

Jeffery Schmitt, Planning Board Chair
Michael Harris, Vice Chairperson
Teresa Bakner, Board Attorney
Dale Warner, Town Planner
Melissa Deffer, Clerk



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

**Town of Duanesburg
Planning Board Agenda
February 17th, 2022**

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

<https://us02web.zoom.us/j/87039078096>

Meeting ID: 870 3907 8096

Passcode: 109029

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

Meeting ID: 870 3907 8096

Passcode: 109029

INTRODUCTION BY CHAIRPERSON JEFFERY SCHMITT:

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

PUBLIC HEARINGS:

#21-16 Kirker, Richard: SBL#65.00-1-31.131, (R-2) located at 696 Gage Rd is seeking a Minor Subdivision under section 3.4 of the Town of Duanesburg Subdivision Ordinance.

Approved: Yes _____ No: _____

Comments: _____

NEW BUSINESS:

#22-01 Valley Mobile Home Court, LLC: SBL#55.00-4-11.6, (C-2) located at 6204 Duanesburg Rd is seeking a Special Use Permit for 11 storage units under section 12.4(33) of the Town of Duanesburg Zoning Ordinance.

Comments: _____

OLD BUSINESS:

#21-13 Obour, Jules: SBL# 74.00-2-9, (R-2) located at 13998 Duanesburg Rd is seeking a Special Use Permit for use of motor vehicle sales under Local Law #6 2017 of the Town of Duanesburg Zoning Ordinance Section 8.4(18).

Comments: _____

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Michael Walpole, Board Member

#21-21 Serth, Joseph: SBL# 35.05-1-19.2, (R-1) located at 8496 Mariaville Rd is seeking a Special Use Permit for use for an event venue under Local Law #1 2021 of the Town of Duanesburg Zoning Ordinance.

Comments: _____

#21-14 Tazin, Sergei: SBL# 52.00-1-20.12, (R-2) located at State Route 30 is seeking a Minor Subdivision under section 3.4 of the Town of Duanesburg Subdivision Ordinance.

The amendment of application **#19-12 Murray, Richard/Eden Renewables:** SBL#74.00-2-5. (R-2) located at 13590 Duanesburg Rd is seeking an amendment to an existing special use permit under local law #1-2016 of the solar energy facilities law and section 14.6.2.5 of the Town of Duanesburg Zoning Ordinance.

Comments: _____

SKETCH PLAN REVIEW:

#02-22 Barrett, James: SBL# 35.06-1-4.1, (L-1) located at 159 Hilltop is seeking a Minor Subdivision under section 3.4 of the Town of Duanesburg Subdivision Ordinance.

Comments: _____

#03-22 Buehler, John: SBL# 35.10-1-27, (L-1) located at 401 S. Shore Rd is seeking a Lot Line Adjustment under Local Law #2 of 2017 of the Town of Duanesburg Subdivision Ordinance.

Comments: _____

Other:

Ultimate Wishy Wash-Spiro Kagas

Minute Approval:

December 16th, 2021, and January 20th, 2022, PLANNING BOARD MEETING MINUTES:

Approved: Yes _____ No: _____

Comments: _____

ADJOURNMENT

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

Jeffery Schmitt, Planning Board Chair
Terresa Bakner, Board Attorney
Dale Warner, Town Planner
Melissa Deffer, Clerk



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

TOWN OF DUANESBURG
SCHENECTADY COUNTY

**PUBLIC HEARING
LEGAL NOTICE
FOR THE
TOWN OF DUANESBURG
PLANNING BOARD**

NOTICE OF PUBLIC HEARING

Meeting will also be available Zoom
<https://us02web.zoom.us/j/87039078096>
Meeting ID: 870 3907 8096
Passcode: 109029
Dial in by Phone: 1-646-558-8656
Meeting ID: 870 3907 8096
Passcode: 109029

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 **JANUARY 20TH, 2022**, AT
7:00 PM FOR THE PURPOSE OF HEARING ALL PERSONS INTERESTED IN THE
APPLICATION OF:

#21-16 Kirker, Richard: SBL#65.00-1-31.131, (R-2) located at 696 Gage Rd is
seeking a Minor Subdivision under section 3.4 of the Town of Duanesburg
Subdivision Ordinance.

APPLICATION INFORMATION IS AVAILABLE DURING BUSINESS HOURS.
PLEASE CONTACT:

Melissa Deffer Building, Planning and Zoning Clerk
5853 Western Turnpike
Duanesburg, NY 12056
P# 518-895-2040
Email: mdeffer@duanesburg.net

BY ORDER OF THE TOWN OF DUANESBURG
PLANNING BOARD
CHAIRPERSON

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT (this "Agreement") is made as of this ___ day of _____, 2021, by and between _____ and _____ (hereinafter referred to, collectively, as "Grantor"), and _____ (hereinafter referred to, collectively, as "Grantee"). Grantor and Grantee may be referenced to herein individually as a "Party" and collectively as the "Parties."

WITNESSETH:

WHEREAS, Grantor owns, in fee simple, certain real property located at and commonly known as Lot No. ___ and _____, Town of Duanesburg, Schenectady County, State of New York (S/B/L No. _____) as more fully described in Exhibit A, attached hereto and made a part hereof (the "Grantor's Property"); and

WHEREAS, Grantee owns, in fee simple, certain real property located at and commonly known as Lot No. ___ and _____, Town of Duanesburg, Schenectady County, State of New York (S/B/L No. _____), as more fully described in Exhibit B, attached hereto and made a part hereof (the "Grantee's Property"); and

WHEREAS, the existing driveway leading from _____ to Grantee's Property (the "Driveway") is located on and runs through a portion of Grantor's Property before entering Grantee's Property; and

WHEREAS, Grantor has agreed to grant Grantee a permanent easement, running with the land, over the Driveway for ingress, egress and utilities to and from Grantee's Property. **(NEEDS TO BE RECIPROCAL)**

NOW, THEREFORE, for and in consideration of the premises, easements, conditions and encumbrances contained herein, and One Dollar and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties hereto do hereby agree as follows.

ARTICLE 1 GRANT OF EASEMENT

Section 1.1 Grant of Easement. Grantor hereby grants to Grantee, subject to the terms and conditions of this Agreement, a nonexclusive, permanent easement, right and privilege of use in, to, over, under, across and through the Driveway for the use of the Grantee, its agents, invitees, and licensees (the "Easement").

ARTICLE 2 TERM OF AGREEMENT

Section 2.1 Effective Date. This Agreement shall be deemed effective upon the date set forth in the introductory paragraph herein (the "Effective Date").

Section 2.2 Term. The Easement shall continue in perpetuity as allowed by applicable

law, shall run with the land and shall inure to the benefit of and be binding upon the Parties and their respective heirs, successors and assigns, including, without limitation, all subsequent owners of Grantor's Property and Grantee's Property.

ARTICLE 3 USE OF DRIVEWAY

Section 3.1 Use of Driveway. The Grantee's use of the Driveway shall be for normal and customary vehicular and pedestrian ingress and egress to and from Grantee's Property from and to _____, and installation, maintenance, repair and replacement of utilities to Grantee's Property.

Section 3.2 Quiet Enjoyment. The Grantor covenants that at all times during the term of this Agreement, so long as Grantee is not in default hereunder, Grantee's use of the Driveway, pursuant to Section 3.1 above, shall not be disturbed or impaired by any act of Grantor, or of anyone acting by, through, or under Grantor.

Section 3.3 No Dedication to Public. Nothing contained herein shall be deemed to be a gift or dedication of any portion of any tract to the general public or for any public use or purpose whatsoever, it being the intention of the Parties hereto that this Agreement be for the exclusive benefit of the Parties hereto and their respective heirs, successors and assigns, including, without limitation, all subsequent owners of Grantor's Property and Grantee's Property, and that nothing herein, express or implied, shall confer upon any person or entity, other than the Parties hereto and their respective heirs, successors and assigns, including, without limitation, all subsequent owners of Grantor's Property and Grantee's Property, any rights or remedies under or by reason of this Agreement.

ARTICLE 4 MAINTENANCE AND IMPROVEMENT; RELOCATION; INDEMNIFICATION

Section 4.1 Maintenance and Improvement. The Parties shall equally share the costs and expense to repair and maintain, and keep repaired and maintained in the substantially same manner as is now constituted, the Driveway, including, without limitation, any costs of snow removal. Neither Party shall further improve the Driveway from the manner as it presently exists, including, but not limited to, paving or widening, without the prior written consent of the other Party. For the avoidance of doubt, the Parties' rights and obligations under this Section 4.1 shall not pertain to the portion of the existing driveway that is located on Grantee's Property.

Section 4.2 Relocation. Grantor shall not relocate the Driveway without the prior written consent of Grantee.

