Override 1

Override 1

Parcels

1-7,316

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, Swisstopo, Swisstopo, Swisstopo, and the GIS User Community

NO Alter

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

Short Environmental Assessment Form

Part 1 - Project Information



ORIGINAL

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Single Family Dwelling			
Project Location (describe, and attach a location map): 8175 Duanesburg Road, Duanesburg NY			
Brief Description of Proposed Action: Convert existing ice cream parlor to single family dwelling			
Name of Applicant or Sponsor: John Farnum		Telephone: 518-491-1650	
		E-Mail:	
Address: 8175 Duanesburg Road			
City/PO: Duanesburg		State: NY	Zip Code: 12056
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? 1.0 acres b. Total acreage to be physically disturbed? 0 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 6.95 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

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

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

Short Environmental Assessment Form

Part 1 - Project Information



ORIGINAL

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Single Family Dwelling			
Project Location (describe, and attach a location map): 8175 Duanesburg Road, Duanesburg NY			
Brief Description of Proposed Action: Convert existing ice cream parlor to single family dwelling			
Name of Applicant or Sponsor: John Farnum		Telephone: 518-491-1650	
		E-Mail:	
Address: 8175 Duanesburg Road			
City/PO: Duanesburg		State: NY	Zip Code: 12056
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		1.0 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		6.95 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

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 checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early-mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Northern Long-eared Bat	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

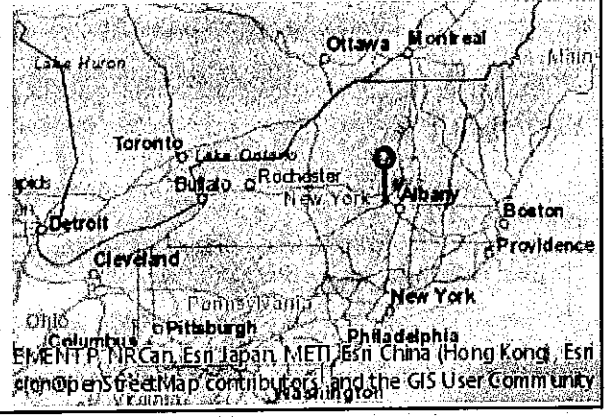
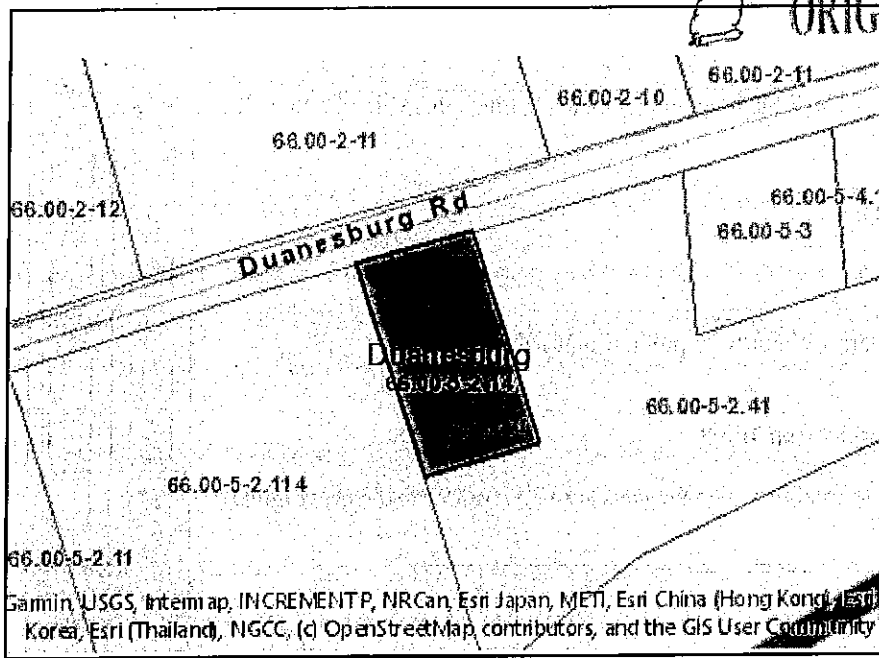
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: _____ Title: _____		



