

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

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Town of Duanesburg  
Planning Board Minutes  
July 20, 2023  
**Final Copy**

**MEMBERS PRESENT:**

Jeffery Schmitt- Chairperson, Joshua Houghton, Matt Hoffman, Michael Harris, Melissa Cherubino-Attorney, Chris Parslow- Town Planner and Carol Sowycz- Clerk.

**INTRODUCTION:**

Chairperson Jeffery Schmitt opened the meeting and welcomed everyone to the July 20, 2023, Planning Board meeting and stated the agenda for the night's meeting. Chairman Schmitt stated that members Michael Walpole and Elizabeth Novak are absent.

**OPEN FORUM:**

**Schmitt/Houghton** made a motion to open the open forum at 7:02 pm.

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

No comment.

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

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

**PUBLIC HEARINGS:**

**Schmitt/Harris** made a motion to reopen the public hearing for Spiro Kagas Special Use Permit, accessory parking, expansion of the Wishy Wash Car Wash to include a third bay.

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

**#22-10 Kagas.Spiro:** SBL#53.00-1-29.21, (c-1) located at 9938 Western Turnpike is seeking a site plan approval for the accessory parking under section 5.2.2 of the Town of Duanesburg Zoning Ordinance. Chairman Schmitt introduced Joe Bianchine PE with ABD Engineering who is representing Spiro Kagas/Wishy Wash. He also stated that the board had just received a new submittal on this project and that they didn't have enough time to go over it before the meeting. Mr. Bianchine gave an update on the two meetings they had with DEC. The first is regarding the permit renewal and changes that the DEC is imposing on the permit regarding requirements of the wastewater and changes to the site plan. The second meeting was to discuss changes and some of the Town's concerns about the application. Mr. Bianchine detailed what his client was proposing to do including adding a 4<sup>th</sup> tank, eliminating discharge to

the pond, building a bio-retention area with a berm around it and replanting trees. He also noted that the 3<sup>rd</sup> bay would be built after everything else is finished. The board stated that they would need clarification from the DEC on dewatering and an official correspondence about whether the soil needs to be tested or not. The board asked if the public had any comments. Patrick Wren noted that the past weekend his basement got flooded. He stated that at last year's meeting an engineer had told the board that the current design would significantly improve the water that would not be coming onto his property. Mr. Wren also stated that in the 30 years that he has lived at that location he has never had that much water in his backyard. The board indicated that the project had not been built to the design that the board had approved. They noted that it was a non-conforming, not complaint design. Resident Melinda Moran also stated her concerns about the flooding and that she had previously contacted Schenectady County about the water issues. The board recommended that the applicant contact DEC to discuss a temporary measure because of an emergency situation.

**Schmitt/Houghton** made a motion to table further discussion and table the public hearing until August 17<sup>th</sup> meeting.

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

**Schmitt/Hoffman** made a motion to open the public hearing for The DDS Companies.

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

**#23-11 The DDS Companies:** SBL#68.00-2-41.1, (C-1) located at 2261 Western Turnpike as an office and storage for utility construction company. David Raber representing DDS Companies gave his presentation to the public and answered all questions asked by the board. The board had concerns about an inspection on the SWPPP. Owner Greg Cleghorn stated that he recently purchased the property and has no knowledge of when the building was built and as far as environmental concerns, the company had done their normal due diligence before we the property. He also stated that they are not changing anything on site and part of their agreement with DDS was that they could come in and utilize it as is. The board tells the owner that he must get an engineer to do an inspection of the SWPPP.

**Harris/Schmitt** made a motion to close the public hearing for The DDS Companies.

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

**Harris/Houghton** made a motion to approve the special use permit for The DDS Company and condition is that we would like a review of the SWPPP on site to be completed within 3 months and report it to Chris.

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

**Schmitt/ Hoffman** made a motion to open the public hearing for Henry Whipple Major Subdivision.

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

**#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 Duaneburg Subdivision Ordinance. Joann Darcy Crum stated that she is representing Helderberg Realty/Henry Whipple and that no changes have been made to the map since last months meeting. The board members and Joann Darcy Crum discussed a lot line adjustment that was between Helderberg Realty and Michael Behrman. Mr. & Mrs. Galvin listed concerns about the major subdivision. See

Attached. Member Hoffman referred Mr. Galvin to the NYS DOT on Chrysler Avenue in Schenectady.

**Houghton/ Hoffman** made a motion to close the Helderberg Realty/Henry Whipple public hearing.

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

**Harris/Hoffman** made a motion that the planning board determines that the proposed Behrman action neither creates nor increases any significant planning issues with respect to the existing or potential future use of any involved parcels, and no additional lots will be created as a result of the lot line adjustment. The planning board declares the proposed action to be further exempt from any further subdivision review pursuant to Article 3.4 and refers the applicant to the Code Enforcement Officer to complete administration of the same.