Section 4.3 Indemnification. Each Party, and such Party's respective heirs, successors and assigns, shall defend, indemnify and hold the other Party harmless from any claim, loss or liability (including reasonable attorneys' fees related thereto) arising out of or in any way connected with such indemnifying Party's use of the Driveway, or exercise of any rights granted herein, except for

the indemnified Party's negligence or willful and wrongful acts.

ARTICLE 5 DEFAULT

Section 5.1 Default. In the event that either Party to this Agreement shall default hereunder, the other Party hereto shall be entitled to institute proceedings (either at law or in equity, or otherwise) for full and adequate relief from the consequences of said default including, but not limited to, the right to specific performance, declaratory relief, injunctive relief, damages, or other suitable legal or equitable remedy.

ARTICLE 6 MISCELLANEOUS

Section 6.1 Modification. This Agreement may be modified only by the mutual agreement of the Parties hereto, their heirs, successors and assigns, evidenced by a writing in recordable form.

Section 6.2 Entire Agreement. This Agreement, including schedules, exhibits, and any addendum hereto, constitutes the entire agreement between the parties hereto with respect to the transactions contemplated herein, and it supersedes all prior discussions, understandings or agreements between the Parties hereto.

Section 6.3 Governing Law. This Agreement shall be governed by the laws of the State of New York, and any dispute arising hereunder, except as provided for herein, shall be litigated in the Supreme Court, Clinton County, New York.

Section 6.4 Negotiated Agreement. All of the Parties to this Agreement have participated in the negotiation and preparation hereof, and, accordingly, this Agreement shall not be more strictly construed against any one of the Parties hereto.

Section 6.5 Joint Venture. The Parties hereto shall not be deemed, in any way or for any purpose, to have become, by the execution of this Agreement, or any action taken under this Agreement, partners, partners in business or otherwise, or a member of any joint enterprises with one another. Further, nothing in this Agreement shall be construed to create any joint venture between the Parties.

Section 6.6 Captions. The captions contained herein are for convenience and reference only and shall not be deemed a part of this Agreement, or construed as in any manner limiting or amplifying the terms and provision to which they relate.

Section 6.7 Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the Parties hereto have duly executed this Agreement on the day and year first set forth above.

GRANTOR:

By:

By:

GRANTEE:

By:

By:

STATE OF _____)
) ss.:
COUNTY OF _____)

On the ____ day of August in the year 2021 before me, the undersigned, personally appeared, _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is\are subscribed to the within instrument and acknowledged to me that he\she\they executed the same in his\her\their capacity(ies), and that by his\her\their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the City\Town\Village of _____, County of _____, State of _____.

Notary Public

STATE OF _____)
) ss.:
COUNTY OF _____)

On the ____ day of August in the year 2021 before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is\are subscribed to the within instrument and acknowledged to me that he\she\they executed the same in his\her\their capacity(ies), and that by his\her\their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the City\Town\Village of _____, County of _____, State of _____.

Notary Public

EXHIBIT A

GRANTOR'S PROPERTY

EXHIBIT B

GRANTEE'S PROPERTY

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

CHECKLIST OF REQUIRED INFORMATION:

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

- Septic system: Soil Investigation completed?
- Sewer System: Which district?
- Base SWPPP (1≥)
- Full Storm Water Control Plan (More than an acre)
- Other (Building Set Backs)
- Storm Water Control Plan
- Short or long EAF www.dec.ny.gov/efmappet/
- 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 November 4, 2021

Application type: Major Subdy Minor Subdy Special Use Permit Site/ Sketch Plan Review LotLine Adjust
Proposal: Subdivide parcel into two residential lots

Section 3.2 of Subdivision Ordinance.


Present Owner: Richard E. Kirker (AS APPEARS ON DEED!)
Address: 6 Independence Trail, Ballston Spa NY Zip code: 12020
Phone # (required) 518-859-7775

Applicants Name (if different): same as owner Phone# (required) _____
Location of Property (if different from owners) 696 Gage Road, Delanson, NY 12053
Tax Map # 65.00-1-31.131 Zoning District AR

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

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

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

 Date November 4, 2021
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: _____

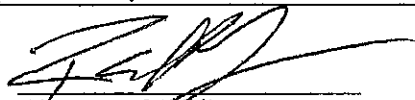
Instructions: This form must be completed for any application for a special use permit, site plan approval, use variance or a subdivision approval requiring municipal review that would occur on property within 500 feet of a farm operation located in a NYS Dept. of Ag & Markets certified Agricultural District.

Applicant	Owner if Different from Applicant
Name: <u>Richard E. Kirker, Jr.</u> Address: <u>6 Independence Trail, Ballston Spa, NY 12020</u>	Name: <u>Same</u> _____ _____

- Type of Application: Special Use Permit; Site Plan Approval; Use Variance;
~~Area Variance~~; ~~Subdivision Approval~~ (circle one or more)
- Description of proposed project:
Subdivision of parcel into 2 lots, one with 60 feet of frontage on Gage Road, the other with only 43.46 feet of frontage

- Location of project: Address: 696 Gage Road,
Tax Map Number (TMP) 65.00-1-31.131
- Is this parcel within an Agricultural District? YES NO (Check with your local assessor if you do not know.)
- If YES, Agricultural District Number _____
- Is this parcel actively farmed? YES NO
- List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

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



Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by: _____
Dale R. Warner

Date

Revised 6/30/08

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

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

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

Part 1 – Project and Sponsor Information			
Name of Action or Project: 696 Gage Road Subdivision			
Project Location (describe, and attach a location map): 696 Gage Road			
Brief Description of Proposed Action: Subdivide 16.34± acre parcel into two residential lots.			
Name of Applicant or Sponsor: Richard E. Kirker, Jr.		Telephone: 518-859-7775	
Address: 6 Independence Trail		E-Mail: c130jarhed@gmail.com	
City/PO: Ballston Spa		State: NY	Zip Code: 12020
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		16.34 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

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

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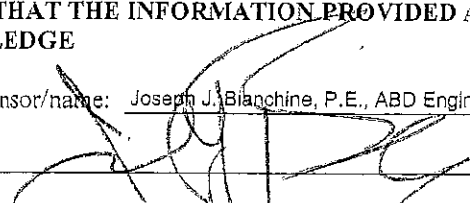


14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input checked="" type="checkbox"/> Early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

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

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

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

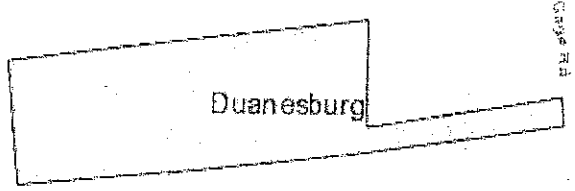
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Joseph J. Bianchine, P.E., ABD Engineers, LLP</u> Date: <u>October 4, 2021</u>		
Signature: <u></u> Title: <u>Professional Engineer</u>		

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OCT 12 2021

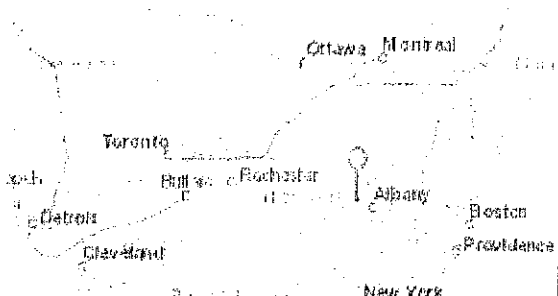
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EAF Mapper Summary Report

Friday, October 1, 2021 3:43 PM

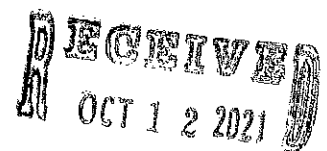



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the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



Samm, USGS, Internap, INCREMENTP, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

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


 OCT 1 2 2021


Project:	Kirker Minor Subdivision
Date:	10/27/21

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

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

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

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Short Environmental Assessment Form Part 3 Determination of Significance

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

The Town of Duanesburg Planning Board has completed an environment assessment of the proposed minor subdivision consisting of two lots. Lot #1 consisting of 10.7 acres with 43.46' road frontage (variance required) and Lot #2 consisting of 5.61 acres with 60' road frontage. The proposed subdivision is consistent with the Town Comprehensive Plan and compliant with the Zoning Ordinance for the R-2 Agricultural Residential Zoning District. There is anticipated construction of single family dwellings on each lot. The proposed action will have little or no effect on the existing character of the community with no aesthetic impacts anticipated. The proposed action will not have an impact on the environmental characteristics that would cause the establishment of a Critical Environmental Area. The proposed action will have little or no impact or any adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway. The proposed action will have little or no impact on energy usage. Any construction will require a well to be drilled and a permit from Schenectady County Health Department for a Septic System. The Parcels are not listed on the National Register of Historic Places and have no known archaeological sites. The subdivision is not within a 100 year flood plain or remediation site. The proposed action should not increase any potential erosion or flooding, future construction will have limited disturbance, include appropriate stormwater controls. NYSDEC has records of rare, threatened and endangered species, primarily the Northern Long Eared Bats have been identified. Any tree removal activities must occur between October 31st and March 31st. If these dates can not be accommodated, an on-site assessment by the DEC staff will be required. The proposed action should not create a hazard to environmental resources or human health.