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



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

Project:

Farnum single family

Date:

1-25-2023

ORIGINAL

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project: Farnum Single Family

Date: 1-25-2023

ORIGINAL

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The Town of Duanesburg Planning Board has completed an environment assessment of the proposed Special Use Permit for Residential Dwelling located at 8175 Duanesburg Rd. Tax Map #66.00-5-2.14 located in the C-1 Commercial Zoning District. The proposal is consistent with the Town Comprehensive Plan and compliant with the Zoning Ordinance and will be consistent with the existing community character with no aesthetic impacts anticipated. The proposal is not in a Critical Environmental area. The proposed action will have no impact or any adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway. The proposed action will have little impact or increase in the use of energy. The proposed action has an existing well and is currently connected to the public sewer system in Sewer District #3. The proposal does not fall within a historic district or on the National or State Register of Historic Places however the project site or portion of it may be located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office archaeological site inventory, there is no new anticipated construction. There are no wet areas or mapped wetlands, the proposal is not within a 100 year flood plain or remediation site. The proposed action should not create a hazard to environmental resources or human health, there are no records of rare, threatened or endangered plants but, the site has been identified as having endangered species of Northern Long-eared Bats, all tree removal activities must occur between October 31st and March 31st. If these days can not be accommodated, an on-site assessment by the DEC staff will be required.

Therefore based on this information, the Planning Board has determined that the proposed Special Use Permit will not have any significant adverse impacts on the environment and a negative Declaration is made for the purposes of Article 8 of the Environmental Conservation Law.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Duanesburg Planning Board

1-25-2023

Name of Lead Agency

Date

Jeffrey Schmitt

Planning Board Chairperson

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM



ORIGINAL

Project: Farnum Single Family
Date: 1-25-2023

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The Town of Duanesburg Planning Board has completed an environment assessment of the proposed Special Use Permit for Residential Dwelling located at 8175 Duanesburg Rd. Tax Map #66.00-5-2.14 located in the C-1 Commercial Zoning District. The proposal is consistent with the Town Comprehensive Plan and compliant with the Zoning Ordinance and will be consistent with the existing community character with no aesthetic impacts anticipated. The proposal is not in a Critical Environmental area. The proposed action will have no impact or any adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway. The proposed action will have little impact or increase in the use of energy. The proposed action has an existing well and is currently connected to the public sewer system in Sewer District #3. The proposal does not fall within a historic district or on the National or State Register of Historic Places however the project site or portion of it may be located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office archaeological site inventory, there is no new anticipated construction. There are no wet areas or mapped wetlands, the proposal is not within a 100 year flood plain or remediation site. The proposed action should not create a hazard to environmental resources or human health, there are no records of rare, threatened or endangered plants but, the site has been identified as having endangered species of Northern Long-eared Bats, all tree removal activities must occur between October 31st and March 31st. If these days can not be accommodated, an on-site assessment by the DEC staff will be required.

Therefore based on this information, the Planning Board has determined that the proposed Special Use Permit will not have any significant adverse impacts on the environment and a negative Declaration is made for the purposes of Article 8 of the Environmental Conservation Law.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Town of Duanesburg Planning Board

1-25-2023

Name of Lead Agency

Date

Jeffrey Schmitt

Planning Board Chairperson

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

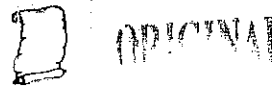
PRINT FORM

Project:

Farnum single family

Date:

