

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



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

Town of Duanesburg  
Planning Board Agenda  
June 15, 2023

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

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

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

Topic: Town of Duanesburg's Planning Board Zoom Meeting

Time: This is a recurring meeting Meet anytime

**Join Zoom Meeting**

**Meeting ID:** 858 7403 2498

**Passcode:** 848175

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

**Meeting ID:** 858 7403 2498

**Passcode:** 848175

**INTRODUCTION BY CHAIRPERSON JEFFERY SCHMITT:**

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

**PUBLIC HEARINGS:**

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

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

\_\_\_\_\_

**SKETCH PLAN REVIEW:**

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

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

\_\_\_\_\_

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



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

**OLD BUSINESS:**

**#23-05 Hewitt, Tyler:** SBL#43.00-1-12, (R-2) located at 8554 Route 30 Delanson NY is seeking a Special Use Permit of a public garage under 8.4 (10) of the Town of Duanesburg Zoning Ordinance.

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

**#23-06 Fusco, Salvatore:** SBL#25.00-1-6.11, (R-2) located at 756 Wells Road is seeking a Major Subdivision under section 3.5 of the Town of Duanesburg Subdivision Ordinance.

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

**#22-20 Whipple, Henry:** SBL PT/O#64.00-1-4.3, (C-1) located at Youngs Rd and St Hwy 30 is seeking a Major Subdivision under Section 3.5 of the Town of Duanesburg Subdivision Ordinance.

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

**#23-08P Chandler Jr., Robert:** SBL#44.00-1-8.21, (R-2) located at 2978 Duanesburg Churches Rd is seeking a Major Subdivision under section 3.5 of the Town of Duanesburg Subdivision Ordinance.

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

**NEW BUSINESS:**

**#23-12 C-TEC Solar LLC:** SBL#64.00-2-8, (R-2) is seeking a pre-submission conference with the Planning Board in the manner set forth in the Town Zoning Code Section 14.6.2.2.

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

**Other:**

**None**

**Minute Approval:**

**May 18, 2023, PLANNING BOARD MEETING MINUTES:**

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

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

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



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

TOWN OF DUANESBURG  
SCHENECTADY COUNTY

## **NOTICE OF PUBLIC HEARING**

### **LEGAL NOTICE NOTICE OF PUBLIC HEARING PLANNING BOARD TOWN OF DUANESBURG**

PLEASE TAKE NOTICE, THAT THE PLANNING BOARD OF THE TOWN OF  
DUANESBURG, NEW YORK, WILL MEET AT THE TOWN HALL IN THE TOWN  
OF DUANESBURG, 5853 WESTERN TURNPIKE, ON **June 15, 2023 AT**  
**7:00 PM** FOR THE PURPOSE OF HEARING ALL PERSONS INTERESTED IN THE

#### APPLICATION OF:

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

APPLICATION INFORMATION IS AVAILABLE DURING BUSINESS HOURS

BY ORDER OF THE CHAIRPERSON  
PLANNING BOARD  
TOWN OF DUANESBURG  
CHAIRPERSON

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

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

Passcode: 13021





**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)  |
| <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 <a href="http://www.dec.ny.gov/eafmapper/">www.dec.ny.gov/eafmapper/</a>                                |
| <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 <b>REQUIRE</b> both owners Signatures on the Application  |
| <input checked="" type="checkbox"/> Existing watercourses, wetlands, etc.                    | <b>Additional Requirements for Special Use Application:</b>   |
| <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"/> <b>Business Plan, Hours of operation, &amp; number of employees, floor plan, uses, lighting plan/ landscaping/signage</b> |
| <input checked="" type="checkbox"/> Abutting Properties Wells/ Sewer Systems within 100ft.   | <b>Parking, Handicap Spaces, &amp; lighting plan</b>  |
| <input checked="" type="checkbox"/> Well/ Water system                                       |   |

Date 05/31/2023

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

Proposal: Use of existing building and property as office for Utility construction company

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

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

Applicants Name (if different): The DDS Companies Phone# (required) 585 370 5766

Location of Property (if different from owners)  
 Tax Map# CR-05-2-46.1 Zoning District C-1

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

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

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

[Signature] Date 05/31/2023  
 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: 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.

