Jeffery Schmitt, Planning Board Chair
Michael Harris, Vice Chairman
Chris Parslow, Town Planner
Coryn VanDeusen, Clerk
Terresa Bakner, Board Attorney

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

RECEIVED
NOV 20 2023
TOWN OF DUANESBURG
TOWN CLERK

TOWN OF DUANESBURG
SCHENECTADY COUNTY

Town of Duanesburg
Planning Board Minutes
October 19, 2023
Final Copy

MEMBERS PRESENT:
Jeffery Schmitt- Chairperson, Elizabeth Novak, Joshua Houghton, Matt Hoffman, Michael Walpole, Michael Harris- Vice Chairman, Terresa Bakner- Town Attorney, Chris Parslow- Town Planner and Coryn VanDeusen-Clerk.

INTRODUCTION:
Chairperson Jeffery Schmitt opened the meeting and welcomed everyone to the October 19, 2023, Planning Board meeting and stated the agenda for the night's meeting.

OPEN FORUM:
Schmitt/Harris made a motion to open the open forum at 7:02 pm.
Schmitt yes, Harris yes, Houghton yes, Hoffman yes, Novak yes, Walpole yes. **Approved.**

Schmitt/Hoffman made a motion to close the open forum at 7:03 pm.
Schmitt yes, Hoffman yes, Houghton yes, Novak yes, Harris yes, Walpole yes. **Approved.**

SKETCH PLAN REVIEW:

PUBLIC HEARINGS:

#23-16 Balog, Chris & Nicole: SBL# 65.00-1-22.111, (C-1) located at 10057 Western Turnpike is seeking a special use permit to convert an existing commercial structure to a residential structure under section 11.4(9) Dwelling, Multifamily (10) Dwelling, Single Family, Consisting of a minimum gross floor area of 60 sq. ft., (11) Dwelling, two family.

Schmitt/Walpole made a motion to open the public hearing for Balog.
Schmitt yes, Walpole yes, Harris yes, Houghton yes, Hoffman yes, Novak yes. **Approved.**

Mr. Balog stated that they are requesting a special use permit to convert the commercial building into a one-bedroom home. Mr. Balog is awaiting a perc test. This is a SEQRA type 2 action and is an approved negative declaration. The septic system is in the design phase

and is going to be used to support both dwellings. A siphon system is going to be used in the septic plan. Mr. Balog states that he filled a 30,000-gallon pool with the system previously. He also states that there is adequate parking for both dwellings as the old parking lot for the commercial building will be used residentially. Lance Manus, engineer for this application, advised that the NYS Health Dept. states that any system must complete soil testing and have at least 12 inches of usable soil.

Harris/Novak made a motion to close the public hearing for Balog.
Harris yes, Novak yes, Schmitt yes, Houghton yes, Hoffman yes, Walpole yes. **Approved.**

Harris/Walpole made a motion to approve the Balog application pending well testing and wastewater treatment system approval in accordance with the county septic design.
Harris yes, Walpole yes, Schmitt yes, Houghton yes, Hoffman yes, Novak 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. Joe Bianchine, representing Spiro Kagas, advised the board that he got notice from the Town of Duanesburg engineer pertaining to a small rain garden and a bio retention system such as a grass filter strip that he is still waiting to hear back from DEC on as to whether they are classifying the application as redevelopment. Mr. Kagas needs a variance for side setbacks and if it was not done previously, they will do so for approval of this application. Mr. Bianchine advised the board that he nor the applicant or DEC feel as if the sediment testing that was asked for at the September meeting is necessary. Mr. Bianchine also advised that a need for a SPEDY's permit would be eliminated with use of their proposed plan with the fourth tank. The board advised that they still would like the sediment tested to know what is going to be sealed in. Such testing may consist of metals, semi volatiles, 82-60, 82-70, and PFAs. Patrick Wren, 9866 Western Turnpike, and Lance Manus, 143 Albert Rd, both made comments in support of the sediment testing so that neighboring properties can have peace of mind. Mr. Bianchine advised the board that no further water will be disturbing the east side/neighbors with the implantation of their proposed plan. Alicia Kagas stated that she is unsure of when they plan to incorporate the food truck into their plans. The board advised removing the food truck from the plans for now and updating the site plan. The board advised that they would like the town engineer present and/or town planner to meet with the applicants for a preconstruction meeting.

Patrick Wren submitted comments regarding this application. Please see attached. Mrs. Kagas advised that the car wash has been operating for 24 hours but was previously unmanned and people came and went as needed. One comment Wren made was regarding 24/7 lighting and the board has already amended the special use permit regarding noise after a certain time and the lighting can be limited too. The current sign is in question as well. Town planner, Chris Parslow, states that the permanent sign is in regulation, but there is a vinyl banner that is attached below the permanent sign. The board advised the applicant that the vinyl banner would need to be removed or within compliance and referred to the town planner regarding the sign.

Novak/Houghton made a motion to continue the public hearing to the November 16th meeting for the Spiro Kagas application.
Novak yes, Houghton yes, Walpole yes, Hoffman yes, Harris yes, Schmitt yes. **Approved.**

NEW BUSINESS:

#23-21 Walpole, Michael: SBL#32.00-1-3, (R-2) is seeking a special use permit to allow two single family dwellings on one lot under section 8.4(8) of the Town of Duanesburg zoning ordinance.

Michael Walpole is a member of the Town of Duanesburg Planning Board and recused himself and left the building. Kelli Desnoyers, 6350 Gun Club Rd Altamont NY, represented Michael Walpole for this application.

Kelli Desnoyers states that the existing dwelling will be demolished upon completion of the second dwelling. Kelli Desnoyers states that an engineer is to come out and inspect the current septic and well and advise Mr. Walpole as to whether he can use the existing set up. The board advised that a stipulation be in place stating that only one dwelling is to be occupied at a time. This application is SEQRA type 2.

Harris/Hoffman made a motion to set a public hearing for the special use permit for the Michael Walpole application to November 16th, 2023.
Harris yes, Hoffman yes, Schmitt yes, Houghton yes, Novak yes. **Approved.**

OLD BUSINESS:

#23-20 McCauley, Lewis & Stephanie: SBL#67.00-1-2.12 (R-2) located at 192 Crosier Rd is proposing to split one 11-acre parcel into two parcels.

The applicant states that the property with the house currently on it is to be sold and the other half is to be later developed by her son into a residential lot. The board questioned if a wetland buffer had been documented. Chad Pagan, Ingalls Associate, states that he used the wetland delineation flags already noted on DEC mapper. A flag lot was depicted to give the property road frontage. The town advised the applicant that they should do the lot line adjustment first and then come back later to subdivide with clear plans and wetland delineation. The town attorney advised that the septic and well be within the 5 acres when the lot line adjustment is completed.

Harris/Novak made a motion to refer the lot line adjustment to Chris Parslow, town planner.
Harris yes, Novak yes, Schmitt yes, Hoffman yes, Houghton yes, Walpole yes. **Approved.**

OTHER:

The board members discussed annual training of four hours per year. The town attorney advised the board members that they will be getting an email about a new local law pertaining to septic. Residents will have to get their septic systems inspected in the L-2 district, Duane Lake district, prior to transfer. Town planner, Chris Parslow, informed the board that Dollar General is still running on a temporary CO because of well issues and questioned how long a temporary CO can be in place. The board advised that the issue of a temporary CO isn't a planning board concern, but it does need to be looked in to and suggested reaching out to NYS.

MINUTE APPROVAL:

Hoffman/Novak made a motion to approve the September 21, 2023, Planning Board minutes.
Hoffman yes, Novak yes, Schmitt yes, Houghton yes, Walpole yes, Harris yes. **Approved**.

ADJOURNMENT:
Harris/Hoffman made a motion to adjourn.
Harris yes, Hoffman yes, Schmitt yes, Houghton yes, Novak yes, Walpole yes, **Approved.**

Jeffery Schmitt, Planning Board Chair
Michael Harris, Vice Chairperson
Teressa Bakner, Board Attorney
Chris Parslow, Town Planner
Coryn VanDeusen, Clerk

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

Town of Duanesburg
Planning Board Agenda
October 19, 2023

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

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

Town of Duanesburg is inviting you to a scheduled Zoom meeting.
Topic: Town of Duanesburg's Planning Board Zoom Meeting
Time: This is a recurring meeting Meet anytime
Join Zoom Meeting
Meeting ID: 858 7403 2498
Passcode: 848175
Dial in by Phone:1-646-558-8656
Meeting ID: 858 7403 2498
Passcode: 848175

INTRODUCTION BY CHAIRPERSON JEFFERY SCHMITT:

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

SKETCH PLAN REVIEW:

PUBLIC HEARINGS:

#23-16 Balog, Chris & Nicole: SBL# 65.00-1-22.111, (C-1) located at 10057 Western Turnpike is seeking a special use permit to convert an existing commercial structure to a residential structure under section 11.4(9) Dwelling, Multifamily (10) Dwelling, Single Family, Consisting of a minimum gross floor area of 60 sq. ft., (11) Dwelling, two family.

Comments: _____

_____

#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.

Comments: _____

_____

Jeffery Schmitt, Planning Board Chair
Michael Harris, Vice Chairperson
Teressa Bakner, Board Attorney
Chris Parslow, Town Planner
Coryn VanDeusen, Clerk

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

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Comments: _____

_____

OLD BUSINESS:

#23-20 McCauley, Lewis & Stephanie: SBL#67.00-1-2.12 (R-2) located at 192 Crosier Rd is proposing to split one 11-acre parcel into two parcels.
Comments: _____

_____

Other:

Minute Approval:
September 21,2023 PLANNING BOARD MEETING MINUTES:
Approved: Yes_____ No: _____

ADJOURNMENT

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

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

TOWN OF DUANESBURG
SCHENECTADY COUNTY

NOTICE OF PUBLIC HEARING

LEGAL NOTICE
NOTICE OF PUBLIC HEARING
PLANNING BOARD
TOWN OF DUANESBURG

PLEASE TAKE NOTICE, THAT THE PLANNING BOARD OF THE TOWN OF DUANESBURG, NEW YORK, WILL MEET AT THE TOWN HALL IN THE TOWN OF DUANESBURG, 5853 WESTERN TURNPIKE, ON **October 19th, 2023** AT **7:00 PM** FOR THE PURPOSE OF HEARING ALL PERSONS INTERESTED IN THE APPLICATION OF:

#23-16 Balog, Chris & Nicole: SBL# 65.00-1-22.111, (C-1) located at 10057 Western Turnpike is seeking a special use permit to convert an existing commercial structure to a residential structure under section 11.4(9) Dwelling, Multifamily (10) Dwelling, Single Family, Consisting of a minimum gross floor area of 60 sq. ft., (11) Dwelling, two family.

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

APPLICATION FOR THE PLANNING BOARD
TOWN OF DUANESBURG
Revised 04/12/2017

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

ORIGINAL

CHECKLIST OF REQUIRED INFORMATION:

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

Additional Requirements for Special Use Application:

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

Date 8/4/23

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

Proposal: Convert existing structure (commercial) to a residential property.

Section _____ of _____ Ordinance.

Present Owner: Christopher L. Balog
Address: Nicole M. Balog (AS APPEARS ON DEED!!)
10057 Western Turke Zip code: 12053
Phone # (required) 516-384-4847

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

Location of Property (if different from owners) _____

Tax Map # 65.00-1-22.111 Zoning District C1

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 herby 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 of Owner(S) and/or Applicant(S) _____ Date 8/4/23

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 _____

TOWN OF DUANESBURG

Application# 23-16

ORIGINAL

Agricultural Data Statement

Date: 8-7-23

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

Applicant	Owner if Different from Applicant
Name: Christopher and Nicole Reddy	Name:
Address: 10057 Western Turke Delanson NY 12053	

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: To convert an existing commercial structure to a residential structure for use as an in-law apartment
3. Location of project: Address: 10057 Western Turke Delanson NY 12053
   Tax Map Number (TMP) 65.00-1-22.111
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 NO	NAME: ADDRESS: Is this parcel actively farmed? YES NO
NAME: ADDRESS: Is this parcel actively farmed? YES NO	NAME: ADDRESS: Is this parcel actively farmed? YES NO

8/4/23
Signature of Applicant

8/4/23
Signature of Owner (if other than applicant)

Reviewed by:
Dale R. Warner

Date

Revised 4/4/17

FARM NOTE

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

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

NOTICE OF DETERMINATION
of the Town of Duanesburg

Date of Determination 8/9/2023

Application of Christopher + Nicole Balog under section 11.4 (9)(10)(11) of the (Village of Delanson/ Town of Duanesburg) Zoning Ordinance.

Applicant Christopher + Nicole Balog
Address 10057 Western Turnpike
Delanson, N.Y. 12053

Phone 518-384-4847 Zoning District C-1 SBL# 65.00-1-22.111

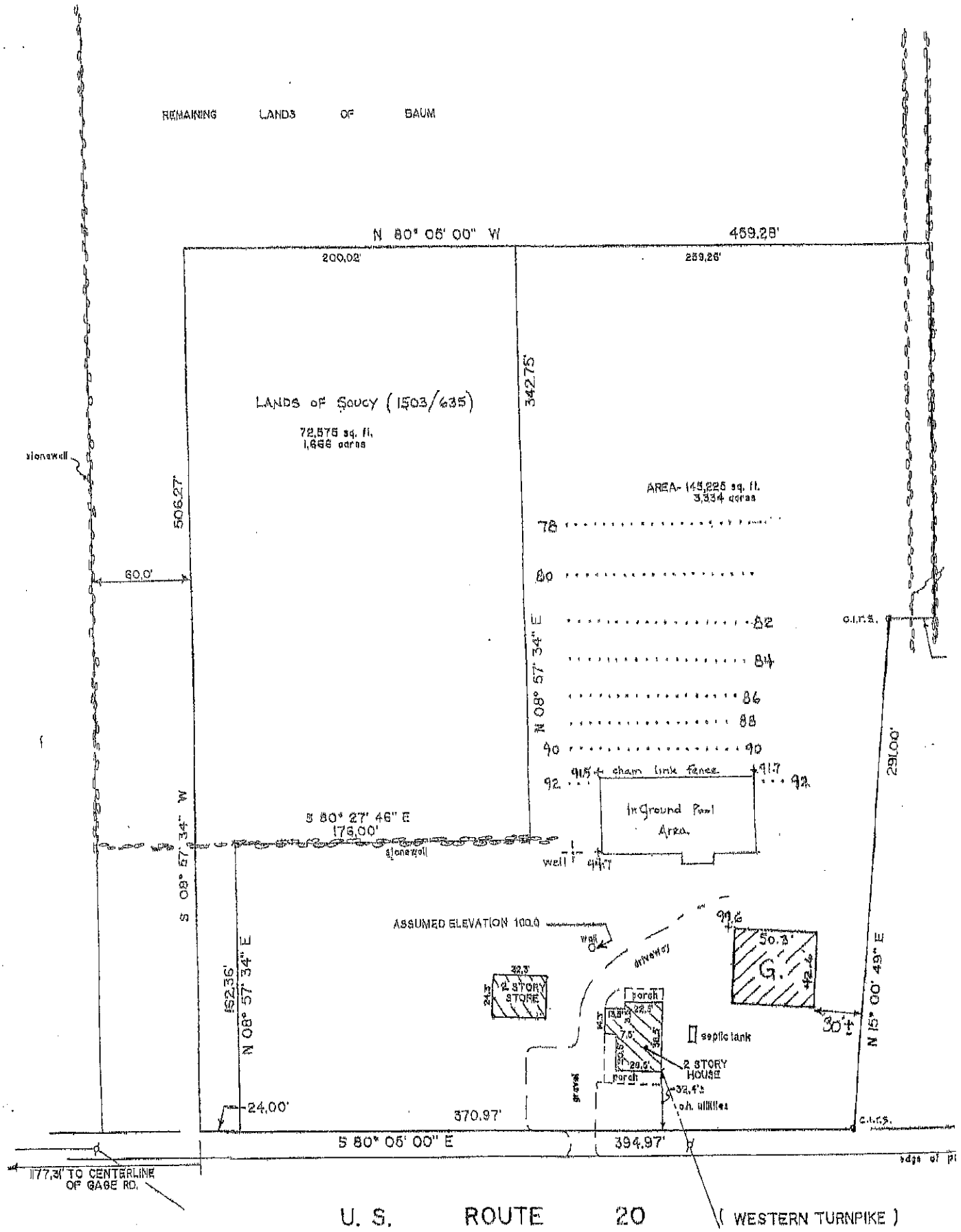
Description of Project: Convert Frame Shop Building into a Residence. This would be the second single family home on property.

Determination:
Special use Permit Dwelling, Multi family, Dwelling Single Family Consisting 600+ Sq ft

Reason supporting determination:
Town of Duanesburg Zoning Ordinance Adopted 6/11/15 Section 11.4 (9) Dwelling, Multi Family (10) Dwelling Single family, Consisting of a minimum gross floor Area of 600 Sq ft. (11) Dwelling, Two family

Action: Refer to Planning Board for the purpose of Special Use

Code Enforcement Officer: Christopher Parlow


REMAINING LANDS OF BAUM
N 80° 05' 00" W
459.25'
200.02'
259.26'
342.75'
LANDS of Soucy (1503/635)
72,575 sq. ft.
1.666 acres
AREA- 145,225 sq. ft.
3.334 acres
stonewall
506.27'
60.0'
78
80
82
84
86
88
90
92
N 08° 57' 34" E
c.l.r.s.
291.00'
chain link fence
In Ground Pool Area
S 80° 27' 46" E
176.00'
stonewall
well
S 08° 57' 34" W
ASSUMED ELEVATION 100.0
well
driveway
50.3'
G.
42.4'
30'±
N 15° 00' 49" E
2 STORY STORE
24.3'
32.3'
152.36'
N 08° 57' 34" E
porch
22.5'
13.5'
7.5'
20.0'
porch
2 STORY HOUSE
septic tank
gravel
32.4'±
o.h. utilities
24.00'
370.97'
c.l.r.s.
S 80° 05' 00" E
394.97'
177.31' TO CENTERLINE OF GAGE RD.
U. S. ROUTE 20 (WESTERN TURNPIKE)

ZONING COORDINATION REFERRAL

SCHENECTADY COUNTY DEPT. OF ECONOMIC DEVELOPMENT & PLANNING

Recommendations shall be made within 30 days after receipt of a full statement of the proposed action.

For Use By SCDEDP

Received_____

Case No._____

Returned_____

FROM: ☐ Legislative Body
☐ Zoning Board of Appeals
☑ Planning Board

Municipality: Town of Duanesburg

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

(tel.) 386-2225
(fax) 382-5539

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

PUBLIC HEARING OR MEETING DATE: _____

SUBJECT: #23-16 Balog, Chris & Nicole: SBL# 65.00-1-22.111, (C-1) located at 10057 Western Turnpike is seeking a special use permit to convert an existing commercial structure to a residential structure under section 11.4(9) Dwelling, Multifamily (10) Dwelling, Single Family, Consisting of a minimum gross floor area of 60 sq. ft., (11) Dwelling, two family.

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

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

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

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

SUBMITTED BY:

Name: Carol Sowycz Title: Planning/Zoning Clerk

Address: 5853 Western Turnpike Duanesburg, NY 12056

E-mail: csowycz@duanesburg.net Phone: (518) 895-2040

Signature Date: 8-23-2023

ORIGINAL

PLANNING & ZONING COORDINATION REFERRAL

Case No. D-17-23

Applicant Chris & Nicole Balog

Referring Officer Carol Sowycz

Municipality Duanesburg

Considerations: Regarding a lot with a single family dwelling and a separate commercial structure requesting a special use permit to convert the commercial structure into an in-law apartment. Located on the south side of Western Turnpike approximately 1,000' west of Gage Road.