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

Harris/Houghton made a motion to approve the Henry Whipple major subdivision with the condition that the Behrman lot line adjustment be completed first and that it is a type 1 SEQRA action and the preliminary determination that was read last month is now a final determination. Harris yes, Houghton yes, Hoffman yes, Schmitt yes. **Approved.**

#### **OLD BUSINESS:**

**#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. Mark Blackstone represents Robert Chandler. Mr. Blackstone stated that they had the wetlands delineated and that they differed from the mapping version. The line moved North closer to the road, and therefore a reduction of the area of development capability was created, causing it to go from 3 lots to 2 lots. He indicated that the third lot was eliminated.

**Harris/ Hoffman** made a motion to schedule a public hearing for August 17<sup>th</sup>, 2023, and that the planning board determines this is an unlisted action. Town of Duanesburg has completed an environmental assessment of the proposal for the special use permit to allow Robert Chandler within R2 district. A special use permit will not have any significant environmental impact.

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

#### **NEW BUSINESS:**

**#23-13 Northern Clearing Inc.:** SBL#67.00-3-19.21, (C-2) located at 3851 Western Turnpike is seeking an amendment to a special use permit to allow accessory parking to accommodate 35 cars instead of the current 15, under Section 3.5.2(1) accessory structure or use. Scott Greschner stated that he is representing Northern Clearing and is currently renting from Howard Daigle and is currently operating off a temporary use permit for parking out in front of the building that is slotted for 15 spaces. They are asking for permission for 35 units for personal vehicles during working hours. Mr. Greschner explained that they have been at the site since 2021 and their work will continue into next year and possibly look at purchasing the building. Board members indicated that the

original site plan that was approved included trees to be planted for screening purposes. Mr. Greschner noted that they are only concerned with parking, that they don't own the property. He also stated that if Northern Clearing becomes a permanent fixture, the company will invest in their own site plan. Chris Parslow stated that he received a phone call from a neighbor concerning the number of vehicles that are on site. He asked Northern Clearing to scale down the amount until a public hearing was held. Northern Clearing complied immediately.

**Harris/ Hoffman** made a motion to schedule a public hearing for Northern Clearing for August 17, 2023, for a special use permit to allow 35 cars on site instead of 15.

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

#### **OTHER:**

**Kruger Energy Inc.** – Pre-Application Meeting/ Alexander Road Solar. Anthony Stephan, senior project manager introduced himself, his team, and the company located in Montreal, Canada. The company gave a general outline of what they are proposing for the location. Board members stated that the site in question is problematic. Also, suggested that the company reach out to neighbors, make a formal application, and speak to the Village of Delanson about the application. See Attached.

**Dollar General:** - Accidental tree removal. Members discussed replacing the maple tree with the same caliper tree, height, and width, and new site plan. Members agreed that this would hold up their certificate of occupancy for the project. A request for replacement trees will be given to The Dollar General.

#### **Minute Approval:**

#### **June 15 ,2023, PLANNING BOARD MEETING MINUTES:**

Will be approved at the August 17, 2023, meeting due to members being absent.

#### **ADJOURNMENT:**

**Schmitt/Hoffman** made the motion to adjourn.

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

Jeffrey Schmitt, Planning Board Chair  
Chris Parslow, Town Planner  
Carol Sowycz, Clerk  
Terresa Bakner, Board Attorney



Michael Harris, Vice Chairperson  
Elizabeth Novak, Board Member  
Matthew Hoffman, Board Member  
Michael Walpole, Board Member  
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TOWN OF DUANESBURG  
SCHENECTADY COUNTY

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**NOTICE OF PUBLIC HEARING**

LEGAL NOTICE  
NOTICE OF PUBLIC HEARING  
PLANNING BOARD  
TOWN OF DUANESBURG

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PLEASE TAKE NOTICE, THAT THE PLANNING BOARD OF THE TOWN OF  
DUANESBURG, NEW YORK, WILL MEET AT THE TOWN HALL IN THE TOWN  
OF DUANESBURG, 5853 WESTERN TURNPIKE, ON **July 20, 2023** AT  
**7:00 PM** FOR THE PURPOSE OF HEARING ALL PERSONS INTERESTED IN THE

APPLICATION OF:

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

APPLICATION INFORMATION IS AVAILABLE DURING BUSINESS HOURS

BY ORDER OF THE CHAIRPERSON  
PLANNING BOARD  
TOWN OF DUANESBURG  
CHAIRPERSON

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

Passcode: 130214 Dial in by Phone: 1-646-558-8656 Meeting ID: 864 9974 6075

Passcode: 13021

Town Hall • 5853 Western Turnpike • Duanesburg, NY 12056 • (518) 895-8920

Jeffrey Schmitt, Planning Board Chair  
Chris Parslow, Town Planner  
Carol Sowycz, Clerk  
Terrasa Bakner, Board Attorney



Michael Harris, Vice Chairperson  
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Matthew Hoffman, Board Member  
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**APPLICATION OF:**

**#23-11 The DDS Companies:** SBL#68.00-2-41.1, (C-1) located at 2261 Western  
Turnpike is seeking a Special Use Permit/Site Plan Approval for use of existing  
building & property as an office and storage for utility construction company.

