

Nelson Gage, Zoning Board Chair  
Dale Warner, Town Planner  
Melissa Deffer, Clerk  
Terresa Bakner, Attorney



Jonathan Lack, Vice Chair Member  
Link Pettit, Board Member  
Daniel Boggs, Board Member  
Matthew Ganster, Board Member

**Town of Duanesburg  
Zoning Board of Appeals  
April 19<sup>th</sup>, 2022**

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

Topic: Town of Duanesburg's ZBA Meeting

Time: This is a recurring meeting Meet anytime

**Join Zoom Meeting**

<https://us02web.zoom.us/j/86499746075>

**Meeting ID:** 864 9974 6075

**Passcode:** 130214

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

**Meeting ID:** 864 9974 6075

**Passcode:** 130214

**INTRODUCTION BY CHAIRPERSON NELSON GAGE:**

**OPEN FORUM**

**PUBLIC HEARINGS:**

**#22-01 Catalytic Recovery Corp**, SBL#67.00-3-8.1, (C-2) Located at 5469 Duanesburg Rd is seeking an Area Variance for a rear and side yard setback under section 12.6(2);12.6(4); 14.5.2(B) of the Town of Duanesburg Zoning Ordinance

Approved: Yes \_\_\_\_\_ No: \_\_\_\_\_

Comments: \_\_\_\_\_

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**OLD BUSINESS:**

None

**NEW BUSINESS:**

**#22-02 Urbano/Caschera**, SBL#35.06-3-5.2, (L-1) Located at 2610 Weast Rd is seeking a side yard setback and an Area Variance under section 7.1.6(2); 7.1.5(1) of the Town of Duanesburg Zoning Ordinance.

Comments: \_\_\_\_\_

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**#22-03 Oakhill Solar 1 LLC**, SBL#74.00-2-5.2 Located at 13592 Duanesburg Rd is seeking a Area Variance for a height of fence under section 5.7.(1) of the Town of Duanesburg Zoning Ordinance.

Comments: \_\_\_\_\_

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Nelson Gage, Zoning Board Chair  
Dale Warner, Town Planner  
Melissa Deffer, Clerk  
Terresa Bakner, Attorney



Jonathan Lack, Vice Chair Member  
Link Pettit, Board Member  
Daniel Boggs, Board Member  
Matthew Ganster, Board Member

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**#22-04 Oakhill Solar 2 LLC**, SBL#74.00-2-5.1 Located at 13590 Duanesburg Rd is seeking a Area Variance for a height of fence under section 5.7.(1) of the Town of Duanesburg Zoning Ordinance.

Comments: \_\_\_\_\_

\_\_\_\_\_

**Other:**

None

**ZONING BOARD MEETING MINUTES:**

March 15<sup>th</sup>, 2022

Approved: Yes \_\_\_\_\_ No: \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

**ADJOURNMENT**

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

Nelson Gage, Zoning Board Chair  
Dale Warner, Town Planner  
Melissa Deffer, Clerk  
Teresa Bakner, Attorney



Jonathan Lack, Vice Chair Member  
Link Pettit, Board Member  
Daniel Boggs, Board Member  
Matthew Ganster, Board Member

**PUBLIC HEARING  
LEGAL NOTICE  
FOR THE  
TOWN OF DUANESBURG  
ZONING BOARD OF APPEALS**

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## **NOTICE OF PUBLIC HEARING**

Town of Duanesburg is inviting you to a scheduled Zoom meeting.  
Topic: Town of Duanesburg's ZBA Meeting  
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**Meeting ID:** 864 9974 6075

**Passcode:** 130214

Please Take Notice, that the Zoning Board of Appeals for the Town of Duanesburg, New York, will meet in the Town Hall of Duanesburg, 5853 Western Turnpike, on April 19<sup>TH</sup>, 2022, at 7:00 pm for the purpose of hearing all persons interested in the application of:

**#22-01 Catalytic Recovery Corp**, SBL#67.00-3-8.1, (C-2) Located at 5469 Duanesburg Rd is seeking an Area Variance for a 55 ft rear yard setback and 15 ft east side yard setback under section 12.6(2);12.6(4); 14.5.2(B) of the Town of Duanesburg Zoning Ordinance.

APPLICATION INFORMATION IS AVAILABLE DURING BUSINESS HOURS. PLEASE CONTACT:

Melissa Deffer Building, Planning and Zoning Clerk

P# 518-895-2040

EMAIL: [Mdeffer@duanesburg.net](mailto:Mdeffer@duanesburg.net)

BY ORDER OF THE  
TOWN OF  
DUANESBURG ZONING BOARD OF APPEALS  
CHAIRPERSON

Encl: a copy of the previous meeting minutes for information on the application.

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

VARIANCE APPLICATION  
TOWN OF DUANESBURG  
ZONING BOARD OF APPEALS

Revised 03/5/15

Date: February 25, 2022 Zoning District \_\_\_\_\_ Type of Variance  
 Use Variance  Area Variance  
SBL# 67.00-3-8.1 Phone #: \_\_\_\_\_

Applicant's Name: Michael Grandy - Catalytic Recovery Corp. - Michael Grandy

Applicant's Address: 72 Apple Tree Lane  
Clifton Park, NY 12065

Property Owner Name(if different): Albert Abbatiello, Jr.

Property Address (if different): 5469 Duanesburg Road, Duanesburg, NY 12056

Property Owner's Signature \_\_\_\_\_  
(Signature of owner indicates they have reviewed the proposal and give their permission)

*55' rear  
15' side yard*

Proposal: (Brief description of request)  
Reduce left side line and rear yard from 80 feet to 25 feet because of property shape.

A copy of this notarized application and the accompanying information must be submitted to the Planning and Zoning Department for approval before being placed on the ZBA agenda. Twelve (15) copies of this application must be reviewed and filed at least 10 days prior to the next ZBA meeting.

**REQUIRED INFORMATION:**

*April 19*

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

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

*[Signature]*  
Applicant

2/25/22  
Date

GIA L. NEALON  
Notary Public, State of New York  
Registration #01NE6367062  
Qualified in Schenectady County  
Commission Expires Nov. 13, 2025

State of New York, county of Schenectady sworn this 25 day of February, 2022 Notary Public *[Signature]*

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

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

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

Other Conditions include: \_\_\_\_\_

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_  
(ZBA Chairperson)

8.1

576

UNIT 1215 0350

§ 3014 WARRANTY DEED - LIEN COVENANT (Rev. 6-70)

89 0727

© NATIONAL LEGAL SUPPLY, INC.  
126 Sheridan Ave., Albany, NY 12210

THIS INDENTURE, made the 23rd day of February 19 89  
BETWEEN CHARLES F. PETERS, residing at 64 Blue Barns Road,  
Rexford, New York 12148

ALBERT V. ABBATIello, JR., residing at 7240  
Bellevue Drive, Schenectady, New York 12303

GRANTOR

GRANTEE

RECEIVED  
1989 FEB 24 10 52

WITNESSETH, that the grantor, in consideration of (\$1.00)  
ONE AND NO/100 DOLLARS  
and other good and valuable consideration

lawful money of the United States  
paid by the grantee do hereby  
and assigns forever.

grant and release unto the grantee his heirs

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

BEGINNING at a point on the Southerly boundary of New York State Route 7 where  
said boundary is intersected by the Northerly boundary of Lot #5 of the subdivision  
of said Town of Duaneburg and proceeding thence the following three courses along  
said lot line: South 81° 40' 35" East 316.91 feet; thence South 81° 23' 40" East  
201.01 feet; thence South 82° 03' 35" East 93.00 feet to an iron pipe; proceeding thence  
through land remaining of Alfred L. and Clare N. Williams North 3° 07' 35" West  
289.03 feet to an iron pipe set along the Southerly boundary of New York State Route  
7; proceeding thence the following two courses along the Southerly boundary of New York  
State Route 7: South 71° 55' 35" West 189.96 feet; thence South 70° 57' 15" West  
431.71 feet to the point of beginning containing 2.00 acres more or less.

BEING the same premises conveyed by Warranty Deed from ALFRED L. WILLIAMS and  
CLARE N. WILLIAMS, his wife, to CHARLES F. PETERS dated June 15, 1974 and recorded  
in the Schenectady County Clerk's Office on June 25, 1974 in Book 979 of Deeds at  
Page 1118.

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

EXCEPTING AND RESERVING THEREFROM all that property appropriated by the People  
of the State of New York for Interstate Route 508 and described in Map No. 149, Parcel  
No. 168 filed in the Schenectady County Clerk's Office and by Appropriation of Property  
dated November 22, 1977 and recorded April 24, 1978 in Book 1016 of Deeds at Page 344.

RECEIVED  
\$ 978.00  
REAL ESTATE  
FEB 24 1989  
TRANSFER TAX  
SCHENECTADY  
COUNTY

2680

D R.P.T.S.A.  
TAX MAP IDENT.  
67 3 101 8.1

TOGETHER with the appurtenances and all the estate and rights of the grantor in and to said premises,  
TO HAVE AND TO HOLD the premises herein granted unto the grantee  
his heirs and assigns forever. AND the said grantor covenants as follows:

FIRST.- That the grantee shall quietly enjoy the said premises;  
SECOND.- That the grantor will forever warrant the title to said premises;

This deed is subject to the trust provisions of Section 13 of the Lien Law.

IN WITNESS WHEREOF, the grantor has hereunto set his hand and seal the day and year first  
above written.

*Charles F. Peters*  
CHARLES F. PETERS L.S.  
..... L.S.

STATE OF NEW YORK COUNTY OF SCHENECTADY

On the 23rd day of February 19 89 before me came  
CHARLES F. PETERS  
to me known and known to me to be the individual described in, and who executed, the foregoing instrument,  
and acknowledged to me that he executed the same.