RECOMMENDATION

Receipt of zoning referral is acknowledged on August 29, 2023. Please be advised that the undersigned Commissioner of Economic Development and Planning of the County of Schenectady (having under the Schenectady County Charter the powers and duties of a County Planning Board) has reviewed the proposed action stated on the opposite side of this form and makes the following recommendations:

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

  The wastewater treatment system and water supply for the in-law apartment should be identified.

- [x] Advisory Note:

  The wastewater traement system and well for the

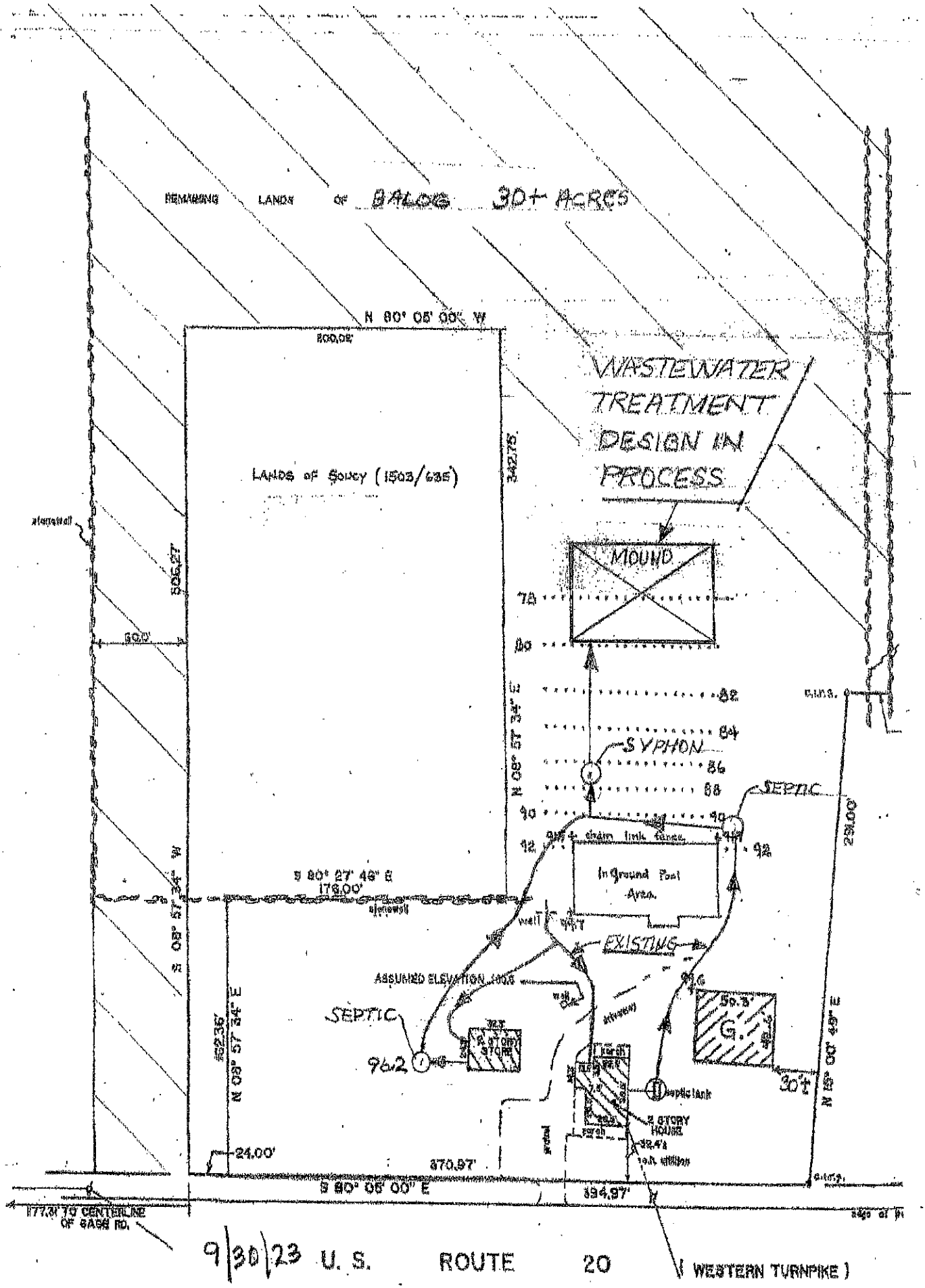
- [ ] Disapprove. Reason:

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

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

9/6/23
Date

Ray Gillen, Commissioner
Economic Development and Planning


REMAINING LANDS OF BALOG 30+ ACRES
N 80° 05' 00" W
500.08'
WASTEWATER TREATMENT DESIGN IN PROCESS
LANDS OF SOUCY (1503/635)
342.75'
MOUND
70
80
82
84
86
88
90
92
N 08° 57' 34" E
SYPHON
SEPTIC
chain link fence
In Ground Pool Area
S 80° 27' 46" E
178.00'
EXISTING
ASSUMED ELEVATION 100.0
SEPTIC
96.2
2 STORY STORE
G
30+
septic tank
2 STORY HOUSE
N 08° 57' 34" E
652.36'
N 15° 00' 49" E
24.00'
370.97'
S 80° 05' 00" E
334.97'
177.31' TO CENTERLINE OF BASS RD.
9/30/23 U. S. ROUTE 20 (WESTERN TURNPIKE)

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TOWN OF DUANESBURG
SCHENECTADY COUNTY

NOTICE OF PUBLIC HEARING

LEGAL NOTICE
NOTICE OF PUBLIC HEARING
PLANNING BOARD
TOWN OF DUANESBURG

PLEASE TAKE NOTICE, THAT THE PLANNING BOARD OF THE TOWN OF DUANESBURG, NEW YORK, WILL MEET AT THE TOWN HALL IN THE TOWN OF DUANESBURG, 5853 WESTERN TURNPIKE, ON OCTOBER 19, 2023 AT 7:00 PM FOR THE PURPOSE OF HEARING ALL PERSONS INTERESTED IN THE APPLICATION OF:

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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
ris Parslow, Town Planner
.oryn VanDeusen, Clerk
Terresa Bakner, Board Attorney Michael
Harris, Vice Chairperson
Elizabeth Novak, Board Member

TOWN OF DUANESBURG
SCHENECTADY COUNTY

Matthew Hoffman, Board Member
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NOTICE OF PUBLIC HEARING

LEGAL NOTICE
NOTICE OF PUBLIC HEARING
PLANNING BOARD
TOWN OF DUANESBURG

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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 Tumpike, Duanesburg, NY 12056 (518) 895-8920

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Water, Region 4
1130 North Westcott Road, Schenectady, New York, 12306-2014
Phone: (518) 357-2045
www.dec.ny.gov

VIA ELECTRONIC MAIL 8/15/2023

RECEIVED
AUG 17 2023
TOWN OF DUANESBURG
TOWN CLERK

WishyWashCarAndTruckCentre@yahoo.com

Spiro L. Kagas
Owner, **Ultimate Wishy Wash Car & Truck Centre**
889 Esperance Road
Esperance, NY 12066

Re: Ultimate Wishy Wash Car & Truck Centre
Ultimate Wishy Wash Car & Truck Centre, NY0122891
SPDES Permit Application
Response due: October 1, 2023

Dear Spiro Kagas:

On July 17, 2023, NYSDEC sent a letter informing you that your SPDES permit application was incomplete. That letter required a sampling plan be submitted by August 1, 2023, and sampling results and additional information requested to be submitted by October 1, 2023. NYSDEC received your reply dated July 27, 2023, which satisfies the response to the specific application item issues and additional information requested in the July 17, 2023, letter. The July 27, 2023, response, however, did not include a sampling plan and requested a waiver for sampling for several parameters.

The waiver was requested for flow, the PFAS parameters in Table A Section 2 of the application form, and 1,4-Dioxane. The reason cited by the permittee was "pollutants are not believed to be present and were not previously requested to be tested by NYS DEC." In accordance with *TOGS 1.3.13 Industrial Permitting Strategy for Implementing Guidance Values for PFOA, PFOS, and 1,4-Dioxane*, as a car wash, the Ultimate Wishy Wash Car & Truck Centre is expected to discharge PFAS and 1,4-Dioxane; however, since the NY-2C application form did not contain PFAS and 1,4-Dioxane at the time of the original Request for Information, the sampling is not required for the application and the waiver request for PFAS and 1,4-Dioxane is granted. However, PFAS and 1,4-Dioxane sampling will be included in the next permit issued for the Ultimate Wishy Wash Car & Truck Centre in accordance with the implementation plan for TOGS 1.3.13. While a waiver was requested for the flow data, the flow data was provided; therefore, the waiver is not granted. The future permit might also require limits and sampling for new parameters, in addition to existing ones, and at a higher frequency than the current permit requires, and in addition to the PFAS and 1,4-Dioxane sampling.

The July 27, 2023, letter states "In the future the owner intends to install a fourth tank...so that all water will be recycled. At that time, the discharge to the pond will be removed and the

tank outlet sealed". NYSDEC is supportive of this plan; however, at this time, the permit review process is underway, and a complete application is needed to review and renew the permit for this facility. **By October 1, 2023,** the permittee must either: 1) submit the sampling results for Tables A – C, sampled in the final tank, prior to discharging into the pond; or 2) submit documentation that progress is being made to terminate the discharge.
An electronic fillable version of all the NY-2C application form can be found here: https://www.dec.ny.gov/permits/6304.html

Please submit either the sampling results or documentation of progress toward the discontinuance of the discharge electronically to SPDESApp@dec.ny.gov by **October 1, 2023.**

As a reminder, if you chose to update your system to a closed loop system and discontinue discharge, you will need to follow the closure requirements for disposal systems at 6 NYCRR Part 750-2.11, which would allow you to terminate your SPDES permit. In that case, additional sampling of the discharge to the pond would not be required. If the bay expansion moves forward as part of a current direct discharge facility, in accordance with 6 NYCRR 750-2.10, the final permit must be issued before approval of any design documents can occur and before construction can begin. Again, if a zero discharge system is installed, eliminating any discharge, then an individual SPDES permit would no longer be required.

If you have any questions regarding this letter, please contact Catherine Winters, at 518-357-2044 or Catherine.Winters@dec.ny.gov.

Sincerely,

John Weldman, P.E.
Regional Water Engineer

ec: ABD Engineers & Surveyors LLP, Joseph Bianchine (joe@abdeng.com)
NYSDEC, Permit Writer (Catherine.Winters@dec.ny.gov)
NYSDEC Region 4, Regional Permit Administrator (Kate.Kornak@dec.ny.gov)
NYSDEC Division of Environmental Permits (Michael.Schaefer@dec.ny.gov)

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

July 19, 2023

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

Re: Town of Duanesburg
Wishy Wash Site Plan & Special Use Permit Review
Amendment #3 for Engineering Services

Dear Mr. Schmitt:

As you know, our proposal for the above project review was executed on June 24, 2022 and the escrow account for the project was established in the amount of $3,375.00. Amendment #1 was executed on October 12, 2022 for additional work associated with review of materials from a prior Planning Board review of the project and issues regarding site runoff that have developed ($2,200.00). A second amendment was executed on February 7, 2023 for an additional $3,650.00 to review additional submittals of revised plans and reports. PRIME AE was provided with a July 17, 2023 submission of new materials for review which will require additional effort above the previously approved escrow amount provided by the developer. PRIME AE, therefore, proposes the following scope of work for this Amendment #3:

- Additional technical and administrative support to the Planning Board.
- Technical review of one (1) revised submission including 7/17/2023 ABD response letter, 7/17/2023 SWPPP, 7/17/2023 Site Plan, and 5/16/2023 FEAF.
- Review of car wash water treatment changes and SPDES permit modification.
- Review of pond dredging and materials disposal.
- Attend up to two (2) additional Planning Board meetings for the project.
- Review of a final submission to confirm Conditions of Approval have been met and provide a final sign-off letter.

We propose to provide these additional services for a fee not to exceed $4,950.00, for a total of $14,175.00 for this project. Our work will be billed monthly on a percentage complete basis. Our original Terms and Conditions for this contract will remain in effect for this amendment.

A separate amendment for construction phase engineering and inspection services, including attendance at the preconstruction meeting, can be provided upon request.

If this amendment #3 proposal is acceptable, please execute the signature block below and return to us.

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

Douglas P Cole

Douglas P Cole, P.E.
Senior Director of Engineering

cc: William Wenzel, Supervisor

AGREED TO BY TOWN OF DUANESBURG:

William Wenzel, Supervisor

DATE: 7/27/23

AGREED TO BY KB GROUP OF NY, INC. DBA PRIME AE GROUP OF NY:

Douglas P. Cole, P.E., Senior Director of Engineering - NY

DATE: 7/19/2023

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
Joshua Houghton, Board Member

TOWN OF DUANESBURG
SCHENECTADY COUNTY

NOTICE OF PUBLIC HEARING

LEGAL NOTICE
NOTICE OF PUBLIC HEARING
PLANNING BOARD
TOWN OF DUANESBURG

PLEASE TAKE NOTICE, THAT THE PLANNING BOARD OF THE TOWN OF DUANESBURG, NEW YORK, WILL MEET AT THE TOWN HALL IN THE TOWN OF DUANESBURG, 5853 WESTERN TURNPIKE, ON **May 18, 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

PARTNERS
LUIGI A. PALLESCHI, P.E.
JOSEPH J. BIANCHINE, P.E.
ROBERT D. DAVIS, JR., P.L.S.

ABD ENGINEERS SURVEYORS
411 Union Street Schenectady, N.Y. 12305
518-377-0315 Fax 518-377-0379
www.abdeng.com

DEDICATED
RESPONSIVE
PROFESSIONAL

July 17, 2023

Re: Wishy Wash
9938 Western Turnpike
Town of Duanesburg
Project # 5461A

Jeffery Schmitt, Chairperson, Planning Board
5853 Western Turnpike
Duanesburg, NY 12056

Dear Mr. Schmitt,

As you know, on June 29, 2023, ABD Engineers & Surveyors, the applicant and members of the Town's Planning Board met with NYSDEC to discuss handling stormwater and car wash wastewater at the Ultimate Wishy Wash site. Now, in an effort to satisfy the Planning Board's concern over stormwater discharge to the existing drainage swale located at the southeast corner of the applicants parcel we are proposing an alternative that will send all runoff from the parking area to the existing pond adjacent to the Wishy Wash facility. Runoff from the hill to the north of the site will continue to be diverted from the parking lot via the existing swale and discharge to the Blaise parcel and eventually to the stream that runs under NYS Route 20, as it always has. However, all runoff from the crushed stone parking lot will be treated within the proposed bioretention and overflow from the 10 & 100-year storm events will be conveyed to the existing modified pond. The applicant is proposing to eliminate carwash discharge to the existing pond by adding a 4th holding tank and creating a closed loop water recycling system. This will eliminate the need of a NYSDEC SPDES permit for groundwater discharge from the Wishy Wash facility. Once the 4th tank is added and the closed loop water recycling system is online and NYSDEC has inspected and approved the system, the applicant will pump the pond water to the upper pond and then reshape the pond using clay excavated from the bio-retention area, as shown on the site plan. The modified pond will allow for more than adequate storage for the 100-year storm event. An outlet control structure will be installed in the pond using a 2" pvc outlet that will release runoff from the 100-year storm event at a very slow rate of 0.16 cfs down the west end of the Wishy Wash access road. We feel this option should alleviate the Town's concern regarding drainage to the east and ours and NYSDOT's concern about increasing flow to the Route 20 ditch. Please see below for our response to Prime AE comments.

In response to the new comments (*in italics*), (previous comments unaltered font) of Doug Cole of Prime AE of April 12, 2023, we respond as follows (**in bold**):

FEAF - Please note that previous comments, FEAF # 1, 2, 3 & 4, have been satisfied.

5. The Applicant has provided an answer to question D.2.d.v. that was previously left blank, however, we ask them to clarify whether the treatment process currently in place for the wash water has capacity for the extra 400 gpd proposed for this expansion. The Applicant provided a response in their letter that states that the system "has the capacity to treat up to 3,000 gallons per day, which is more than the expected total water usage of 400-gpd for the car/truck wash. The additional flow was previously stated to be 400 gpd, so the applicant should state the new total expected water use for comparison with the system capacity of 3,000 gpd. A copy of the SPDES permit for this discharge should also be provided. A revised FEAF with this information should be provided for review and confirmation the response has been added.

Applicant is proposing to add a 4th holding tank and create a closed loop water recycling system. This will eliminate discharge to the pond. This will also eliminate the need of a SPDES permit.

6. The Applicant has provided an answer to question D.2.d.vi. that was previously left blank, however, we ask them to clarify whether the treatment process currently in place for the wash water has capacity for the extra 400 gpd proposed for this expansion. See comment 5 above.

See response no. 5 above.

9. Question D.2.j. is answered that the proposed action will NOT result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services. However, since the project is adding a wash bay, truck queuing area and food vender truck, it appears that there would be an increase in use of the facility, which should be quantified for the record. The applicant should provide data on existing use of the facility, so that the stated increase of "about 20-30 vehicles per day" can be verified as a "minimal" increase as indicated.

See attached page two of Donald Zee, PC's letter to the Planning Board from May 14, 2021.

Site Plan- Please note that previous comments, Site Plan # 1, 2, 3, 5, 6 & 7, have been satisfied.

2. The proposed bioretention practice shows a 6" underdrain pipe to daylight discharging to the south of the facility onto lands of the applicant and a 12" HDPE outlet pipe and emergency spillway from the facility are shown exiting to the east onto lands of Thomas into an existing drainage swale which then flows through lands of Chilton prior to joining a stream that flows under NYS Route 20 near Gage Road. We have learned that a similar gravel parking area project was reviewed and approved by the Planning Board last year with a different stormwater design that kept all stormwater discharges on site, however, the design was not constructed as approved and the Town Permit was rescinded. In the December 15, 2021 letter to Dale Warner from Brett Steenburgh, P.E. regarding neighbor property flooding due to prior work performed on the gravel parking area, we located a statement attributed to Jamie Malcolm, NYSDEC Region 4 which said he "suggested that they maintain the existing drainage pattern and drain the pad to the southeast corner and not try to create the swale towards the car wash driveway and down US Route 20 ... as it may cause problems within the highway drainage system and inundate the existing culverts under the driveways of Wren and Chilton." We have not verified this statement with Mr. Malcolm, however, it is in keeping with NYSDEC requirements that the project design must ensure that there is no increase in runoff from a new development project and that there are no adverse effects downstream of the project. We understand that a bioretention practice has been designed to mitigate the offsite impacts of this project, however, since there are own issues with the current drainage pattern, we ask that the applicant provide additional information why the original plan to keep discharges on site are not practical if proper stormwater management practices are put into place to mitigate effects on the Route 20 drainage system and neighboring driveway culverts. Please also refer to our further comments on the stormwater design in the Drainage Narrative section of this letter. We have read the response to this comment in the 10/7/22 response letter from ABD, which did not answer the question above. Additionally, there are still concerns as noted below:

See revised stormwater plan. We are proposing to partially fill in the existing pond with clay excavated from the bio retention area. By doing so, more than adequate storage will be provided for the 100-yr storm event. An outlet control structure is proposed with a 2-inch PVC discharge to slowly release the 100-year storm at slow flow rate of 0.16 cfs.

2b. Review of the Stormwater Design Manual (SWDM) shows that Bioretention is an acceptable practice for water quality treatment but is not to be used for water quantity control. An appropriate quantity control practice needs to be included for this project. Please refer to comment 5.e under SWPPP section.

The existing pond will be used for quantity control. Please see the new stormwater management design.

2c. The anticipated water quantity control practice could be situated at the southwest corner of the gravel parking area. The stormwater design point would be changed to the culvert under Route 20 and the applicant/owner would have full control over the stormwater management system up to the point it empties into the ditch at Western Turnpike. The applicant responded that the "quantity control will be handled via a dry detention basin", however, we see no such structure on the site plan.