APPLICATION INFORMATION IS AVAILABLE DURING BUSINESS HOURS

**BY ORDER OF THE CHAIRPERSON  
PLANNING BOARD  
TOWN OF DUANESBURG  
CHAIRPERSON**

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

Passcode: 130214 Dial in by Phone: 1-646-558-8656 Meeting ID: 864 9974 6075

Passcode: 13021

Town Hall • 5853 Western Turnpike • Duanesburg, NY 12056 • (518) 895-8920

RECEIVED JUN - 5 2023

ORIGINAL

CHECKLIST OF REQUIRED INFORMATION:

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

- ☒ Septic system: Soil Investigation completed?
- ☒ Sewer System: Which district?
- ☐ Basic SWPPP (12)
- ☐ Full Storm Water Control Plan (More than an acre)
- ☒ Other (Building Set Backs)
- ☐ Storm Water Control Plan
- ☒ Short or long EAF [www.dec.ny.gov/eafmapper/](http://www.dec.ny.gov/eafmapper/)
- ☐ Street pattern: Traffic study needed?
- ☐ All property Mergers **REQUIRE** both owners Signatures on the Application

Additional Requirements for Special Use Application:

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

Date 05/31/2023

Application type: ☐ Major Subdv ☐ Minor Subdv ☒ Special Use Permit ☐ Site/ Sketch Plan Review ☐ LotLine Adjust  
Proposal: Use of existing building and property as office for  
Utility construction company  
Section \_\_\_\_\_ of \_\_\_\_\_ Ordinance.

Present Owner: 226 Western Turnpike LLC (AS APPEARS ON DEED!!)  
Address: 466 Brighton Ave Zip code: 13210  
Phone # (required): 518-380-5439

Applicants Name (if different): The DDS Companies Phone# (required) 505 370 5966  
Location of Property (if different from owners)  
Tax Map# C-2-41.1 Zoning District C-1

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

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

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

[Signature] Date 05/31/2023  
Signature of Owner(S) and/or Applicant(S)

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

\*\*\*\*\*

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

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

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

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

## Agricultural Data Statement

Date:

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>The DDS Companies</u>	Name: <u>2261 Western Turnpike LLC</u>
Address: <u>45 Hendrix Rd</u>	Address: <u>466 E Brighton Ave</u>
<u>West Henrietta, NY 14586</u>	<u>Syracuse, NY 13210</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:  
Use of existing building and property as  
an office for a utility construction  
company.
3. Location of project: Address: 2261 Western Turnpike  
Tax Map Number (TMP) 68.00-2-41.1
4. Is this parcel within an Agricultural District? YES NO (Check with your local
5. If YES, Agricultural District Number \_\_\_\_\_ assessor if you do not know.)
6. Is this parcel actively farmed? YES NO
7. List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

NAME: <u>NA</u>	NAME: _____
ADDRESS: _____	ADDRESS: _____
Is this parcel actively farmed? YES NO	Is this parcel actively farmed? YES NO
NAME: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
Is this parcel actively farmed? YES NO	Is this parcel actively farmed? YES NO

Signature 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.



**RECEIVED**  
**JUN - 5 2023**

June 1<sup>st</sup>, 2023

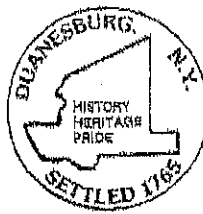
Re: Business Plan for Special Use Permit

Please use the below information for the business plan associated with The DDS Companies, operating as a private utility construction company at 2261 Western Turnpike, Duanesburg, NY 12056.

- Hours of Operation:
  - Monday: 7AM – 5PM
  - Tuesday: 7AM – 5PM
  - Wednesday: 7AM – 5PM
  - Thursday: 7AM – 5PM
  - Friday: 7AM – 5PM
  - Saturday: Closed
  - Sunday: Closed
- Number of Employees: 5 office employees to occupy full time
- Floor Plan: Existing to remain as-is
- Uses: Front portion of building to be used as office space, with back warehouse portion to be used as (internal) mechanical shop for owned construction equipment.
- Lighting Plan: Existing to remain as-is
- Landscaping: Existing to remain as-is
- Signage: One Square sign to be placed (36" x 36") of "DDS" Logo on front of building.
- Parking: Existing to remain as-is
- Handicap Spaces: Existing to remain as-is
- Lighting Plan: Existing to remain as-is

This facility will be operated as a private business and will not be open to the public.