1-25-2023



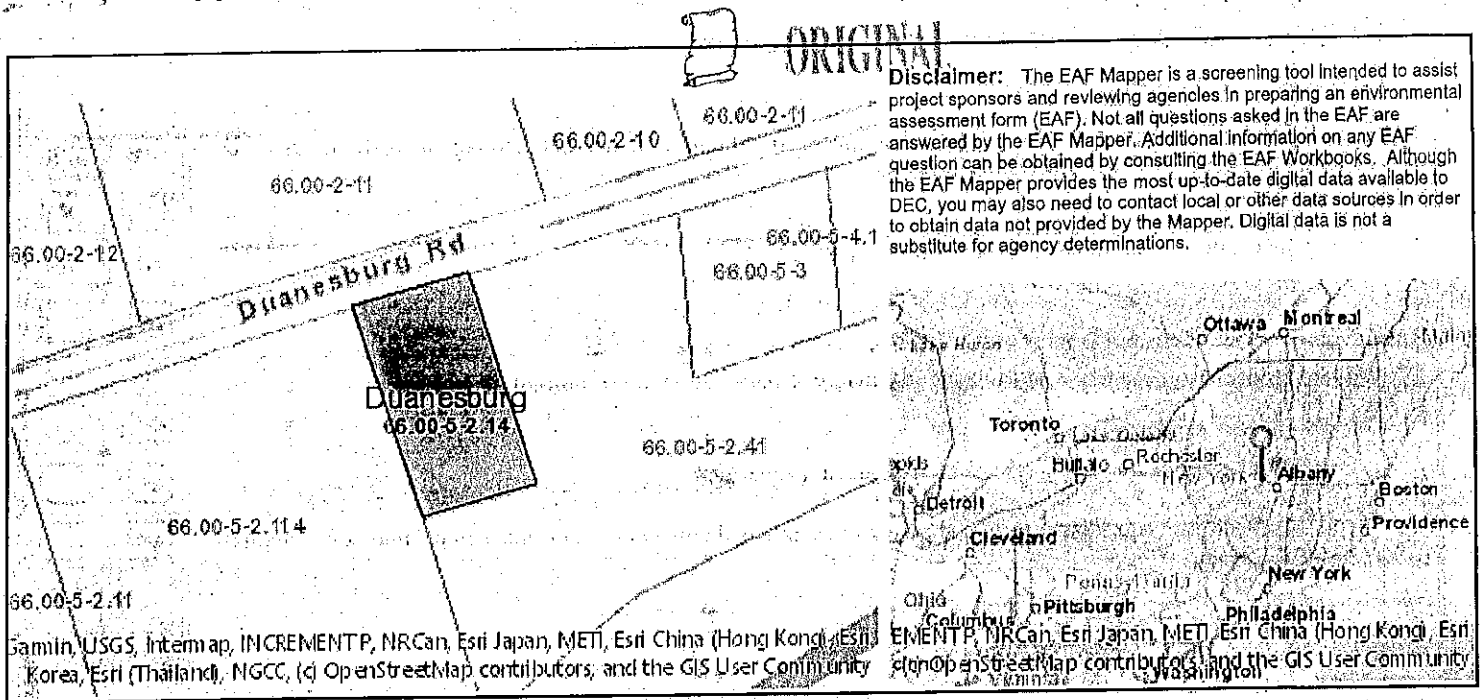
Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>



Part 1 / Question 7 [Critical Environmental Area]

No

Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]

No

Part 1 / Question 12b [Archeological Sites]

Yes

Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]

No

Part 1 / Question 15 [Threatened or Endangered Animal]

Yes

Part 1 / Question 15 [Threatened or Endangered Animal - Name]

Northern Long-eared Bat

Part 1 / Question 16 [100 Year Flood Plain]

No

Part 1 / Question 20 [Remediation Site]

No

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 checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Northern Long eared Bat	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: _____ Date: _____		
Signature: _____ Title: _____		

Agricultural Data Statement

Date: Nov. 30, 2022

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.