See response to comment 2b above.

4. The Site Plan shows that the proposed additional bay is encroaching more than 20 feet into the 40-foot side lot setback, however, the Applicant has indicated they have a setback variance. Please provide a copy of the approved variance. We acknowledge that the Applicant has made the request for a copy of the approved variance from the Town, however, we have not been provided this document for review to date.

To date we have not received a copy of the variance.

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

Not required. "Should" is defined in the manual as meaning a recommendation. Also, the detail from the manual you provided in your letter shows the stone diaphragm upstream from the grass filter strip, therefore, having no benefit on the stone diaphragm.

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

This is not a case of redevelopment; it is just a building addition. However, a 2'w by 2'deep stone diaphragm trench is proposed at the westerly end of the Wishy Wash exist drive and along the edge of gravel nearest the pond to handle stormwater runoff, as depicted on the enclosed plans.

10. Please label the proposed stone swale along the eastern edge of the parking lot on the site plan.

The existing stone swale is labeled on the enclosed plans. There is no proposed stone swale on the plans.

11. Please indicate the swale which the 6" underdrain feeds into on the site plan.

The swale is defined by the existing contours shown.

SWPPP- Please note that previous comments, SWPPP # 1, & 3 through 10, have been satisfied.

2. The "Project Description" section should include a mention of which type of construction project is being proposed (i.e., which table does the project fall under in Appendix B of the NYSDEC SPDES General Permit). Applicant needs to mention "this project requires the preparation of a SWPPP which includes post-construction stormwater management practices". We agree that commercial projects fall under Table 2 of Appendix B and thereby requires both Sediment and Erosion Control practices as well as Post-Construction Stormwater practices. The applicant still needs to include the following in the Project Description: "this project requires the preparation of a SWPPP which includes postconstruction stormwater management practices"

This is now noted in the SWPPP, but doesn't providing a SWPPP with postconstruction stormwater management practices listed in the provided SWPPP make it clear that a SWPPP is required? Seems a bit redundant.

Drainage Narrative & Stormwater Calculations (Appendix E of the SWPPP) Please
Please note that previous comments, Drainage Narrative # 1, 2, 3, 4 & 6, have been satisfied.

5. ***The following points need to be incorporated for the bioretention practice:***

a. A flow regulator/flow splitter is needed as per the NYS SWDM to divert the Water Quality Volume (WQv)to the filtering practice and allow larger flows to bypass the practice. As the Bioretention practice is for water quality only, a regulator or flow splitter is required to direct flow to the water quantity control practice. The draft 2022 SWDM does not appear to require a flow splitter if the practice is designed with the proper pretreatment features.

As stated in my last letter, a flow splitter is not required when conveying stormwater via sheet flow to the bioretention area, it is only required when conveying stormwater via closed pipe system. The new design now provides 12" pipe is set at the peak elevation of the WQv, therefore, releasing larger storms from the bioretention area.

b. The bioretention practice requires pretreatment as specified in the Stormwater Design Manual. What is the pretreatment practice proposed ahead of the bioretention area? The applicant has added a pre-treatment stone trench, however, a grass buffer is also required. The stone diaphragm volume calculations should also be provided for review. Please refer to comment no. 8 under "Site Plan".

Please refer to my response to your comment no. 8.

d. Provide the details of the bioretention outlet structure that will be used to release flows below the predevelopment rate through the 12" outlet pipe. As the Bioretention practice is for water quality only, how is the water quantity being handled? Clarification is still required regarding which practice is proposed to be used for treating water quantity.

See above responses and new stormwater management design.

e. Provide ponding depths in addition to elevations for 1, 10 and 100 year storm events on the Bioretention Detail. As the Bioretention practice is for water quality only, how is the water quantity being handled? The response provided by the applicant is acknowledged. However, according to the Stormwater Design Manual, bioretention practices are used for water quality treatment and not quantity (bioretention is listed for water quality treatment under Table 3.3 of the Stormwater Design Manual).

See above responses and new stormwater management design.

7. For the proposed eastern swale and off-site conveyance, the applicant should provide a detailed survey of the swale from the stormwater practice discharge to the Route 20 ditch, develop a profile and sections showing depths of flow at the design storm events and verify the amount of reshaping that is necessary. The applicant will need to obtain a permanent easement of adequate width for the length of the off-site drainage swale through the neighboring properties and extending to the Route 20 ROW so that they can perform the necessary reshaping and future maintenance of the stormwater discharge from the site.
Please see the new stormwater management design enclosed. An easement is not necessary due to riparian rights and the new design.

8. Please correct stone trench to stone "berm" on page three of the Drainage Narrative since the stone berm is being removed and replaced with the bioretention practice. Please clarify if it is incorrect.
Revised.

9. The post drainage conditions exhibit mentions that in subcatchment 1C there is a flow of 0.2 CFS and 0.22 CFS for the 10 and 100-year storm events which are directed to design point 2. However, the drainage narrative suggests that all flow generated from a 10 year and 100-year storm event would flow to design point 1. Please clarify.
Please see revised drainage narrative regarding new stormwater management design.

10. The post drainage conditions exhibit lists the 1-year CFS for 1B as 2.33 while the in-text table lists it as 2.53. Please clarify.
See revised table.

11. Please correct "1B- U.D" to "1C- U.D" in the table for design point 2 in the drainage narrative
See revised table.

12. The area mentioned on the post drainage conditions exhibit for subcatchment 1B is 2.9 acres when the area for the same subcatchment for post development conditions in the HydroCAD model is calculated to be 2.75 acres. Please confirm which is correct and accordingly modify.
See revised drainage map – 2.75 acres is the correct acreage, which was modeled in HydroCAD.

13. Please clarify why the runoff generated for pre and post conditions for subcatchment 3A and 3B are the same considering the surface is changing from gravel (CN = 0.91) to pavement (CN = 0.98). Additionally, please provide the HydroCAD model sheets for subcatchment 3A and 3B.

Please see enclosed SWPPP for HydroCAD model sheets. The reason the runoff generated did not change is because the difference in CN values is very small that it does not change the weighted CN value of 0.80 for subcatchment 3B. Subcatchment 3A does not change from pre to post as there is no change in impervious in this subcatchment area.

Architectural Plans- Please note that previous comments, Architectural plans # 1 been satisfied.

Enclosed are the following;

1. Twelve (12) copies of this Letter dated July 17, 2023.
2. Twelve (12) copies of the updated site plans Rev. 3 dated July 17, 2023.
3. Twelve (12) copies of the revised LEAF.
4. Three (3) copies of the Stormwater Pollution Prevention Plan (revised 7/17/23).
5. One (1) copy of NYSDEC SPDES Permit no 0122891 receipt.
6. One (1) copy of page 2 of Donald Zee, PC letter dated May 14, 2021.

Should you require anything else or have any questions, please do not hesitate to contact me.

Very truly yours,
ABD ENGINEERS & SURVEYORS, LLP

Joseph J. Bianchine, P.E.
Partner

JJB;clv
CC: (via email)
Spiro Kagag w/ encl.
Don Zee w/ encl.
Doug Cole w/ encl.
Theresa Bakner w/ encl.
5461A-07172023

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: Ultimate Wishy Wash		
Project Location (describe, and attach a general location map): 9938 Western Turnpike, Duanesburg, NY 12056		
Brief Description of Proposed Action (include purpose or need): Construction of a crusher run for staging area of trucks waiting to be washed. Construction of a 986 SF Truck Wash Bay. Installation of a movable Food service van for take out only. Associated grading, drainage for Stormwater Management.		
Name of Applicant/Sponsor: Ultimate Wishy Wash (Spiro Kagas)	Telephone: 518-701-4870 E-Mail: wishywashcarandtruckcentre@yahoo.com	
Address: 889 Esperance Road		
City/PO: Esperance	State: NY	Zip Code: 12066
Project Contact (if not same as sponsor; give name and title/role): Spiro Kagas / Joseph J. Blanchine, P.E.	Telephone: 518-701-4870 / 518-377-0315 E-Mail: joe@abdeng.com	
Address: 889 Esperance Rd / 411 Union Street		
City/PO: Esperance / Schenectady	State: NY	Zip Code: 12066 / 12305
Property Owner (if not same as sponsor): SAME	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	**If Yes: Identify Agency and Approval(s) Required**	**Application Date (Actual or projected)**
a. City Counsel, Town Board, or Village Board of Trustees ☐Yes☑No		
b. City, Town or Village Planning Board or Commission ☑Yes☐No	Town Planning Site Plan	May 13, 2022
c. City, Town or Village Zoning Board of Appeals ☐Yes☑No		
d. Other local agencies ☐Yes☑No		
e. County agencies ☑Yes☐No	Referral	By Town
f. Regional agencies ☐Yes☑No		
g. State agencies ☑Yes☐No	Stormwater, SWPPP	To Be Submitted
h. Federal agencies ☐Yes☑No		

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes☑No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐Yes☑No

- **If Yes**, complete sections C, F and G.
- **If No**, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑Yes☐No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☑Yes☐No

If Yes, identify the plan(s):

NYS Heritage Areas:Mohawk Valley Heritage Corridor

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes☑No

If Yes, identify the plan(s):

C.3. Zoning

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

b. Is the use permitted or allowed by a special or conditional use permit? ☑ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☑ No
If Yes,
i. What is the proposed new zoning for the site?

C.4. Existing community services.

a. In what school district is the project site located? DUANESBURG CENTRAL SCHOOL DISTRICT

b. What police or other public protection forces serve the project site?
SCHENECTADY COUNTY SHERIFF AND NEW YORK STATE POLICE

c. Which fire protection and emergency medical services serve the project site?
DUANESBURG VOLUNTEER FIRE DISTRICT AND DUANESBURG VOLUNTEER AMBULANCE CORPS

d. What parks serve the project site?
VAN PATTEN MILL PARK, ROBERT B. SHAFER MEMORIAL 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

b. a. Total acreage of the site of the proposed action? 4.75 acres
b. Total acreage to be physically disturbed? 1.2 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 4.75 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)? % 55% Units: 1 wash bay

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

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

f. Does the project include new residential uses? ☐ Yes ☑ No

If Yes, show numbers of units proposed.

	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 1 addition

ii. Dimensions (in feet) of largest proposed structure: 26' 6"± height; 80± width; and 33± length

iii. Approximate extent of building space to be heated or cooled: 0 square feet

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

If Yes,

i. Purpose of the impoundment: Stormwater Management

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

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

iv. Approximate size of the proposed impoundment. Volume: 0.05± million gallons; surface area: 0.13± acres

v. Dimensions of the proposed dam or impounding structure: 2' height; 230' length

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

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?

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards):
- Over what duration of time?

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No

If yes, describe.

v. What is the total area to be dredged or excavated? acres

vi. What is the maximum area to be worked at any one time? acres

vii. What would be the maximum depth of excavation or dredging? feet

viii. Will the excavation require blasting? ☐ Yes ☐ No

ix. Summarize site reclamation goals and plan:

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☑ No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description):

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

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

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

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

v. Describe any proposed reclamation/mitigation following disturbance:

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

i. Total anticipated water usage/demand per day: 400 gallons/day

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

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

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

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

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

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

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

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: 5± gallons/minute.

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

i. Total anticipated liquid waste generation per day: ~~400~~ 200-600 gpd 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):
Wash water

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

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

- Do existing sewer lines serve the project site? ☐Yes ☐No
- Will a line extension within an existing district be necessary to serve the project? ☐Yes ☐No

  If Yes:
  - Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes ☑No

If Yes:
- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

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

Wash water will be recycled and any waste will be discharged after passing through 3 settling tanks to an unclassified pond

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

Wash water will be recycled and any wastewater will be discharged after passing through 3 settling tanks to an unclassified pond

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

If Yes:

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

_____ Square feet or 1.0 acres (impervious surface)

_____ Square feet or 4.76 acres (parcel size)

ii. Describe types of new point sources. Surface runoff from crusher run to bioretention stormwater management area.

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

On site bioretention area stormwater management with flow reduction to pre-development levels to onsite ditch and overflow to adjacent property per pre-development flow conditions.

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

  Underdrain
- Will stormwater runoff flow to adjacent properties? after treatment and flow reduction ☑Yes ☐No

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

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

If Yes, identify:

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

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

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

g. Will any air emission sources named in D,2,f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes ☑No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes ☐No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____ Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____ Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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

If Yes:

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

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

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

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

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

If Yes:

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

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

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

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

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

vi. Are public/private transportation service(s) or facilities available within ½ 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: _____
40,000 KW

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

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: 8 am - 6 pm
- Saturday: 8 am - 4 pm
- Sunday: N/A
- Holidays: N/A

ii. During Operations:

- Monday - Friday: 24 hours
- Saturday: 24 hours
- Sunday: 24 hours
- Holidays: 24 hours

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:

Wash bay addition construction noises. 7 am to 7 pm Monday to Saturday for about 3 months.

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

Describe: _____

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

If yes:

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

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

Describe: _____

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

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

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

If Yes:

i. Product(s) to be stored _____

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

iii. Generally, describe the proposed storage facilities: _____

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

If Yes:

i. Describe proposed treatment(s):

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

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

If Yes:

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

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

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

- Construction: _____
- Operation: _____

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

- Construction: _____
- Operation: _____

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

☐ Urban ☐ Industrial ☑ Commercial ☑ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	1.69± AC	1.78± AC	+ 0.11± AC
• Forested	1.36± AC	1.36± AC	0 AC
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	N/A	N/A	N/A
• Agricultural (includes active orchards, field, greenhouse etc.)	N/A	N/A	N/A
• Surface water features (lakes, ponds, streams, rivers, etc.)	PONDS 0.79± AC	0.79± AC	0 AC
• Wetlands (freshwater or tidal)	N/A	N/A	N/A
• Non-vegetated (bare rock, earth or fill)	N/A	N/A	N/A
• Other Describe: LAWN & BIORETENTION AREA	0.71± AC	0.82± AC	+ 0.11± AC

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☑ No

i. If Yes: explain: _____

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

If Yes,

i. Identify Facilities:

_____

_____

e. Does the project site contain an existing dam? ☐ Yes ☑ No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

_____

_____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Has the facility been formally closed? ☐ Yes ☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

_____

_____

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

_____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

_____

_____

h. Potential contamination history: Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☑ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No

☐ Yes – Spills Incidents database — Provide DEC ID number(s): _____

☐ Yes – Environmental Site Remediation database — Provide DEC ID number(s): _____

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

_____

_____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☑ No

If yes, provide DEC ID number(s): _____

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

_____

_____

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

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

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? over 10 feet

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

c. Predominant soil type(s) present on project site: BURDETT-SCRIBA CHANNERY 100 %
_____ %
_____ %

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

e. Drainage status of project site soils: ☐ Well Drained: ____ % of site
☐ Moderately Well Drained: ____ % of site
☑ Poorly Drained 100 % of site

f. Approximate proportion of proposed action site with slopes: ☑ 0-10%: 100 % of site
☐ 10-15%: ____ % 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 _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, Federal Waters Approximate Size _____
- Wetland No. (if regulated by DEC) _____

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

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

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

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

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

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

i. Name of aquifer: _____

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

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: _____

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

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

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

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

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

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

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

If Yes:

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

ii. Name: _____

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: _____

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

F. Additional Information

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

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

G. Verification

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

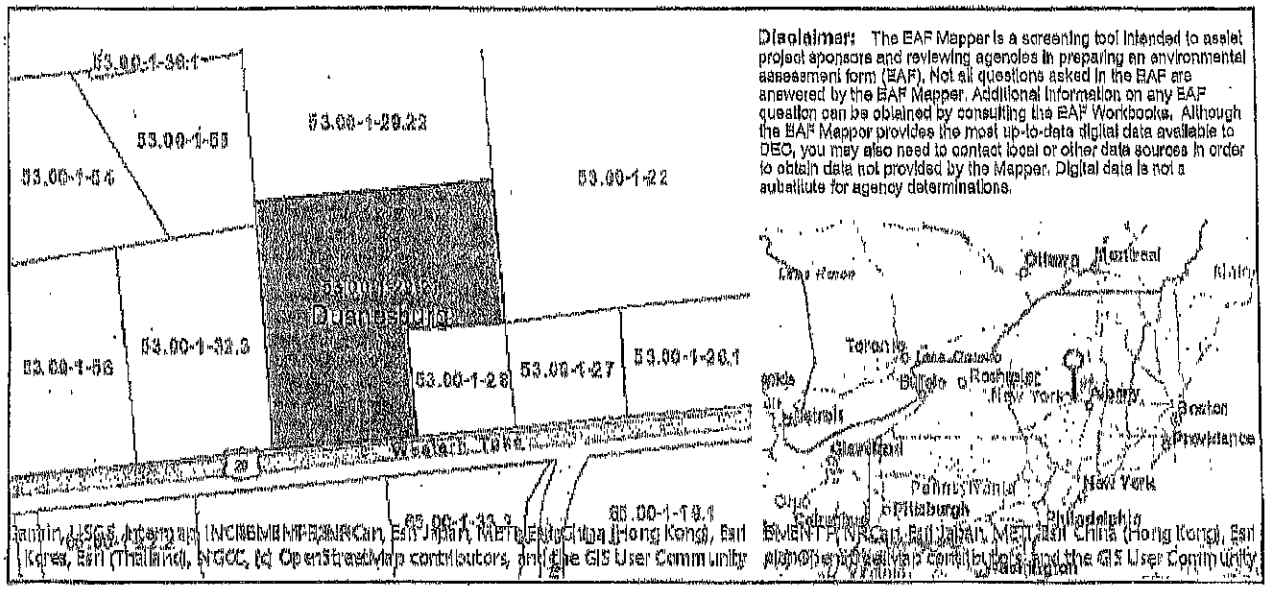
Applicant/Sponsor Name Joseph J. Blanchine, P.E. Date October 7, 2022 Revised: May 16, 2023

Signature _____ Title Partner

PRINT FORM

EAF Mapper Summary Report

Wednesday, August 17, 2022 2:50 PM



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas:Mohawk Valley Heritage Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes Pond
E.2.h.ii [Surface Water Features]	Yes / Not on site, nearby
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters / Not on site, nearby
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No

E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Northern Long-eared Bat
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Water, Region 4
1130 North Westcott Road, Schenectady, New York, 12306-2014
Phone: (518) 357-2045
www.dec.ny.gov

7/17/2023

VIA ELECTRONIC MAIL
WishyWashCarAndTruckCentre@yahoo.com

Spiro L. Kagas
Owner, **Ultimate Wishy Wash Car & Truck Centre**
889 Esperance Road
Esperance, NY 12066

Re: Ultimate Wishy Wash Car & Truck Centre
Ultimate Wishy Wash Car & Truck Centre, NY0122891
SPDES Permit Notice of Incomplete Application & Request for Information:
Emerging Contaminant Monitoring and Reporting
Response due: October 1, 2023

Dear Spiro Kagas:

In December 2020, NYSDEC sent a letter informing you that a full SPDES permit application was required to review and renew your SPDES permit because of planned capital improvement projects at your facility. In a letter dated July 7, 2021, NYSDEC acknowledged receipt of your application to renew the above referenced Industrial SPDES – Groundwater Discharge permit. In the July 2021 letter, NYSDEC also informed you that your permit was extended under the State Administrative Procedures Act (SAPA), allowing your current permit to continue in effect beyond the expiration date of 03/31/2022.

NYSDEC received your application on March 16, 2022, and sent a letter, dated April 15, 2022, noting the application was incomplete. Below is a list of comments on the application received along with a list of additional information that is needed in order for the application to be deemed complete. Please remember, in accordance with 6 NYCRR 750-2.10, the final permit must be issued before approval of any design documents can occur and before construction can begin.

For any sampling required, as described below, please submit a sampling plan to NYSDEC for review and approval by August 1, 2023, and before any samples are collected.