SHARON L. MERICLE  
Notary Public, State of New York  
Qualified in Schenectady County  
My Comm. expires 12/31/89  
*Sharon L. Mericle*  
Notary Public

R & R: TOPPENA & TOPPENA, 1570 State Street, Schenectady, New York 12304





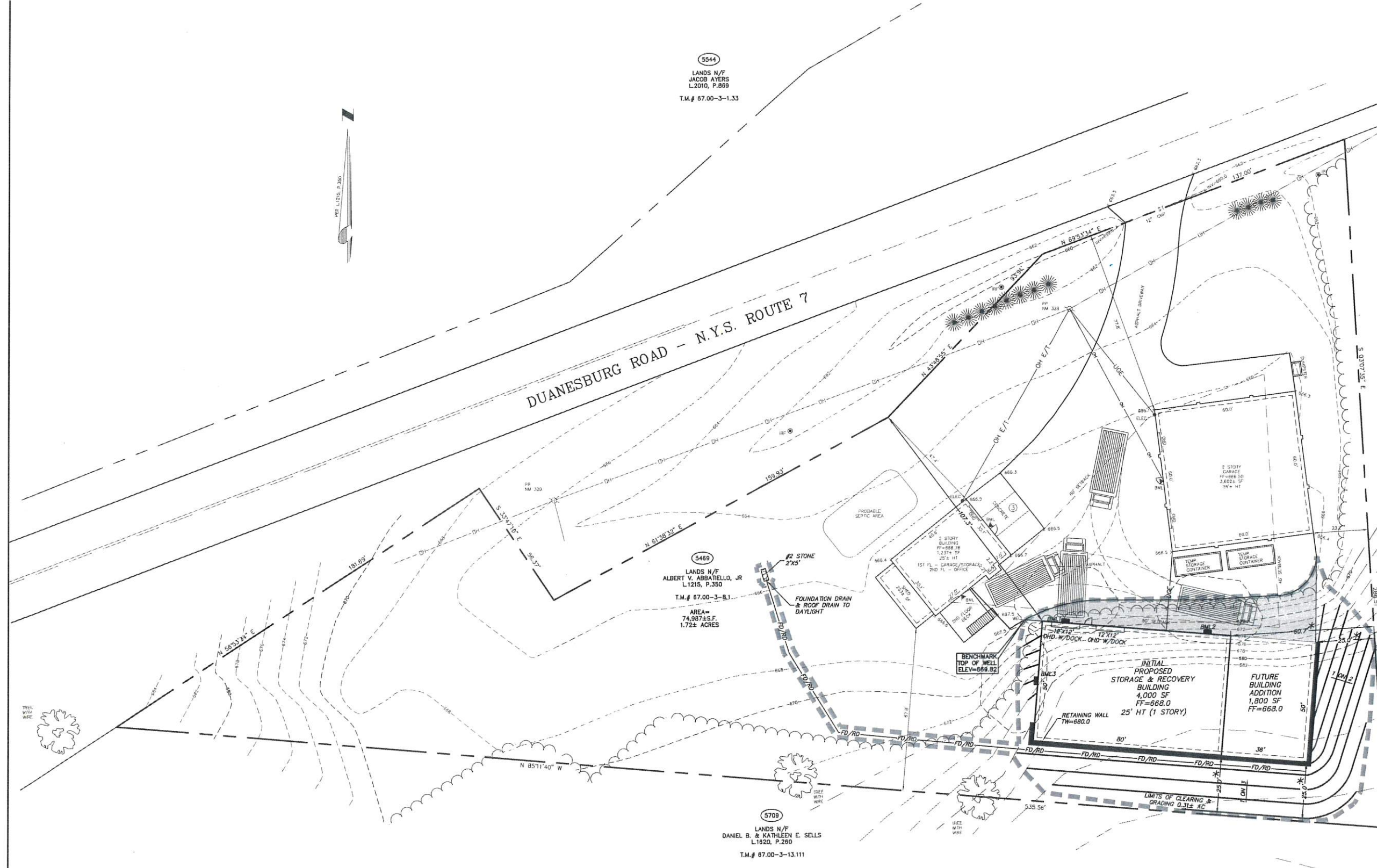
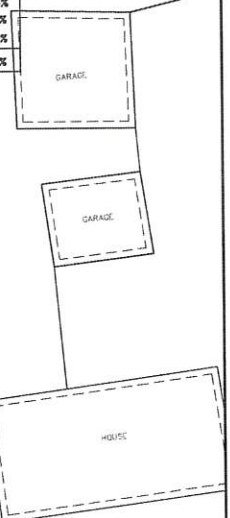
SITE LOCATION

- NOTES:**
1. BASE MAPPING PREPARED FROM A DECEMBER 2021 FIELD SURVEY.
  2. THE PLANS SHOW SOME KNOWN STRUCTURE, ABOVEGROUND STRUCTURES AND/OR UTILITIES BELIEVED TO EXIST IN THE WORKING AREA. EXACT LOCATION OF WHICH MAY VARY FROM THE LOCATIONS INDICATED. IN PARTICULAR, THE CONTRACTOR IS WARNED THAT THE EXACT OR EVEN APPROXIMATE LOCATION OF SUCH PIPE LINES, SUBSURFACE STRUCTURES AND/OR UTILITIES IN THE AREA MAY BE DIFFERENT FROM THAT SHOWN OR MAY NOT BE SHOWN AND IT SHALL BE HIS RESPONSIBILITY TO PROCEED WITH GREAT CARE IN EXECUTING ANY WORK. 48 HOURS BEFORE YOU DIG, DRILL OR BLAST, CALL U.F.P.O. (1-800-982-7992), TOLL FREE.

ZONING: C-2 MANUFACTURING & LIGHT INDUSTRIAL		
REQUIRED	PROVIDED EXISTING	PROVIDED PROPOSED
LOT SIZE: 100,000 SF MIN.	74,987 SF (1.72 AC)	74,987 SF (1.72 AC)*
LOT WIDTH: 200' MIN.	573.53'	573.53'
LOT DEPTH: 200' MIN.	288.51'	288.51'
LOT COVERAGE: 50% MAX.	6.8%	14.5%
BUILDING HEIGHT: 3 STORIES (42') MAX.	25'± (2 STORIES)	25'± (2 STORIES)
BUILDING SIZE: 40,000 SF MAX.	5,102 SF	10,902 SF TOTAL
SETBACKS:		
FRONT: 80'	47.4'	107.3'
SIDE: 40'	23.2'*	25.0'*
REAR: 80'	67.8'*	25.0'*

\* VARIANCE REQUIRED

COVERAGE STATISTICS		
BUILDINGS:	10,902 SF	14.5%
PAVEMENT:	12,314 SF	16.5%
GREEN SPACE:	51,771 SF	69.0%
<b>TOTAL</b>	<b>74,987 SF (1.72 ACRES)</b>	<b>100%</b>

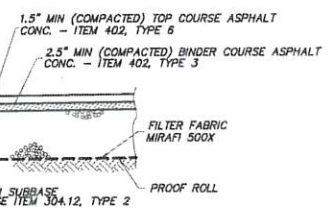


5544  
LANDS N/F  
JACOB AYERS  
L.2010, P.869  
T.M.# 67.00-3-1.33

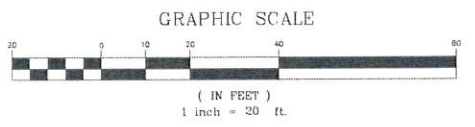
5469  
LANDS N/F  
ALBERT V. ABBATIello, JR  
L.1215, P.350  
T.M.# 67.00-3-8.1  
AREA =  
74,987±S.F.  
1.72± ACRES

5709  
LANDS N/F  
DANIEL B. & KATHLEEN E. SELLS  
L.1620, P.260  
T.M.# 67.00-3-13.111

5431  
LANDS N/F  
MICHAEL E. LEDLEY  
L.1278, P.182  
T.M.# 67.00-3-1.2



PAVEMENT DETAIL  
NO SCALE



OWNER:  
ALBERT V. ABBATIello JR.  
5469 DUANESBURG ROAD  
DUANESBURG, NY 12056  
TAX MAP # 67.00-3-8.1

APPLICANT UNDER CONTRACT:  
CATALYTIC RECOVERY CORP.  
(MICHAEL GRANDY)  
72 APPLE TREE LANE  
CLIFTON PARK, NY 12085

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

JOSEPH J. BIANCHINI, P.E.  
N.Y.E. LICENSE NO. 50228

SITE PLAN  
**CATALYTIC RECOVERY CORP.**  
5469 DUANESBURG ROAD

TOWN OF DUANESBURG COUNTY OF SCHENECTADY

STATE OF NEW YORK  
**ABD ENGINEERS, LLP**  
411 Union Street  
Schenectady, NY 12305  
518-377-0315 Fax: 518-377-0379  
www.abdeng.com

DATE: FEBRUARY 23, 2022 SCALE: 1" = 20' DWG. 5423A-S1 SHEET 1 OF 1

VARIANCE APPLICATION  
TOWN OF DUANESBURG  
ZONING BOARD OF APPEALS

Revised 03/5/15

Date: February 25, 2022 Zoning District L-1 Type of Variance  
 Use Variance  Area Variance  
SBL# 35.06-3-5.2 Phone #: 518-461-9757

Applicant's Name: Fabio Urbano, Giuseppe Caschera

Applicant's Address: 310 Currybush Connection  
Schenectady, NY 12306

Property Owner Name (if different): \_\_\_\_\_

Property Address (if different): \_\_\_\_\_

Property Owner's Signature \_\_\_\_\_  
(Signature of owner indicates they have reviewed the proposal and give their permission)

Proposal: (Brief description of request)  
To build a residential home with sufficient living space, meeting NYS Building Code. The with of proposed home will need to encroach side setbacks and, therefore, an area variance is being requested.

A copy of this notarized application and the accompanying information must be submitted to the Planning and Zoning Department for approval before being placed on the ZBA agenda. Twelve (15) copies of this application must be reviewed and filed at least 10 days prior to the next ZBA meeting.

**REQUIRED INFORMATION:**

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

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

A. Casch Fabio 3/9/22  
Applicant Date

State of New York, county of Schenectady sworn this 9th day of March 2022. Notary Public



\*\*\*\*\* (For Office use only) \*\*\*\*\*  
Reviewed by \_\_\_\_\_ Date \_\_\_\_\_  
Fee \_\_\_\_\_ Date \_\_\_\_\_ Check# \_\_\_\_\_ Rec'd By \_\_\_\_\_  
Hearing Date \_\_\_\_\_ Approved: YES NO Approval Date \_\_\_\_\_

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

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_  
(ZBA Chairperson)

## Attachment to Variance Application 2610 Weast Road

The provision sets forth five factors for the board to consider granting the area variance.

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the variance.

Lot is pre-existing, nonconforming with frontage similar to other frontages on the street. The area variance requested for side setback will not create an undesirable change in the character of the neighborhood as other houses on the lot are closer to the property line than the required 40 foot side setback.

2. Whether the benefit sought by the applicant can be achieved by some other feasible method other than the variance.

No, applicant does not have additional land to increase lot width. House could be smaller to increase side setback, but not feasible for adequate living space. Plus, no matter what sized house is proposed, an area variance will be required.

3. Whether the requested variance is substantial.

Yes, however, no matter what sized house is proposed, an area variance will be required. The required 40-foot side setback makes the development of the site so there is no alternative but to request a variance.

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

No, the lot is large enough to accommodate a decent size house while meeting minimum NYS codes to property line. Additionally, the lot has access to the public sewer.

5. Whether the alleged difficulty was self-created, (that it was will not necessarily preclude the granting of the area variance.)

No, this is a pre-existing lot that already does not meet side setbacks. When the Town installed the sewer main down Weast Road, a lateral was provided for this lot, intending for someone to build a house.