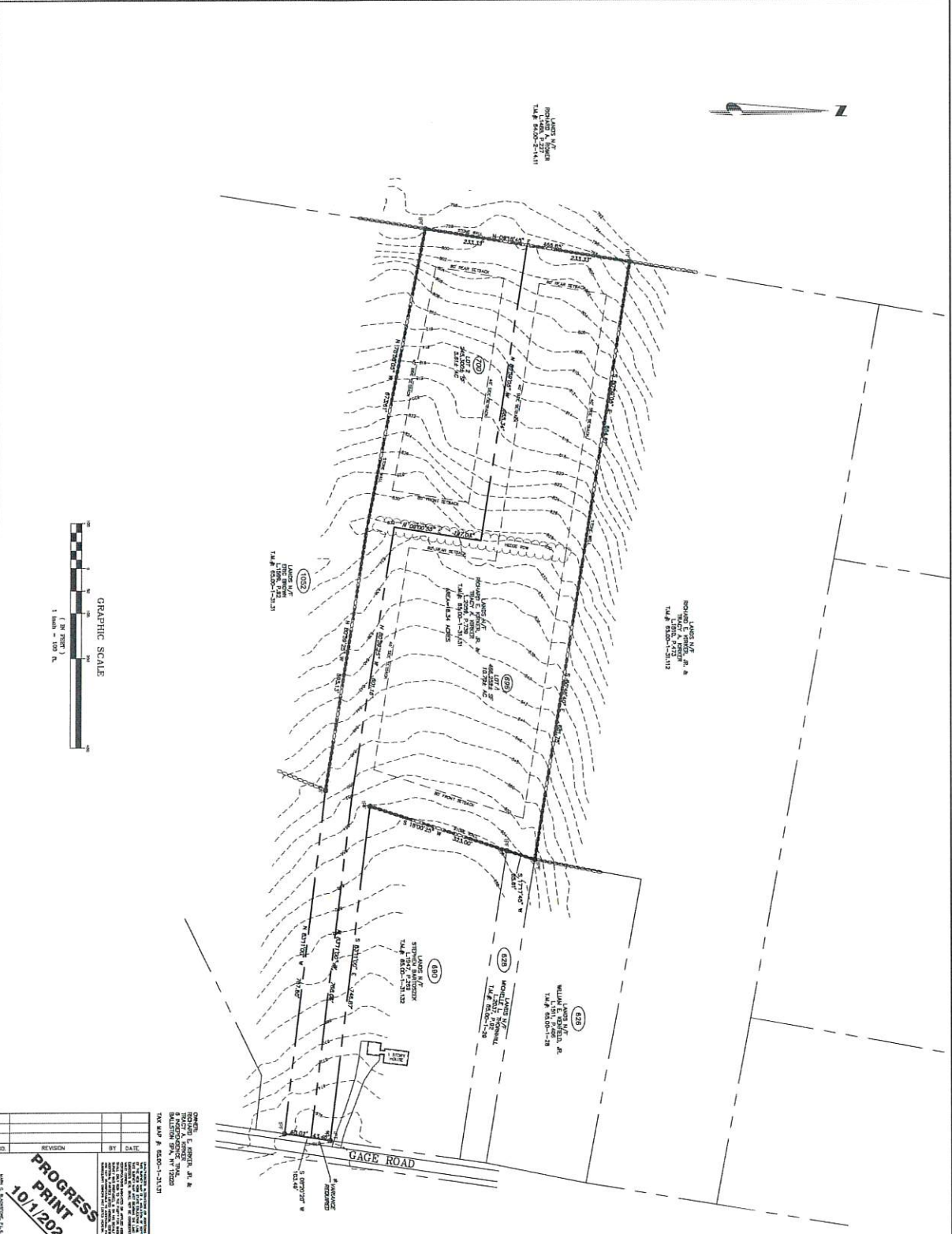
Therefore, based on this information, the Planning Board has determined that the proposed Minor Subdivision will not have any significant adverse impacts on the environment and a Negative Declaration is made for the purposes of Article 8 of the Environmental Conservation Law.

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
Duanesburg Planning Board _____	
Name of Lead Agency	Date
Jeffrey Schmitt _____	Chairman _____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT FORM

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 OCT 27 2021

ORIGINAL



NO.	REVISION	BY	DATE
1	ISSUED FOR PERMITTING	J.A.R.	10/1/2021
2	REVISED PER COMMENTS	J.A.R.	10/1/2021
3	REVISED PER COMMENTS	J.A.R.	10/1/2021
4	REVISED PER COMMENTS	J.A.R.	10/1/2021
5	REVISED PER COMMENTS	J.A.R.	10/1/2021
6	REVISED PER COMMENTS	J.A.R.	10/1/2021
7	REVISED PER COMMENTS	J.A.R.	10/1/2021
8	REVISED PER COMMENTS	J.A.R.	10/1/2021
9	REVISED PER COMMENTS	J.A.R.	10/1/2021
10	REVISED PER COMMENTS	J.A.R.	10/1/2021

CONCEPT SUBDIVISION PLAN
 LANDS N/F
 RICHARD E. KIRRETT, JR. & TRACY A. KIRRETT
 (TOWN OF BRADY)

Show Easements to Access

- FIELD NOTES:**
1. PROPERTY LOTS 10000 THROUGH 10100.
 2. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF AN UP TO DATE SURVEY OF THE SITE ON THE REPORT AND IS SUBJECT TO ANY SURVEY DATA THAT MAY BE OBTAINED IN THE FUTURE RECORDS AND SHALL BE THE PROPERTY OF THE CLIENT.
 3. THE PROPERTY LOTS 10000 THROUGH 10100 ARE SUBJECT TO ANY SURVEY DATA THAT MAY BE OBTAINED IN THE FUTURE RECORDS AND SHALL BE THE PROPERTY OF THE CLIENT.
 4. THE PROPERTY LOTS 10000 THROUGH 10100 ARE SUBJECT TO ANY SURVEY DATA THAT MAY BE OBTAINED IN THE FUTURE RECORDS AND SHALL BE THE PROPERTY OF THE CLIENT.
 5. THE PROPERTY LOTS 10000 THROUGH 10100 ARE SUBJECT TO ANY SURVEY DATA THAT MAY BE OBTAINED IN THE FUTURE RECORDS AND SHALL BE THE PROPERTY OF THE CLIENT.



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≥)
☐ Full Storm Water Control Plan (More than an acre)
☑ Other (Building Set Backs)
☐ Storm Water Control Plan
☑ Short or long EAF www.dec.ny.gov/eafmapper/
☐ Street pattern: Traffic study needed?
☐ All property Mergers REQUIRE both owners Signatures on the Application

Additional Requirements for Special Use Application:

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

Date 1/6/22

Application type: ☐ Major Subdv ☐ Minor Subdv ☑ Special Use Permit ☑ Site/ Sketch Plan Review ☐ LotLine Adjust
Proposal: Construction of eleven (11) storage unit structures

Section of Ordinance.

Present Owner: Valley Mobile Home Court, LLC (AS APPEARS ON DEED!!)
Address: 2711 State Route 7 Cobleskill, NY Zip code: 12043
Phone # (required) 518-234-8614

Applicants Name (if different): Same as Above Phone# (required) Same as above

Location of Property (if different from owners) 6204 Duanesburg Road

Tax Map # 55-4-11.6 Zoning District C-2

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

LANDS CONVEYED TO (REQUIRED FOR MERGERS) N/A

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

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

[Handwritten Signature]

Date 1-7-22

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

ALL APPLICATION FEES ARE NON-REFUNDABLE!

(For office use only)

Application fee paid: Check# Reviewed By Date

Approved Disapproved ☐ Refer to Code Enforcement Section of Ordinance

Planning Commission Comments:

Planning Chairperson

Date

Code Enforcement

Date

Agricultural Data Statement

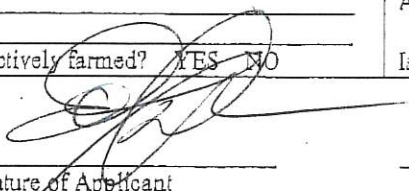
Date: 1/6/22

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

Applicant	Owner if Different from Applicant
Name: <u>Valley Mobile Home Court, LLC</u>	Name: _____
Address: <u>2711 State Route 7</u> <u>Cobleskill, NY 12034</u>	_____ _____

1. Type of Application: Special Use Permit, Site Plan Approval, Use Variance; Area Variance; Subdivision Approval (circle one or more)
2. Description of proposed project:
Construction of eleven (11) storage unit structures
3. Location of project; Address: 6204 Duanesburg Road
Tax Map Number (TMP) 55.-4-11.6
4. Is this parcel within an Agricultural District? YES NO (Check with your local assessor if you do not know.)
5. If YES, Agricultural District Number _____
6. Is this parcel actively farmed? YES NO
7. List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

NAME: <u>Daniel Sells</u> ADDRESS: <u>5709 Duanesburg Road</u> <u>Duanesburg, NY 12056</u> Is this parcel actively farmed? YES <u>NO</u>	NAME: <u>Edward Putnam</u> ADDRESS: <u>242 Duane Lake Road</u> <u>Duanesburg, NY 12056</u> Is this parcel actively farmed? YES <u>NO</u>
NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES <u>NO</u>	NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES <u>NO</u>


Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by:

Dale R. Warner

Date

Revised 4/4/17

FARM NOTE

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

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

NOTICE OF DETERMINATION
of the Town of Duanesburg

Date of Determination Jan 10, 2022

Application of Valley Mobile Home Court, LLC under section
12.4 (33) of the (Village of Delanson/ Town of Duanesburg)
Zoning Ordinance.