Specific comments on the permit application received March 16, 2022:

1. Topographic map (Part 1, Item 7.1) is needed
2. Part 1, Item 9.2: you report that 500 mgd are used from the intake pond. Is this number correct? If not, please submit a corrected application with the correct flow.
3. Part 2, Item 3.1: does the rinse cycle really use 300 mgd? How are solids disposed?

4. Part 2, Item 6: clarify response in table – what triggered this project?
5. Part 2, Item 7.3 was left blank
6. Part 2, Items 7.9-7.14 were checked "No" but you must review the lists of pollutants that are "believed absent" or "believed present" and sample for those "believed present." You must also sample for the parameter required in the April 15, 2022, letter (#9 below).
7. Is the reclamation flow diagram representative of the current system or the planned expansion?

Additional items required:

8. The sampling results reported in the application were collected from the pond; however, sampling the pond is not representative of the discharge from the treatment system discharge. Effluent samples must be taken from within the final settling tank, prior to discharge to the pond. The sampling location will be updated in the upcoming permit modification, as well.
9. Sampling must also include all parameters in Tables A – C as requested in the NYSDEC letter dated April 15, 2022.
10. Flow diagram of the current system that includes the discharge pond and describes the treatment processes in place.
11. Flow diagram of the proposed expansion.
12. Any additional information available about the planned expansion, such as increase in flow, preliminary design, etc.

An electronic fillable version of all the NY-2C application form can be found here: https://www.dec.ny.gov/permits/6304.html

Please submit the sampling plan by **August 1, 2023**, and all requested items electronically to SPDESApp@dec.ny.gov by **October 1, 2023.** DEC would like to make sure you're aware that the upcoming permit will also include Perfluorooctanoic acid (PFOA), Perfluorooctane sulfonic acid (PFOS), and 1,4-Dioxane (1,4-D) requirements in accordance with the implementation of Technical and Operational Guidance Series (TOGS) 1.3.13 which recently became effective.

As discussed on Friday, June 23, 2023, during a meeting with you and your engineer at the NYSDEC Region 4 Headquarters in Schenectady, any reuse of the sediment in the pond will need to be reviewed, and if necessary approved, by Division of Materials Management staff.

As was also discussed at a second meeting at NYSDEC Region 4 Headquarters on Thursday, June 29, 2023, with both the Town of Duanesburg and DEC staff, if you chose to update your car wash system to a closed loop system and discontinue discharge, you will need to follow the closure requirements for disposal systems at 6 NYCRR Part 750-2.11,

which would allow you to terminate your SPDES permit and negate the need to submit a SPDES Application or conduct any additional sampling related to the SPDES permit.

If you have any questions regarding this letter, please contact Catherine Winters, at 518-357-2044 or Catherine.Winters@dec.ny.gov.

Sincerely,

John Weidman, P.E.
Regional Water Engineer, Region 4

ec: Joseph Bianchine, ABD Engineers (Joe@abdeng.com, john@abdeng.com)
NYSDEC, Permit Writer (Catherine.Winters@dec.ny.gov)
NYSDEC Region 4, Regional Permit Administrator (Kate.Kornak@dec.ny.gov)
NYSDEC Division of Environmental Permits (Michael.Schaefer@dec.ny.gov)

PART 750. STATE POLLUTANT DISCHARGE ELIMINATION SYSTEM (SPDES) PERMITS

SUBPART 750-2. OPERATING IN ACCORDANCE WITH A SPDES PERMIT AND POSS REGISTRATION

6 NYCRR 750-2.11 Closure requirements for disposal systems.
(a) This section applies to any and all disposal systems permanently removed from use or operation at SPDES permitted facilities or at facilities for which a SPDES permit has been revoked or an application for renewal denied, unless a judicial or administrative stay is in effect. The intent of this section is to protect public safety and health and to assure that no contamination of ground or surface water will occur as a result of removing such systems from service either through the act of closure or through continuing the discharge of pollutants into or through equipment; or through leaking, leaching, or discharge of pollutants from wastewater or residuals remaining in disposal systems which has been removed from use but remains on site.

(b) The *closure of a disposal system* means either the termination of the source of wastewater or storm water, or the permitted conveyance of wastewater or storm water to an alternate location (such as a regional facility) in such a manner that no further treatment storage or conveyance of wastewater or storm water is performed by the system.

(c) Disposal system closures shall conform with the following procedures:
(1) On or before 60 calendar days prior to taking the system out of service a permittee shall:
(i) submit to the regional water engineer the following information concerning closure activities:
(a) the date the system will cease operation;
(b) the date the influent and effluent pipes will be sealed;
(c) plans (signed and sealed by a New York State licensed professional engineer) for final disposition of the physical facilities, including all treatment units, outfall line, and all mechanical and electrical equipment and piping;
(d) plans (signed and sealed by a New York State licensed professional engineer) for elimination of all equipment and/or conditions that could possibly pose a safety hazard, either during or after shut-down of operations;
(e) verification that there are no lines in the collection system which are cross connected (receiving both sanitary and storm water) or which do not contain adequate conveyance capacity;
(f) the name of the licensed individual responsible for the maintenance and operation of the wastewater pumping station and/or disposal system systems that are still to be maintained; and
(ii) notify the regional water engineer, in writing, concerning any deactivated lagoons or other actual or potential discharges to ground water which may exist at the site.
(2) Proper management and/or removal of all residual materials (collected grit and screenings, scums, sand bed material, and dried or liquid sludges), as well as filter media, and all other solids from the treatment process that may remain in the abandoned treatment works is required.

(i) The permittee shall submit to the regional water engineer proof of ownership of or contractual arrangement with an operation or operations permitted to manage all such waste materials. A contract with a hauler will only be accepted as proof of proper waste management if documentation of management at an approved site or sites is included. In addition, all necessary State or Federal permits/approvals must accompany the submission.

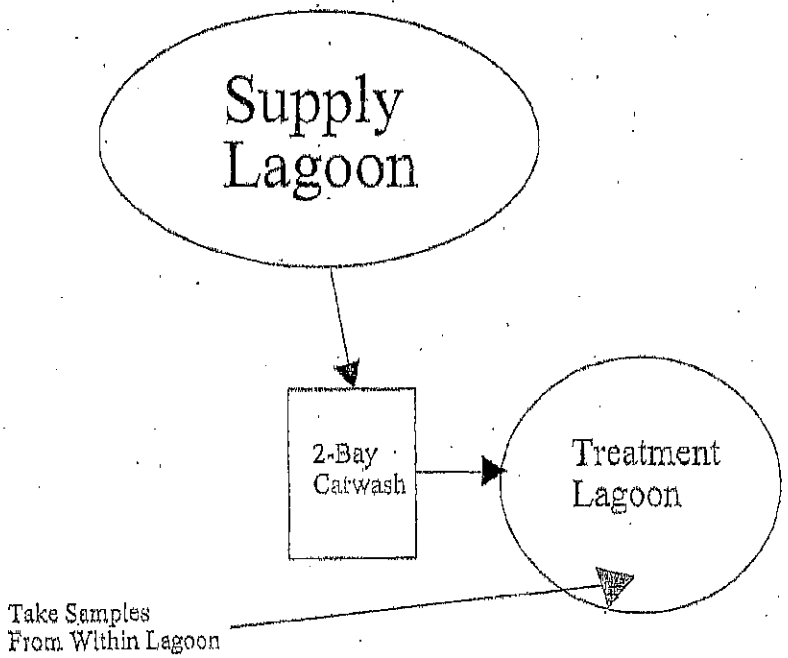
(ii) All residual material shall be removed within 180 calendar days after the system is taken out of service. Proof of proper residuals management shall be submitted to the regional water engineer within 30 calendar days after their removal. The dates of removal and quantities removed shall be specified.

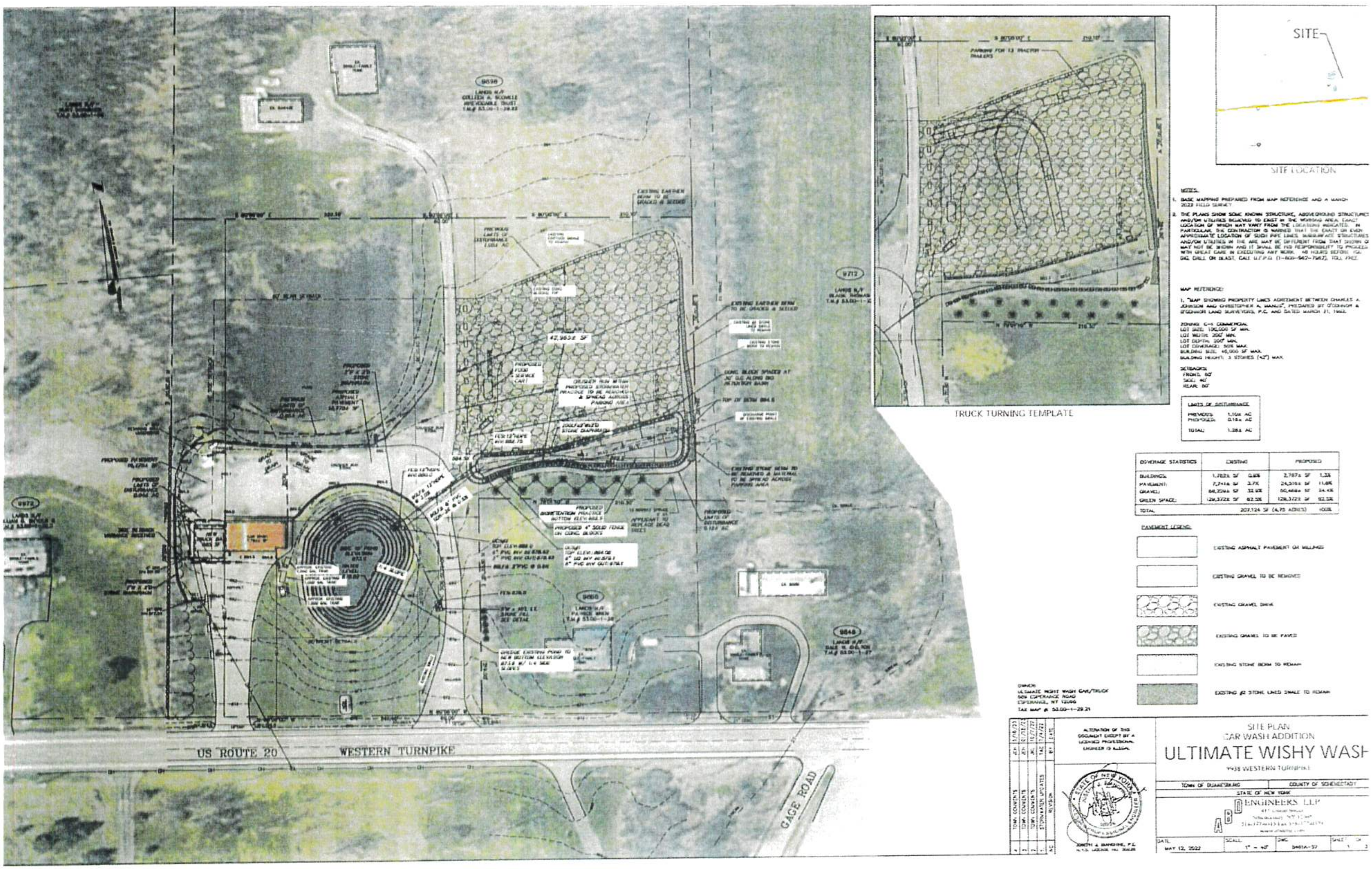
(d) Upon satisfaction of closure requirements specified in subdivision (c) of this section, the regional water engineer shall be contacted, in writing, to schedule a final site inspection of any disposal system which had a SPDES discharge permit to verify that influent and effluent pipes have been sealed and that all solid and residual materials related to the treatment process have been removed.

MONITORING LOCATIONS

The permittee shall take samples and measurements, to comply with the monitoring requirements specified in this permit, at the location(s) specified below:

Flow Schematic




SITE
SITE LOCATION
NOTES:
1. BASE MAPPING PREPARED FROM MAP REFERENCE AND A MARCH 2022 FIELD SURVEY.
MAP REFERENCE:
ZONING: C-1 COMMERCIAL
LOT SIZE: 100,000 SF MIN.
LOT WIDTH: 200' MIN.
LOT DEPTH: 200' MIN.
LOT COVERAGE: 50% MAX.
BUILDING SIZE: 40,000 SF MAX.
BUILDING HEIGHT: 3 STORIES (42') MAX.
SETBACKS:
FRONT: 60'
SIDE: 40'
REAR: 60'
LIMITS OF DISTURBANCE
PREVIOUS: 1.10± AC
PROPOSED: 0.18± AC
TOTAL: 1.28± AC
COVERAGE STATISTICS | EXISTING | PROPOSED
BUILDINGS: 1,702± SF 0.8% | 2,787± SF 1.3%
PAVEMENT: 7,741± SF 3.7% | 24,510± SF 11.8%
GRAVEL: 68,259± SF 32.9% | 50,468± SF 24.4%
GREEN SPACE: 129,372± SF 62.5% | 129,372± SF 62.5%
TOTAL 207,124 SF (4.75 ACRES) 100%
PAVEMENT LEGEND:
EXISTING ASPHALT PAVEMENT OR MILLINGS
EXISTING GRAVEL TO BE REMOVED
EXISTING GRAVEL DRIVE
EXISTING GRAVEL TO BE PAVED
EXISTING STONE BERM TO REMAIN
EXISTING #2 STONE LINED SWALE TO REMAIN
TRUCK TURNING TEMPLATE
US ROUTE 20
WESTERN TURNPIKE
GAGE ROAD
ALTERATION OF THIS DOCUMENT EXCEPT BY A LICENSED PROFESSIONAL ENGINEER IS ILLEGAL.
SITE PLAN
CAR WASH ADDITION
ULTIMATE WISHY WASH
9938 WESTERN TURNPIKE
TOWN OF DUANESBURG
COUNTY OF SCHENECTADY
STATE OF NEW YORK
ABD ENGINEERS LLP
DATE MAY 12, 2022
SCALE 1" = 40'
SHEET 1 OF 2

PARTNERS
JOSEPH J. BIANCHINE, P.E.
LUIGI A. PALLESCHI, P.E.
ROBERT D. DAVIS, JR., P.L.S.

ABD ENGINEERS SURVEYORS
411 Union St Schenectady, N.Y. 12305
518-377-0315 Fax.518-377-0379
www.abdeng.com

ORIGINAL

DEDICATED
RESPONSIVE
PROFESSIONAL

May 16, 2023

Re: Wishy Wash
9938 Western Turnpike
Town of Duanesburg
Project # 5461A

Jeffery Schmitt, Chairperson, Planning Board
5853 Western Turnpike
Duanesburg, NY 12056

Dear Mr. Schmitt,

As you know ABD Engineers & Surveyors did not request this public hearing, it was scheduled by the Planning Board without representation by the client. At the time we were in the process of obtaining further clarification from NYSDOT and NYSDEC regarding the project. Now, in an effort to satisfy the Planning Board's concern over stormwater discharge to the existing drainage swale at located at the southeast corner of the applicants parcel we are proposing an alternative that will send all runoff from the parking area to the existing pond adjacent to the Wishy Wash facility. Runoff from the hill to the north of the site will continue to be diverted from the parking lot via the existing swale and discharge to the Blaise parcel and eventually to the stream that runs under NYS Route 20, as it always has. However, all runoff from the crushed stone parking lot will be treated within the proposed bioretention and overflow from the 10 & 100-year storm events will be conveyed to the existing modified pond. The applicant is proposing to lower the pond by approximately 4-feet. This will allow for more than adequate storage for the 100-year storm event. An outlet control structure will be installed in the pond using a 2" pvc outlet that will release runoff from the 100-year storm event at a very slow rate of 0.12 cfs down the west end of the Wishy Wash access road. We feel this option should alleviate the Town's concern regarding drainage to the east. Please see below for our response to Prime AE comments.

In response to the new comments (*in italics*), (previous comments unaltered font) of Doug Cole of Prime AE of April 12, 2023, we respond as follows (**in bold**):

FEAF - Please note that previous comments, FEAF # 1, 2, 3 & 4, have been satisfied.

5. The Applicant has provided an answer to question D.2.d.v. that was previously left blank, however, we ask them to clarify whether the treatment process currently in place for the wash water has capacity for the extra 400 gpd proposed for this expansion. The Applicant provided a response in their letter that states that the system "has the capacity to treat up to 3,000 gallons per day, which is more than the expected total water usage of 400-gpd for the car/truck wash. The additional flow was previously stated to be 400 gpd, so the applicant should state the new total expected water use for comparison with the system capacity of 3,000 gpd. A copy of the SPDES permit for this discharge should also be provided. A revised FEAF with this information should be provided for review and confirmation the response has been added.

Max 50% increase, or 200gpd to 600gpd per SPDES permit ID no. 0122891, see attached permit receipt.

6. The Applicant has provided an answer to question D.2.d.vi. that was previously left blank, however, we ask them to clarify whether the treatment process currently in place for the wash water has capacity for the extra 400 gpd proposed for this expansion. See comment 5 above.

This is a DEC issue and if needed a 4th tank will be added.

9. Question D.2.j. is answered that the proposed action will NOT result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services. However, since the project is adding a wash bay, truck queuing area and food vender truck, it appears that there would be an increase in use of the facility, which should be quantified for the record. The applicant should provide data on existing use of the facility, so that the stated increase of "about 20-30 vehicles per day" can be verified as a "minimal" increase as indicated.

See attached page two of Donald Zee, PC's letter to the Planning Board from May 14, 2021.

Site Plan- Please note that previous comments, Site Plan # 1, 2, 3, 5, 6 & 7, have been satisfied.

2. The proposed bioretention practice shows a 6" underdrain pipe to daylight discharging to the south of the facility onto lands of the applicant and a 12" HDPE outlet pipe and emergency spillway from the facility are shown exiting to the east onto lands of Thomas into an existing drainage swale which then flows through lands of Chilton prior to joining a stream that flows under NYS Route 20 near Gage Road. We have learned that a similar gravel parking area project was reviewed and approved by the Planning Board last year with a different stormwater design that kept all stormwater discharges on site, however, the design was not constructed as approved and the Town Permit was rescinded. In the December 15, 2021 letter to Dale Warner from Brett Steenburgh, P.E. regarding neighbor property flooding due to prior work performed on the gravel parking area, we located a statement attributed to Jamie Malcolm, NYSDEC Region 4 which said he "suggested that they maintain the existing drainage pattern and drain the pad to the southeast corner and not try to create the swale towards the car wash driveway and down US Route 20 ... as it may cause problems within the highway drainage system and inundate the existing culverts under the driveways of Wren and Chilton." We have not verified this statement with Mr. Malcolm, however, it is in keeping with NYSDEC requirements that the project design must ensure that there is no increase in runoff from a new development project and that there are no adverse effects downstream of the project. We understand that a bioretention practice has been designed to mitigate the offsite impacts of this project, however, since there are own issues with the current drainage pattern, we ask that the applicant provide additional information why the original plan to keep discharges on site are not practical if proper stormwater management practices are put into place to mitigate effects on the Route 20 drainage system and neighboring driveway culverts. Please also refer to our further comments on the stormwater design in the Drainage Narrative section of this letter. We have read the response to this comment in the 10/7/22 response letter from ABD, which did not answer the question above. Additionally, there are still concerns as noted below:

See revised stormwater plan. We are proposing to lower the existing pond by about 4-feet. By doing so, more than adequate storage will be provided for the 100-yr storm event. An outlet control structure is proposed with a 2-inch PVC discharge to slowly release the 100-year storm at slow flow rate of 0.12 cfs.

2b. Review of the Stormwater Design Manual (SWDM) shows that Bioretention is an acceptable practice for water quality treatment but is not to be used for water quantity control. An appropriate quantity control practice needs to be included for this project. Please refer to comment 5.e under SWPPP section.