# OFFICE OF THE SCHENECTADY COUNTY CLERK

620 STATE STREET

SCHENECTADY, NY 12305-2114

PHONE (518) 388-4220

FAX (518) 388-4224

Maryellen Brehm

Alicia Godlewski

Jeffrey Morrette

Carla Saglimbeni  
Deputy County ClerksCara M. Ackerley  
County Clerk

Instrument Number - 202118183

Recorded On 4/22/2021 At 2:28:50 PM

\* Instrument Type - DEED

\* Book/Page - DEED/2057/181

\* Total Pages - 5

Invoice Number - 1080285 User ID: TMH

\* Document Number - 2021-1921

\* Grantor - ASHLEY SCOTT D

SLATER CRYSTAL

\* Grantee - FUSCO SALVATORE

\*RETURN DOCUMENT TO:

MERIDIAN RESEARCH GROUP, LLC

12 CORNELL RD.

LATHAM, NY 12110

\* FEES

NY REALTY TRANSFER TAX	\$100.00
NY LAND SUR	\$4.75
NY E & A FEES	\$241.00
NY LAND COMP SUR	\$14.25
CO GENERAL REVENUE	\$50.50
CO LAND SUR	\$0.25
CO E & A FEES	\$9.00
CO LAND COMP SUR	\$0.75
CONVEYANCE NOTIFICATION	\$10.00
TOTAL PAID	\$430.50

TRANSFER TAX

Real Estate Transfer Tax Num - 3661

Transfer Tax Amount - \$ 100.00

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 - 202118183

001PFR



Meridian Research Group LLC  
12 Cornell Rd.  
Latham, NY 12110

21-5910

THIS INDENTURE made March 11, 2021

Between

**SCOTT D. ASHLEY AND CRYSTAL SLATER**, as husband and wife, residing at 14  
Mayflower Drive, Schenectady, NY 12306,

*party of the first part,*

**SALVATORE FUSCO**, residing at 3006 Westside Ave, Rotterdam, NY 12306,

*party of the second part,*

**WITNESSETH** that the party of the first part, in consideration of TEN DOLLARS (\$10.00) 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, the heirs or successors and assigns of the party of the second part forever,

All that certain lot, piece or parcel of land, situate in the Town of Duanesburgh, County of Schenectady and State of New York, with the buildings thereon, lying and being on the Northerly side of Lakeside Avenue, known and distinguished on a map entitled "Lakeside Tract, Mariaville, N.Y.", as surveyed by Frank W. Smith, 1912, and filed in the Office of the Clerk of the County of Schenectady, July 26, 1912, as Lot No. eight (8) and bounded as follows:

(See Schedule A Attached)

**BEING** the same premises conveyed by Margaret Coker to Scott D. Ashley and Crystal Slater by deed dated January 16, 2015 and recorded February 13, 2015 in the Office of the Clerk, Schenectady County, New York, in Book 1909 at Page 509.

**SUBJECT** to all easements, restrictions, covenants and conditions of record affecting the 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, the heirs or successors and assigns of the party of the second part forever.

**AND** the party of the first part covenants as follows:

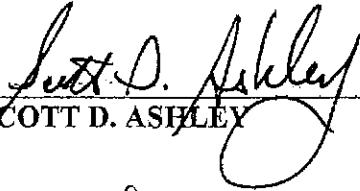
- FIRST**, That the party of the second part shall quietly enjoy the said premises;
- SECOND**, That the party of the first part will forever **WARRANT** the title to said premises.
- THIRD**, the party of the first part, in compliance with Section 13 of the Lien Law; covenants that

the party of the first will receive the consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

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

**IN WITNESS WHEREOF**, the party of the first part has duly executed this deed the day and year first above written.


In Presence of

  
\_\_\_\_\_  
SCOTT D. ASHLEY L.S.

  
\_\_\_\_\_  
CRYSTAL SLATER L.S.

STATE OF NEW YORK  
COUNTY OF

On the 11 day of March, 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared **SCOTT D. ASHLEY AND CRYSTAL SLATER** 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 signatures on the instrument, the individual(s), or the person(s) upon behalf of which the individual(s) acted, executed the instrument.

  
\_\_\_\_\_  
Notary Public

KEVIN J. ENGEL  
Notary Public, State of New York  
Qualified in Rensselaer County  
Reg. No. 4543574  
Commission Expires Oct 31, 2021

**SCHEDULE A DESCRIPTION**

**ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND**, situated in the Town of Duaneburg, County of Schenectady and State of New York, with the buildings thereon, lying and being on the Northerly side of Lakeside Avenue, known and distinguished on a map entitled "Lakeside Tract, Marietta, N. Y.", as surveyed by Frank W. Smith, 1912, and filed in the Office of the Clerk of the County of Schenectady, July 26, 1912, as Lot No. eight (8) and bounded as follows:

**SOUTHERLY** and in front by Lakeside Avenue, as designated on said map, about sixty feet along the same; **Westerly** by Lot No. seven (7) as designated on said map, three hundred and twenty-four feet along the same; **Northerly** by Hillside Avenue, as designated on said map, sixty feet along the same and **Easterly** by Lot No. nine as designated on said map, three hundred eleven feet along the same.

**EXCEPTING AND RESERVING** an agreement from Kathleen Hewitt to Town of Duaneburg in agreement d. February 21, 2003 and recorded April 10, 2003 in Book 1648 at Page 600 described as follows:

**ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND**, situated in the Town of Duaneburg, County of Schenectady and State of New York being a permanent construction easement, situated on land as shown on Town of Duaneburg tax map 035.06 prepared by Schenectady County Real Property Tax Service Agency, Aera Service dated November 7, 1975 and being more particularly bounded and described as follows:

**BEGINNING AT A POINT** on the southwest corner of parcel 035.06-3-5.2, said point also being on the northerly bounds of the NYS Route 159 R.O.W. in the Town of Duaneburg, County of Schenectady, State of New York;

**PROCEEDING THENCE** (in a clockwise direction around the proposed bounds) in a northerly direction along the westerly bounds of parcel 035.06-3-5.2 a distance of approximately 20' to a point;

**THENCE**, in a westerly direction through parcel 035.06-3-5.2, a distance of approximately 60' to a point on the easterly bounds of parcel 035.06-3-5.2;

**THENCE**, in a southerly direction along the easterly bounds of parcel 035.06-3-5.2 to the southeast corner of parcel 035.06-3-5.2, a distance of approximately 20' to a point;

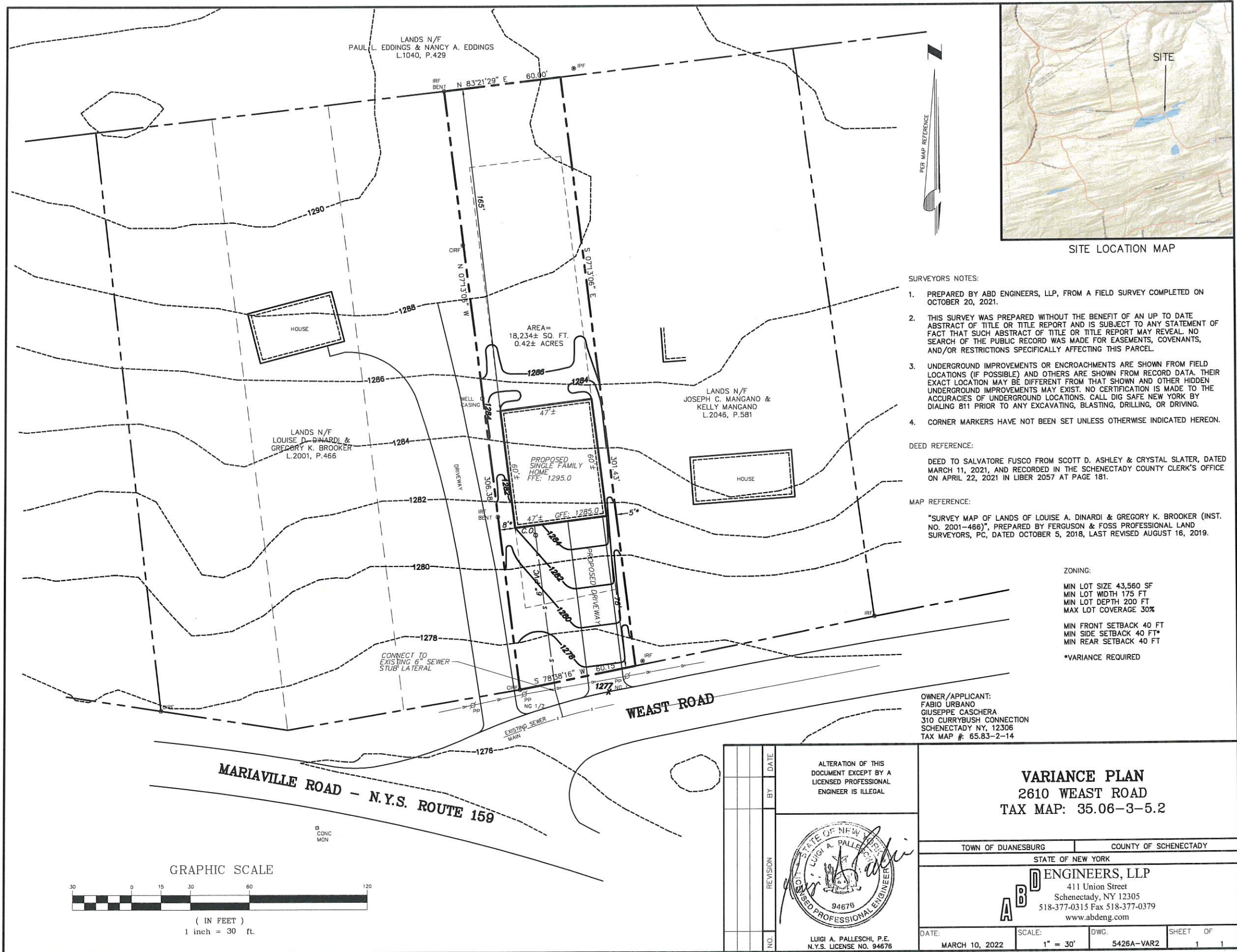


THENCE, in a westerly direction along the southern bounds of parcel 035.05-3-5.2, a distance of approximately 80' to the southwest corner of parcel 035.05-3-5.2, said corner also being the point and place of beginning.

TO HAVE AND TO HOLD the aforesaid permanent easement and right-of-way herein granted unto the party of the second part.

This permanent easement and right-of-way shall be exclusively for the following use and/or uses and purposes:

1. To construct and lay a pipe with the right of ingress and egress for any and all purposes connected with the digging of a trench, laying of pipe, the maintenance, use, operation, repair, inspection and reconstruction of said pipe and its appurtenances in and over all aforesaid permanent easement.
2. In addition, if it becomes reasonably necessary in the course of construction of the proposed pipe, the party of the second part may go upon the lands of the grantors immediately adjacent to the right-of-way and temporarily lay excavated dirt material thereon with his machines and tools thereon, which will be restored to the same line and grade that existed, prior to excavation, reseeded, and restored as necessary.
3. The parties agree that this permanent easement does not give the party of the second part the right to go upon any other lands of the party of the first part for the purposes so stated in the agreement.
4. The party of the second part agrees to restore the land within the permanent easement, to line and grade that existed prior to the commencement of the project, including reseeded and restoration as necessary. The party of the second part also agrees to make an obvious effort not to destroy trees during the construction phase.