<p style="text-align: center;">Applicant</p> <p>Name: <u>The DDS Companies</u>  Address: <u>45 Hendrix Rd</u>  <u>West Henrietta, NY 14586</u></p>	<p style="text-align: center;">Owner if Different from Applicant</p> <p>Name: <u>2261 Western Turnpike LLC</u>  <u>406 E Brighton Ave</u>  <u>Syracuse, NY 13210</u></p>
--	--

- Type of Application: Special Use Permit; Site Plan Approval; Use Variance; Area Variance; Subdivision Approval (circle one or more)
- Description of proposed project:  
Use of existing building and property as  
an office for a utility construction  
company.
- Location of project: Address: 2261 Western Turnpike  
Tax Map Number (TMP) 68.00-2-41.1
- 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: <u>NA</u> ADDRESS: _____ Is this parcel actively farmed? YES <input type="checkbox"/> NO <input type="checkbox"/>	NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES <input type="checkbox"/> NO <input type="checkbox"/>
NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES <input type="checkbox"/> NO <input type="checkbox"/>	NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES <input type="checkbox"/> NO <input type="checkbox"/>

[Signature]  
Signature of Applicant

[Signature]  
Signature of Owner (if other than applicant)

Reviewed by: Dale R. Warner

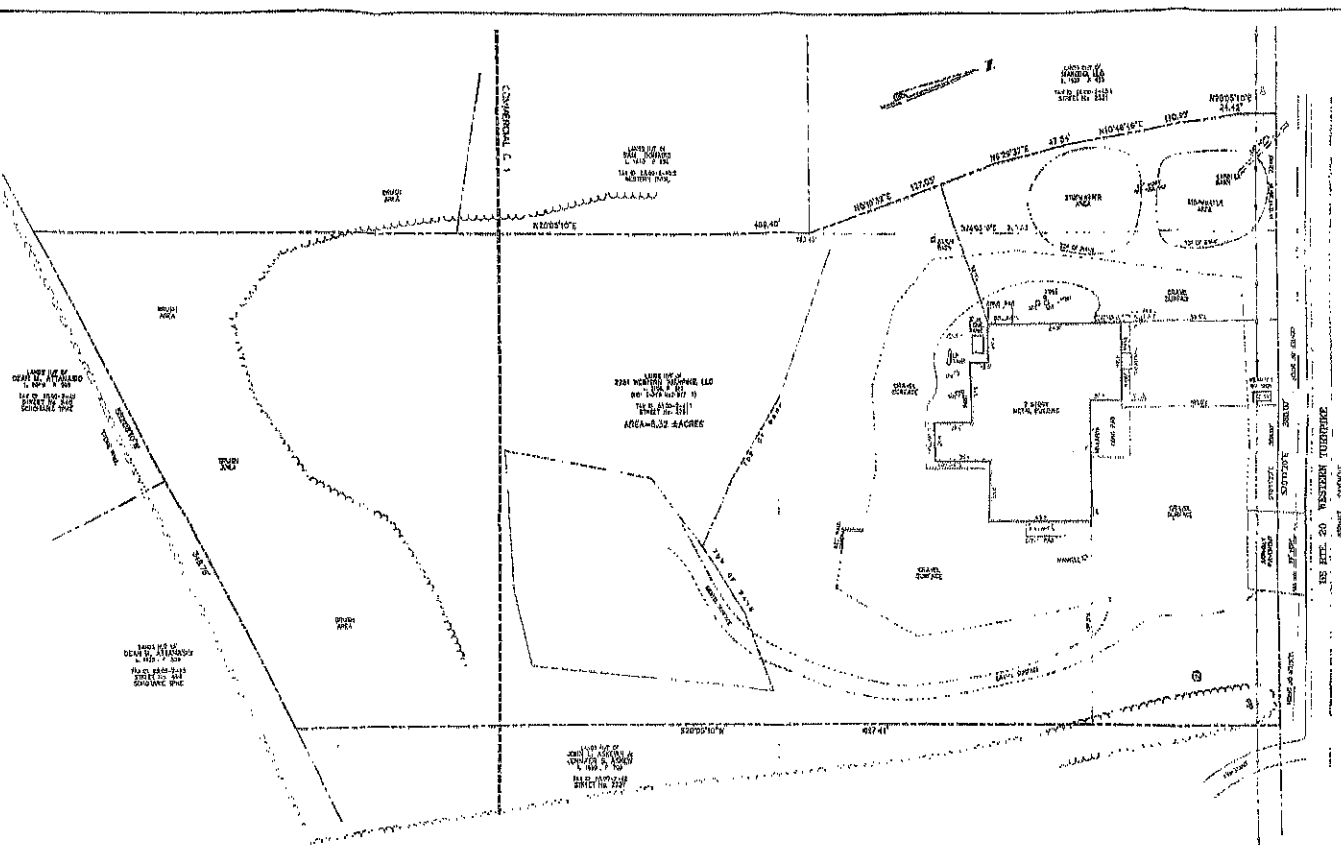
Date: \_\_\_\_\_

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.