The existing pond will be used for quantity control. Please see the new stormwater management design.

2c. The anticipated water quantity control practice could be situated at the southwest corner of the gravel parking area. The stormwater design point would be changed to the culvert under Route 20 and the applicant/owner would have full control over the stormwater management system up to the point it empties into the ditch at Western Turnpike. The applicant responded that the "quantity control will be handled via a dry detention basin", however, we see no such structure on the site plan.
See response to comment 2b above.

4. The Site Plan shows that the proposed additional bay is encroaching more than 20 feet into the 40-foot side lot setback, however, the Applicant has indicated they have a setback variance. Please provide a copy of the approved variance. We acknowledge that the Applicant has made the request for a copy of the approved variance from the Town, however, we have not been provided this document for review to date.
To date we have not received a copy of the variance.

8. The plans appear to be missing the required grass filter strip between the stone diaphragm and Bioretention practice for pretreatment of direct runoff from the parking lot. The Stormwater Design Manual section referenced for Design Guidance of filtering systems in the applicants response states that "Adequate pretreatment for bioretention systems should incorporate all of the following: (2) grass filter strip below a level spreader or grass channel. (b) gravel diaphragm and (c) a mulch layer." ('Adequate' and 'all' are underlined for emphasis). The grass filter strip will catch fines and keep the stone diaphragm from clogging and becoming ineffective.
Not required. "Should" is defined in the manual as meaning a recommendation. Also, the detail from the manual you provided in your letter shows the stone diaphragm upstream from the grass filter strip, therefore, having no benefit on the stone diaphragm.

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

10. Please label the proposed stone swale along the eastern edge of the parking lot on the site plan.
The existing stone swale is labeled on the enclosed plans. There is no proposed stone swale on the plans.

11. Please indicate the swale which the 6" underdrain feeds into on the site plan.
The swale is defined by the existing contours shown.

SWPPP- Please note that previous comments, SWPPP # 1, & 3 through 10, have been satisfied.

2. The "Project Description" section should include a mention of which type of construction project is being proposed (i.e., which table does the project fall under in Appendix B of the NYSDEC SPDES General Permit). Applicant needs to mention "this project requires the preparation of a SWPPP which includes post-construction stormwater management practices". We agree that commercial projects fall under Table 2 of Appendix B and thereby requires both Sediment and Erosion Control practices as well as Post-Construction Stormwater practices. The applicant still needs to include the following in the Project Description: "this project requires the preparation of a SWPPP which includes postconstruction stormwater management practices"
This is now noted in the SWPPP, but doesn't providing a SWPPP with postconstruction stormwater management practices listed in the provided SWPPP make it clear that a SWPPP is required? Seems a bit redundant.

Drainage Narrative & Stormwater Calculations (Appendix E of the SWPPP) Please
Please note that previous comments, Drainage Narrative # 1, 2, 3, 4 & 6, have been satisfied.

5. The following points need to be incorporated for the bioretention practice:

a. A flow regulator/flow splitter is needed as per the NYS SWDM to divert the Water Quality Volume (WQv)to the filtering practice and allow larger flows to bypass the practice. As the Bioretention practice is for water quality only, a regulator or flow splitter is required to direct flow to the water quantity control practice. The draft 2022 SWDM does not appear to require a flow splitter if the practice is designed with the proper pretreatment features.
As stated in my last letter, a flow splitter is not required when conveying stormwater via sheet flow to the bioretention area, it is only required when conveying stormwater via closed pipe system. The new design now provides 12" pipe is set at the peak elevation of the WQv, therefore, releasing larger storms from the bioretention area.

b. The bioretention practice requires pretreatment as specified in the Stormwater Design Manual. What is the pretreatment practice proposed ahead of the bioretention area? The applicant has added a pre-treatment stone trench, however, a grass buffer is also required. The stone diaphragm volume calculations should also be provided for review. Please refer to comment no. 8 under "Site Plan".
Please refer to my response to your comment no. 8.

d. Provide the details of the bioretention outlet structure that will be used to release flows below the predevelopment rate through the 12" outlet pipe. As the Bioretention practice is for water quality only, how is the water quantity being handled? Clarification is still required regarding which practice is proposed to be used for treating water quantity.
See above responses and new stormwater management design.

e. Provide ponding depths in addition to elevations for 1, 10 and 100 year storm events on the Bioretention Detail. As the Bioretention practice is for water quality only, how is the water quantity being handled? The response provided by the applicant is acknowledged. However, according to the Stormwater Design Manual, bioretention practices are used for water quality treatment and not quantity (bioretention is listed for water quality treatment under Table 3.3 of the Stormwater Design Manual).
See above responses and new stormwater management design.

7. For the proposed eastern swale and off-site conveyance, the applicant should provide a detailed survey of the swale from the stormwater practice discharge to the Route 20 ditch, develop a profile and sections showing depths of flow at the design storm events and verify the amount of reshaping that is necessary. The applicant will need to obtain a permanent easement of adequate width for the length of the off-site drainage swale through the neighboring properties and extending to the Route 20 ROW so that they can perform the necessary reshaping and future maintenance of the stormwater discharge from the site.
Please see the new stormwater management design enclosed. An easement is not necessary due to riparian rights and the new design.

8. Please correct stone trench to stone "berm" on page three of the Drainage Narrative since the stone berm is being removed and replaced with the bioretention practice. Please clarify if it is incorrect.
Revised.

9. The post drainage conditions exhibit mentions that in subcatchment 1C there is a flow of 0.2 CFS and 0.22 CFS for the 10 and 100-year storm events which are directed to design point 2. However, the drainage narrative suggests that all flow generated from a 10 year and 100-year storm event would flow to design point 1. Please clarify.
Please see revised drainage narrative regarding new stormwater management design.

10. The post drainage conditions exhibit lists the 1-year CFS for 1B as 2.33 while the in-text table lists it as 2.53. Please clarify.
See revised table.

11. Please correct "1B- U.D" to "1C- U.D" in the table for design point 2 in the drainage narrative
See revised table.

12. The area mentioned on the post drainage conditions exhibit for subcatchment 1B is 2.9 acres when the area for the same subcatchment for post development conditions in the HydroCAD model is calculated to be 2.75 acres. Please confirm which is correct and accordingly modify.
See revised drainage map – 2.75 acres is the correct acreage, which was modeled in HydroCAD.

13. Please clarify why the runoff generated for pre and post conditions for subcatchment 3A and 3B are the same considering the surface is changing from gravel (CN = 0.91) to pavement (CN = 0.98). Additionally, please provide the HydroCAD model sheets for subcatchment 3A and 3B.
Please see enclosed SWPPP for HydroCAD model sheets. The reason the runoff generated did not change is because the difference in CN values are very small that it does not change the weighted CN value of 0.80 for subcatchment 3B. Subcatchment 3A does not change from pre to post as there is no change in impervious in this subcatchment area.

Architectural Plans- Please note that previous comments, Architectural plans # 1 been satisfied.

Enclosed are the following;

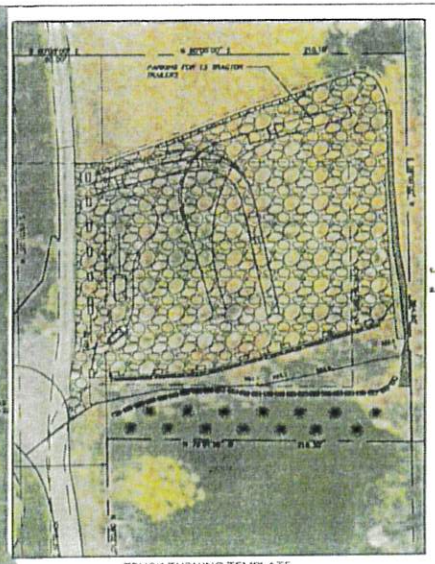
1. Twelve (12) copies of this Letter dated May 16, 2023.
2. Twelve (12) copies of the updated site plans Rev. 3 dated May 16, 2023.
3. Twelve (12) copies of the revised LEAF.
4. Three (3) copies of the Stormwater Pollution Prevention Plan (revised 5/15/23).
5. One (1) copy of NYSDEC SPDES Permit no 0122891 receipt.
6. One (1) copy of page 2 of Donald Zee, PC letter dated May 14, 2021.

Should you require anything else or have any questions, please do not hesitate to contact me. We would greatly appreciate being scheduled to present this to the Planning Board at the May 18th Public Hearing. Please advise me as to the required fee.

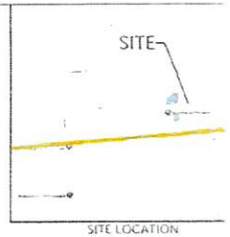
Very truly yours,
ABD ENGINEERS, LLP

Joseph J. Blanchine, P.E.
Partner

JJB;olv
CC: (via email)
Spiro Kagag w/ encl.
Don Zee w/ encl.
Doug Cole w/ encl.
Theresa Bakner w/ encl.
5461A-05162023



TRUCK TURNING TEMPLATE



SITE LOCATION

NOTES:

1. BASE MAPPING PREPARED FROM MAP REFERENCE AND A MARCH 2022 FIELD SURVEY.
2. THE PLANS SHOW SOME KNOWN STRUCTURE, ABOVEGROUND STRUCTURES AND/OR UTILITIES BELIEVED TO EXIST IN THE WORKING AREA. EXACT LOCATION OF WHICH MAY VARY FROM THE LOCATIONS INDICATED. IN PARTICULAR, THE CONTRACTOR IS WARNED THAT THE EXACT OR EVEN APPROXIMATE LOCATION OF BURIED PIPE LINES, SUBSURFACE STRUCTURES AND/OR UTILITIES IN THE AREA MAY BE DIFFERENT FROM THAT SHOWN OR MAY NOT BE SHOWN AND IT SHALL BE HIS RESPONSIBILITY TO PROCEED WITH GREAT CARE IN EXECUTING ANY WORK. AT HOLES BEFORE YOU DIG, DRILL OR BLAST, CALL U.F.P.O. (1-800-962-7962), TOLL FREE.

MAP REFERENCE:

1. "MAP SHOWING PROPERTY LINES AGREEMENT BETWEEN CHARLES A. JOHNSON AND CHRISTOPHER A. WARNER", PREPARED BY O'CONNOR & O'CONNOR LAND SURVEYORS, P.C. AND DATED MARCH 21, 1992.

ZONING: C-1 COMMERCIAL
LOT SIZE: 100,000 SF MIN
LOT WIDTH: 200' MIN
LOT DEPTH: 200' MIN
LOT COVERAGE: 50% MAX
BUILDING SIZE: 40,000 SF MAX
BUILDING HEIGHT: 3 STORIES (42') MAX

SETBACKS:
FRONT: 50'
SIDE: 40'
REAR: 50'

LIMITS OF DISTURBANCE	
PREVIOUS:	1.10± AC
PROPOSED:	0.18± AC
TOTAL:	1.28± AC

COVERAGE STATISTICS	EXISTING		PROPOSED	
BUILDINGS:	1,982± SF	0.8%	2,797± SF	1.2%
PAVEMENT:	7,741± SF	3.2%	24,516± SF	11.8%
GRAVEL:	46,226± SF	22.5%	40,486± SF	19.4%
GREEN SPACE:	128,372± SF	62.5%	128,372± SF	62.5%
TOTAL:	207,324 SF (4.75 ACRES)			100%

PAVEMENT LEGEND:

- EXISTING ASPHALT PAVEMENT OR MILLINGS
- EXISTING GRAVEL TO BE REMOVED
- EXISTING GRAVEL DRIVE
- EXISTING GRAVEL TO BE PAVED
- EXISTING STONE BERM TO REMAIN
- EXISTING #2 STONE LINED SWALE TO REMAIN

OWNER:
ULTIMATE WISHY WASH CAR/TRUCK
5966 ESPERANCE ROAD
ESPERANCE, NY 12066

TAX MAP # 52.00-1-29.21

REVISION	BY	DATE
TOWN COMMENTS	JCH	9/13/22
TOWN COMMENTS	JCH	9/26/22
TOWN COMMENTS	JC	10/27/22
STORMWATER UPDATES	TAG	1/4/23

ALTERATION OF THIS DOCUMENT EXCEPT BY A LICENSED PROFESSIONAL ENGINEER IS ILLEGAL.

JOSEPH J. BIANCHINI, P.E.
N.Y.S. LICENSE NO. 59024

SITE PLAN
CAR WASH ADDITION

ULTIMATE WISHY WASH

9118 WESTERN TURNPIKE

TOWN OF DUANESBURG | COUNTY OF SCHENECTADY
STATE OF NEW YORK

ABD ENGINEERS, LLP
411 Union Street
Schenectady, NY 12305
518.377.0115 Fax 518.377.0175
www.abdeng.com

DATE	SCALE	DWG	SHEET	OF
MAY 12, 2022	1" = 40'	3481A-S7	1	2

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

April 12, 2023

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

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

Dear Mr. Schmitt :

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

FEAF

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

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

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

Site Plan

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

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

a. There needs to be test pit data that shows the proposed bottom of the Bioretention practice will be at least 2 feet above the high groundwater table. There is a note on the detail for the practice about using a poly-liner if the separation cannot be met, but this should be known at this point in the process. ***The applicant has stated that groundwater is expected 18" below the surface and that is why a poly-liner has been selected. We accept this response.***

b. Review of the Stormwater Design Manual (SWDM) shows that Bioretention is an acceptable practice for water quality treatment but is not to be used for water quantity control. An appropriate quantity control practice needs to be included for this project. ***Please refer to comment 5.e under SWPPP section.***

c. The anticipated water quantity control practice could be situated at the southwest corner of the gravel parking area. The stormwater design point would be changed to the culvert under Route 20 and the applicant/owner would have full control over the stormwater management system up to the point it empties into the ditch at Western Turnpike. ***The applicant responded that the "quantity control will be handled via a dry detention basin", however, we see no such structure on the site plan.***

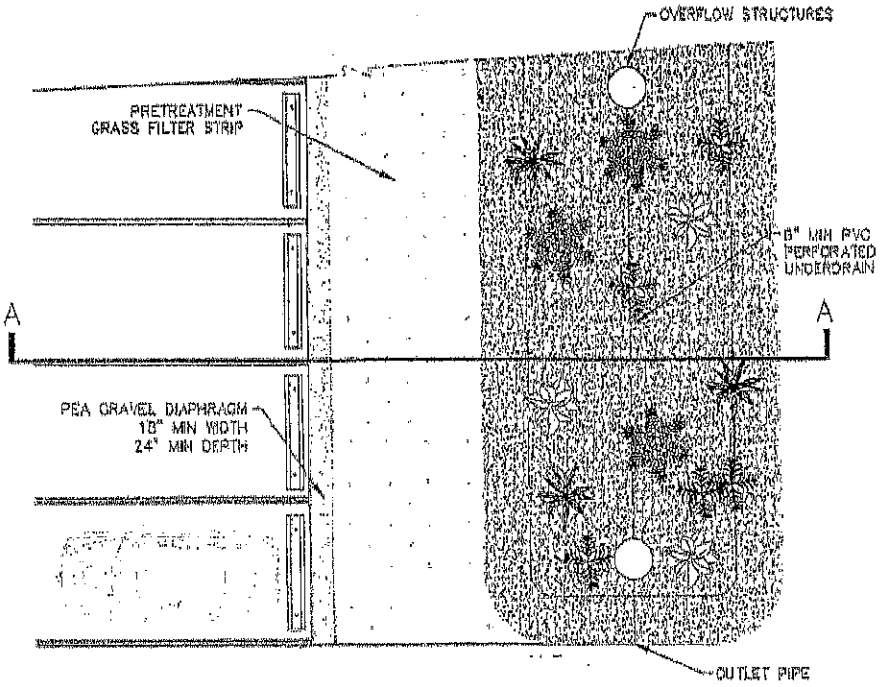
3. ~~We ask the Applicant to verify if the white pines shown on the Site Plan Sheet 1/3 are already present on the site (as seen on recent aerial imagery of the site) as screening to the lands adjacent to the proposed project, owned by Patrick Wren and note as existing on the plan.~~ *The Applicant has indicated that 2, possibly 3 of the 14 Norway Spruce planted on the project site have died. The plans now include a note to remove dead trees and plant new ones. No further comments.*
4. ~~The Site Plan shows that the proposed additional bay is encroaching more than 20 feet into the 40-feet side lot setback, however, the Applicant has indicated they have a setback variance. Please provide a copy of the approved variance.~~ ***We acknowledge that the Applicant has made the request for a copy of the approved variance from the Town, however, we have not been provided this document for review to date.***
5. ~~The Site Plan does not provide the total floor area of the proposed new truck bay are required in the Town Zoning Ordinance. We ask that this be added to the plan as well as the floor area of the existing facility.~~ *The Applicant has identified the total square footage of the proposed new truck bay as 985' SF on the Site Plan. No further comments.*
6. ~~On the Site Details Sheet 3/3, the cross section shows a proposed 4-foot solid fence on 2-foot concrete blocks, screened by white pines. This appears to meet the Town Zoning Ordinance maximum fence height of 6 feet. We ask the Applicant to provide the design and materials for the solid fence to confirm that it is compatible with the general surroundings.~~ *The Applicant has provided details on the proposed fence. We find that the proposed fence meets the Town Zoning Ordinance maximum fence height of 6 feet and the stockade style fencing is compatible with the general surroundings.*
7. ~~We ask the Applicant to verify that no new signage is proposed as part of the action. If additional signage is proposed, we ask that the location, size, design and construction materials of all proposed~~

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

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

Filtration Bioretention (F-5)

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



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

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

SWPPP

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

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

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

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

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

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

6. The following points need to be incorporated for the proposed new diversion swale in north:
   a. ~~Provide a construction detail and section of proposed swale~~. *The applicant has addressed the comment stating that the existing swales will be reshaped for this project. No further comments.*
   b. ~~Provide a detail to show that the proposed swale can safely convey 10 year storm event and still maintain 6" freeboard.~~ *The applicant has addressed the comment. No further comments.*
   c. ~~Need to include maintenance of swales in the body of the SWPPP.~~ *The applicant has addressed the comments with a new detail in the plan sheets. No further comments.*
   d. ~~Need to provide description of the design of the swale in the body of the SWPPP. The response letter mentions that it was added. Please direct us to the exact location the design criteria of the diversion swale were added to the Drainage Narrative~~. *The applicant has answered our comment. No further comments.*

7. ***For the proposed eastern swale and off-site conveyance, the applicant should provide a detailed survey of the swale from the stormwater practice discharge to the Route 20 ditch, develop a profile and sections showing depths of flow at the design storm events and verify the amount of reshaping that is necessary. The applicant will need to obtain a permanent easement of adequate width for the length of the off-site drainage swale through the neighboring properties and extending to the Route 20 ROW so that they can perform the necessary reshaping and future maintenance of the stormwater discharge from the site.***
8. ***Please correct stone trench to stone "berm" on page three of the Drainage Narrative since the stone berm is being removed and replaced with the bioretention practice. Please clarify if it is incorrect.***
9. ***The post drainage conditions exhibit mentions that in subcatchment 1C there is a flow of 0.2 CFS and 0.22 CFS for the 10 and 100-year storm events which are directed to design point 2. However, the drainage narrative suggests that all flow generated from a 10 year and 100-year storm event would flow to design point 1. Please clarify.***
10. ***The post drainage conditions exhibit lists the 1-year CFS for 1B as 2.33 while the in-text table lists it as 2.53. Please clarify.***
11. ***Please correct "1B- U.D" to "1C- U.D" in the table for design point 2 in the drainage narrative***
12. ***The area mentioned on the post drainage conditions exhibit for subcatchment 1B is 2.9 acres when the area for the same subcatchment for post development conditions in the HydroCAD model is calculated to be 2.75 acres. Please confirm which is correct and accordingly modify.***
13. ***Please clarify why the runoff generated for pre and post conditions for subcatchment 3A and 3B are the same considering the surface is changing from gravel (CN = 0.91) to pavement (CN = 0.98). Additionally, please provide the HydroCAD model sheets for subcatchment 3A and 3B.***

<u>Architectural Plans</u>

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

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

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

Douglas P. Cole

Douglas P. Cole, PE
Senior Director of Engineering

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

PARTNERS
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LUIGI A. PALLESCHI, P.E.
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DEDICATED
RESPONSIVE
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January 18, 2023

Re: Wishy Wash
9938 Western Turnpike
Town of Duanesburg
Project # 5461A

Town of Duanesburg
Planning Board Chairman Jeffery Schmitt &
Planning Board Members
5853 Western Turnpike
Duanesburg, NY 12056

As requested, ABD Engineers, LLP has reviewed and analyzed the impacts of redirecting stormwater discharges to the west, down the Wishy Wash driveway and then to the east in the NYSDOT ditch to the NYSDOT culvert under Route 20. The enclosed exhibit shows the westerly 29± acre drainage area to the ditch on the north side of Route 20. The flow from this ditch must flow through the two 18-inch culverts under the Wishy Wash Driveways then through a 24 inch CMP to a catch basin on the west side of the driveway for 9866 Route 20, Lands of Patrick Wren and then exits the catch basin east through a 24-inch concrete pipe to the drainage course flowing to the NYSDOT culvert under Route 20. The expected flows to this ditch at the easterly culvert under the Wishy Wash driveway are 1 year 9.89± CFS, 10 year 26.91± CFS, and 100 year 60.37± CFS. The existing culvert and the downstream driveway culvert/pipe have an expected capacity of about 4 CFs or enough for not even a 1-year storm event without surcharging the pipe and ditch. Therefore, we cannot direct any more flow to the NYSDOT ditch on the north side of Route 20.