SITE LOCATION MAP

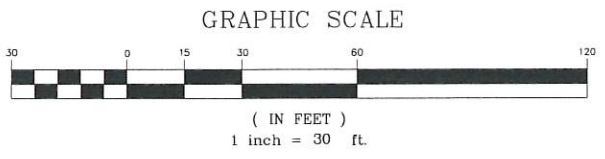
- SURVEYORS NOTES:**
1. PREPARED BY ABD ENGINEERS, LLP, FROM A FIELD SURVEY COMPLETED ON OCTOBER 20, 2021.
  2. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN UP TO DATE ABSTRACT OF TITLE OR TITLE REPORT AND IS SUBJECT TO ANY STATEMENT OF FACT THAT SUCH ABSTRACT OF TITLE OR TITLE REPORT MAY REVEAL. NO SEARCH OF THE PUBLIC RECORD WAS MADE FOR EASEMENTS, COVENANTS, AND/OR RESTRICTIONS SPECIFICALLY AFFECTING THIS PARCEL.
  3. UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS ARE SHOWN FROM FIELD LOCATIONS (IF POSSIBLE) AND OTHERS ARE SHOWN FROM RECORD DATA. THEIR EXACT LOCATION MAY BE DIFFERENT FROM THAT SHOWN AND OTHER HIDDEN UNDERGROUND IMPROVEMENTS MAY EXIST. NO CERTIFICATION IS MADE TO THE ACCURACIES OF UNDERGROUND LOCATIONS. CALL DIG SAFE NEW YORK BY DIALING 811 PRIOR TO ANY EXCAVATING, BLASTING, DRILLING, OR DRIVING.
  4. CORNER MARKERS HAVE NOT BEEN SET UNLESS OTHERWISE INDICATED HEREON.

**DEED REFERENCE:**  
 DEED TO SALVATORE FUSCO FROM SCOTT D. ASHLEY & CRYSTAL SLATER, DATED MARCH 11, 2021, AND RECORDED IN THE SCHENECTADY COUNTY CLERK'S OFFICE ON APRIL 22, 2021 IN LIBER 2057 AT PAGE 181.

**MAP REFERENCE:**  
 "SURVEY MAP OF LANDS OF LOUISE A. DINARDI & GREGORY K. BROOKER (INST. NO. 2001-466)", PREPARED BY FERGUSON & FOSS PROFESSIONAL LAND SURVEYORS, PC, DATED OCTOBER 5, 2018, LAST REVISED AUGUST 16, 2019.

**ZONING:**  
 MIN LOT SIZE 43,560 SF  
 MIN LOT WIDTH 175 FT  
 MIN LOT DEPTH 200 FT  
 MAX LOT COVERAGE 30%  
 MIN FRONT SETBACK 40 FT  
 MIN SIDE SETBACK 40 FT\*  
 MIN REAR SETBACK 40 FT  
 \*VARIANCE REQUIRED

**OWNER/APPLICANT:**  
 FABIO URBANO  
 GIUSEPPE CASCHERA  
 310 CURRYBUSH CONNECTION  
 SCHENECTADY NY, 12306  
 TAX MAP # 65.83-2-14



NO.	REVISION	BY	DATE

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

LUIGI A. PALLESCI, P.E.  
 N.Y.S. LICENSE NO. 94676

**VARIANCE PLAN**  
 2610 WEAST ROAD  
 TAX MAP: 35.06-3-5.2

TOWN OF DUANESBURG      COUNTY OF SCHENECTADY

STATE OF NEW YORK

**ABD ENGINEERS, LLP**  
 411 Union Street  
 Schenectady, NY 12305  
 518-377-0315 Fax 518-377-0379  
 www.abdeng.com

DATE:	SCALE:	DWG.	SHEET OF
MARCH 10, 2022	1" = 30'	5426A-VAR2	1 1

**VARIANCE APPLICATION  
TOWN OF DUANESBURG  
ZONING BOARD OF APPEALS**

Revised 03/5/15

Date: 04/05/2022 Zoning District R-2 Type of Variance  
 Use Variance  Area Variance  
 SBL# 74.00 2 5.1 and 74.00 2 5.2 Phone #: 303-653-8805  
 or 781-234-8743

Applicant's Name: Oak Hill Solar 1 LLC and Oak Hill Solar 2 LLC

Applicant's Address: 518 17th Street, Suite 950  
Denver, CO 80202

Property Owner Name(if different): Estate of Richard Bruce Murray  
13590-13592 Duanesburg Road, Delanson  
 Property Address (if different): \_\_\_\_\_

Property Owner's Signature \_\_\_\_\_  
 (Signature of owner indicates they have reviewed the proposal and give their permission)

Proposal: (Brief description of request)  
See attached brief description

A copy of this notarized application and the accompanying information must be submitted to the Planning and Zoning Department for approval before being placed on the ZBA agenda. Twelve (15) copies of this application must be reviewed and filed at least 10 days prior to the next ZBA meeting.

**REQUIRED INFORMATION:**

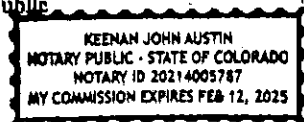
- Copy of the property deed
- Location map showing the location of the property with
  - A) Name of applicant and SBL#
  - B) North arrow; Street and if applicable the lake shore
  - C) Adjoining property owners names with location of wells and septic systems within 100ft of the adjoining property boundaries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

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

By: Nicole LeBlanc  
By: Oak Hill Solar 1 LLC and Oak Hill Solar 2 LLC  
 Map Solar Development Inc.  
 its Manager  
 Applicant  
 Nicole LeBlanc  
 Authorized Signatory

4/6/22  
Date

State of New York, county of Schenectady sworn this 6<sup>TH</sup> day of APRIL 2022, Notary Public  
COLORADO DENVER



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

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

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

Other Conditions include: \_\_\_\_\_

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_  
 (ZBA Chairperson)

VARIANCE APPLICATION  
TOWN OF DUANESEBORG  
ZONING BOARD OF APPEALS

REVISED 03/2017

Date: 04/05/2022 Zoning District R-2 Type of Variance  
 Use Variance  Area Variance  
SBL# 7400 2 51 and 7400 2 52 Phone #: 303-653-9905  
or 781-234-6743

Applicant's Name: Oak Hill Solar 1 LLC and Oak Hill Solar 2 LLC

Applicant's Address: 518 17th Street, Suite 950  
Denver, CO 80202

Property Owner Name (if different): Estate of Richard Bruce Murray

Property Address (if different): 13590-13592 Duaneburg Road, Delanson

Property Owner's Signature: [Handwritten Signature]  
(Signature of owner indicates they have reviewed the proposal and give their permission)

Proposal: (Brief description of request)  
See attached brief description

A copy of this notarized application and the accompanying information must be submitted to the Planning and Zoning Department for approval before being placed on the ZBA agenda. Twelve (12) copies of this application must be reviewed and filed at least 10 days prior to the next ZBA meeting.

**REQUIRED INFORMATION:**

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

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

By: [Signature]  
Oak Hill Solar 1 LLC and Oak Hill Solar 2 LLC  
Site Manager

Applicant \_\_\_\_\_ Date \_\_\_\_\_

State of New York, county of Schoharady sworn this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ Notary Public

Notary Public (See Office for duty)





amp.energy

1550 Wewatta St, 4th Fl  
Denver, CO 80202  
United States

T +1 303.653.9805

April 5, 2022

**SENT VIA Email**

Mr. Dale Warner  
Town Planner  
5853 Western Turnpike  
Duanesburg, NY 12056

**RE: Oak Hill ZBA Variance Description**  
Oak Hill Solar 1 LLC and Oak Hill Solar 2 LLC

Oak Hill Solar 1 LLC and Oak Hill Solar 2 LLC ( the "Applicants") are requesting an area variance for fence height. The Town of Duanesburg Zoning, as amended by Local Law No. 1 of 2016 states that equipment of a solar energy system shall be enclosed with a six foot fence. Section 3(a). However, this requirement is in conflict with the NEC which requires solar energy systems to be enclosed with a seven foot fence. The Applicants are, therefore, requesting an area variance of two-feet to construct an eight foot agricultural fence, the shortest available for compliance with the NEC.

Please feel free to call Bill Pedersen at 781-234-8743 with any questions.



Agricultural Data Statement

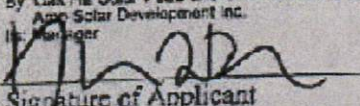
Date: 4/5/2022

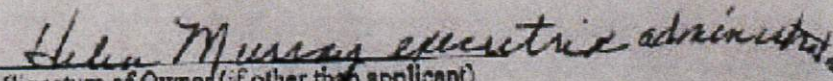
Instructions: Per § 305-a of the New York State Agriculture and Markets Law, any application for a special use permit, site plan approval, use variance or a subdivision approval requiring municipal review and approval would occur on property within a New York State Certified Agricultural District containing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

Applicant	Owner if Different from Applicant
Name: <u>Oak Hill Solar 1 LLC and Oak Hill Solar 2 LLC</u>	Name: <u>Estate of Richard Bruce Murray</u>
Address: <u>518 17th Street, Suite 950</u>	<u>157 Barrett Street</u>
<u>Denver, CO 80202</u>	<u>Schenectady NY 12305</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:  
Oak Hill Solar 1 LLC and Oak Hill Solar 2 LLC (the "Applicants") are requesting an area variance for fence height. The Town of Duaneburg Zoning, as amended by Local Law No. 1 of 2016 states that equipment of a solar energy system shall be enclosed with a six-foot fence. Section 9(a). However, this requirement is in conflict with the NEC, which requires solar energy systems to be enclosed with an eight foot fence. The Applicants are, therefore, requesting an area variance of two feet to construct an eight foot agricultural fence as required for compliance with the NEC.
3. Location of project: Address: 13590-13592 Duaneburg Road, Delanson  
Tax Map Number (TMP) 74.00-2-5.1 and 74.00-2-5.2
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.

74.00-3-19 NAME: <u>Pamela Rowling</u> ADDRESS: <u>Youngs Road</u> Is this parcel actively farmed? <input checked="" type="checkbox"/> 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

By Oak Hill Solar 1 LLC and Oak Hill Solar 2 LLC  
App. Solar Development Inc.  
Its Manager  
  
Signature of Applicant  
Nicola LeBlanc  
Authorized Signatory

  
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.



# OFFICE OF THE SCHENECTADY COUNTY CLERK



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

Maryellen Brehm

Alicia Godlewski

Jeffrey Morrette

Carla Saglimbeni  
Deputy County Clerks

**Cara M. Ackerley**  
County Clerk

Instrument Number - 201956996  
Recorded On 12/26/2019 At 1:17:11 PM  
\* Instrument Type - DEED  
\* Book/Page - DEED/2027/142  
\* Total Pages - 6  
Invoice Number - 1035032      User ID: LPD  
\* Document Number - 2019-5557  
\* Grantor - MURRAY RICHARD B  
  
\* Grantee - MURRAY RICHARD B

\*RETURN DOCUMENT TO:  
YOUNG/SOMMER LLC  
5 PALISADES DR STE 300  
ALBANY, NY 12205-6433

\* FEES

NY LAND SUR	\$4.75
NY E & A FEES	\$241.00
NY LAND COMP SUR	\$14.25
CO GENERAL REVENUE	\$55.00
CO LAND SUR	\$0.25
CO E & A FEES	\$9.00
CO LAND COMP SUR	\$0.75
TOTAL PAID	\$325.00

TRANSFER TAX

Real Estate Transfer Tax Num - 2024  
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.

WARRANTY DEED

THIS INDENTURE made the 19 day of December, 2019, by and between:

RICHARD B. MURRAY, an individual residing at 1206 Oak Hill Road, Esperance, New York 12066,

Party of the First Part, and

RICHARD B. MURRAY, an individual residing at 1206 Oak Hill Road, Esperance, New York 12066,

Party of the Second Part.