Applicant Valley Mobile Home (Chris Longo) ^{Empire} Engineering
Address 2711 St. Rt. 7 E
Calkins, NY 12043
Eric Dolan - owner

Phone _____ Zoning District C.2 SBL# 55.00-4-11.6

Description of (5 @ 10,000 + 6 @ 8,000)
Project: 11 storage units, gravel driveway, stormwater management system

Determination:

use is permitted however need subdivision as it is not an
accessory use

Reason supporting determination:

Town of Duanesburg zoning ordinance adopted 6/11/15 section
3.5.2; section 5.2.2

Action: Refer to Planning Board for the purpose of subdivision + special use

Code Enforcement Officer: Dale Warren

OFFICE OF THE SCHENECTADY COUNTY CLERK



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

Cara M. Ackerley
County Clerk

Instrument Number - 202162153
Recorded On 12/9/2021 At 2:44:47 PM

*RETURN DOCUMENT TO:
MURDOCK ABSTRACT CORPORATION

- * Instrument Type - DEED
- * Book/Page - DEED/2073/387
- * Total Pages - 3
- Invoice Number - 1108874 User ID: KAF
- * Document Number - 2021-5793
- * Grantor - VALLEY MOBILE HOME COURT LLC
- * Grantee - VALLEY MOBILE HOME COURT LLC

* FEES

NY LAND SUR	\$4.75
NY E & A FEES	\$116.00
NY LAND COMP SUR	\$14.25
CO GENERAL REVENUE	\$40.00
CO LAND SUR	\$0.25
CO E & A FEES	\$9.00
CO LAND COMP SUR	\$0.75
TOTAL PAID	\$185.00

TRANSFER TAX

Real Estate Transfer Tax Num - 1915
Transfer Tax Amount - \$ 0.00

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

Cara M. Ackerley
Schenectady County Clerk

THIS IS AN ENDORSEMENT PAGE

Do Not Detach

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

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

INSTRUMENT NUMBER - 202162153



WARRANTY DEED

THIS INDENTURE

Made the 16 day of November, 2021

Between **VALLEY MOBILE HOME COURT, L.L.C., a limited liability company with an office at 2711 State Route 7, Cobleskill, New York 12043**, party of the first part, and

VALLEY MOBILE HOME COURT, L.L.C., a limited liability company with an office at 2711 State Route 7, Cobleskill, New York 12043, party of the second part,

WITNESSETH that the party of the first part, in consideration of ~~ONE~~ ONE DOLLAR (\$1.00) lawful money of the United States, and other good and valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part it's heirs and assigns forever, all

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Duanesburg, County of Schenectady and State of New York, being Lot 2 on a map entitled "Pine Grove Dairy" prepared by Gerald R. Gray, Licensed Land Surveyor, dated August 30, 2021, revised October 6, 2021, and filed in the Schenectady County Clerk's Office on October 21, 2021 as Instrument Number: 202152803.

BEING A PORTION OF THE SAME PREMISES conveyed to Valley Mobile Home Court, L.L.C. by Warranty Deed from David C. Vincent and Ann M. Vincent, dated the 6th day of May, 2021, and recorded in the Schenectady County Clerk's Office, on the 13th day of May, 2021 in Book 2058 of Deeds at Page 665, Instrument No. 202121945.

This conveyance is made with the unanimous consent of the Members of the party of the first part herein and does not constitute all, or substantially all of the assets of the said party of the first part.

This conveyance is made subject to any and all covenants, conditions, restrictions and easements of record contained in the chain of title and affecting said premises.

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

To have and to hold the premises herein granted unto the party of the second part, it's heirs and assigns forever.

And said party of the first part covenants as follows:

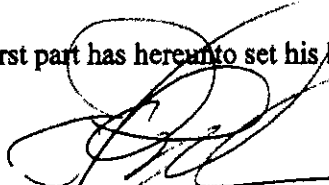
First, That the party of the second part shall quietly enjoy the said premises;

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

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

In Witness Whereof, the party of the first part has hereunto set his hand and seal the day and year first above written.

In Presence of




ERIC J. DOLEN, Managing Member
VALLEY MOBILE HOME COURT, L.L.C.

ACKNOWLEDGEMENT

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

On the 16th day of November, in the year 2021 before me, the undersigned, personally appeared **ERIC J. DOLEN**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.



NOTARY PUBLIC

Record and Return to:

Shatini Natesan
Notary Public, State of New York
No. 02NA6313940
Qualified in Albany County
Commission Expires 10-27-2022

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

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

Part 1 – Project and Sponsor Information			
Name of Action or Project: Pine Grove Dairy - Self-Storage			
Project Location (describe, and attach a location map): 6204 Duanesburg Road, Town of Duanesburg			
Brief Description of Proposed Action: The proposed action is the construction of eleven (11) self-storage unit structures with associated driveway, gravel area and stormwater management system.			
Name of Applicant or Sponsor: Valley Mobile Home Court, LLC		Telephone: 518-234-8614 E-Mail: superiorhousing@gmail.com	
Address: 2711 State Route 7			
City/PO: Cobleskill,		State: NY	Zip Code: 12043
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: NYSDEC - Stormwater General Permit			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		103.76 acres	
b. Total acreage to be physically disturbed?		29.4 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		106.2 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

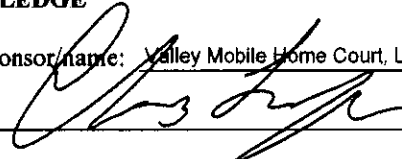
	NO	YES	N/A
5. Is the proposed action, <ul style="list-style-type: none"> a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan? 	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? *See attached Phase 1A/1B Cultural Resource Survey	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline	<input type="checkbox"/> Forest	<input checked="" type="checkbox"/> Agricultural/grasslands
<input type="checkbox"/> Wetland	<input type="checkbox"/> Urban	<input type="checkbox"/> Suburban
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?		NO YES
*Rare Animal - Long Eared Bat - no impact expected due to minimal tree clearing and clearing activities to be within the required seasonal time frame		<input type="checkbox"/> <input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?		NO YES
		<input checked="" type="checkbox"/> <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?		NO YES
If Yes,		<input type="checkbox"/> <input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?		<input checked="" type="checkbox"/> <input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?		<input checked="" type="checkbox"/> <input type="checkbox"/>
If Yes, briefly describe:		

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

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

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

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: Valley Mobile Home Court, LLC Date: 1/6/22		
Signature:  Title: Engineer for Applicant		

**Phase IA/IB Cultural Resources Survey
Pine Grove Dairy Development Project,
Town of Duanesburg, Schenectady County New York**

prepared for

**Empire Engineering, PLLC
1900 Duanesburg Road
Duanesburg, NY 12056**

prepared by

David Moyer and Douglas Idleman

**Birchwood Archaeological Services, Inc.
131 Marion Avenue
Gilbertsville, NY 13776
www.birchwoodarchaeology.com**

June 2021

Management Summary

Phase IA/IB Cultural Resources Survey, Pine Grove Dairy Development Project,
Town of Duanesburg, Schenectady County New York

SHPO Project Review Number:

Involved State and Federal Agencies: DEC

Phase of Survey: IA/IB

Location Information

Location: north side of NYS Route 7
Minor Civil Division: Town of Duanesburg
County: Schenectady

Survey Area (Metric & English)

Length: 1,450 ft approx (441.9 m)
Width: 1,000 ft approx (304.8 m)
Depth: >5 ft (1.5 m)
Number of Acres Surveyed: 20.25
Number of Square Meters & Feet Excavated:
Percentage of the Site Excavated:

USGS 7.5 Minute Quadrangle Map: Duanesburg

Archaeological Survey Overview

Number & Interval of Shovel Tests: 401 STPs (40 cm round) in 15 m (49.2 ft) intervals

Number & Size of Units:

Width of Plowed Strips:

Surface Survey Transect Interval:

Results of Archaeological Survey

Number & name of prehistoric sites identified: 0

Number & name of historic sites identified: 0

Number & name of sites recommended for Phase II/Avoidance: 0

Results of Architectural Survey

Number of buildings/structures/cemeteries within project area: 0

Number of buildings/structures/cemeteries adjacent to project area: 3

Number of previously determined NR listed or eligible buildings/structures/cemeteries/districts: 0

Number of identified eligible buildings/structures/cemeteries/districts: 0

Report Author(s): David Moyer and Douglas Idleman

Date of Report: June 2021

Executive Summary

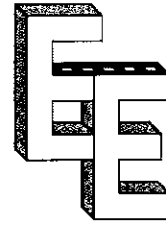
A Phase IA/IB cultural resources survey has been completed for the proposed Pine Grove Dairy Development Project, located on the north side of NYS Route 7 in the Town of Duanesburg, Schenectady County, New York (Figures 1 and 2; Photos 1-49). The current Phase IA/IB survey was conducted in advance of a currently undetermined development project. The Area of Potential Effect (APE) for this project is approximately 20.25 acres. While the design of the project has not been completed, it is assumed that the depth of the ground disturbance may exceed five feet (1.5 m) in all areas of proposed construction.