I have also reviewed the plan prepared by Brett Steenburgh, P.E. and his drainage report (copy attached). Neither of these indicated to me that he stated the stormwater discharge could be directed to the Wishy Wash driveway. His plan and his report show the discharge going in a similar fashion as we are proposing.

We have shown the bioretention practice underdrain to day light to the easterly ditch along the Wishy Wash driveway. This discharge is approximately equal to the predevelopment flow that would cross the driveway of the Wren property overland to the northerly Route 20 ditch. Therefore, we are not adding to the expected flow of the northerly Route 20 ditch, and we are redirecting the flow to the Wren property which should help dry up their land.

We have also reevaluated our stormwater design and verified that we are not increasing the 1,10-, & 100-year predevelopment flow rates to the discharge point and to the existing drainage course along the Thomas property and at the rear of the Chilton property.

As previously stated, the ditch on the Chilton property needs to be cleared of vegetation so that there is a proper swale to the existing small stream flowing to the NYSDOT Route 20 culvert. My client has previously offered to assist in the clearing work.

In summary, discharging all stormwater to the west and down the Wishy Wash easterly driveway ditch is not practical nor desirable and will lead to increased flooding on NYS Route 20. Draining (not dumping) the stormwater discharge to the east per pre-development condition and as designed will not increase the 1,10, & 100-year flows in that direction, with adding a bioretention system with an underdrain system is the only practical solution to stormwater discharge.

In response to the comments (*in italics*) of Doug Cole of Prime AE of October 19, 2022, we respond as follows (**in bold**):

FEAF

1. *The Applicant has removed the word 'temporary' from the project description and clarified the word was meant in reference to the temporary waiting of the trucks and not the crusher run. No further comments.*
   No response required.

2. *The applicant has provided the general nature of the proposed action, satisfying our comment.*
   No response required.

3. *The applicant has provided the number of units for the proposed expansion as one wash bay. No further comments.*
   No response required.

4. *The applicant has addressed the comment by stating that the well produces 5 +/- gpm. No further comments.*
   No response required.

5. *The applicant has provided an answer to question D.2.d.v that was previously left blank, however, we ask them to clarify whether the treatment process currently in place for the washwater has capacity for the extra 400 gpd proposed for the expansion.*
   The treatment system for the existing car / truck wash has three 1,000-gallon tanks in series and has the capacity to treat up to 3,000 gallons per day, which is more than the expected total water usage of 400-gpd for the car / truck wash.

6. *The applicant has provided an answer to question D.2.d.v.i that was previously left blank, however, we ask them to clarify whether the treatment process currently in place for the washwater has capacity for the extra 400 gpd proposed for the expansion.*
   See response no. 5 above.

7. *The applicant has addressed the comment. No further comments.*
   No response required.

8. *The Applicant has revised their answer to reflect that there will be construction noise above the current ambient levels from 7am-7pm Monday to Saturday for approximately three months. No further comments.*
   No response required.

9. *Question D.2.j. is answered that the proposed action will NOT result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services. However, since the project is adding a wash bay, truck queuing area and food vender truck, it appears that there would be an increase in use of the facility, which should be quantified for the record.*
   There will be an minimal increase in the use of the facility in the amount of about 20-30 vehicles per day.

Site Plan:

1. *The applicant has provided Erosion and Sediment Control Plan on Sheet 2 of 3 in the plan set. No further comments.*
   No response required.

2. *The proposed bioretention practice shows a 6" underdrain pipe to daylight discharging to the south of the facility onto lands of the applicant and a 12" HDPE outlet pipe and emergency spillway from the facility are shown exiting to the east onto lands of Thomas into an existing drainage swale which then flows through lands of Chilton prior to joining a stream that flows under NYS Route 20 near Gage Road. We have learned that a similar gravel parking area project was reviewed and approved by the Planning Board last year with a different stormwater design that kept all stormwater discharges on site, however, the design was not constructed as approved and the Town Permit was rescinded. In the December 15, 2021 letter to Dale Warner from Brett Steenburgh, P.E. regarding neighbor property flooding due to prior work performed on the gravel parking area, we located a statement attributed to Jamie Malcolm, NYSDEC Region 4 which said he "suggested that they maintain the existing drainage pattern and drain the pad to the southeast corner and not try to create the swale towards the car wash driveway and down US Route 20 ... as it may cause problems within the highway drainage system and inundate the existing culverts under the driveways of Wren and Chilton." We have not verified this statement with Mr. Malcolm, however, it is in keeping with NYSDEC requirements that the project design must ensure that there is no increase in runoff from a new development project and that there are no adverse effects downstream of the project. We understand that a bioretention practice has been designed to mitigate the offsite impacts of this project, however, since there are known issues with the current drainage pattern, we ask the applicant to provide additional information why the original plan to keep discharges on site are not practical if proper stormwater management practices are put into place to mitigate effects on the Route 20 drainage system and neighboring driveway culverts. Please also refer to our further comments on the stormwater design in the Drainage Narrative section of this letter. We have read the response to this comment in the 10/7/22 response letter from ABD, which did not answer the question above. Additionally, there are still concerns as noted below:*

    a. *There needs to be test pit data that shows the proposed bottom of the Bioretention practice will be at least 2 feet above the high groundwater table. There is a note on the detail for the practice about using a poly-liner if the separation cannot be met, but this should be known at this point in the process.*
    A poly-liner is proposed as indicated on the enclosed plans. We know ground water to be approximately 18" from the surface.

b. *Review of the Stormwater Design Manual (SWDM) shows that Bioretention is an acceptable practice for water quality treatment but is not to be used for water quantity control. An appropriate quantity control practice needs to be included for this project.*

Section 6.4.2 of the NYSDEC Stormwater Manual requires that flows conveyed to the filtering practice via storm drain system be provided with a flow splitter diversion structure. However, the proposed design conveys runoff to the bioretention via sheet flow. The bioretention system, as proposed, is designed to treat the 1-year storm (WQv), allowing it to pond to an elevation of 882.72, approximately 3" above the bioretention basin bottom (elevation 882.5). A 6" culvert is proposed at an elevation 882.75, slightly above the 1-year storm peak elevation. This will allow the 10 and 100-year storm events to slowly discharge, at a rate less than preexisting conditions, to the existing swale along the Thomas property. Attached for your review is section 6.4.2 and figure K-5: On-line versus Off-line Schematic of the NYSDEC Stormwater Manual.

c. *The anticipated water quantity control practice could be situated at the southwest corner of the gravel parking area, which would put the discharge point back to the prior approved location. The stormwater design point would be changed to the culvert under Route 20 and the applicant/owner would have full control over the stormwater management system up to the point it empties into the ditch at Western Turnpike.*

As stated above, quantity control will be handled via a dry detention basin, which will slowly discharge the 10 & 100-year flows, at a rate less than preexisting conditions, to the existing drainage swale that runs along the Thomas property. This is the natural drainage course of the property, and the design will not adversely affect the existing swale. The drainage swale along Route 20 handles a large drainage area and is known to have issues in and around the Wishy Wash site and Wren property. Additionally, it has been stated many times that the drainage swale along the Thomas property needs to be cleaned of debris, sediment and overgrown vegetation, which the applicant has stated he would assist with doing. Nevertheless, the proposed stormwater design complies with the requirements of NYSDEC stormwater manual.

3. *The Applicant has indicated that 2, possibly 3 of the 14 Norway Spruce planted on the project site have died. Any trees which have died need to be replanted/replaced.*

It is noted on the enclosed plans to have any dead trees removed and replaced.

4. *We acknowledge that the Applicant has made the request for a copy of the approved variance from the Town and will provide review and comment once received.*
No response required.

5. *The applicant has identified the total square footage of the proposed new truck bas as 985' SF on the site plan. No further comments.*
No response required.

6. *The Applicant has provided details on the proposed fence. We find that the proposed fence meets the Town Zoning Ordinance maximum fence height of 6 feet and the stockade style fencing is compatible with the general surroundings.*
No response required.

7. *The Applicant has verified that no new signage is proposed. If any new signage is proposed on this project, the details must be submitted for review prior to final Application approval.*
No response required.

8. *The plans appear to be missing the required grass filter strip between the tone diaphragm and bioretention practice for pretreatment of direct runoff from the parking lot.*
Section 6.4.3 of the NYSDEC Stormwater manual only recommends the use of a grass filter strip along with other pretreatment measure as "design guidance", the manual does NOT require it. The stone trench diaphragm is adequately sized to handle the required pretreatment. Attached for your review is section 6.4.3 of the NYSDEC Stormwater Manual.

9. The Drainage Narrative in Appendix E of the SWPPP, page 3, states that "Two new trenches are proposed along the edge of pavement that will collect stormwater from the asphalt surface. There is a negligible difference in runoff volume generated from the existing impervious crusher run stone and proposed impervious asphalt." The plans show a 12" pipe outlet from the stone trench without any treatment practices associated with this concentrated flow. The plans and SWPPP should be revised to include the proper stormwater treatment for a redevelopment project in this area of the site.
The 12" pipe is existing, the construction of the stone trench will end just before the outlet of the pipe. The applicant's proposal to pave the existing hard packed gravel drive and constructing the building addition will not add additional impervious surfaces to the site and does not constitute as redevelopment.

SWPPP:

1. *The applicant has addressed the comment.*
   No response required.

2. *We agree that commercial projects fall under Table 2 of Appendix B and thereby requires both Sediment and Erosion Control practices as well as Post-Construction Stormwater practices.*
   No response required.

3. *The applicant has advised that the pipe will be 'destroyed' by the new construction. The Drainage Narrative mentions that the existing three (3) drain tiles under the parking lot "were terminated in order to prevent future runoff to the Wren property." The location of this termination should be shown on the plans and the end of the pipes confirmed to be sealed in the field.*
   The applicant and his contractor cut and capped the tile drains during construction. ABD is not aware of the exact location of the termination of the drains. However, they will be dug up and capped further back as part of the construction of the bioretention area.

4. *The surface area of the adjacent parking lot which will be overlaid with asphalt needs to be stated in the "Project Description" section. The applicant needs to mention the surface area of the parking lot which will be overlaid with asphalt. (16,776 SQ. FT. has not been incorporated).*
   This has been added to the project description section of the SWPPP.

5. *The applicant has addressed the comments. No further comments.*
   No response required.

6. *The applicant has addressed the comment stating that the recycling tanks are pumped out every 2 to 4 months, as needed. No further comments.*
   No response required.

7. *We acknowledge your response in the letter; However, the information was not included in the SWPPP under Section 6.0*
   Please see section 6.1of the SWPPP.

8. *The applicant has addressed the comment by stating that it will be a visual inspection to determine sediment depth. No further comments.*
   No response required.

9. *The applicant has addressed all subpoints. No further comments.*
   No response required.

10. *The applicant needs to revise the response to Q.43 of the NOI to reflect that the project is not subject to MS4 requirements.*
    The question has been revised.

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

1. *The applicant has addressed the comment by stating bioretention (F-5) for WQv treatment. No further comments.*
   No response required.

2. *The applicant has addressed the comment. No further comments.*
   No response required.

3. *The applicant has addressed the comments and included the respective details for outlet protection of the existing ditch. No further comments.*
   No response required.

4. *The applicant has addressed the comment. No further comments.*
   No response required.

5. *The* following points need to be incorporated for the bioretention practice:

   a. A flow regulator/flow splitter is needed as per the NYS SWDM to divert the Water Quality Volume (WQv)to the filtering practice and allow larger flows to bypass the practice. As the Bioretention practice is for water quality only, a regulator or flow splitter is required to direct flow to the water quantity control practice.
   As state above, this is not require for sheet flow conveyance, only closed system drain pipe conveyance. Please refer to my response to your comment number 2.b under the site plan section above.

b. The bioretention practice requires pretreatment as specified in the Stormwater Design Manual. What is the pretreatment practice proposed ahead of the bioretention area? The applicant has added a pre-treatment stone trench, however, a grass buffer is also required. The stone diaphragm volume calculations should also be provided for review.
As stated above this is only a recommendation NOT a requirement. Please refer to my response to your comment number 2.c under the site plane section above.

c. The bioretention worksheet is provided in Appendix E.
No response required.

d. As the bioretention practice is for water quality only, how is the water quantity being handled?
Addressed above, no response required.

e. As the bioretention *practice is for water quality only, how is the water quantity being handled?*
As designed the existing truck / trailer food service cart area will drain via sheet flow to a pea stone gravel diaphragm just above the bioretention / detention area. The pea stone diaphragm provides "first flush" treatment of the stormwater runoff. The bioretention provides further treatment for the 1-year storm. The 10 and 100-year storm events are stored in the bioretention area start discharging to the Thomas property after the 1-year after the 1-year storm event and continue to discharge to the Thomas property at a rate less than the predeveloped flow rates. The storage volume over the 1-year flow will occur within the bioretention and will provide extra treatment for the 10 and 100-year storm events. It also further reduces the flow to the Thomas property.

6. *The following points need to be incorporated for the proposed new diversion swale in the north"*

a. *The applicant has addressed the comment stating that the existing swales will be reshaped for this project. No further comments.*
No response required.

b. *The applicant has addressed the comment. No further comments.*
No response required.

c. *The applicant has addressed the comment with a new detail in the plan sheets. No further comments.*
No response required.

7. *Need to provide description of the design of the swale in the body of the SWPPP. The response letter mentions that it was added. Please direct us to the exact location the design criteria of the diversion swale were added to the Drainage Narrative.*
A description of the swale can be found in the summary section of the Drainage narrative.

Architectural Plans:

1. *The Applicant has provided plans and elevations that show the total height of the proposed new wash bay is 23 feet, 6 inches. The total height is below the Town Zoning Ordinance maximum building height of 42 feet in zone C-1 Commercial. Question D.1.g has been amended in the revised FEAF reflecting this change.*
No response required.

Enclosed are:

1. Twelve (12) copies of this Letter dated 1/18/23.
2. Twelve (12) copies Pre-Drainage Conditions Exhibit.
3. Twelve (12) copies of Brett Steenburgh's Drainage Report dated December 15, 2023
4. Twelve (12) copies of Brett Steenburgh's design Amended Site Plan Ultimate Wish Wash Car / Truck.
5. Twelve (12) copies of the updated site plans Rev. 3 dated 1/18/23
6. Three (3) copies of the Stormwater Pollution Prevention Plan (revised 1/18/2023).
7. Three (3) copies of Section 6.4.2, 6.4.3, & Appendix K-5: On-line Versus Off-line schematic, of the NYSDEC Stormwater Manual.

Electronic copies of the above will be forwarded to Melissa Deffer.

Should you have any questions or need anything further, please do not hesitate to contact me.

Very truly yours,
ABD ENGINEERS, LLP.

Joseph J. Bianchine, P.E.
Partner

We would be pleased to present this information again to the Planning Board at your next meeting.

CC: Spiro Kagag w/encl.
Don Zee w/encl.
Doug Cole w/encl.

5461A-01182023

Brett L. Steenburgh, P.E., PLLC
2832 Rosendale Road
Niskayuna, NY 12309
(518) 365-0675

December 15, 2021

Town of Duanesburg
Building Department
5853 Western Turnpike
Duanesburg, NY 12056

Re: The Ultimate Wishy Wash

Attn: Dale Warner

Dear Dale:

This has been notified that there have been several concerns regarding the construction of the truck parking area adjacent to The Ultimate Wishy Wash car wash. On Monday December 13, 2021 we performed a field inspection of the construction with the owner and contractor to discuss the issues raised as well as field changes that occurred. The following is a summary of these issues and discussions:

- During clearing and grubbing three drain tiles running north to south through the parcel were discovered. The drain tiles discharged at the adjoining property line with lands of Wren. These drain tiles were terminated to prevent future runoff to the adjoin property. The termination now drains into the drainage swale around the pad. It is our understanding that you inspected the site with Spiro and the contractor when the drain tiles were located.

- It was determined upon clearing that he existing grade at the southeast corner of the pad was significantly lower than the grade at the southwest corner and the natural flow of drainage flows northwest to southeast across the meadow.

- Jamie Malcolm, P.E. from the New York State Department of Environmental Conservation visited the site after receiving complaints from the neighbors. I was told that Mr. Malcolm suggested that they maintain the existing drainage pattern and drain the pad to the southeast corner and not try to create the swale towards the car wash driveway and down to US Route 20. He stated that it may cause problems within the highway drainage system and inundate the existing culverts under the driveways of Wren and Chilton. He also requested that the diversion ditch around the parking area be filled with crushed stone to prevent erosion.

Our inspection revealed that the crusher run parking area has been graded to pitch to the southeast corner as suggested above. While we do not have an issue with this construction we will need to verify that we are not discharging stormwater at a rate greater than the existing rate to this location. We reviewed the discharge location to verify that there is a defined drainage channel off the site. Currently there is an existing swale that runs north to south along the Wishy Wash / Thomas common property line. This swale turns east at the common property corner of Wishy Wash, Thomas, Wren and Chilton and parallels the rear of the Chilton property line to the existing stream channel. The preliminary walk of the channel revealed that there is adequate capacity and pitch to convey the stormwater to the existing stream channel and under US Route 20. However, there are a few areas where lawn debris should to be removed from the swale to assure maximum flow.

The owner will need to provide attenuation on the existing crusher run pad to assure that the rate of runoff to this swale does not exceed the pre-development rate of runoff. While we do not have this design modification at this time we have instructed the contractor to install a stone berm along the southeast corner of the parking area to attenuate the runoff until the design can be finalized. The berm will be 18" high and not compacted to allow the stormwater to slowly weep off the pad.

The other outstanding item that we identified during our visit was the lack of a gate to prevent overnight parking as requested by the planning board. The owner has indicated that the gate has been ordered is on backorder due to issues with the supply chain but it will be installed as soon as it is received.

I will continue to work to prepare the stormwater attenuation plan for the parking area. Once we have completed that design we will forward it to you for review prior to implementation. However it is our opinion that the actions the owner is currently taking at our request will prevent any downstream impacts.

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

Sincerely
Brett L. Steenburgh, P.E.