Jeffrey Schmitt, Planning Board Chair  
Chris Parslow, Town Planner  
Carol Sowycz, Clerk  
Teresa Bakner, Board Attorney



Michael Harris, Vice Chairperson  
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TOWN OF DUANESBURG  
SCHENECTADY COUNTY

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## NOTICE OF PUBLIC HEARING

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**7:00 PM** FOR THE PURPOSE OF HEARING ALL PERSONS INTERESTED IN THE

APPLICATION OF:

**#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.

APPLICATION INFORMATION IS AVAILABLE DURING BUSINESS HOURS

BY ORDER OF THE CHAIRPERSON  
PLANNING BOARD  
TOWN OF DUANESBURG  
CHAIRPERSON

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

Passcode: 130214 Dial in by Phone: 1-646-558-8656 Meeting ID: 864 9974 6075

Passcode: 13021

PROJECT LOCATION MAP - NO SCALE

NOTE 1  
WESTERLY LINE OF LOT ONE REVISED ON 5/1/23 TO REFLECT  
BOUNDARY LINE ADJUSTMENT BEING MADE WITH BORDMAN

TOTAL AREA = 183.113 ACRES  
INSTR 2023-05  
TAX ID - 64-1-4.3

LANDS OF FRANCES & SUSAN J. COLETTI  
L2003, P.710  
64-1-6.112

LANDS OF JAMES BAYTON  
L1247, P.309  
64-1-6.2

LANDS OF DANIEL HASTI & MARA SUE  
L2008, P.822  
64-1-24

NOTES 1

ISSUANCE OF A BUILDING PERMIT FOR EACH LOT AS SHOWN WILL BE  
CONTINGENT UPON APPROVAL BY THE BUILDING INSPECTOR OF SANITARY  
DISPOSAL SYSTEM AND WATER SUPPLY WELLS FOR LOCATION, QUALITY  
AND QUANTITY OF SUPPLY, BASED UPON SOIL SURVEY DATA OBTAINED BY  
THE UNITED STATES DEPT. OF AGRICULTURE, CONSERVATION SERVICE  
AND SITE SOIL EVALUATION. IT IS EXPECTED THAT SOME, IF NOT ALL LOTS,  
WILL REQUIRE ALTERNATIVE SEPTIC SYSTEMS, AS DETERMINED BY A LICENSED  
ENGINEER OR ARCHITECT AND REVIEWED AND APPROVED BY THE  
Schenectady County Dept. of Health. FOR ALTERNATIVE SEPTIC  
SYSTEMS, SCHENECTADY COUNTY HEALTH DEPT. APPROVAL SHALL BE  
OBTAINED PRIOR TO ISSUANCE OF A BUILDING PERMIT BY THE BUILDING  
INSPECTOR.

THIS PROPERTY IS ADJACENT TO LANDS IN THE AGRICULTURAL DISTRICT  
AND FARMING ACTIVITIES MAY INCLUDE, BUT ARE NOT LIMITED TO,  
ACTIVITIES THAT CAUSE NOISE, DUST AND ODORS.

THIS LAND IS CONSIDERED ZONED (C-1) AND MAY ON OCCASION BE  
SUBJECT TO ENVIRONMENTAL CONDITIONS ASSOCIATED WITH A POTENTIAL  
BUSINESS. THESE ENVIRONMENTAL CONDITIONS MAY INCLUDE NOISE,  
LIGHT, TRAFFIC, ODORS, ETC.

SWPPP NOTE:  
BASED UPON THE SIZE OF THE 7 LOTS PROPOSED FOR THIS SUBDIVISION,  
NO SWPPP OR EROSION CONTROL PLAN WAS PREPARED AT THE TIME OF FILING  
AS SUCH, ANY FUTURE DEVELOPMENT WITHIN ONE OF THE PROPOSED LOTS  
WILL BE SUBJECT TO ALL APPLICABLE SWPPP AND EROSION CONTROL  
REGULATIONS. UPON REVIEW OF ANY PROPOSED DEVELOPMENT THE APPLICANT  
WILL BE RESPONSIBLE FOR PREPARING AND SUBMITTING A SWPPP, DESIGN  
AND EROSION CONTROL PLAN, SWPPP AND EROSION CONTROL NARRATIVE AS  
REQUIRED FOR REVIEW AND APPROVAL BY THE TOWN OF SCHENECTADY PLANNING  
BOARD PRIOR TO APPROVAL AND CONSTRUCTION.