WITNESSETH that the Party of the First Part, in consideration of One Dollar (\$1.00) lawful money of the United States, and other good and valuable consideration paid by the Party of the Second Part, do hereby grant and release unto the Party of the Second Part, its heirs and assigns forever,

ALL that certain piece or parcel of land situate, lying and being in the Town of Duanesburg, County of Schenectady, State of New York, bounded and described as follows:

SEE SCHEDULE A ATTACHED HERETO

SUBJECT to all enforceable covenants, easements and restrictions of record.

BEING a portion of the same premises conveyed from Mario P. Cincotta to the Party of the First Part by Warranty Deed, dated October 18, 1999, and recorded in the Schenectady County Clerk's Office on October 28, 1999 in Deed Book 1566 at Page 299.

TOGETHER with the appurtenances and all the estate and rights of the Party of the First Part in and to said premises,

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

AND the Party of the First Part, in compliance with Section 13 of the Lien Law, covenants that the Party of the First Part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied First for the purpose of paying the costs 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.

AND the 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.

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

Record and Return:



**IN WITNESS WHEREOF**, the Party of the First Part has duly executed this deed the day and year first above written.

*Richard B Murray*  
**RICHARD B. MURRAY**

STATE OF NEW YORK }  
COUNTY OF Schenectady } ss.:

On the 19<sup>th</sup> day of December, in the year 2019, before me, the undersigned, personally appeared **RICHARD B. MURRAY**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

*Paula L. O'Shea*  
Notary Public

S:\DATA\Client24 19101-19500\19365\Eden\Transfer Docs\01A - Deed for Oak Hill 1 aka Lot 2.docx

PAULA L. O'SHEA  
Notary Public in the State of New York  
No. 6066653  
Qualified in Schenectady County  
My Commission Expires November 19, 2021

## SCHEDULE A

ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND SITUATE in the Town of Duanesburg, County of Schenectady, State of New York lying along the northerly and southerly lines of Duanesburg Road, NYS Route 7 (State Highway No. 1029) and identified as **Lot 2** as shown on a map entitled "Survey and Minor Subdivision of Lands of Richard B. Murray", dated July 29, 2019 as prepared by The Environmental Design Partnership, LLP and filed in the Schenectady County Clerk's Office on October 8, 2019 in Cabinet "P" as Map No. 39, and being further bounded and described as follows:

**Lot 2 – North side of Duanesburg Road, NYS Route 7 (State Highway No. 1029):**

**Beginning** at a point marked with a capped iron rod found at the point of intersection of the northerly line of Duanesburg Road, NYS Route 7 (State Highway No. 1029) with the common division line of lands now or formerly of Matthew D. Ganster and Rose Ganster as conveyed in Book 1886 of Deeds at Page 331 (Parcel One) to the west and Lot 2 to the east as shown on said map;

*Thence* from said *Point of Beginning* and along said common division line the following two (2) courses and distances:

- 1) North 07 deg. 22 min. 10 sec. West, 954.30 feet to a point marked with a capped iron rod found;
- 2) South 83 deg. 07 min. 50 sec. West, 1,255.38 feet to a capped iron rod found at the point of intersection of said common division line with the easterly line of Lot 25 (Filed Map Cabinet "H" as Map No. 355 & 356);

*Thence* along the common division line of said Lot 25 and Lot Nos. 24 and 23 (Filed Map Cabinet "H" as Map No. 355 & 356) to the west and said Lot 2 to the east the following three (3) courses and distances:

- 1) North 03 deg. 53 min. 15 sec. West, 394.00 feet to a point;
- 2) North 05 deg. 43 min. 30 sec. West, 384.42 feet to a point;
- 3) North 07 deg. 10 min. 45 sec. West, 507.63 feet to a point marked with a capped iron rod found at the point of intersection of said common division line with the southerly line of lands now or formerly of Richard B. Murray and Helen E. Murray as conveyed in Book 1063 of Deeds at Page 374;

*Thence* along the common division line of said lands of Murray to the west and north and said Lot 2 to the east and south the following two (2) courses and distances:

- 1) North 07 deg. 16 min. 00 sec. West, 820.68 feet to a point;
- 2) North 83 deg. 12 min. 50 sec. East, 1,254.66 feet to the point of intersection of said common division line with the westerly line of said Lot 1 as shown on said map;

*Thence* along the common division line of said Lot 1 to the east and north and said Lot 2 to the west and south the following four (4) courses and distances:

- 1) South 00 deg. 00 min. 00 sec. West, 1,844.49 feet to a point;
- 2) North 83 deg. 07 min. 50 sec. East, 399.88 feet to a point;
- 3) South 07 deg. 06 min. 20 sec. East, 137.50 feet to a point;

4) South 22 deg. 01 min. 20 sec. East, 1,048.32 feet to a point in the northerly line of said Duanesburg Road;

*Thence* along said northerly line of Duanesburg Road, South 73 deg. 36 min. 40 sec. West, 471.00 feet to the point or place of beginning and containing 64.554± acres of land;

**Lot 2 – South side of Duanesburg Road, NYS Route 7 (State Highway No. 1029):**

**Beginning** at a capped iron rod found at the point of intersection of the southerly line of Duanesburg Road, NYS Route 7 (State Highway No. 1029) with the common division line of lands now or formerly of Matthew D. Ganster and Rose Ganster as conveyed in Book 1886 of Deeds at Page 331 (Parcel Two) to the west and Lot 2 to the east, said point located, South 09 deg. 01 min. 10 sec. East, 66.47 feet from the Point of Beginning of the above described parcel of land lying along the northerly line of Duanesburg Road;

*Thence* from said *Point of Beginning* along said southerly line of Duanesburg Road, North 73 deg. 36 min. 40 sec. East, 482.77 feet to the point of intersection of said southerly line with the common division line of Lot 1 to the east and said Lot 2 to the west as shown on said map;

*Thence* along said common division line, South 22 deg. 01 min. 20 sec. East, 527.34 feet to the point of intersection of said common division line with the northerly line of lands now or formerly of Taylor, Et al. as conveyed in Book 1365 of Deeds at Page 267;

*Thence* along the common division line of said lands of Taylor, Et al. to the south and said Lot 2 to the north, South 79 deg. 59 min. 50 sec. West, 544.97 feet to a point being the southwesterly corner of said Lot 2;

*Thence* along the common division line of said lands of Taylor, Et al. and the aforesaid lands of Ganster to the west and said Lot 2 to the east, North 15 deg. 31 min. 00 sec. West, 464.25 feet to the point or place of beginning and containing 5.799± acres of land.

The above described *parcels* containing a total area of 70.353± acres of land.

**TOGETHER WITH THAT CERTAIN 50-FOOT WIDE UTILITY & MAINTENANCE, INGRESS/ EGRESS AND REGRESS, EASEMENT THROUGH THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND SITUATE** in the Town of Duanesburg, County of Schenectady, State of New York lying along the northerly line of Duanesburg Road, NYS Route 7 (State Highway No. 1029) and being within Lot 1, said lot as shown on a map entitled "Survey and Minor Subdivision of Lands of Richard B. Murray", dated July 29, 2019 as prepared by The Environmental Design Partnership, LLP and filed in the Schenectady County Clerk's Office on October 8, 2019 in Cabinet "P" as Map No. 39, and being further bounded and described as follows:

**Beginning** at the point of intersection of the northerly line of Duanesburg Road, NYS Route 7 (State Highway No. 1029) with the common division line of Lot 2 to the west and Lot 1 to the east as shown on said map;

Thence from said *Point of Beginning* and along said common division line, North 22 deg. 01 min. 20 sec. West, 893.68 feet to a point;

Thence through said Lot 1 the following seven (7) courses and distances:

- 1) North 14 deg. 45 min. 20 sec. East, 195.87 feet to a point;
- 2) North 10 deg. 43 min. 40 sec. West, 251.17 feet to a point;
- 3) North 16 deg. 30 min. 10 sec. West, 554.76 feet to a point;
- 4) North 04 deg. 08 min. 40 sec. West, 125.00 feet to a point;
- 5) North 39 deg. 45 min. 00 sec. East, 65.00 feet to a point;
- 6) North 15 deg. 04 min. 40 sec. West, 237.63 feet to a point;
- 7) South 83 deg. 20 min. 00 sec. West, 290.23 feet to a point in said common division line of Lot 2 to the west and Lot 1 to the east

Thence along said common division line, North 00 deg. 00 min. 00 sec. East, 50.34 feet to a point;

Thence through said Lot 1 the following eight (8) courses and distances:

- 1) North 83 deg. 20 min. 00 sec. East, 327.54 feet to a point;
- 2) South 15 deg. 04 min. 40 sec. East, 306.71 feet to a point;
- 3) South 39 deg. 45 min. 00 sec. West, 70.78 feet to a point;
- 4) South 04 deg. 08 min. 40 sec. East, 99.44 feet to a point;
- 5) South 16 deg. 30 min. 10 sec. East, 551.87 feet to a point;
- 6) South 10 deg. 43 min. 40 sec. East, 265.00 feet to a point;
- 7) South 14 deg. 45 min. 20 sec. West, 190.56 feet to a point;
- 8) South 22 deg. 01 min. 20 sec. East, 881.42 feet to a point in said northerly line of Duanesburg Road;

Thence along said northerly line of said Duanesburg Road, South 72 deg. 57 min. 40 sec. West, 50.19 feet to the point or place of beginning of said *easement* and containing 3.046± acres of land.

# OFFICE OF THE SCHENECTADY COUNTY CLERK



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

Maryellen Brehm  
Alicia Godlewski  
Jeffrey Morrette  
Carla Saglimbeni  
Deputy County Clerks

**Cara M. Ackerley**  
County Clerk

Instrument Number - 201956997  
Recorded On 12/26/2019 At 1:17:12 PM  
\* Instrument Type - DEED  
\* Book/Page - DEED/2027/148  
\* Total Pages - 6  
Invoice Number - 1035032      User ID: LPD  
\* Document Number - 2019-5558  
\* Grantor - MURRAY RICHARD B  
\* Grantee - MURRAY RICHARD B

\*RETURN DOCUMENT TO:  
YOUNG/SOMMER LLC  
5 PALISADES DR STE 300  
ALBANY, NY 12205-6433

\* FEES

NY LAND SUR	\$4.75
NY E & A FEES	\$241.00
NY LAND COMP SUR	\$14.25
CO GENERAL REVENUE	\$55.00
CO LAND SUR	\$0.25
CO E & A FEES	\$9.00
CO LAND COMP SUR	\$0.75
TOTAL PAID	\$325.00

TRANSFER TAX

Real Estate Transfer Tax Num - 2025  
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 - 201956997

WARRANTY DEED

THIS INDENTURE made the 19 day of December, 2019, by and between:

RICHARD B. MURRAY, an individual residing at 1206 Oak Hill Road, Esperance, New York 12066,

Party of the First Part, and

RICHARD B. MURRAY, an individual residing at 1206 Oak Hill Road, Esperance, New York 12066,

Party of the Second Part.

WITNESSETH that the Party of the First Part, in consideration of One Dollar (\$1.00) lawful money of the United States, and other good and valuable consideration paid by the Party of the Second Part, do hereby grant and release unto the Party of the Second Part, its heirs and assigns forever,

ALL that certain piece or parcel of land situate, lying and being in the Town of Duaneburg, County of Schenectady, State of New York, bounded and described as follows:

SEE SCHEDULE A ATTACHED HERETO

SUBJECT to all enforceable covenants, easements and restrictions of record.