STATE OF NEW YORK

BRETT L. STEENBURGH

075458

LICENSED PROFESSIONAL ENGINEER

6.4.1 Feasibility

Design Guidance

- Most stormwater filters require four to six feet of head, depending on site configuration and land area available. The perimeter sand filter (F-3), however, can be designed to function with as little as 18" to 24" of head.
- The recommended maximum contributing area to an individual stormwater filtering system is usually less than 10 acres. In some situations, larger areas may be acceptable.
- Sand and organic filtering systems are generally applied to land uses with a high percentage of impervious surfaces. Sites with imperviousness less than 75% will require full sedimentation pretreatment techniques.

6.4.2 Conveyance

Required Elements

- If runoff is delivered by a storm drain pipe or is along the main conveyance system, the filtering practice shall be designed off-line (see Appendix K).
- An overflow shall be provided within the practice to pass a percentage of the WQ_v to a stabilized water course. In addition, overflow for the ten-year storm shall be provided to a non-erosive outlet point (i.e., prevent downstream slope erosion).
- A flow regulator (or flow splitter diversion structure) shall be supplied to divert the WQ_v to the filtering practice, and allow larger flows to bypass the practice.
- Stormwater filters shall be equipped with a minimum 4" perforated pipe underdrain (6" is preferred) in a gravel layer. A permeable filter fabric shall be placed between the gravel layer and the filter media.
- Require a minimum 2' separation between the filter bottom and groundwater.

6.4.3 Pretreatment

Required Elements

- Dry or wet pretreatment shall be provided prior to filter media equivalent to at least 25% of the computed WQ_v. The typical method is a sedimentation basin that has a length to width ratio of 1.5:1. The Camp-Hazen equation is used to compute the required surface area for sand and organic filters requiring full sedimentation for pretreatment (WSDE, 1992) as follows:
- The required sedimentation basin area is computed using the following equation:

$$A_s = -1 * \left(\frac{Q_0}{W}\right) \ln(1 - E)$$

Where:

A_s = Sedimentation basin surface area (ft^2)
E = sediment trap efficiency (use 90%)
W = particle settling velocity (ft/sec)
use 0.0004 ft/sec for imperviousness (I) ≤75%
use 0.0033 ft/sec for I > 75%
Qo = Discharge rate from basin = (WQ_v/24 hr/3600s)
WQv = Water Quality Volume (cf)

This equation reduces to:

As = (0.066) (WQv) ft2 for I ≤75%
A_s = (0.0081) (WQ_v) ft^2 for I > 75%

Design Guidance

- Adequate pretreatment for bioretention systems should incorporate all of the following: (a) grass filter strip below a level spreader or grass channel, (b) gravel diaphragm and (c) a mulch layer.
- The grass filter strip should be sized using the guidelines in Table 6.2.

Table 6.2 Guidelines for Filter Strip Pretreatment Sizing

Parameter	Impervious Parking Lots				Residential Lawns			
Maximum Inflow Approach Length (ft.)	35		75		75		150	
Filter Strip Slope	≤2%	≥2%	≤2%	≥2%	≤2%	≥2%	≤2%	≥2%
Filter Strip Minimum Length	10'	15'	20'	25'	10'	12'	15'	18'

- The grass channel should be sized using the following procedure:

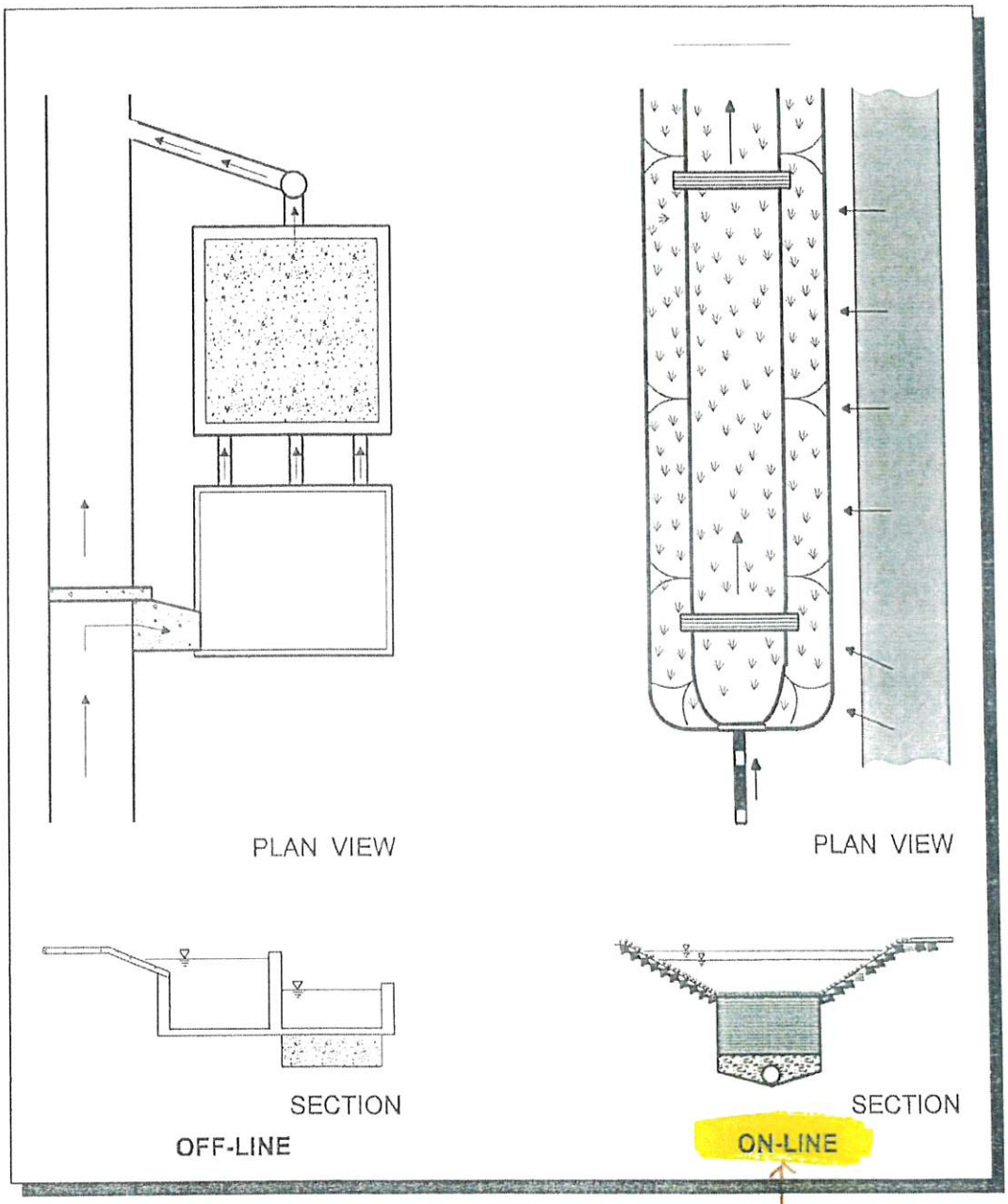
1- Determine the channel length needed to treat the WQ_v, using sizing techniques described in the Grass Channel Fact Sheet (Chapter 5).

2- Determine the volume directed to the channel for pretreatment

3- Determine the channel length by multiplying the length determined in step 1 above by the ratio of the volume in step 2 to the WQ_v.

6.4.4 Treatment

Figure K.5 On-Line Versus Off-Line Schematic



System being proposed

APPLICATION FOR THE PLANNING BOARD
TOWN OF DUANESBURG
Revised 04/12/2017

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

ORIGINAL

CHECKLIST OF REQUIRED INFORMATION:

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

Additional Requirements for Special Use Application:

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

23-21

Date 10/5/2023

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

Proposal: Construction of a 2880 SF +/- Barn to include occupied living space. Special Use permit for second residence on same property until point when existing single family home is demolished. Section _____ of _____ Ordinance.

Present Owner: Michael Walpole (AS APPEARS ON DEED!!)
Address: 796 Mill Point Rd Delanson, NY Zip code: 12053
Phone # (required) 518-365-9181

Applicants Name (if different): _____ Phone# (required) _____
Location of Property (if different from owners) _____
Tax Map # 32.00-1-3 Zoning District R-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 herby 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.

_____ Date 10/5/23
Signature of Owner(S) and/or Applicant(S)

ALL APPLICATION FEES ARE NON-REFUNDABLE!

****

(For office use only)

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

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

Planning Commission Comments: _____

_____ _____ _____ _____
Planning Chairperson Date Code Enforcement Date

TOWN OF DUANESBURG

Application# 23-21

Agricultural Data Statement

Date: 10/5/23

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: Michael Walpole Address: 796 Mill Point Rd. Delanson, NY 12053	Name:

1. Type of Application: Special Use Permit; Site Plan Approval; Use Variance; Area Variance; Subdivision Approval (circle one or more)
2. Description of proposed project:
   Construction of a 2880 SF +/- Barn to include occupied living space
   Special use permit application for second residence on same propert
   until point at which existing residence will eventually be demolished
3. Location of project: Address: 796 Mill Point Rd. Delanson, NY 12053
   Tax Map Number (TMP) 32.00-1-3
4. Is this parcel within an Agricultural District? YES NO (Check with your local
5. If YES, Agricultural District Number _____ assessor if you do not know.)
6. Is this parcel actively farmed? YES NO
7. List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

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

Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by: _____ Date R. Warner

Date

Revised 4/4/17

FARM NOTE

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

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

NOTICE OF DETERMINATION
of the Town of Duanesburg

ORIGINAL

Date of Determination 10/5/23

Application of MICHAEL WALPOLE under section 8.4 (8) of the (Village of Delanson/Town of Duanesburg) ZONING Ordinance.

Applicant MICHAEL WALPOLE
Address 796 MILL POINT RD
DELANSON N.Y. 12053

Phone 518-365-9181 Zoning District R-2 SBL# 8200-1-3

Description of Project: CONSTRUCTION of 2800 Sqft +/- BARN TO INCLUDE DETACHED LIVING SPACE

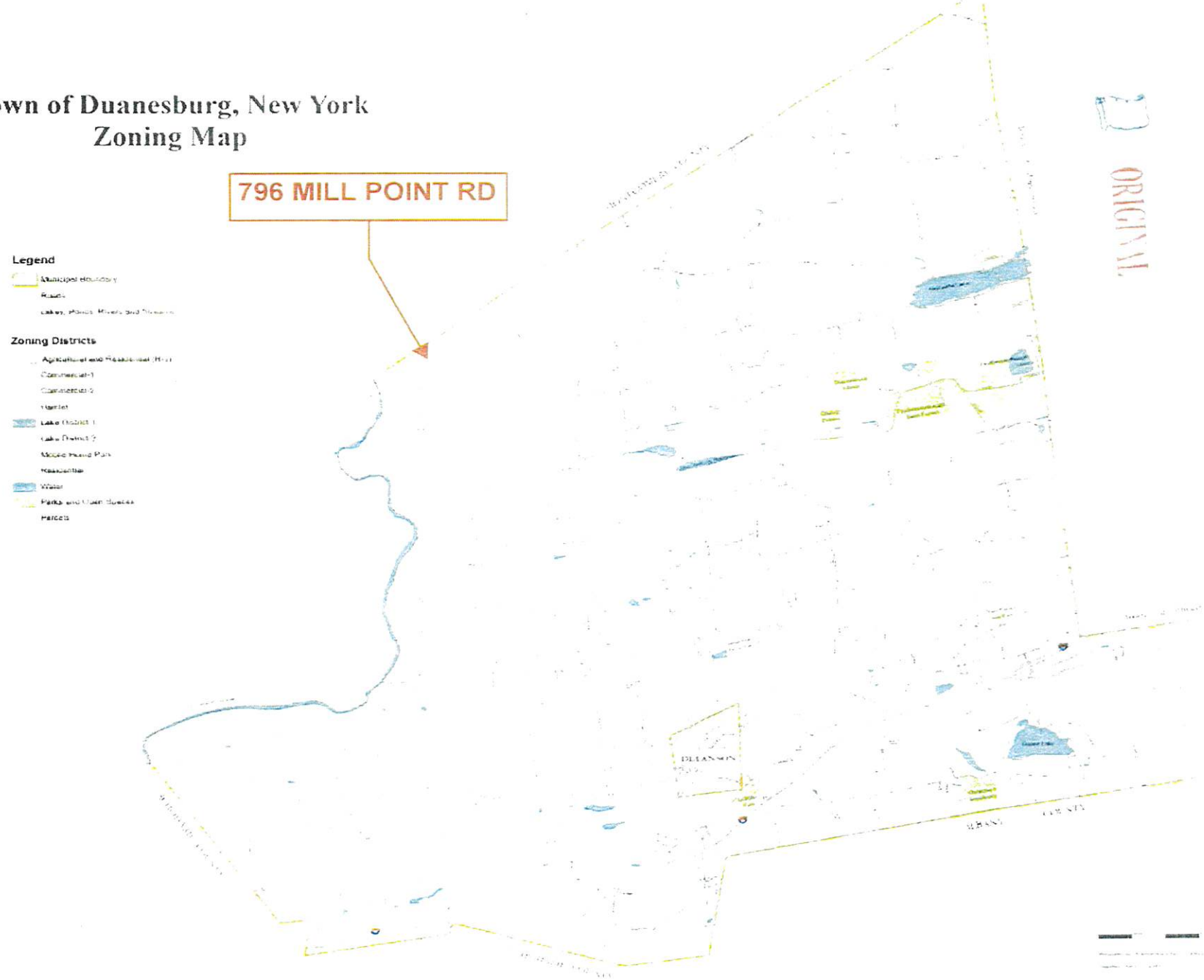
Determination:
SPECIAL USE TO ALLOW (2) SINGLE FAMILY DWELLINGS ON SAME LOT

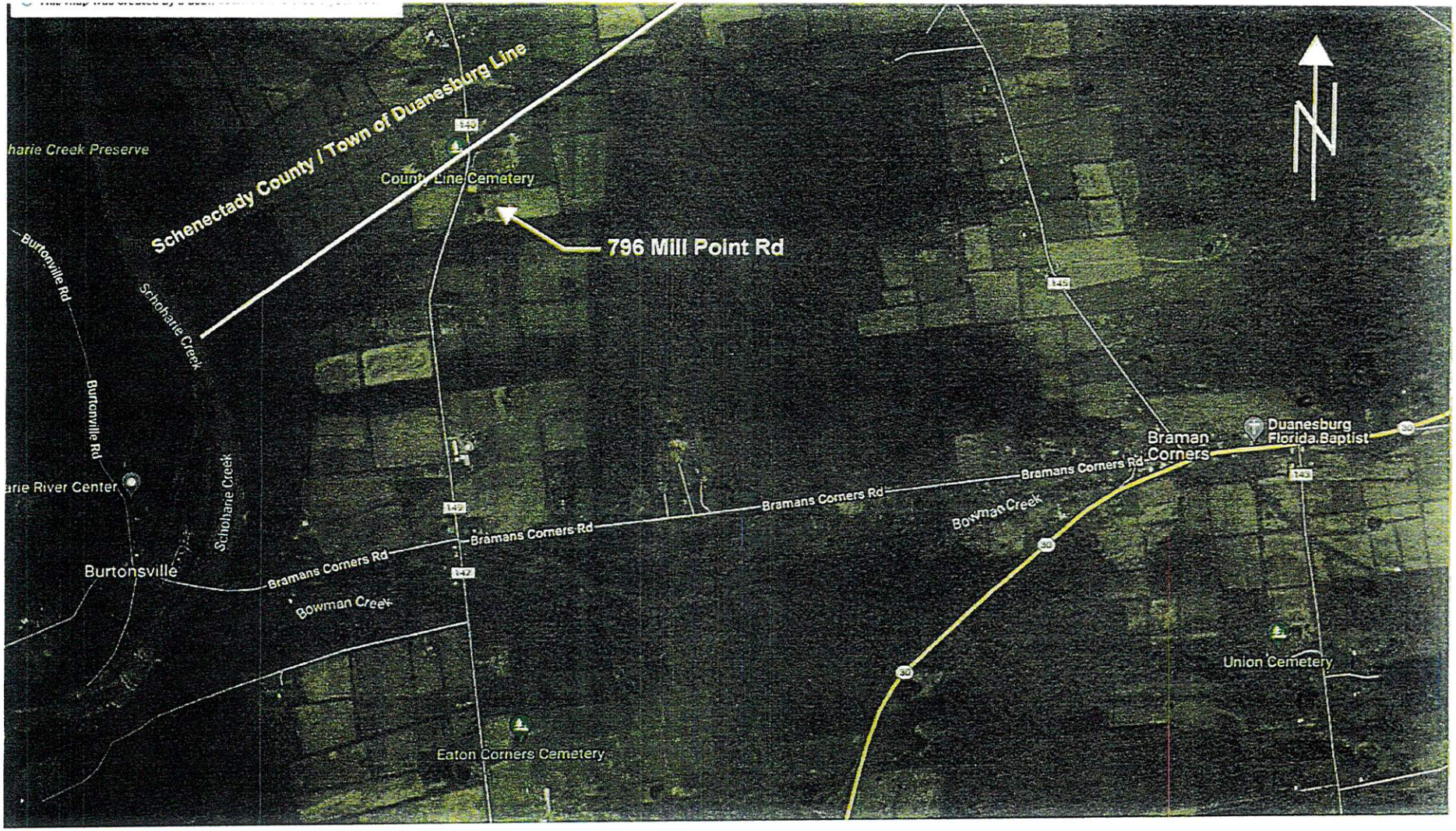
Reason supporting determination:
TOWN of DUANESBURG ZONING ORDINANCE ADOPTED 4/6/15 SECTION 8.4(8) DWELLING TWO FAMILY

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

Code Enforcement Officer: [signature]

Town of Duanesburg, New York
Zoning Map



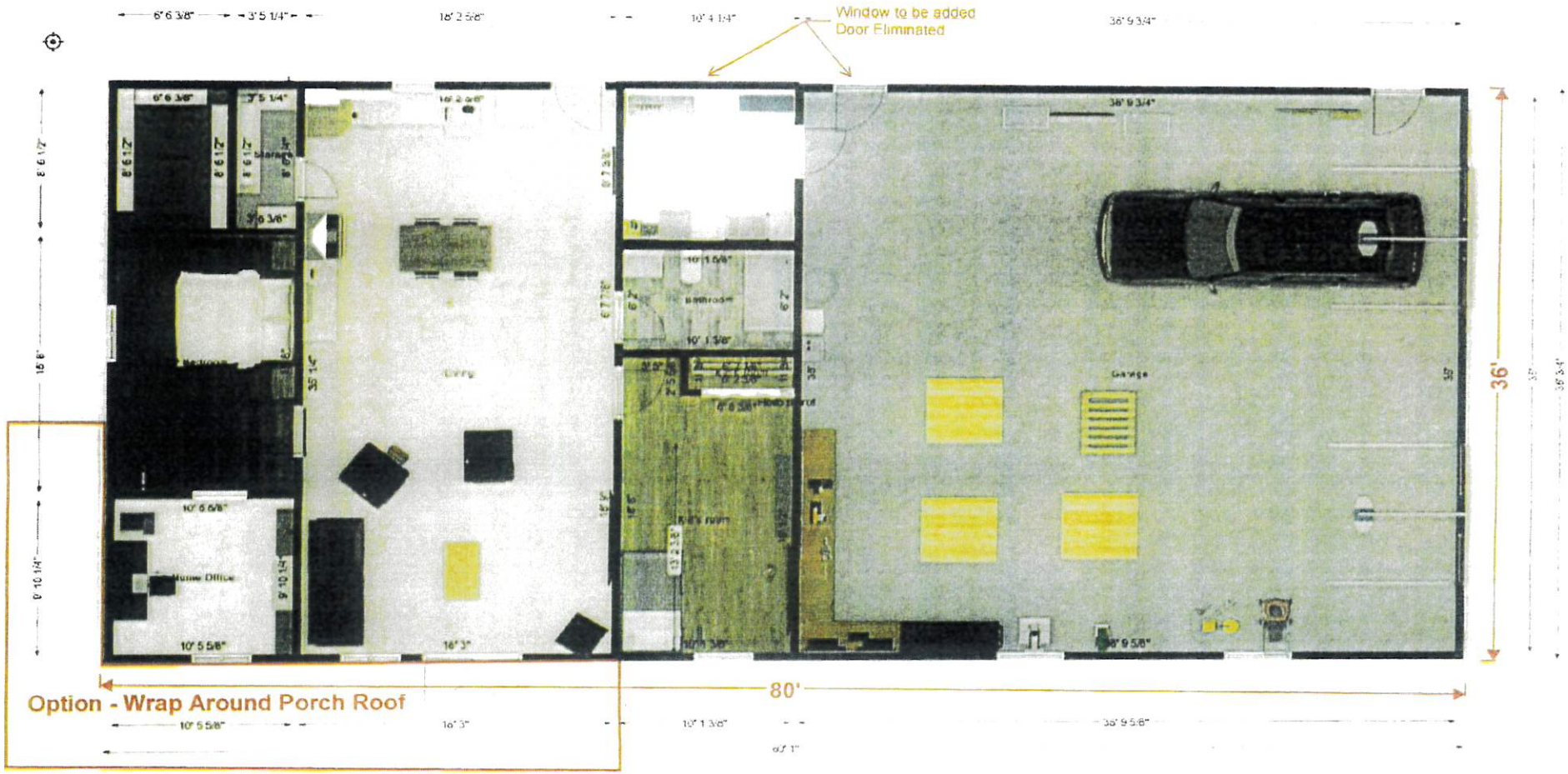


Proximity Map

ORIGINAL

County Line Cemetery
New 36'x80' (2880 SF)
Barn/Residence
Existing Single
Family Home
To be removed at
future point TBD
Pond
350'+/-
100'
796 Mill Point Rd
Delanson, NY 12053
Town of Duanesburg /
Schenectady County
Tax Map 32.00-1-3
Approx. Property
Line 8.30 Acres
Mill Point Rd
N

ORIGINAL



Walpole Acres
796 Mill Point Rd
Delanson, NY 12053

Mike Walpole
518-365-9181
mikewalpole@gmail.com

SPECS:

36'x80' 10' Walls with 5/12 Roof Pitch
TBD - Post Frame (Pole Barn) or Engineered Metal Building
(2) Garage Door Openings 8x8 & 8x10
(3)3-0 x6-8 Door Openings
(1) 6-0 x 6-8 French Door - Entrance
(7) 3-0x4-0 Windows
(1) 2-6 x 2-6 Window Opening (Kitchen)

Similar to this with modifications to window/door layouts. Garage doors on gable end.