A Phase IA review indicated that the project area is moderately sensitive for prehistoric resources, due to its location near several water sources and its proximity to two previously recorded prehistoric sites. The area is also considered highly sensitive for historic resources due to its location near a historic roadway and its proximity to five previously identified historic structures, four of which are currently listed on the National Register of Historic Places.

All of the proposed APE was surveyed using the subsurface testing. A total of 401 STPs were excavated at 15 m (49.2 ft) intervals to form a grid over the entire area of proposed construction. Of these 401 STPs, four (1.0%) recovered historic or modern cultural material including fragments of porcelain bathroom tile, brick, clear bottle glass and asphalt. No precontact artifacts or features were encountered and no archaeological sites were identified as part of the subsurface testing.

Based upon the negative results of the Phase IA/IB survey, it appears that the proposed development will have no adverse impact to any historic properties in the vicinity. No additional archaeological investigations appear warranted and we recommend that the project be allowed to proceed. These recommendations are subject to the review and concurrence of the New York State Office of Parks, Recreation, and Historic Preservation.

EMPIRE ENGINEERING, PLLC



January 6, 2022

Town of Duanesburg
Planning Board
5853 Western Turnpike
Duanesburg, NY 12056

Attn: Dale Warner, Planner

Project Narrative

The subject project identified as **Pine Grove Dairy Self-Storage** is located along **Duanesburg Road** in the Town of Duanesburg. The applicant is Valley Mobile Home Court, LLC of Cobleskill, the owner and occupant of the site. The owner's address is 2711 State Route 7, Cobleskill, NY 12043. The owner's contact is Eric Dolen, (518) 234-8614.

Project Description & Purpose

The proposed project is the construction of eleven (11) storage unit structures with associated storm water management system. The site includes approximately 14.4 Acres of buildings, driveway and gravel storage and 29.4 Acres of total disturbance. The project will also incorporate an associated driveway, power utilities and stormwater drainage area. There are (11) proposed buildings, five (5) units at 10,000 sf of gross floor area each, and six (6) units of 8,000 sf each. Units will be 1-story, approximately 12-15 ft total height. The proposed structures are intended for self-storage use and will not require any sanitary sewer or water supply fixtures. The subject property is zoned Manufacturing (C-2), and Light Industrial. The total parcel is approximately 103.76± Acres. There is an existing barn structure with attached accessory silos and a single-family dwelling on the remainder of the property outside of the proposed project site.

This business typically has 0-1 employees on-site only on occasion. Hours of operation are typically open 24 hours a day, 7 days a week to allow customers access as needed.

Neighborhood Character

The proposed project is not anticipated to have an impact on the adjoining properties any greater than the various existing uses and developments. This area of Town is interspersed with various commercial facilities located on parcels similar to this site and with similar proximity to adjoining residential uses. Access to the proposed facility will be directly off of NYS Route 7 in a highly visible location with no impact to residential neighborhoods. The owner also operates another self-storage facility within the Town of Duanesburg to the South along Route 20. This facility has been maintained well and occupancy has been essentially maxed out.

The new structures will not have any effect on the town communication, infrastructure or emergency systems due to its close proximity to the State Highway. This project will produce minimal noise, will be in keeping with the visual aesthetics, and will meet all Town codes regarding drainage and runoff. The proposed buildings are outside of the required side yard and front yard setback. The project is not anticipated to produce an increase in water usage, or an increase in solid waste generated at the site. There is no bulk storage of solvents or chemical proposed.

Stormwater

The project includes the commercial development involving ground disturbance of greater than one acre of land. A Full Stormwater Pollution Prevention Plan (SWPPP) which incorporates post-construction controls will be required and authorization obtained from NYSDEC for the proposed development project. The proposed stormwater design will meet all requirements outlined in the 2015 NYS Stormwater Design Manual and be in compliance with the NYS DEC General Permit 0-20-001.

There has been prior disturbance on the subject site authorized under a previously filed Notice of Intent for construction disturbance associated with a slope flattening operation. This activity incorporated Erosion and Sediment Control practices with no new permanent impervious areas.

Traffic

The subject use has a relatively low traffic intensity and the project is not anticipated to produce a significant increase in traffic along State Route 7. From the ITE Trip Generation Manual 10th Edition it is anticipated that the use will generate approximately 10 trips during the AM peak hour and 17 trips during the PM peak hour. The Average Annual Daily Traffic (AADT) for this section of NYS Route 7 was 4,670 in 2019. Based on the limited number of generated trips and the relative trips contributing to the existing AADT, additional traffic assessment or review is not warranted. The existing gravel driveway access for the site off of NYS Route 7 will be improved in accordance with NYSDOT standards and a permit for the improvements will be required.

Archeological

The Office of Parks, Recreation & Historic Preservation database was reviewed for potential Historic or Cultural significant data at or near the project site. The database revealed that the site is near an "archeologically sensitive bubble". The specific project area is outside of the bubble however due to the close proximity, a Phase 1A/1B Cultural Resource Survey was conducted. The study revealed no archeological significant finds within the project site. The executive summary of this report is attached to the Short Environmental Assessment Form.

Signage

A pole mounted sign is proposed to identify the facility to be located along the entrance at Route 7. The pole mounted sign will comply with Town code for setback, height, size and illumination.

Resolution

Town of Duanesburg Town Planning Board

January 20, 2022

Issuing a Special Use Permit for Motor Vehicle Sales under Duanesburg Local Law #6 of 2017 and Duanesburg Zoning Ordinance Section 8.4(18)

Moved by _____; Seconded by _____.

Whereas, Jules Obour, the owner of SBL #74.00-2-9 located at 13998 Duanesburg Road applied for a special use permit to allow him to sell motor vehicles;

Whereas, the application for Minor Motor Vehicle Sales was submitted to the Town of Duanesburg on August 6, 2021, accompanied by among other documents a completed Short EAF;

Whereas, the Building Inspector's determination confirmed that a special use permit was required for the project and that a total of two vehicles only could be offered for sale from the Property based on the limitations of Local Law #6 of 2017;

Whereas, the application was reviewed by the Town Planning Board at its meetings in August and September and determined to be complete at its October 19, 2021 meeting;

Whereas, a duly noticed public hearing was held on the application for a special use permit on November 18, 2021 at which public hearing members of the public commented on the application and the Planning Board heard and considered all public comments both written and oral and closed the public hearing;

Whereas, the Town Planning Board reviewed the Short EAF and has completed the attached Parts 2 and 3 of the EAF (attached hereto) on the proposal to offer no more than two vehicles for sale at the property;

Now, therefore, be it resolved that the Town Planning Board has reviewed the Short EAF Part 1 and the attached Parts 2 and 3 and determines that this application is an unlisted action pursuant to SEQRA and that an uncoordinated review will be undertaken and that the Town Planning Board will act as lead agency;

Be it further resolved that the Town Planning Board as SEQRA lead agency hereby adopts the SEAF Parts 2 and 3 and finds that no significant adverse environmental impact will occur as a result of offering for sale two motor vehicles from this property and determines that no Environmental Impact Statement will be prepared for this application;

Be it further resolved that the Town Planning Board hereby grants the special use permit for the offering of sale of no more than two motor vehicles from this property subject to the following conditions:

1. The Applicant Mr. Obour must be licensed by the NYS Department of Motor Vehicles as a dealer/seller of the motor vehicles in New York State;
2. The motor vehicles must be inspected and licensed to be offered for sale;
3. The motor vehicles are to be stored as shown on the approved sketch plan, dated _____;
4. The special use permit will be subject to being revoked in the event that the property is not kept in good condition in compliance with local law # 6 of 2017, the conditions of the special use permit and the regulations and requirements of the Town of Duanesburg, Schenectady County and New York State;
5. The Applicant shall obtain any highway permits necessary from the NYS Department of Transportation for the project;
6. No sign has been proposed for the property – if a sign is desired a permit must be obtained from the Town of Duanesburg Building Inspector;
7. The Applicant has represented to the Planning Board that the cars will be offered for sale over the internet and that no on-site advertising will occur;
8. No repair of motor vehicles on this property is authorized by this special use permit; and
9. No site disturbance or grading is authorized by this special use permit.