Henry A. Whipple
Applicant

Owner if Different from Applicant

Name: <u>Heldberg Realty LLC</u>	Name: _____
Address: <u>325 Old Stage Rd.</u>	_____
<u>Altamont, NY 12009</u>	_____

- Type of Application: Special Use Permit; Site Plan Approval; Use Variance; Area Variance; (Subdivision Approval) (circle one or more)
- Description of proposed project:
Divide 169.969 Acres into 7 large parcels to be sold as vacant land. Average size of parcels to be 24 Acres. No construction will be done
- Location of project: Address: Youngs Rd + Rt 30 Esperance NY 12066
Tax Map Number (TMP) 64.00-1-4.3
- Is this parcel within an Agricultural District? (YES) NO (Check with your local
- If YES, Agricultural District Number 104 assessor if you do not know.)
- Is this parcel actively farmed? (YES) NO
- List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

NAME: <u>Norma Larson</u>	NAME: <u>N/A</u>
ADDRESS: <u>623 Youngs Rd.</u>	ADDRESS: _____
<u>Esperance, NY 12066</u>	_____
Is this parcel actively farmed? <u>(YES)</u> NO	Is this parcel actively farmed? YES NO
NAME: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
Is this parcel actively farmed? YES NO	Is this parcel actively farmed? YES NO

Henry A. Whipple
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*****

CHECKLIST OF REQUIRED INFORMATION:

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

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

Additional Requirements for Special Use Application:

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

Date Nov. 30, 2022

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

Proposal: Divide 169.969 Acres into 7 large lots to be sold as vacant land. Average Lot size 24 Acres

Section 3.4 of Subdivision Ordinance.

Present Owner: Henry A. Whipple
Heiderberg Realty LLC (AS APPEARS ON DEED!!)

Address: 325 Old Stage Rd. Zip code: Altamont, NY 12009

Phone # (required) 518 861-6541

Applicants Name (if different): Same Phone# (required) 518-861-6541

Location of Property (if different from owners): Youngs Rd + NYS Rt 30 Esperance

Tax Map # 64.-1-4.3 Zoning District C-1 commercial

Henry A. Whipple

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

LANDS CONVEYED TO (REQUIRED FOR MERGERS) N/A

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

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

Henry A. Whipple

Date Nov 30, 2022

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

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

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

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

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

A. Project and Applicant/Sponsor Information.

Name of Action or Project: <i>Youngs Road Subdivision</i>		
Project Location (describe, and attach a general location map): <i>Corner of Youngs Rd and NYS Rt. 30</i> <i>Tax I.D. 164-1-4.3</i>		
Brief Description of Proposed Action (include purpose or need): <i>To divide 169.969 acres of vacant land into 7 large lots with average size of 24 acres. The parcels will be sold as vacant land. The land is zoned C-1 Commercial. No construction and no earth moving will be done.</i>		
Name of Applicant/Sponsor: <i>Heldberg Realty LLC</i>	Telephone: <i>518 861 6541</i>	E-Mail: <i>ptwhipple@gmail.com</i>
Address: <i>325 Old Stage Rd.</i>		
City/PO: <i>Altamont</i>	State: <i>NY</i>	Zip Code: <i>12009</i>
Project Contact (if not same as sponsor; give name and title/role): <i>Henry A. Whipple Sole owner</i>	Telephone: <i>518-256-6344 cell</i>	E-Mail: <i>ptwhipple@gmail.com</i>
Address: <i>325 Old Stage Rd.</i>		
City/PO: <i>Altamont, 1</i>	State: <i>NY</i>	Zip Code: <i>12009</i>
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	Town of Duaneburg Planning Board	
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 Co. Planning	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYS DOT	
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s): NYS Heritage Areas: Mohawk Valley Heritage Corridor	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	

10/10/10

7

8

9

C.3. Zoning

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

☒ Yes ☐ No

Commercial C-1

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

☒ Yes ☐ No

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

☐ Yes ☒ No

If Yes,

i. What is the proposed new zoning for the site? N/A

C.4. Existing community services.

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

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

NY State Police

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

Esperance

d. What parks serve the project site?

Van Patten Mill Park, Robert B. Shaffer Park
Christman Sanctuary

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

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

commercial / residential

b. a. Total acreage of the site of the proposed action? 169.969 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? 169.969 acres

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

☐ Yes ☒ No

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

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

☒ Yes ☐ No

If Yes,

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

commercial

ii. Is a cluster/conservation layout proposed?