WETLANDS AND STREAMS WERE DELINEATED BY NORTH COUNTRY ECOLOGICAL  
SERVICES, INC. IN MAY OF 2023 USING THE CURRENT U.S. ARMY CORPS OF  
ENGINEERS (USACE) AND THE DEPT. OF ENVIRONMENTAL PROTECTION (EPA)  
DELINEATION METHODOLOGIES. ANY OVERTURNING OF THE WETLANDS WOULD  
REQUIRE A PERMIT FROM THE USACE AND/OR EPA. CORRELATION WITH THE  
USACE AND EPA IS REQUIRED PRIOR TO ANY TYPE OF DISTURBANCE TO THE  
WETLANDS SHOWN.

SUBDIVISION MAP  
OF  
YOUNGS ROAD SUBDIVISION

A SURVEY FOR  
HELDERBERG REALTY LLC  
U.S. ROUTE 23, N.Y.S. ROUTE 32 AND YOUNGS ROAD  
TOWN OF SCHENECTADY COUNTY OF SCHENECTADY

SCALE: 1" = 200' DATE: JANUARY 2, 2023

GRAPHIC SCALE - FEET

PREPARED BY:  
WILLIAM J. STARKSON, JR.  
LAND SURVEYOR  
LICENSE NUMBER 49944

REVISED: 5/20/23 - WETLANDS NOTE  
REVISED: 5/1/23 - WESTERLY LINE OF LOT 1  
REVISED: 2/3/23

222 WASHINGTON STREET  
SARATOGA SPRINGS, NEW YORK 12858  
518-236-7933

July 20, 2023

**RE: #22-20 Whipple, Henry: SBL PT/O#64.00-1-4.3, (C-1) Major Subdivision located at Youngs Rd & State Highway #30**

Dear Duanesburg Planning Board:

We would like to thank you for this opportunity to voice our concerns regarding the major subdivision mentioned above. We understand progress and change are inevitable in our community, but respectfully have concerns we would like to share.

**1<sup>st</sup> Concern – Storm Water Run-Off...**

We have lived here since 1989, and have witnessed first hand the amounts of storm water run-off that can run across these fields. Particularly the waters that come across from the east side of route 30, and come through a culvert to the west side of route 30. These waters then follow the backside of our property, and end up into a creek. Even during the worse Spring melts, or the hurricane from a few years ago have never had problems with these waters coming into our property until Friday evenings storm (July 14<sup>th</sup>, 2023). We forwarded these pictures & videos to Carol Sowycz the Planning & Zoning Clerk. We are hoping the stream has not been compromised, and that this isn't the new path of this stream.

So, our first question/concern is how is the storm water run-off going to be addressed in the future with this major subdivision?

**2<sup>nd</sup> Concern – Well Water...**

Since moving here in 1989, we have seen in the last few years a change in our well water's recovery time. We never had problems in the past with our well, so this is very concerning. We have had a neighbor make comments about their well water changes too. We have also heard that possibly Hannaford has had, or has well water issues themselves.

So, our second question/concern is how will well water issues be addressed since there seems to be issues already?

**3<sup>rd</sup> Concern – Septic-Leach fields...**

With the storm water run-off issues that already exists, what steps will take place to make sure septic/leach fields don't enter into the storm water run-off? Especially since they end up running into our property & eventually into the creeks?

We thank you again for listening to our concerns. We would also ask that this letter, and any verbal communications be entered into record.

Sincerely Yours,

Mr. & Mrs. Charles Galvin  
3409 State Highway #30  
Esperance, New York 12066



















**BLACKSTONE LAND SURVEYORS**

1150 Fort Hunter Road  
SCHENECTADY, NY 12303  
(518) 355-1791

JOB Channel  
SHEET NO. \_\_\_\_\_ OF \_\_\_\_\_  
CALCULATED BY \_\_\_\_\_ DATE \_\_\_\_\_  
CHECKED BY \_\_\_\_\_ DATE 07.10.23  
SCALE \_\_\_\_\_

**RECEIVED**  
JUL 10 2023

Wetland delineation located the impacted area closer to the road - reducing the new lots from 3 to 2. The proposed lots now are 3.22 and 3.68 acres each. Limits of disturbance are still 12,000 sq.ft. for each lot, but with only 2 lots the total disturbance area will only be 0.55 acres.