ORIGINAL

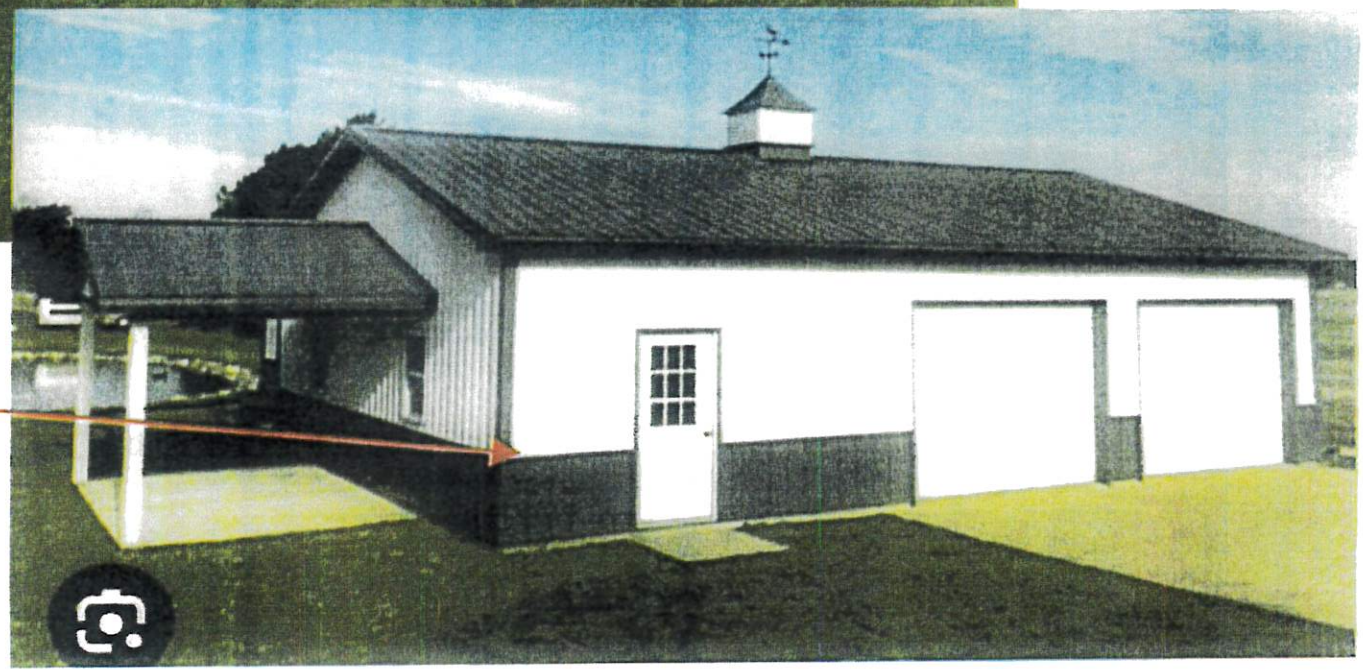


Photo of preferred color selecttion white with charcoal gray roof/trim/wainscot

Alternate Option - Front porch roof

APPLICATION FOR THE PLANNING BOARD Revised 04/12/2017
TOWN OF DUANESBURG
**********FOR OFFICE USE ONLY**********

ORIGINAL

CHECKLIST OF REQUIRED INFORMATION:

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

Additional Requirements for Special Use Application:

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

Date 9/7/23

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

Proposal: Subdivide parcel in (roughly) half to sell existing home and build in the future

_____ Section _____ of _____ Ordinance.

Present Owner: Lewis + Stephanie McCauley (AS APPEARS ON DEED!!)
Address: 192 Crosier Rd Zip code: 12056
Phone # (required) 518 505 7900

Applicants Name (if different): _____ Phone# (required) _____
Location of Property (if different from owners) _____
Tax Map # 67.00-1-2.12 Zoning District R-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 herby 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.

S McCauley Lewis McCauley Date 9/7/23
Signature of Owner(S) and/or Applicant(S)

ALL APPLICATION FEES ARE NON-REFUNDABLE!

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

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

Planning Commission Comments: _____

_____ _____ _____ _____
Planning Chairperson Date Code Enforcement Date

TOWN OF DUANESBURG

Application#_____

Agricultural Data Statement

Date: 9/7/23

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: Lewis + Stephanie McCauley Address: 3214 Western Tpk Duanesburg NY 12056	Name:_____

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

   Subdivide parcel of approx 11 acres into 2 equal pieces, to sell existing home and build on remaining land in future
3. Location of project: Address: _____

   Tax Map Number (TMP) 67.00-1-2.12
4. Is this parcel within an Agricultural District? YES NO (Check with your local assessor if you do not know.)
5. If YES, Agricultural District Number_____
6. Is this parcel actively farmed? YES NO
7. List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary. none

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

S McCauley Lewis McCauley
Signature of Applicant

_____
Signature of Owner (if other than applicant)

Reviewed by: _____ Dale R. Warner

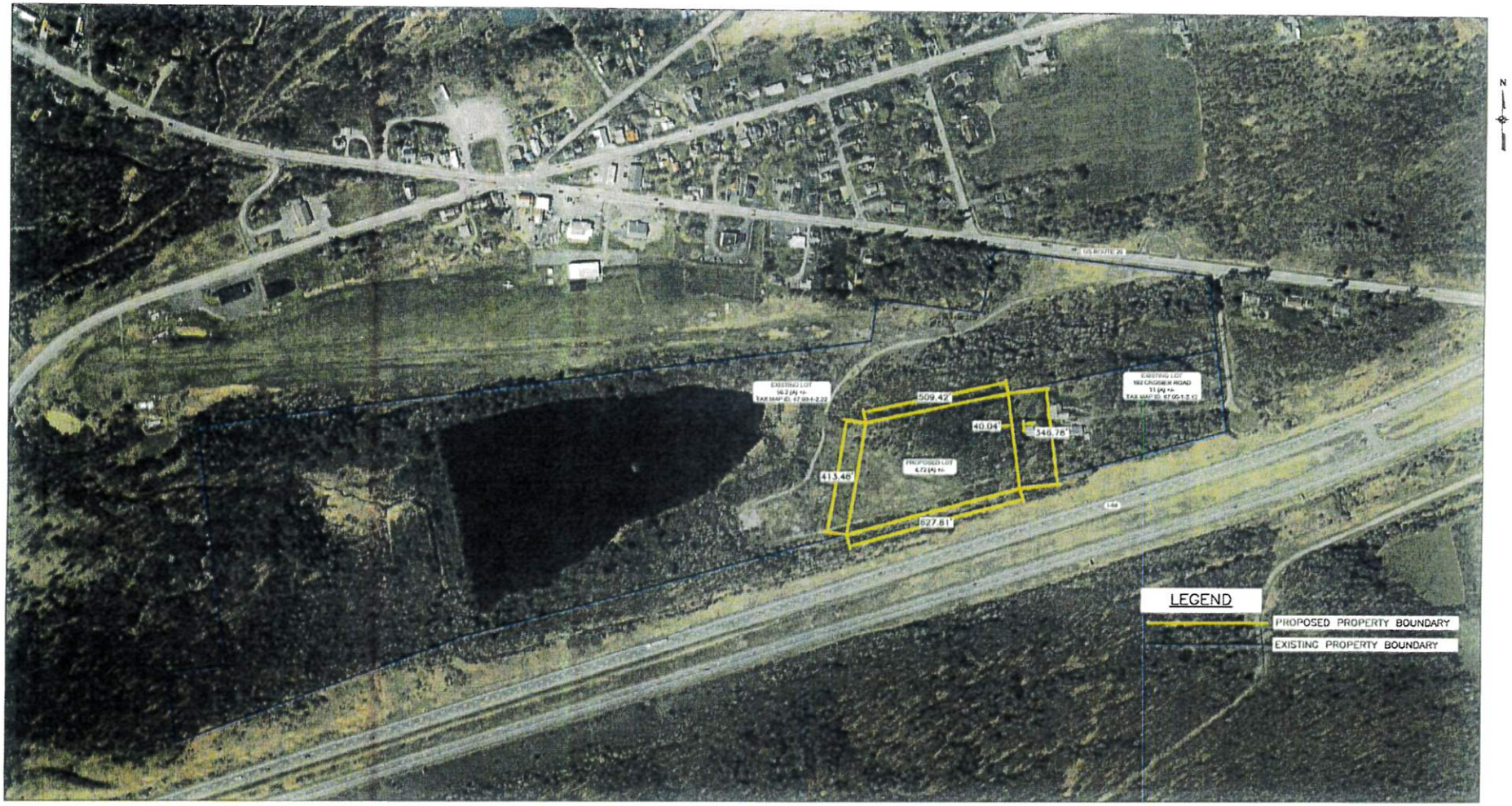
_____ Date

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.



PLAN

SCALE 1" = 150'-0"

192 CROSIER ROAD SUBDIVISION

Crosier Rd
7.40 ac

Attention Town Planning Board

RE: Wishy Wash Expansion

With the list of proposals for expanding the Wishy Wash being reviewed I would like to confirm that all permits and variances are in place.

Prior to the current owner, the car wash was not a 24/7 operation. The previous owner turned the lights off and closed at 10pm every night. There are currently no businesses in town that operate 24/7. Was a special use variance or change of use permit obtained to operate the car wash on a 24/7 basis?

The current sign in front of the car wash is not compliant with the Town's sign ordinance sections 13.4.2, 13.4.3, 13.4.7. This sign was expanded after the property was purchased by the current owner. Was a variance obtained to allow for a larger sign?

Also, the car wash has flashing neon lights on all night that face residential properties. When Hannaford was being approved by the town there were several restrictions placed on the lighting plans. Should the Planning Board consider any lighting issues which affect residential property owners? Section 13.1.1 excessive lighting.

I would ask the Planning Board to confirm these have been properly approved.

Regards,

Patrick Wren

9866 Western Turnpike

Delanson, NY 12053

Jeffery Schmitt, Planning Board Chair
Michael Harris, Vice Chairman
Chris Parslow, Town Planner
Coryn VanDeusen, Clerk
Terresa Bakner, Board Attorney

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

TOWN OF DUANESBURG
SCHENECTADY COUNTY

Town of Duanesburg
Planning Board Minutes
September 21, 2023
Final Copy

MEMBERS PRESENT:
Jeffery Schmitt- Chairperson, Elizabeth Novak, Joshua Houghton, Matt Hoffman, Michael Walpole, Michael Harris- Vice Chairman, Terresa Bakner- Town Attorney, Chris Parslow- Town Planner and Coryn VanDeusen-Clerk.

INTRODUCTION:
Chairperson Jeffery Schmitt opened the meeting and welcomed everyone to the September 21, 2023, Planning Board meeting and stated the agenda for the night's meeting.

OPEN FORUM:
Schmitt/Novak made a motion to open the open forum at 7:03 pm.
Schmitt yes, Novak yes, Houghton yes, Hoffman yes, Harris yes, Walpole yes. **Approved.**

One public comment was submitted by Lynne Bruning. Please see attached.

Schmitt/Novak made a motion to close the open forum at 7:04 pm.
Schmitt yes, Novak yes, Houghton yes, Hoffman yes, Harris yes, Walpole yes. **Approved.**

SKETCH PLAN REVIEW:

#23-17 Sorya, Kevin: SBL#68.00-2-7.151/SBL#68.00-2-47/SBL#68.00-2-48
1177/1179/1197 North Mansion Road is proposing to reverse /abandon the subdivision made in 2005 and merge the 3 parcels back into one.

The Board discussed whether the house on the maps was part of the application, but it is for further development down the road. Chris Longo is the engineer for the Sorya application. The board further discussed whether the back lot had road frontage. Board member Novak confirmed that these 3 parcels conjoined equal 13.9 acres.

Harris/Walpole made a motion to approve the Sorya application to consolidate the three parcels and refer the application to the Code Enforcement Officer to complete.

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

Kruger Energy Inc. - Alexander Road Solar. Anthony Stephan, senior project manager introduced himself, his team, and the company located in Montreal, Canada. The company said that they are proposing a 4.2-megawatt solar array and are in a land lease with Mr. Rhodes. Also, there are 60 acres on site, but they would only be using 20 acres. Board members stated that the site in question is problematic due to the owner doing site clearing without a permit and disturbing over 1 acre of land. Members explained there is a 5-year lookback on clear cutting. Members and applicants discussed how much work was done on the property. It was also mentioned that the applicant had never got a SWPPP.

The applicant states that contact with the landowner first began in 2022. May of 2022 is when an agreement was made between Kruger/Mr. Rhodes. The applicant states that the land was previously slotted for residential development. The town attorney read aloud the adopted Solar Law. The board members with guidance from the town attorney advised the applicants that they need to go to the zoning board of appeals for an area variance for setbacks so that they can avoid the clearing area and not have the concerning lots as participating parcels. The definition of clear cutting was discussed at length between the board and the applicant. The board notified the applicant that the SEQRA application needs to be reviewed and they also need to review the delineation of wetlands as well as the acre plus of land disturbance that should've received a DEC permit.

The board made a motion to table the Kruger Energy application.

PUBLIC HEARINGS:

#23-15 Siddiqui, Mohammad: SBL# 76.00-1-12.32, (R-2) located at 5559 Schoharie Turnpike is seeking a special use permit for installation of a 3 KWH wind turbine for a single-family dwelling under the Town of Duanesburg Local Law #2 of the 2008 Wind Ordinance. The applicant described the wind turbine as 40 inches tall and would be mounted at 7 feet and that it's rated for up to 7 KWH, but he intends to use only 3 KWH.

Schmitt/Harris made a motion to open the public hearing for the Siddiqui application. Schmitt yes, Harris yes, Novak yes, Houghton yes, Hoffman yes, Walpole yes. **Approved.**

No public comment.

Hoffman/Novak made a motion to close the public hearing for the Siddiqui application. Hoffman yes, Novak yes, Schmitt yes, Harris yes, Houghton yes, Walpole yes. **Approved.** This application is a SEQRA type 2 action and is exempt from further review.

Please see attached resolution.

Novak/Harris made a motion to approve the Siddiqui application whereas the small wind energy facility shall be no more than 10 foot high.
Harris yes, Novak yes, Walpole yes, Hoffman yes, Houghton yes, Schmitt 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.

Schmitt/Novak made a motion to open the public hearing for Kagas.
Schmitt yes, Novak yes, Harris yes, Houghton yes, Hoffman yes, Walpole yes. **Approved.**

The applicant received an email back from DEC 09/20/23 and is proposing to recycle all the water from the car wash. They have added a fourth tank and plan to close off the discharge to the existing pond. The applicant will then lower the upper pond to hold all the water in the lower pond. The discharge will go down to DOT and applicant is going to check with them. The applicant plans to pump water from lower to upper pond and it is considered ground water discharge which doesn't require testing. Once the pond is lowered the excavation can begin for the bio retention attention area. The sediment in the pond does not require testing per the applicant.

The board discussed the cause/effect of why pumping the water from the lower pond to upper pond is necessary. The board advises the applicant that the plan needs to be approved by the DEC (which the applicant states has already been done) and SEQRA review is needed as well. The board advised the applicant to get the sediment tested by the TBD. This design is to prevent flooding to the neighbor's property.

Patrick Wren residing at 9866 Western Turnpike made a public comment questioning when the flooding of his yard will stop. The board asked how bad the flooding has been and the resident advised that he gets water in his yard every time it rains. The board advised that the implementation of the storm water design is to stop the flooding from the neighbor's yard and that the next step is for this to be reviewed by the TBD.

Harris/Novak made a motion to continue the public hearing to the October 19th meeting for the Spiro Kagas application.
Harris yes, Novak yes, Walpole yes, Hoffman yes, Houghton yes, Schmitt yes. **Approved.**

NEW BUISNESS:

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

The board and the applicant discussed the parking requirements and the necessity of going to the zoning board regarding an area variance for parking and lot size. The house was previously a two-family dwelling but due to vacancy the special use permit is void.

Harris/Novak made a motion to table the Samuelson application.
Harris yes, Novak yes, Schmitt yes, Houghton yes, Hoffman yes, Walpole yes. **Approved.**

#23-20 McCauley, Lewis & Stephanie: SBL#67.00-1-2.12 (R-2) located at 192 Crosier Rd is proposing to split one 11-acre parcel into two parcels.

The applicant states that the property with the house currently on it is to be sold and the other half is to be later developed by his son into a residential lot. The board advised the applicant that a flag lot is necessary to provide road frontage on the lot without the house and an easement for sewer needs to be addressed as well.

Harris/Hoffman made a motion to table the McCauley subdivision to the October meeting.
Harris yes, Hoffman yes, Schmitt yes, Novak yes, Houghton yes, Walpole yes. **Approved.**

Minute Approval:

Novak/Hoffman made a motion to approve the August 17, 2023, Planning Board minutes with slight adjustments.
Novak yes, Hoffman yes, Schmitt yes, Houghton yes, Walpole yes, Harris yes. **Approved.**

ADJOURNMENT:
Walpole/Houghton made a motion to adjourn.
Walpole yes, Houghton yes, Schmitt yes, Harris yes, Novak yes, Hoffman yes, **Approved.**