By (unanimous/majority) vote of the Planning Board of the Town of Duanesburg at its regular meeting of _____.

<u>Roll Call Vote:</u>	<u>Yes</u>	<u>No</u>	<u>Abstain/Absent</u>
------------------------	------------	-----------	-----------------------

Jeffrey Schmitt, Planning Board Chair
Elizabeth Novak, Board Member
Michael Harris, Board Member
Joshua Houghton, Board Member
Matt Hoffman, Board Member
Michael Santulli, Board Member
Michael Walpole, Board Member

Planning Board of the Town of Duanesburg

Jeffrey Schmitt, Planning Board Chair

Date

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

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

Part 1 – Project and Sponsor Information			
Jules Obour d/b/a VJ Motors			
Name of Action or Project: Special Use Permit Application for Minor Motor Vehicle Sales			
Project Location (describe, and attach a location map): 13998 Duanesburg Road, Town of Duanesburg, County of Schenectady, State of New York			
Brief Description of Proposed Action: Sale of 2 motor vehicles at one time at the site with space for 3 vehicles.			
Name of Applicant or Sponsor: Jules Obour		Telephone: 518 875 6119	
		E-Mail: geraldadwyer@gmail.com	
Address: c/o Gerald A. Dwyer, Esq., 650 Creek Road			
City/PO: Esperance		State: NY	Zip Code: 12066
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			YES
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO
If Yes, list agency(s) name and permit or approval: Duanesburg Town Planning Board			YES
3. a. Total acreage of the site of the proposed action?		4.756 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		4.756 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

Jeffery Schmitt, Planning Board Chair
Terresa Bakner, Board Attorney
Dale Warner, Town Planner
Melissa Deffer, Clerk



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

**TOWN OF DUANESBURG
SCHENECTADY COUNTY**

**PUBLIC HEARING
LEGAL NOTICE
FOR THE
TOWN OF DUANESBURG
PLANNING BOARD**

NOTICE OF PUBLIC HEARING

Meeting will also be available Zoom
<https://us02web.zoom.us/j/87039078096>

Meeting ID: 870 3907 8096

Passcode: 109029

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

Meeting ID: 870 3907 8096

Passcode: 109029

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 **NOVEMBER 18th, 2021**, AT **7:00 PM** FOR THE PURPOSE OF HEARING ALL PERSONS INTERESTED IN THE

APPLICATION OF:

#21-13 Obour, Jules: SBL# 74.00-2-9, (R-2) located at 13998 Duanesburg Rd is seeking a Special Use Permit for use of motor vehicle sales under Local Law #6 2017 of the Town of Duanesburg Zoning Ordinance Section 8.4(18).

APPLICATION INFORMATION IS AVAILABLE DURING BUSINESS HOURS.
PLEASE CONTACT:

Melissa Deffer Building, Planning and Zoning Clerk
5853 Western Turnpike
Duanesburg, NY 12056
P# 518-895-2040
Email: mdeffer@duanesburg.net

BY ORDER OF THE TOWN OF DUANESBURG
PLANNING BOARD
CHAIRPERSON

CHECKLIST OF REQUIRED INFORMATION:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Title of drawing. | <input checked="" type="checkbox"/> Septic system: Soil investigation completed? |
| <input checked="" type="checkbox"/> Tax Map ID # | <input checked="" type="checkbox"/> Sewer System: Which district? |
| <input checked="" type="checkbox"/> Zoning district | <input type="checkbox"/> Basic SWPPP (1≥) |
| <input checked="" type="checkbox"/> Current Original Deed | <input type="checkbox"/> Full Storm Water Control Plan (More than an acre) |
| <input checked="" type="checkbox"/> NYS Survey (L.S. & P.E.) | <input checked="" type="checkbox"/> Other (Building Set Backs) 80'(F)/40'(S) 80'(R) |
| <input checked="" type="checkbox"/> North Arrow, scale (1"=100') | <input type="checkbox"/> Storm Water Control Plan |
| <input checked="" type="checkbox"/> Boundaries of the property plotted and labeled to scale. | <input checked="" type="checkbox"/> Short or long EAF www.dec.ny.gov/eafmapper/ |
| <input checked="" type="checkbox"/> School District/Fire District | <input type="checkbox"/> Street pattern: Traffic study needed? |
| <input checked="" type="checkbox"/> Green area/ landscaping | <input type="checkbox"/> All property Mergers REQUIRE both owners Signatures on the Application |
| <input checked="" type="checkbox"/> Existing watercourses, wetlands, etc. | Additional Requirements for Special Use Application: |
| <input checked="" type="checkbox"/> Contour Lines (increments of 10ft.) | <input checked="" type="checkbox"/> New or existing building |
| <input checked="" type="checkbox"/> Easements & Right of ways | <input checked="" type="checkbox"/> Business Plan, Hours of operation, & number of employees, |
| <input checked="" type="checkbox"/> Abutting Properties Wells/ Sewer Systems within 100ft. | floor plan, uses, lighting plan/ landscaping/signage |
| <input checked="" type="checkbox"/> Well/ Water system | Parking, Handicap Spaces, & lighting plan |

Date August 6, 2021


Application type: Major Subdv Minor Subdv Special Use Permit Site/ Sketch Plan Review LotLine Adjust
 Proposal: Application for Minor Motor Vehicle Sales

Section 8.4 of Zoning Ordinance.

Present Owner: Jules Obour (AS APPEARS ON DEED!!)
 Address: 1399B Duaneburg Rd. Zip code: 12053
 Phone # (required) 917 697 6613

Applicants Name (if different): Gerald A Dwyer Phone# (required) 518 875 6119

Location of Property (if different from owners)
 Tax Map # 2A.00-2-9 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 hereby certifies that he/she is the owner of the above property or has duly authorized, in writing, by the owner of record to make this application. Further, by signing this application, the owner gives permission for a representative (r) of the Town of Duaneburg to walk the property for the purposes of conducting a site review.

Signature of Owner(S) and/or Applicant(S) _____ Date August 6, 2021

ALL APPLICATION FEES ARE NON-REFUNDABLE!

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

Approved Disapproved Refer to Code Enforcement Section _____ of _____ Ordinance

Planning Commission Comments: _____

 Planning Chairperson

 Date

 Code Enforcement

 Date



COPY

Gerald A. Dwyer, Esq.

650 Creek Road
Esperance, N.Y. 12066
(518) 875-6119
geraldadwyer@gmail.com

August 6, 2021

Mr. Dale Warner
Code Enforcement Officer
Town of Duanesburg
5853 State Highway 20
Duanesburg, N.Y. 12056

Re: Jules Obour, d/b/a VJ 10 Motors
Special Use Permit Application for Minor Motor Vehicle Sales
13998 Duanesburg Road, Delanson, N.Y. 12053

Dear Mr. Warner:

Please be advised that I represent Mr. Jules Obour in his application to the Town of Duanesburg Planning Board for a Special Use Permit for Minor Motor Vehicle Sales at his property located at the above address in the Town of Duanesburg. Accordingly, please find the following documents, submitted herewith as a part of that application:

- 1) Application for Special Use Permit, signed by the applicant;
- 2) Completed Short form EAF;
- 3) Copy of survey from his purchase in 2017, which shows his neighbors;
- 4) Sketch plan showing the gravel (crusher run) driveway and parking areas; the septic and well locations at the residence; the solid board fence around the area where cars are to be located; the setbacks (80' front and rear and 40' side) and the structures on the property as well as the woods on the side and rear of the property;
- 5) My firm check for \$100.00 for the permit application fee.

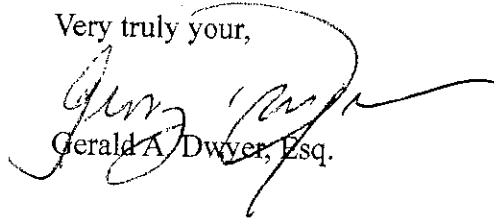
It is Mr. Obour's intention to sell used motor vehicles one at a time, through the internet only. At no time will there be more than six vehicles for sale on the property. There will be no signs, other than one small, unlighted sign less than two square feet at the road (Rte 7). There are no walk-in customers and no regular hours of business. Customers make appointments to come view a vehicle with Mr. Obour. Mr. Obour has no employees for the business.

The portion of the property containing the vehicles for sale and being prepared for sale has a solid fence on three sides; the rear is woods and unoccupied. The property is bounded on the west by vacant land consisting of woods and brush, on the south by Route 7, on the east by an unlicensed junk yard, and on the north by vacant, wooded land.