BEING a portion of the same premises conveyed from Mario P. Cincotta to the Party of the First Part by Warranty Deed, dated October 18, 1999, and recorded in the Schenectady County Clerk's Office on October 28, 1999 in Deed Book 1566 at Page 299.

TOGETHER with the appurtenances and all the estate and rights of the Party of the First Part in and to said premises,

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

AND the Party of the First Part, in compliance with Section 13 of the Lien Law, covenants that the Party of the First Part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied First for the purpose of paying the costs 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.

AND the 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.

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

Record and Return:



IN WITNESS WHEREOF, the Party of the First Part has duly executed this deed the day and year first above written.

*Richard B Murray*  
RICHARD B. MURRAY

STATE OF NEW YORK }  
  } ss.:  
COUNTY OF Schenectady }

On the 9<sup>th</sup> day of December, in the year 2019, before me, the undersigned, personally appeared **RICHARD B. MURRAY**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

*Paula L. O'Shea*  
Notary Public

PAULA L. O'SHEA  
Notary Public in the State of New York  
No. 6066653  
Qualified in Schenectady County  
My Commission Expires November 19, 2029

SCHEDULE A

ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND SITUATE in the Town of Duanesburg, County of Schenectady, State of New York lying along the northerly and southerly lines of Duanesburg Road, NYS Route 7 (State Highway No. 1029) and identified as Lot 1 as shown on a map entitled "Survey and Minor Subdivision of Lands of Richard B. Murray", dated July 29, 2019 as prepared by The Environmental Design Partnership, LLP and filed in the Schenectady County Clerk's Office on October 8, 2019 in Cabinet "P" as Map No. 39, and being further bounded and described as follows:

**Lot 1 – North side of Duanesburg Road, NYS Route 7 (State Highway No. 1029):**

**Beginning** at a point marked with a capped iron rod found at the point of intersection of the northerly line of Duanesburg Road, NYS Route 7 (State Highway No. 1029) with the common division line of lands now or formerly of Leila A. Otis and Lee S. Otis as conveyed in Book 1733 of Deeds at Page 274 to the east and Lot 1 to the west as shown on said map;

*Thence* from said *Point of Beginning* along said northerly line of Duanesburg Road the following five (5) courses and distances:

- 1) South 70 deg. 40 min. 40 sec. West, 154.53 feet to a point;
- 2) South 70 deg. 54 min. 40 sec. West, 100.00 feet to a point;
- 3) South 71 deg. 29 min. 40 sec. West, 100.00 feet to a point;
- 4) South 72 deg. 27 min. 40 sec. West, 100.00 feet to a point;
- 5) South 72 deg. 57 min. 40 sec. West, 100.00 feet to the point of intersection of said northerly line of Duanesburg Road with the common division line of Lot 2 to the west and said Lot 1 to the east as shown on said map;

*Thence* along said common division line the following four (4) courses and distances:

- 1) North 22 deg. 01 min. 20 sec. West, 1,048.32 feet to a point;
- 2) North 07 deg. 06 min. 20 sec. West, 137.50 feet to a point;
- 3) South 83 deg. 07 min. 50 sec. West, 399.88 feet to a point;
- 4) North 00 deg. 00 min. 00 sec. East, 1,844.49 feet to the point of intersection of said common division line with the southerly line of lands now or formerly of Richard B. Murray and Helen E. Murray as conveyed in Book 1063 of Deeds at Page 374;

*Thence* along the common division line of said lands of Murray to the north and said Lot 1 to the south, North 83 deg. 12 min. 50 sec. East, 1,012.75 feet to the point of intersection of said common division line with the westerly line of lands now or formerly of Susan Liss Biggs as conveyed in Book 1959 of Deeds at Page 147;

*Thence* along the common division line of said lands of Biggs, lands now or formerly of Susan Liss Biggs as conveyed in Book 1959 of Deeds at Page 151 and said lands of Otis to the east and said Lot 1 to the west as shown on said map the following two (2) courses and distances:

- 1) South 06 deg. 20 min. 20 sec. East, 2,120.22 feet to a point;
- 2) South 07 deg. 10 min. 30 sec. East, 748.17 feet to the point or place of beginning and containing 64.511± acres of land.

**Lot 1 – South side of Duanesburg Road, NYS Route 7 (State Highway No. 1029):**

**Beginning** at the point of intersection of the southerly line of Duanesburg Road, NYS Route 7 (State Highway No. 1029) with the common division line of lands now or formerly of Lee S. Otis and Leila M. Otis as conveyed in Book 1976 of Deeds at Page 107 to the east and Lot 1 to the west, said point located, South 07 deg. 10 min. 30 sec. East, 67.50 feet from the Point of Beginning of the above described parcel of land lying along the northerly line of Duanesburg Road;

*Thence* from said *Point of Beginning* along said common division line, South 06 deg. 13 min. 40 sec. East, 595.79 feet to the point of intersection of said common division line with the northerly line of lands now or formerly of Taylor, Et al. as conveyed in Book 1365 of Deeds at Page 267;

*Thence* along the common division line of said lands of Taylor, Et al. to the south and said Lot 1 to the north, South 79 deg. 59 min. 50 sec. West, 385.63 feet to the point of intersection of said common division line with the easterly line of Lot 2 as shown on said map;

*Thence* along the common division line of said Lot 2 to the west and said Lot 1 to the east, North 22 deg. 01 min. 20 sec. West, 527.34 feet to the point of intersection of said common division line with the southerly line of said Duanesburg Road;

*Thence* along said southerly line of Duanesburg Road the following five (5) courses and distances:

- 1) North 72 deg. 57 min. 40 sec. East, 100.00 feet to a point;
- 2) North 72 deg. 27 min. 40 sec. East, 100.00 feet to a point;
- 3) North 71 deg. 29 min. 40 sec. East, 100.00 feet to a point;
- 4) North 70 deg. 54 min. 40 sec. East, 100.00 feet to a point;
- 5) North 70 deg. 39 min. 40 sec. East, 140.48 feet to the point or place of beginning and containing 5.867± acres of land;

The above described *parcels* containing a total area of 70.378± acres of land.

**SUBJECT TO THAT CERTAIN THAT CERTAIN 50-FOOT WIDE UTILITY & MAINTENACE, INGRESS/ EGRESS AND REGRESS, EASEMENT THROUGH THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND SITUATE** in the Town of Duanesburg, County of Schenectady, State of New York lying along the northerly line of Duanesburg Road, NYS Route 7 (State Highway No. 1029) and being within Lot 1, said lot as shown on a map entitled "Survey and Minor Subdivision of Lands of Richard B. Murray", dated July 29, 2019 as prepared by The Environmental Design Partnership, LLP and filed in the Schenectady County Clerk's Office on October 8, 2019 in Cabinet "P" as Map No. 39, and being further bounded and described as follows:

**Beginning** at the point of intersection of the northerly line of Duanesburg Road, NYS Route 7 (State Highway No. 1029) with the common division line of Lot 2 to the west and Lot 1 to the east as shown on said map;

*Thence* from said *Point of Beginning* and along said common division line, North 22 deg. 01 min. 20 sec. West, 893.68 feet to a point;

*Thence* through said Lot 1 the following seven (7) courses and distances:

- 1) North 14 deg. 45 min. 20 sec. East, 195.87 feet to a point;
- 2) North 10 deg. 43 min. 40 sec. West, 251.17 feet to a point;
- 3) North 16 deg. 30 min. 10 sec. West, 554.76 feet to a point;
- 4) North 04 deg. 08 min. 40 sec. West, 125.00 feet to a point;
- 5) North 39 deg. 45 min. 00 sec. East, 65.00 feet to a point;
- 6) North 15 deg. 04 min. 40 sec. West, 237.63 feet to a point;
- 7) South 83 deg. 20 min. 00 sec. West, 290.23 feet to a point in said common division line of Lot 2 to the west and Lot 1 to the east

*Thence* along said common division line, North 00 deg. 00 min. 00 sec. East, 50.34 feet to a point;

*Thence* through said Lot 1 the following eight (8) courses and distances:

- 1) North 83 deg. 20 min. 00 sec. East, 327.54 feet to a point;
- 2) South 15 deg. 04 min. 40 sec. East, 306.71 feet to a point;
- 3) South 39 deg. 45 min. 00 sec. West, 70.78 feet to a point;
- 4) South 04 deg. 08 min. 40 sec. East, 99.44 feet to a point;
- 5) South 16 deg. 30 min. 10 sec. East, 551.87 feet to a point;
- 6) South 10 deg. 43 min. 40 sec. East, 265.00 feet to a point;
- 7) South 14 deg. 45 min. 20 sec. West, 190.56 feet to a point;
- 8) South 22 deg. 01 min. 20 sec. East, 881.42 feet to a point in said northerly line of Duanesburg Road;

*Thence* along said northerly line of said Duanesburg Road, South 72 deg. 57 min. 40 sec. West, 50.19 feet to the point or place of beginning of said *easement* and containing 3.046± acres of land.

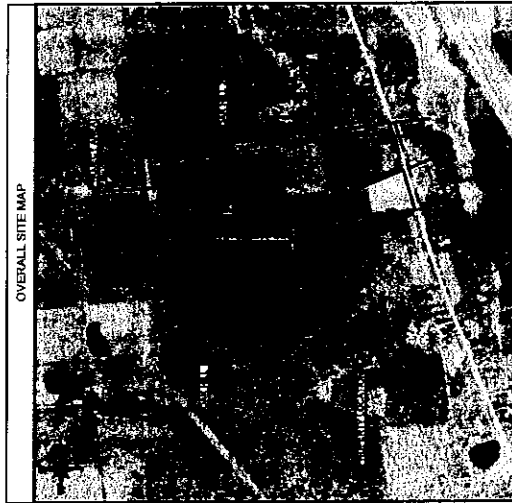
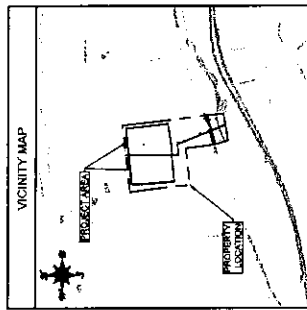


# OAK HILL SOLAR 1, LLC & OAK HILL SOLAR 2, LLC OAK HILL SOLAR 1 & 2 - ISSUED FOR CONSTRUCTION PLANS -

13590 DUANESBURG ROAD  
DUANESBURG, NEW YORK 12053

MAY 2021

LAST REVISED: MARCH 28, 2022



CONTROLS TITLE	TABLE OF DRAWINGS
0100	GENERAL NOTES
0200	GENERAL NOTES
0300	GENERAL NOTES
0400	GENERAL NOTES
0500	GENERAL NOTES
0600	GENERAL NOTES
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	<p>ISSUED FOR CONSTRUCTION</p>		<p>GREENCELLS USA INC.</p>	<p>OAK HILL SOLAR</p>	<p>C0.00 1 of 30</p>
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DEVELOPER  
GREENCELLS USA INC.  
3414 PEACHTREE ROAD  
SUITE 1500  
ATLANTA, GA 30326  
ph: 916.420.5699