**SURVEY NOTES**


1. ALL DISTANCES ARE MEASURED ALONG THE CENTER LINE OF THE ROAD UNLESS OTHERWISE NOTED.
2. THE ROAD WIDTH IS 100 FT.
3. THE CENTER OF GRAVITY OF EACH PAVEMENT CURVE IS LOCATED AT THE CENTER OF THE ROAD UNLESS OTHERWISE NOTED.
4. THE CENTER OF GRAVITY OF EACH PAVEMENT CURVE IS LOCATED AT THE CENTER OF THE ROAD UNLESS OTHERWISE NOTED.
5. THE CENTER OF GRAVITY OF EACH PAVEMENT CURVE IS LOCATED AT THE CENTER OF THE ROAD UNLESS OTHERWISE NOTED.
6. THE CENTER OF GRAVITY OF EACH PAVEMENT CURVE IS LOCATED AT THE CENTER OF THE ROAD UNLESS OTHERWISE NOTED.
7. THE CENTER OF GRAVITY OF EACH PAVEMENT CURVE IS LOCATED AT THE CENTER OF THE ROAD UNLESS OTHERWISE NOTED.
8. THE CENTER OF GRAVITY OF EACH PAVEMENT CURVE IS LOCATED AT THE CENTER OF THE ROAD UNLESS OTHERWISE NOTED.

**MAINTENANCE NOTES**

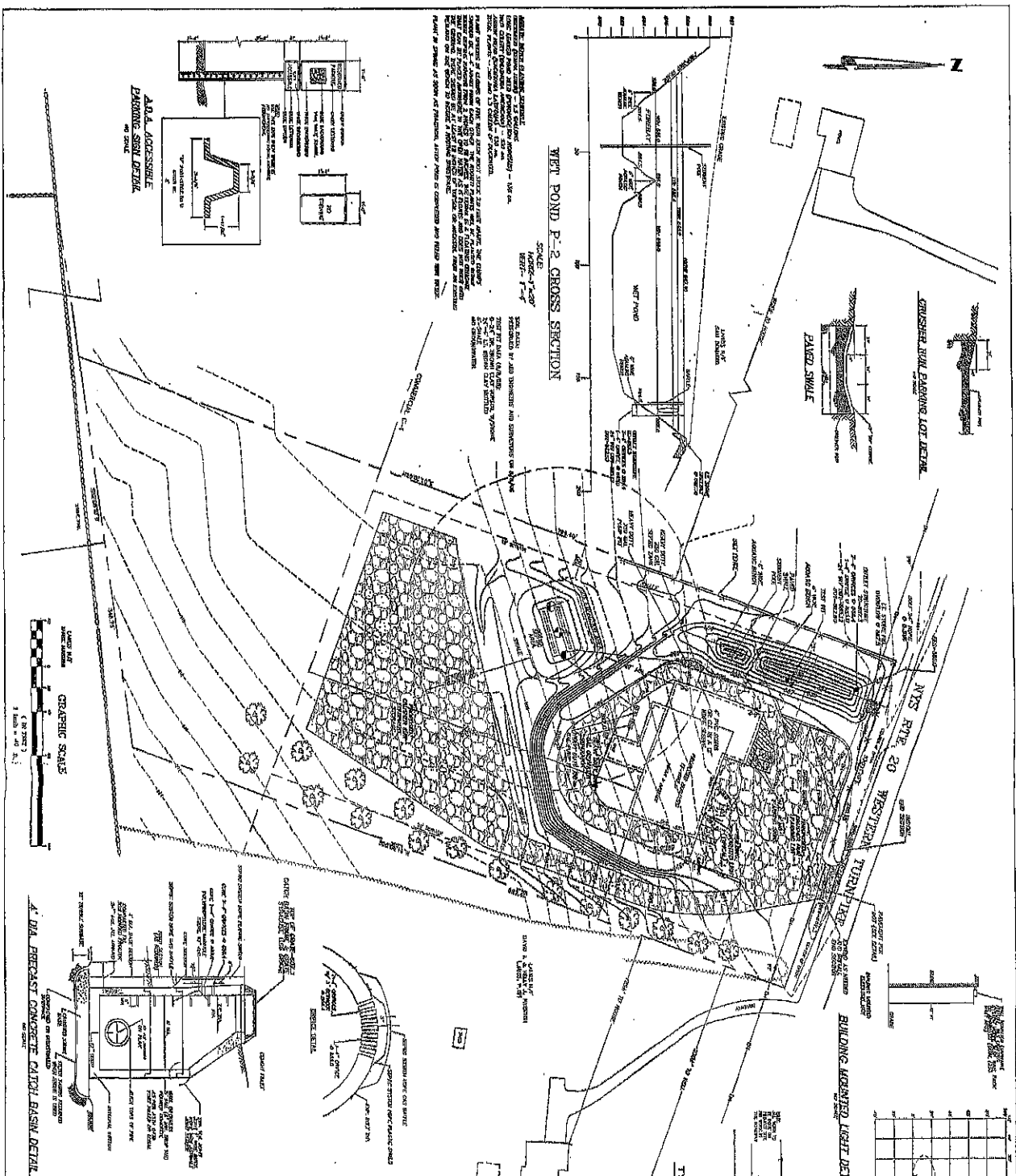
1. THE ROAD SHOULD BE MAINTAINED AT ALL TIMES.
2. THE ROAD SHOULD BE MAINTAINED AT ALL TIMES.
3. THE ROAD SHOULD BE MAINTAINED AT ALL TIMES.
4. THE ROAD SHOULD BE MAINTAINED AT ALL TIMES.
5. THE ROAD SHOULD BE MAINTAINED AT ALL TIMES.
6. THE ROAD SHOULD BE MAINTAINED AT ALL TIMES.
7. THE ROAD SHOULD BE MAINTAINED AT ALL TIMES.
8. THE ROAD SHOULD BE MAINTAINED AT ALL TIMES.