*Mark Blackstone*

## TOWN OF DUANESBURG

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

## Agricultural Data Statement

Date: 7/10/23

ORIGINAL

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

Applicant		Owner if Different from Applicant	
Name:	<u>NOT</u>	Name:	_____
Address:	<u>3851 Western Turnpike Duanesburg, NY 12056</u>		_____

1. Type of Application: Special Use Permit; Site Plan Approval; Use Variance; Area Variance; Subdivision Approval (circle one or more)
2. Description of proposed project:  
Amend Current Accessory Parking from 15 units to 35 units for day use temporary parking
3. Location of project: Address: 3851 Western Turnpike Duanesburg NY 12056  
Tax Map Number (TMP) 67.02-3-19.21
4. Is this parcel within an Agricultural District? YES ☒ NO ☐ (Check with your local assessor if you do not know.)
5. If YES, Agricultural District Number \_\_\_\_\_
6. Is this parcel actively farmed? YES ☒ NO ☐
7. List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

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

[Signature]  
Signature of Applicant

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

Reviewed by: [Signature] 7/10/23  
Dale R. Warner Date  
CARIS Pineslow

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



ORIGINAL

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

CHECKLIST OF REQUIRED INFORMATION:

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

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

Additional Requirements for Special Use Application:

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

Date 7/10/23

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

Proposal: Amended Current Accessory Parking from 15 units to 35 units for day use temporary parking

Section \_\_\_\_\_ of \_\_\_\_\_ Ordinance.

Present Owner: Howard Daigle (AS APPEARS ON DEED!!)

Address: 229 Vischers Ferry Rd Road NY Zip code: 12148

Phone # (required) \_\_\_\_\_

Applicants Name (if different): NCI Phone# (required) 715 209-1579 (Scott Greschner)

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

Tax Map # 67.00-3-19.21 Zoning District C-2

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

LANDS CONVEYED TO (REQUIRED FOR MERGERS)

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

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

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

Date 7/10/23

ALL APPLICATION FEES ARE NON-REFUNDABLE!