Please place this matter on the Planning Board agenda for their August 19, 2021 meeting dated. I will attend and provide any additional information the Board may need.

Thank you for your assistance in this matter.

Very truly your,

A handwritten signature in black ink, appearing to read "Gerald A. Dwyer". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Gerald A. Dwyer, Esq.

cc: Jules Obour

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

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

Part 1 – Project and Sponsor Information			
Jules Obour d/b/a VJ 10 Motors			
Name of Action or Project: Special Use Permit Application for Minor Motor Vehicle Sales			
Project Location (describe, and attach a location map): 13998 Duanesburg Road, Town of Duanesburg, County of Schenectady, State of New York			
Brief Description of Proposed Action: Sale of up to 6 motor vehicles what is town code 3?			
Name of Applicant or Sponsor: Jules Obour		Telephone: 518 875 6119	
		E-Mail: geraldadwyer@gmail.com	
Address: c/o Gerald A. Dwyer, Esq., 650 Creek Road			
City/PO: Esperance		State: New York	Zip Code: 12066
1. <u>Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?</u>			NO
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			YES
2. <u>Does the proposed action require a permit, approval or funding from any other government Agency?</u>			NO
If Yes, list agency(s) name and permit or approval: Duanesburg Town Planning Board			YES
3. a. <u>Total acreage of the site of the proposed action?</u>		4.756 acres	
b. <u>Total acreage to be physically disturbed?</u>		2.0 acres 0.0	
c. <u>Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?</u>		4.756 acres	
4. <u>Check all land uses that occur on, are adjoining or near the proposed action:</u>			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input checked="" type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

Shoreline Forest Agricultural/grasslands Early mid-successional
 Wetland Urban Suburban

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?

NO YES

16. Is the project site located in the 100-year flood plain?

NO YES

17. Will the proposed action create storm water discharge, either from point or non-point sources?

NO YES

If Yes,

a. Will storm water discharges flow to adjacent properties?

b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?

If Yes, briefly describe:

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?

NO YES

If Yes, explain the purpose and size of the impoundment:

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?

NO YES

If Yes, describe:

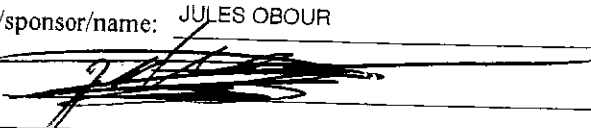
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?

NO YES

If Yes, describe:

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: JULES OBOUR Date: AUGUST 6 2021

Signature:  Title: Owner



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

December 7, 2021

Dale Warner, Town Planner
Town of Duanesburg
5853 Western Turnpike
Duanesburg, NY 12056

**Re: Oak Hill 1 and 2 Solar Project Review
Our Project No. 18510-01**

Dear Mr. Warner:

On November 18, 2021, PRIME AE attended the monthly planning board meeting where some items were brought to our attention that warranted official comment. Please find these below:

1. All items in our previous comment letters have been addressed by the applicant.
2. The applicant advised that the preliminary results of the infiltration and percolation tests were not favorable for the proposed infiltration design and an alternative design will need to be considered.
3. We revised FEAF Parts 2 and 3 and brought copies to the 11/18/2021 meeting. Planning Board requested that Part 3 reference the actual literature in which the ACOE approved the wetland disturbances. Therefore Part 3 has been revised. Up to date copies of Part 2 and Part 3 are enclosed for your record.
4. We reviewed the applicant's decommissioning cost for removing and disposing of the battery units for each site and the applicant's assessment was greater than ours.
5. We reviewed the results of the chemical tests performed in the "AR Coating Low-Iron Solar Glass". All tests for each chemical tested under the Candidate List of Substances of Very High Concern as published by the European Chemicals Agency came back as "not detected".
6. A concerned citizen sent the planning board concerns about the applicant violating NYSDOT regulations on 11/26/2021. However, the applicant was issued a NYSDOT Highway Work Permit on 8/10/2021. It should be noted that the permit expires on 12/31/2021 and the applicant will need to reapply for the permit.

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

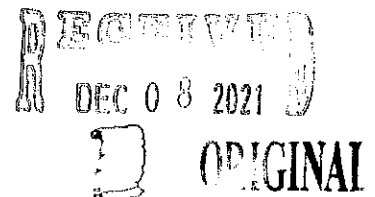
Sincerely,
KB Group of NY, Inc. dba PRIME AE Group of NY

Douglas P. Cole, PE
Senior Director of Engineering

cc: Roger Tidball, Supervisor



CONNECTING. CREATING. CONSERVING. COMMUNITY.
www.primeeng.com



Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]
 Project: Oak Hill Solar 1 and 2 LLC
 Date: 11/19/2021

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land			
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1, D.1)		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
<i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

RECEIVED
 DEC 08 2021

 ORIGINAL

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

NO

YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

NO

YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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I. Other impacts: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer.

NO YES

(See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding.

NO YES

(See Part 1. E.2)

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

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g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air

The proposed action may include a state regulated air emission source.
(See Part 1, D.2.f., D.2.h, D.2.g)

NO

YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1, E.2. m.-q.)

NO

YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

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9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2-3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical 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.	E3e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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d. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation			
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b, E2h, E2m, E2o, E2n, E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c, E1c, E2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas			
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d.) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

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13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.
 (See Part 1. D.2.j)

 NO YES

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.
 (See Part 1. D.2.k)

 NO YES

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.
 (See Part 1. D.2.m., n., and o.)

 NO YES

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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d. The proposed action may result in light shining onto adjoining properties.	D2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

NO

YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____			

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17. Consistency with Community Plans
 The proposed action is not consistent with adopted land use plans.
 (See Part 1. C.1, C.2. and C.3.) NO YES
If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other: _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character
 The proposed project is inconsistent with the existing community character.
 (See Part 1. C.2, C.3, D.2, E.3) NO YES
If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

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Project: Oak Hill Solar 1 and 2 LLC

Date: 11/19/2021

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

See Reasons Supporting This Determination Attached

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Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 UnlistedIdentify portions of EAF completed for this Project: Part 1 Part 2 Part 3

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Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Town of Duanesburg Planning Board _____ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Oak Hill Solar 1 and 2 LLC

Name of Lead Agency: Town of Duanesburg Planning Board

Name of Responsible Officer in Lead Agency: Jeffrey Schmitt

Title of Responsible Officer: Planning Board Chairperson

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: Dale Warner

Address: 5853 Western Turnpike Duanesburg, NY 12056

Telephone Number: 518-895-2040

E-mail: dale@duanesburg.net

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

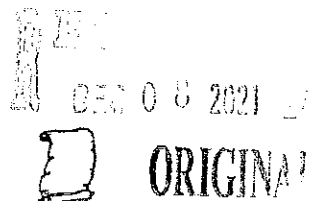
Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

PRINT FULL FORM



Oak Hill Solar 1 & 2, LLC

Full Environmental Assessment Form

Part 3 – Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance

The Oak Hill Solar LLC project has been reviewed and evaluated for environmental impacts in accordance with SEQRA, including completion of Parts 1, 2 and 3 of a Full Environmental Assessment Form. On Part 2 "identification of Potential Project Impacts", only two of the potential project impacts have been identified as "Moderate to Large" for the proposed amendment to the existing Special Use Permit for the Photovoltaic (PV) Solar Project located at 13590-13592 Duanesburg Rd. This is because the proposed action will be different from current surrounding land use patterns as this is the first proposed facility of its kind in the area, potentially having a moderate impact to the "Consistency with Community Plans" (No. 17a of Part 2). The proposed action may have a moderate impact on the "Consistency with Community Character" due to the fact that the development will be inconsistent with the character of the existing natural landscape for the same reason (No. 18f of Part 2). However, it is important to note that the proposed facility will be approximately 800' from public viewing (Duanesburg Road, Route 7) and will be heavily screened from the public vantage point by existing vegetation and natural gradation of the site.

The proposed project is overall consistent with the Town Comprehensive Plan, the Town Zoning Ordinance, and complies with the Town Law related to Solar Facilities. The parcels are not located in a Critical Environmental Area (No 12 of Part 2), will not result in a change to existing transportation systems (No. 13 of Part 2), will not cause an increase to the use of energy (No. 14 of Part 2), and are not in a Hazardous Waste Remediation Site nor will the proposed use impact human health from exposure to new or existing sources of contaminants (No. 16 of Part 2).

The two parcels SBL# 74.00-2-5.1 and SBL# 74.00-1-5.2 will be used for construction of PV Solar Panels, Equipment and Battery Storage which had been approved previously. The project will not impact any unique geological features as there are none on the site (No. 2 of Part 2). The project will not require the drilling of a well or a septic system, creating no impact to the groundwater (No. 4 of Part 2). The project is not in a designated floodway, causing no impact to flooding (No. 5 of Part 2). No emissions will be produced as part of this project, therefore, there will be no impacts to the air (No. 6 of Part 2).