**CONTRIBUTIONS**

- THE DONOR SHALL BE RESPONSIBLE FOR THE COST OF THE ROAD.
- THE DONOR SHALL BE RESPONSIBLE FOR THE COST OF THE ROAD.
- THE DONOR SHALL BE RESPONSIBLE FOR THE COST OF THE ROAD.
- THE DONOR SHALL BE RESPONSIBLE FOR THE COST OF THE ROAD.
- THE DONOR SHALL BE RESPONSIBLE FOR THE COST OF THE ROAD.
- THE DONOR SHALL BE RESPONSIBLE FOR THE COST OF THE ROAD.
- THE DONOR SHALL BE RESPONSIBLE FOR THE COST OF THE ROAD.
- THE DONOR SHALL BE RESPONSIBLE FOR THE COST OF THE ROAD.

<b>SURVEY &amp; MAP OF</b> LANDS NOW OR FORMERLY OF <b>2261 WESTERN TURNPIKE, LLC</b> STREET No. 2261 WESTERN TURNPIKE	
	<b>ENGINEERS</b> <b>AND SURVEYORS</b>
DATE OF SURVEY 2014	SHEET NO. 1 OF 1





DATE: 11/15/00

SCALE: 1" = 40' (GENERAL)

SCALE: 1" = 10' (DETAILS)

PROJECT: 00

DATE: 11/15/00

SCALE: 1" = 40' (GENERAL)

SCALE: 1" = 10' (DETAILS)

PROJECT: 00

**CONTRACTOR:** WEST POND P-2

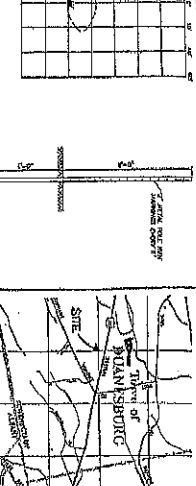
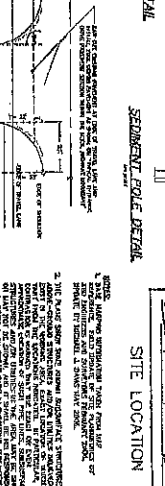
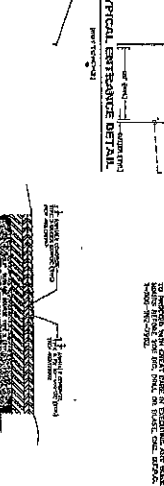
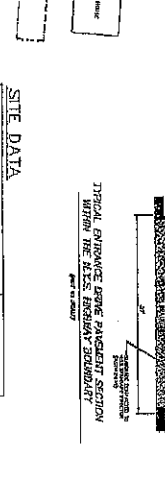
**CLIENT:** WESTERN TURNPIKE LEASING FACILITY