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

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

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

Planning Chairperson

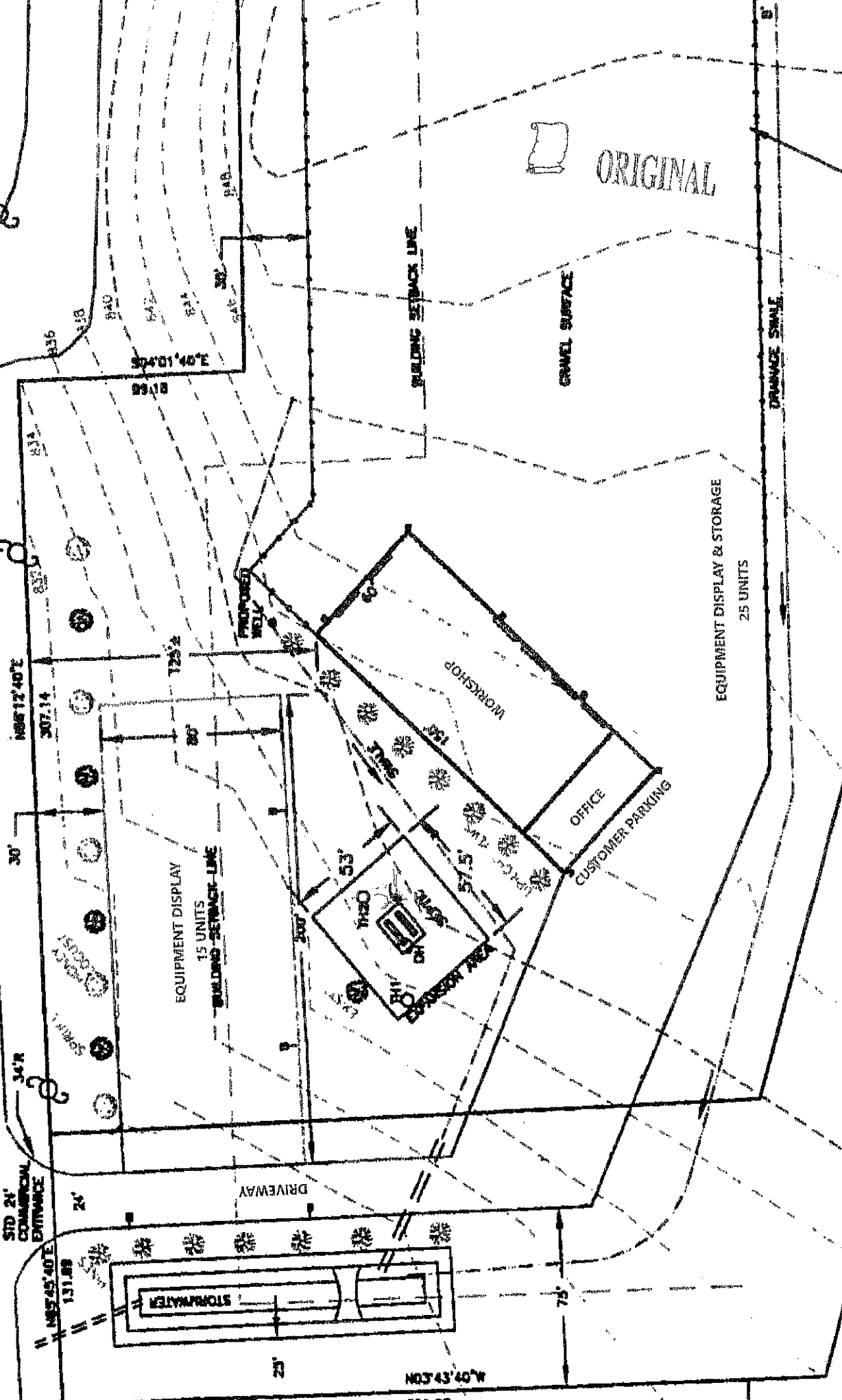
Date

Code Enforcement

Date

3851 WESTERN TURNPIKE, DUANESBURG FLOOR PLAN

WESTERN TURNPIKE US ROUTE 20



Other:

Kruger Energy Inc.

- Alexander Road Solar

Other:

Dollar General

- Accidental Protected Tree Removal





## At Kruger, family tradition is our bedrock.

For more than 115 years, our fourth-generation family company transforms renewable resources into **sustainable and high-quality** essentials for everyday life in North America.

We aim to make the world a better place by investing for the long term. That's why we are **giving back** to the communities we call home and that we are constantly aiming to reduce our environmental footprint.

We are cherishing  
our **5 values**:

- Family Spirit
- Commitment
- Integrity
- Customer Focus
- Entrepreneurship

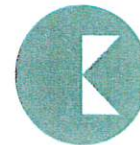
Sustainability and innovation are keys to our success and growth.  
That's why we make optimal resource management, environmental protection,  
energy conservation and waste reduction part of the equation every single day.

### Our activity sectors





**At Kruger Energy, we develop different forms of renewable energy and we demonstrate our customer focus by building strong relationships with local stakeholders, starting with the landowner and host community.**



Landowners are valuable partners in the development and management of our many projects. The collaboration strives to foster a mutually beneficial relationship with respect and integrity.

Very motivated to leave a green footprint, we always explore new avenues. With over 40 renewable energy power plants, we can help ensure better quality of life for current and future generations.

One of our main priorities is to ensure seamless integration into the surrounding environment and to comply with the highest social and environmental standards. We are there each step of the way because reliability strongly resonates for us.