☐ Yes ☒ No

iii. Number of lots proposed? 7

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

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

☐ Yes ☒ No

i. If No, anticipated period of construction:

_____ months

ii. If Yes:

- Total number of phases anticipated _____

- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year

- Anticipated completion date of final phase _____ month _____ year

- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: No construction will take place.

the lots will be sold as vacant land

f. Does the project include new residential uses?

☐ Yes ☒ No

If Yes, show numbers of units proposed.

One Family

Two Family

Three Family

Multiple Family (four or more)

Initial Phase

At completion

of all phases

g. Does the proposed action include new non-residential construction (including expansions)?

☐ Yes ☒ No

If Yes,

i. Total number of structures N/A

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: N/A

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

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

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

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

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

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

☐ Yes ☒ No

If Yes:

i. What is the purpose of the excavation or dredging? N/A

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:

N/A

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: N/A

- 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): N/A

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

☐ Yes ☒ No

If Yes:

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

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

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

If Yes:

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

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

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

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

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

If Yes:

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

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

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

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

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

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

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

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

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

If Yes:

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

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

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

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

i. During Construction:

- Monday - Friday: N/A
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

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

If yes:

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

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

Describe: _____

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

If yes:

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

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

Describe: _____

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

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

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

If Yes:

i. Product(s) to be stored _____

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

iii. Generally, describe the proposed storage facilities: _____

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

If Yes:

i. Describe proposed treatment(s): N/A

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

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

If Yes:

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

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

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

- Construction: N/A
- Operation: _____

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

- Construction: _____
- Operation: _____

8. 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: N/A

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: there will be no hazardous waste.

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

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:

the project site has hayfields and woods surrounded by single family houses and commercial businesses

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	50 Acres	50 Acres	
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	10 Ac.	10 Ac	
• Agricultural (includes active orchards, field, greenhouse etc.)	106,969 Ac.	106,969 Ac	
• Surface water features (lakes, ponds, streams, rivers, etc.)	1 Ac.	1 Ac.	
• Wetlands (freshwater or tidal)	2 Ac.	2 Ac.	
• 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: N/A
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
 iii. Describe any development constraints due to the prior solid waste activities: _____

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

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

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

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

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? 6 feet

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

c. Predominant soil type(s) present on project site: Odessa silt loam 45 %
Hudson silty clay loam 45 %
other soil types 10 %

d. What is the average depth to the water table on the project site? Average: 12 1/2 feet

e. Drainage status of project site soils: ☐ Well Drained: 20 % of site
☐ Moderately Well Drained: 50 % of site
☐ Poorly Drained: 30 % of site

f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: 90 % of site
☐ 10-15%: 10 % of site
☐ 15% or greater: _____ % of site

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

h. Surface water features.

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

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

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

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

• Streams:	Name <u>879-11</u>	Classification <u>C</u>
• Lakes or Ponds:	Name _____	Classification _____
• Wetlands:	Name <u>Federal Waters, Federal Waters, Federal Waters,...</u>	Approximate Size <u>2 Acres</u>
• Wetland No. (if regulated by DEC)	<u>N/A</u>	

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

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

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

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

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

m. Identify the predominant wildlife species that occupy or use the project site: _____

n. Does the project site contain a designated significant natural community? ☐ Yes ☒ No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☒ Yes ☐ No
 If Yes:
 i. Species and listing (endangered or threatened): _____
 Northern Long-eared Bat

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☒ No
 If Yes:
 i. Species and listing: N/A

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☐ No
 If yes, give a brief description of how the proposed action may affect that use: _____

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

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☒ Yes ☐ No
 If Yes, provide county plus district name/number: SCH001

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

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☒ No
 If Yes:
 i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☒ No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

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

If Yes:

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

ii. Name: _____

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

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

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

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

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

If Yes:

i. Identify resource: _____

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

iii. Distance between project and resource: _____ miles.

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

If Yes:

i. Identify the name of the river and its designation: N / A

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

F. Additional Information

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

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

G. Verification

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

Applicant/Sponsor Name Helderberg Realty LLC Date _____

Signature Henry A. Whipple Title sole owner

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