ENGINEER  
VERDANTERRA, LLC  
601 TECHNOLOGY DRIVE, STE. 200  
CANONSBURG, PA 15317  
ph: 724.916.4541  
NY CIVIL ENGINEER: CHRISTOPHER W. CONNELLY  
NY LICENSE NO. 086048-1

PLANNING PERMISSIONS

**ISSUED FOR CONSTRUCTION**

GREENCELLS USA Inc. 3414 Piedra Road, Atlanta, GA 30339

Richard B. Murray, Esq. 1200 Oak Hill Road, Birmmngham, AL 35203

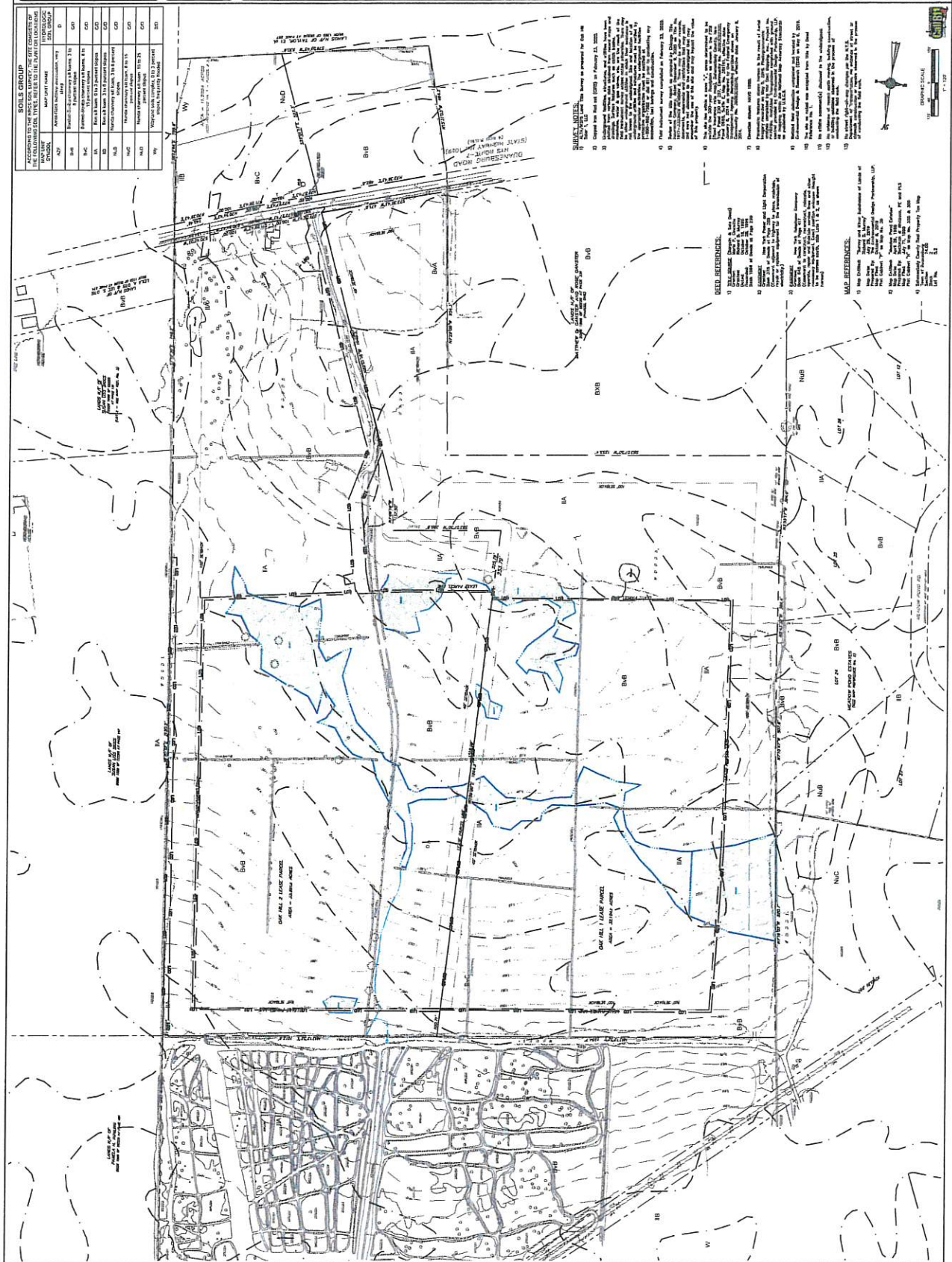
100% COMPLETE

DATE: 01/15/2013

PROJECT: 1200 OAK HILL ROAD, BIRMINGHAM, AL

SCALE: 1" = 100'

4 of 30



**SOILS GROUP**

ACCORDING TO THE PROPOSED DEVELOPMENT, THE SITE CONSISTS OF THE FOLLOWING SOILS GROUPS:

SOIL GROUP	AREA (ACRES)	PERCENTAGE (%)
U1	0.00	0.00
U2	0.00	0.00
U3	0.00	0.00
U4	0.00	0.00
U5	0.00	0.00
U6	0.00	0.00
U7	0.00	0.00
U8	0.00	0.00
U9	0.00	0.00
U10	0.00	0.00
U11	0.00	0.00
U12	0.00	0.00
U13	0.00	0.00
U14	0.00	0.00
U15	0.00	0.00
U16	0.00	0.00
U17	0.00	0.00
U18	0.00	0.00
U19	0.00	0.00
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U36	0.00	0.00
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U47	0.00	0.00
U48	0.00	0.00
U49	0.00	0.00
U50	0.00	0.00

**DEED REFERENCES:**

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No.	Date	Revision
1	02/27/23	ISSUED FOR CONSTRUCTION
2	03/07/23	REVISED PER 78 AMEND COMMENTS
3	03/10/23	REVISED PER 78 AMEND COMMENTS
4	03/17/23	REVISED PER 78 AMEND COMMENTS
5	03/27/23	REVISED PER 78 AMEND COMMENTS
6	04/03/23	REVISED PER 78 AMEND COMMENTS
7	04/03/23	REVISED PER 78 AMEND COMMENTS
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18	04/03/23	REVISED PER 78 AMEND COMMENTS
19	04/03/23	REVISED PER 78 AMEND COMMENTS
20	04/03/23	REVISED PER 78 AMEND COMMENTS



**ISSUED FOR CONSTRUCTION**

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**BERDANTERRA**

801 TECHNOLOGY DRIVE, SUITE 200  
CAMDEN, PA 19137  
781.916.4441  
WWW.BERDANTERRA.COM

**GREENCELLS USA INC.**

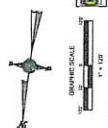
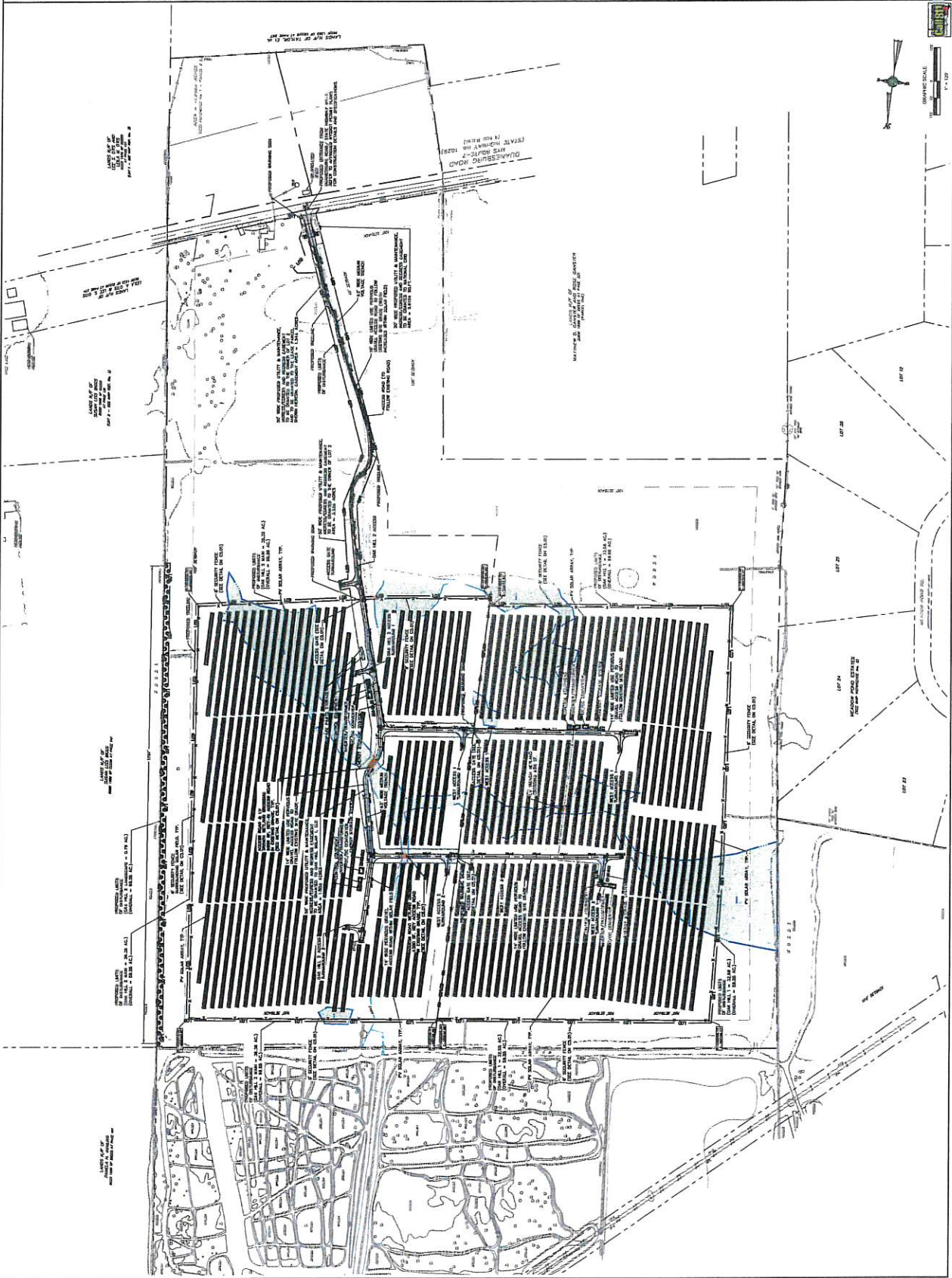
141 Pacheco Road  
Suite 1500  
Alhambra, CA 91802

Richard B. Murray  
1008 Oak Hill Road  
Esopus, NY 12056

**OAK HILL SOLAR**

02321000202210005  
1:1 SCALE  
DATE: 02/27/23  
DRAWN BY: [Name]  
CHECKED BY: [Name]  
OVERALL SITE PLAN

**C2.00**  
8 of 30



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**ISSUED FOR CONSTRUCTION**

THIS DRAWING IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED IN THE CONTRACT DOCUMENTS. ANY OTHER USE OF THIS DRAWING IS PROHIBITED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL INFORMATION PROVIDED HEREON. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE OWNER AND THE DESIGNER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY INFORMATION FROM THE OWNER AND THE DESIGNER.