**FOR US,  
RENEWABLE  
ENERGY  
MEANS**

**BIOMASS  
COGENERATION**

**HYDRO  
ELECTRICITY**

**SOLAR POWER**

**WIND POWER**

**ENERGY  
STORAGE**

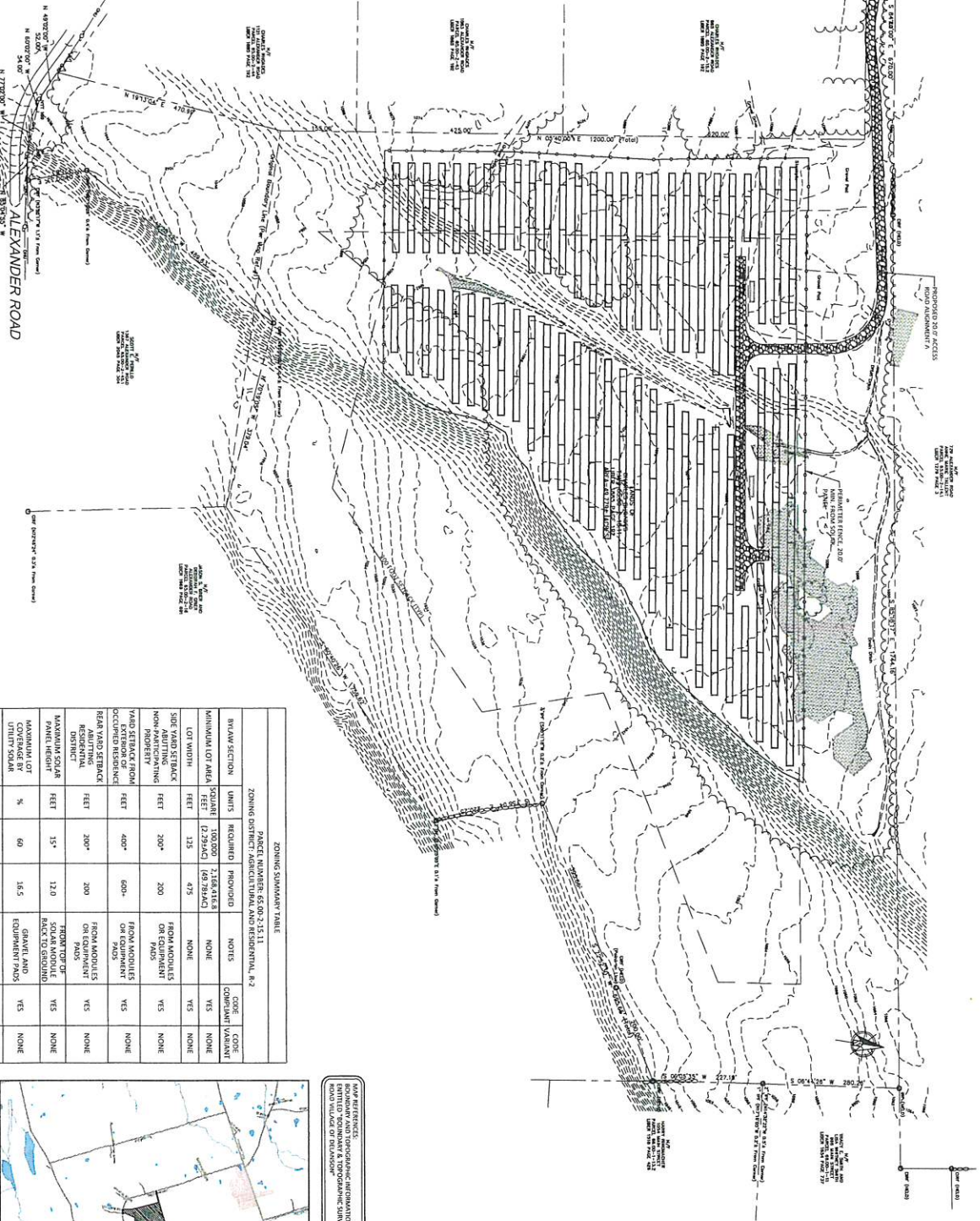


**KRUGER.COM**





ALEXANDER ROAD



1 OVERALL SITE PLAN  
SCALE: 1" = 100'

ZONING SUMMARY TABLE									
PARCEL NUMBER: 65.00-2-15.11									
BRAND SECTION	UNITS	REQUIREMENT	PROPOSED	NOTES	CODE	CODE	COMPLIANT	VARIANT	
MINIMUM LOT AREA	SQUARE FEET	100,000	1,120,000	NONE	YES	NONE	YES	NONE	
MINIMUM LOT WIDTH	FEET	125	475	NONE	YES	NONE	YES	NONE	
SETBACK FROM NON-PARTICIPATING PROPERTY	FEET	200'	200	FROM MODULES ON ADJACENT PADS	YES	NONE	YES	NONE	
YARD SETBACK FROM OCCUPIED RESIDENCE	FEET	400'	600'	FROM MODULES ON ADJACENT PADS	YES	NONE	YES	NONE	
BEAR YARD SETBACK ADJUTING RESIDENTIAL DISTRICT	FEET	200'	200	FROM MODULES ON ADJACENT PADS	YES	NONE	YES	NONE	
MAXIMUM SOLAR PANEL HEIGHT	FEET	15'	12.0	HEIGHT OF STRUCTURE TO GROUND	YES	NONE	YES	NONE	
MAXIMUM LOT COVERAGE BY UTILITY SOLAR	%	60	18.5	SHADE AND EQUIPMENT PADS	YES	NONE	YES	NONE	
MINIMUM LOT WIDTH	FEET	200	60.0	NONE	YES	NONE	YES	NONE	



MAP REFERENCES:  
BROOKLYN AND QUEEN'S DISTRICTS, NEW YORK CITY, 1922  
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EXISTING CONDITIONS PLAN  
PROPOSED PV PLANT - 909 ALEXANDER RD  
KRUGER ENERGY, L.P.  
TAX MAP ID: 65.00-2-15.11  
TOWN OF DUANESEBURG  
NEW YORK  
DRAWN BY: MIB  
CHECKED BY: MIB  
DATE: 11/15/23  
JOB NUMBER: 23-225  
SCALE: AS SHOWN

MATTHEW J. BOND  
NYS LICENSE NO. 095857

**Barber Engineering**  
PO Box 454 - Nassau, New York 12123  
T: 518.931.4099 - E: design@bbreng.com  
STORMWATER INSPECTION AND ENGINEERING

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LAND PLANNERS  
& CONSULTANTS  
1407 Route 9 - Bldg 2, Suite 6  
CLINTON PARK, NY 12065  
aricoassociates@gmail.com

**Kruger Energy**

C100  
SHEET 1 OF X