The total acreage to be physically disturbed has been increased from 0.88 (+/-) to 69.72 (+/-) acres this now includes equipment pads access roadways and turn-arounds. Disturbances may range from driving construction equipment over the surface to grading as described in the plans. Temporary soil erosion control measures will be installed and maintained throughout any construction activities, in accordance with NYSDEC Stormwater Management Design Manual. The Applicant has increased the acreage of Impervious surface from .0288 acres to .09 acres due to the equipment pad sizes. Due to the description of the types of disturbances and the erosion control measures considered during construction, impact on land appears to be minimal (No. 1 of Part 2).

There are federally regulated wetlands identified on the parcels and a wetland delineation has been performed. All wetlands have been avoided to the maximum extent practicable and any impacts would be within the limits set forth in the US Army Corps of Engineers nationwide permit program. The actual wetland disturbance has been reduced from 1,585 sf. to less than 990 sf. Per correspondence transmitted from Bradley Sherwood, representative from USACE, on September 26, 2019 and October 4, 2021, this work has been authorized under Nationwide Permits 12 and 14 and that no further authorization is necessary on this project.

RECEIVED
DEC 08 2021

Page 1

ORIGINAL

Oak Hill Solar 1 & 2, LLC

Full Environmental Assessment Form

Part 3 – Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance

No NYSDEC wetlands or their regulated adjacent area will be disturbed by the project. Apart from the wetlands delineated on the plans and mentioned in Part 1 of the FEAF, there are no other surface water bodies on the site or directly adjacent to the site. Sediment control practices to be employed during and post construction will help mitigate impacts to surface water (No. 3 of Part 2).

Threatened or Endangered Species, primarily the Northern Long-eared Bat, have been identified. To avoid and minimize any potential threat to the bats, all tree removal activities must occur between October 31st and March 31st. Additionally, the clearing of wooded or meadowed areas during construction may have a small impact on plants and animals that are "of least concern" but impact will not be substantial (No. 7 of Part 2). The action will not result in any impacts to agricultural resources as the property is not actively farmed with cropland (No. 8 of Part 2).

It has been deemed that the proposed project may create a small impact to aesthetic resources, but this will not be significant. The main object of concern of the SEQR process regarding aesthetic resources are officially designated scenic views or aesthetic resources. The properties are not within view of many "publicly accessible vantage points". A small portion of the proposed facility may be visible from Duanesburg Road, Route 7. However, visual window will be small and most noticeable during the winter months when deciduous vegetation lose their leaves (No. 9 of Part 2).

The State Historic Preservation Office (SHPO) has reviewed the project and the report entitled "Phase I Archaeological Investigation, Oak Hill Solar Farms, NY-7/Duanesburg Road, Town of Duanesburg, Schenectady County, New York". No archaeological resources were identified during the survey. SHPO has noted that the proposed project is located adjacent to the National Register listed Sheldon Farmstead, however, SHPO has made the determination that the project will have "No Effect" to historical or cultural resources (No. 10 of Part 2).

The development of the proposed lot will eliminate the opportunity for the properties to be used for recreational resources for the foreseeable future. However, the properties are not actively used for recreation at this time anyway. The applicant identified that the site is periodically used for hunting. The impact on Open Space and Recreation has been determined to be minimal (No. 11 of Part 2).

Any potential noise impacts will be short term during construction activities. Noise produced by proposed equipment will be in compliance with the Town noise ordinance (No 15 of Part 2).

The Planning Board has requested and reviewed revised visual Impact Assessment, a revised Decommissioning plan, updated Stormwater Pollution Prevention Plan, revised SEQR Long Form, all revised changes to original plan including roadway and battery storage location changes for any potential impacts.

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ORIGINAL

DEED NORTH



Assumed highway boundary
(25.0' from centerline)

N.Y.S. ROUTE 7
DUANESBURG ROAD

S.B.L.# 74.00-2-10.111
Lot #1 "Meadow Pond Estates"
Lands n/f of
Brandon Schirhofer
L1958 p.704

S.B.L.# 74.00-2-41
Lot #10 "Meadow Pond Estates"
Lands n/f of
Brandon Schirhofer
L1958 p.704

S.B.L.# 74.00-2-40
Lot #11 "Meadow Pond Estates"
Lands n/f of
Brandon Schirhofer
L1958 p.704

Map Reference: "Meadow Pond Estates", dated April 26, 1989
Buckman & Whitbeck and recorded in the Schenectady County Clerk's Office on July 11, 1990 as Map number H-355.

S.B.L.# 74.00-2-24.1
Lands n/f of
Joshua F. Barnes
L1957 p.698

4.756 Acres
(207,158.46 sq. ft.)

Map Reference:

"Map Shpwg Survey of the Lands of John J. & Linda Mertz to be Conveyed to Michael J. & Hazel La Bombard", dated February 15, 1984 by Mark C. Blackstone, P.L.S.

This survey was prepared without the benefit of an up-to-date abstract of title and is therefore subject to any and all agreements, conditions, covenants, easements, restrictions and rights-of-way of record, as well as any other acts which said abstract would disclose.

Deed Reference:

EXR, LLC to Jules Obour, dated April 19, 2017 and recorded in the Schenectady County Clerk's Office on May 9, 2017 in Deed Book 1962 at page 492 as instrument number 2017-2127.

CAPPED IRON PIN FOUND

CAPPED IRON PIN FOUND

CAPPED IRON PIN FOUND

CAPPED IRON PIN FOUND

CAPPED IRON PIN SET 2017

CAPPED IRON PIN SET 2017

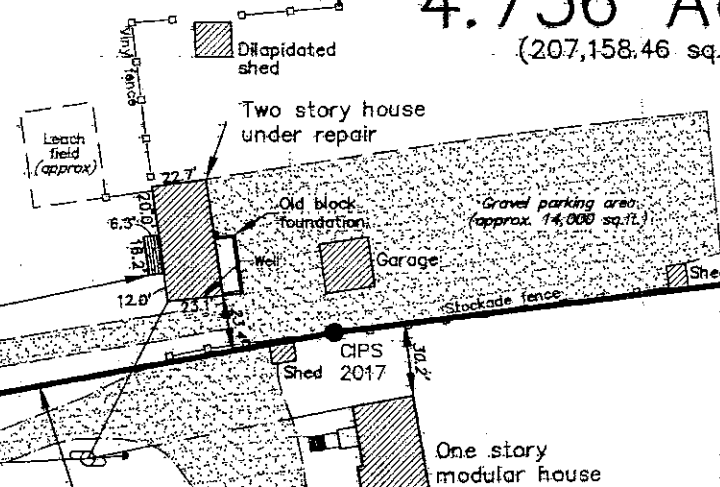
DISTURBED CAPPED IRON PIN FOUND

360.92'
268.00'
271.07'

N04°34'00"E 900.00' Tot.
(Deed: 900'+/-) (Blackstone: N04°34'E 900')

(Deed: 506°33'E 615.7') (Blackstone: 506°33'E 618.8')
S06°33'07"E 619.29'

S10°11'27"E 248.40'
(Deed: S11°15'E 249.1')
(Blackstone: S10°11'20"E 248.4')



S.B.L.# 74.00-2-10.2
Lands n/f of
Janet & Stanley Burke
L1750 p.187

S.B.L.# 74.00-2-8
#13994 Duaneburg Road
Lands n/f of
Janet & Stanley Burke
L1750 p.187

REV.	DATE	BY	CHK	DESCRIPTION
0	04/11/17	EAC	ACS	FIELD SURVEY DATE
1	09/30/21	EAC	ACS	SURVEY UPDATE

Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice of Land Surveys adopted by the N.Y. State Association of Professional Land Surveyors. Said certifications shall run only to the title insurance company, governmental agency, and lending institution listed hereon and to the assignees of the lending institution. Certifications are not transferable to additional institutions or subsequent owners.

Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of Section 7209, Subdivision 2 of the N.Y. State Education Law. Only copies from the original of this survey marked with an original of the land surveyor's embossed seal shall be considered to be valid copies.

In addition, only copies from the original of this survey marked with an original of the land surveyor's signature in RED shall be considered to be valid copies.

SANTO ASSOCIATES
LAND SURVEYING AND ENGINEERING, P.C.

1 BARNEY ROAD - SUITE 109
CLIFTON PARK, NY 12065
PHONE: (518) 383-8001 • FAX: (518) 383-6026

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ANDREW C. SQUARZI, L.S. LICENSE NO. 049901

SURVEY MAP AND PLOT PLAN OF LANDS OF

JULES OBOUR

AT 1998 NYS. ROUTE 7, DELANSON, NY 12053

S.B.L.# 74.00-2-9

DRAWN BY: EAC	TOWN OF DUANESBURG	SCALE: 1" = 80'
CHECKED BY: ACS	COUNTY OF SCHENECTADY	DWG. NO.: 7941
DATE: 04/11/17	STATE OF NEW YORK	REV.: 1