**PENDANTERA**

10177  
 2017  
 WWW.PENDANTERA.COM

**GREENCELLS**

USA  
 1000  
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**OAK HILL SOLAR**

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**C5.01**

27 of 30

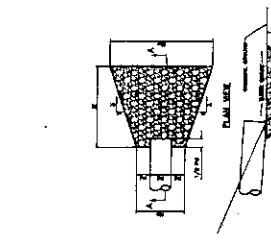
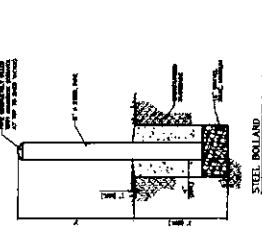
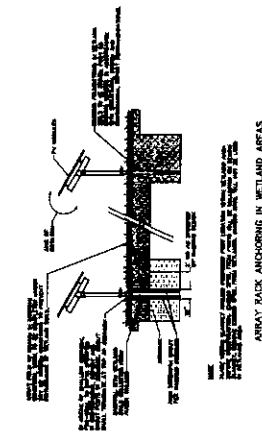
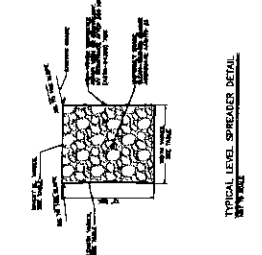
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 High Voltage  
 Within Keep  
 Out

**DANGER**  
 No  
 Trespassing

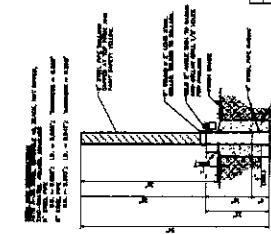
**NOTE:**  
 1. ALL ELECTRICAL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE MARYLAND ELECTRICAL CODE (MEC).  
 2. ALL ELECTRICAL WORK SHALL BE IN ACCORDANCE WITH THE MARYLAND ELECTRICAL CODE (MEC).  
 3. ALL ELECTRICAL WORK SHALL BE IN ACCORDANCE WITH THE MARYLAND ELECTRICAL CODE (MEC).  
 4. ALL ELECTRICAL WORK SHALL BE IN ACCORDANCE WITH THE MARYLAND ELECTRICAL CODE (MEC).  
 5. ALL ELECTRICAL WORK SHALL BE IN ACCORDANCE WITH THE MARYLAND ELECTRICAL CODE (MEC).

**GENERAL NOTES:**  
 1. ALL ELECTRICAL WORK SHALL BE IN ACCORDANCE WITH THE NATIONAL ELECTRICAL CODE (NEC) AND THE MARYLAND ELECTRICAL CODE (MEC).  
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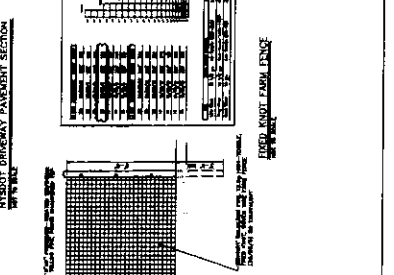
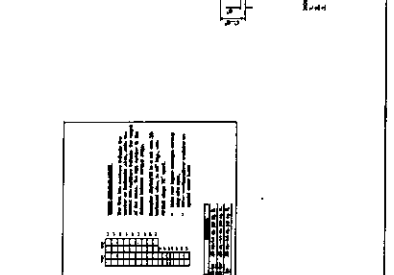
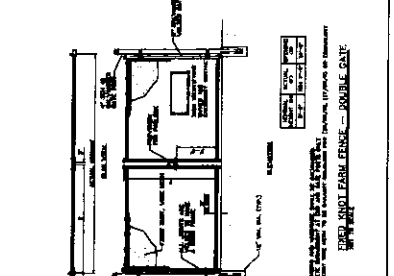
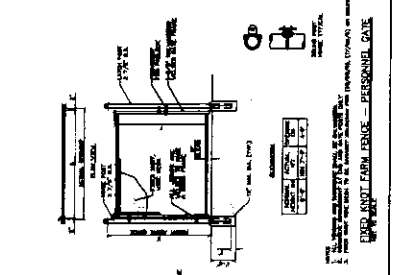
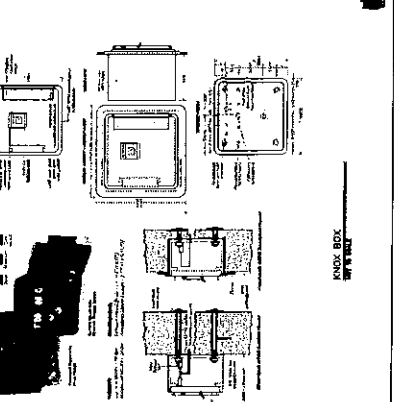
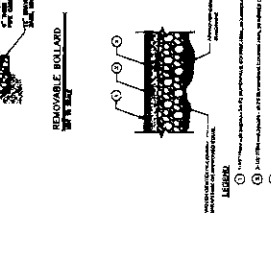
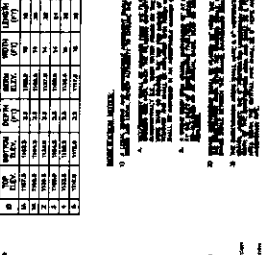
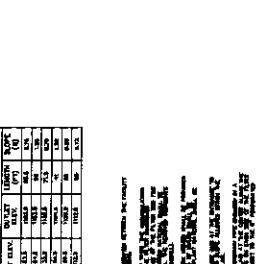
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SECTION	MARKER	TYPE	DATE
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21	1.20	1	1/1/11



SECTION	MARKER	TYPE	DATE
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3	1.2	1	1/1/11
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18	1.17	1	1/1/11
19	1.18	1	1/1/11
20	1.19	1	1/1/11
21	1.20	1	1/1/11



**KNOX BOX**

**WOOD KNOT FARM FENCE - PERSONNEL GATE**

**WOOD KNOT FARM FENCE - DOUBLE GATE**

**WOOD KNOT FARM FENCE**

**WOOD KNOT FARM FENCE**

**NOTICE OF DETERMINATION**  
**of the Town of Duanesburg**

Date of Determination 4/7/22

Application of Oak Hill Solar (1) under section  
5.7 (1) of the (Village of Delanson/Town of Duanesburg)  
Zoning Ordinance.

Applicant Oak Hill Solar (1)  
Address 13592 Duanesburg Rd

Phone \_\_\_\_\_ Zoning District R-2 SBL# 74.00-2-5.2

Description of  
Project: Solar Farm would like to install an 8' fence

Determination:  
Variance for height of fence requesting to add two (2) ft.  
to the height of fence

Reason supporting determination:  
Town of Duanesburg Zoning Ordinance Adopted 6/11/15 Section  
5.7.(1) Privacy fence maximum height of six ft.  
Section 3.5.69

Action: Refer to ZBA for the purpose of Area Variance  
for height

Code Enforcement Officer: [Signature]

**NOTICE OF DETERMINATION**  
**of the Town of Duaneburg**

Date of Determination 4/7/22

Application of Oak Hill Solar (2) under section  
5.7 (1) of the (Village of Delanson/ Town of Duaneburg)  
Zoning Ordinance.

Applicant Oak Hill Solar (2)  
Address 13590 Duaneburg Rd.

Phone \_\_\_\_\_ Zoning District R-2 SBL# 74.00-2-5-1

Description of  
Project: Solar Farm would like to install an 8' fence

Determination:  
Variance for height of fence requesting to add two (2) feet to the height of the fence.

Reason supporting determination:  
Town of Duaneburg Zoning Ordinance Adopted 6/11/15 Section 5.7.(1) Privacy fence maximum height of 6' six feet Section 3.5-69

Action: Refer to ZBA for the purpose of Area Variance for height

Code Enforcement Officer: [Signature]



Nelson Gage, Zoning Board Chair  
Dale Warner, Town Planner  
Melissa Deffer, Clerk  
Teresa Bakner, Board Attorney

Jonathan Lack, Vice Chairperson  
Link Pettit, Board Member  
Daniel Boggs, Board Member  
Matthew Ganster, Board Member



TOWN OF DUANESBURG  
SCHENECTADY COUNTY

RECEIVED  
MAR 16 2022  
TOWN OF DUANESBURG  
TOWN CLERK

Town of Duaneburg  
Zoning Board Minutes  
March 15<sup>th</sup>, 2022  
**Draft Copy**

**MEMBERS PRESENT:** Nelson Gage Chairman, Jonathan Lack Vice Chairman, Daniel Boggs, Matthew Ganster. Also attending Clerk Melissa Deffer.

**INTRODUCTION:**

Nelson Gage opened the meeting at 7:15 pm. Gage welcomed everyone to tonight's meeting and apologized to the meeting attendees for the delay of a fourth Zoning Board Member to make a quorum.

**OPEN FORUM:**

Nelson Gage opened the open forum at 7:16 pm.  
Nelson Gage closed the open forum at 7:18 pm.

**PUBLIC HEARINGS:**

None

**OLD BUSINESS:**

None

**New Business:**

**#22-01 Catalytic Recovery Corp**, SBL#67.00-3-8.1, (C-2) Located at 5469 Duaneburg Rd is seeking an Area Variance for a 55 ft rear and 15 ft east side yard setback under section 12.6(2);12.6(4); 14.5.2(B) of the Town of Duaneburg Zoning Ordinance. Project Manager John Hitchcock, Jr from ABD Engineers, LLP represent Mr. Michael Grady, both were present at the meeting. Michael and his brother own a catalytic recovery business currently ran out of the Scotia Glenville Industrial Park. What Mr. Grady plans to do in the new location/building is decan the insides of a catalytic converter, takes the dust that is produced and send it out to a refinery. Currently they box them whole and send it out by tractor trailer. So, to save money because the cost of shipping is so high, he plans to do the process himself at the new location on Duaneburg Rd. Michael just bought the parcel in

December of 2021. John explained that the neighboring properties to the east and west have single-family homes. Currently a couple pre-existing buildings are on the parcel. A 3,600 SqFt building that will be used for storage but once was previously used as an autobody repair shop. An office/garage along with a shed is also on the parcel. Mr. Grandy would like to build a 4,000 SqFt building on the south end of the parcel, with an 1,800 SqFt future addition that they are planning for now. There are plans to have lights mounted on the building that will be down casting. The future buildings will be 25ft in height and one story.

**Lack/Boggs** made a motion to set a public hearing for Michael Grandy/Catalytic Recovery Corp of the address 72 Apple Tree Lane for the property located at 5469 Duanesburg Rd, (C-2) SBL# 67.00-3-8.1 for a 55 ft rear yard setback and 15 ft east side yard setback variance to take place on April 19<sup>th</sup>, 2022 at 7pm, or there about.  
Lack aye, Boggs aye, Gage aye, Ganster aye. **Approved.**

**OTHER:**

Chairperson Gage explained to the Board that Supervisor Wenzel is forming a committee to rewrite the solar law and looking for representation from the Planning and Zoning Boards. Let us know if you're interested in serving on the new committee.

**MINUTES APPROVAL:**

**Lack/Boggs** made a motion to approve the February 15<sup>th</sup>, 2022, Zoning Board minutes with one minor correction.  
Lack aye, Boggs aye, Gage aye, Ganster aye. **Approved.**

**ADJOURNMENT:**

**Lack/Gage** made a motion to adjourn at 8:01 pm.  
Lack aye, Gage aye, Boggs aye, Ganster aye. **Approved**