**ENGINEER:** A/D ENGINEERS & SURVEYORS

**DATE:** 11/15/00

**SITE DATA**

DESCRIPTION	QUANTITY	REMARKS
CONCRETE	10,000 cu yd	FOR FOUNDATION
STEEL	1,000 tons	FOR STRUCTURE
ASPHALT	50,000 sq yd	FOR PARKING
GRAVEL	20,000 cu yd	FOR DRIVEWAYS
SOIL	10,000 cu yd	FOR EXCAVATION



**WESTERN TURNPIKE LEASING FACILITY**

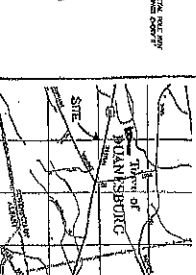
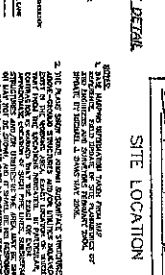
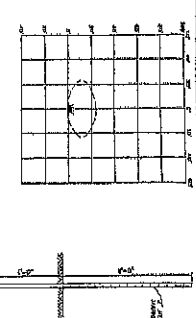
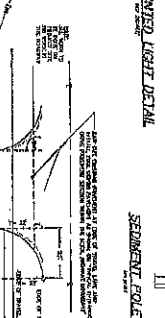
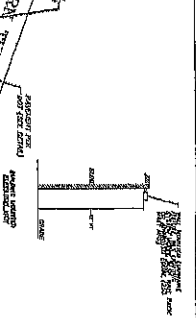
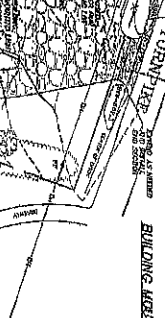
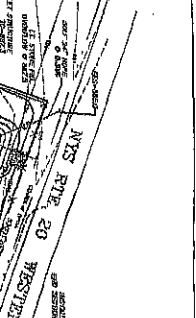
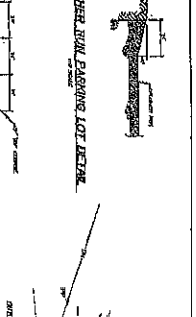
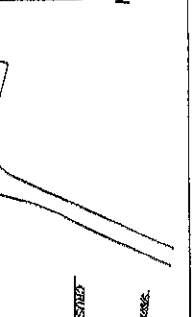
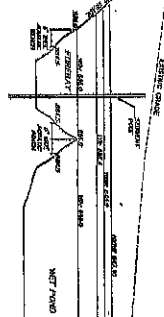
**MILWAUKEE, WISCONSIN**

**WEST POND P-2 CROSS SECTION**

SCALE: 1" = 4'-0"

DATE: 11/15/00

PROJECT: 00





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

Re: Business Plan for Special Use Permit

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

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

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

Very Truly Yours,

**Mike Fallat**

***Vice President – Operations***

O: (585) 359-7540 | C: (585) 370-5966

45 Hendrix Road, West Henrietta, NY 14586

# 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 - 202321647  
Recorded On 4/17/2023 At 10:12:00 AM  
\* Instrument Type - DEED  
\* Book/Page - DEED/2106/342  
\* Total Pages - 3  
Invoice Number - 1165648 User ID: TMH  
\* Document Number - 2023-1480  
\* Grantor - BIG RED GARAGE LLC  
\* Grantee - 2261 WESTERN TURNPIKE LLC

\*RETURN DOCUMENT TO:  
ALARIO & FISCHER PC  
5 ADLER ST STE 4  
EAST SYRACUSE, NY 13057

\* FEES  
NY REALTY TRANSFER TAX \$2,900.00  
NY LAND SUR \$4.75  
NY E & A FEES \$241.00  
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 \$3,210.00

TRANSFER TAX  
Real Estate Transfer Tax Num - 3120  
Transfer Tax Amount - \$2,900.00

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

*Cara M. Ackerley*  
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 - 202321647

29

DEED Book 2106 Page 343  
Doc No 2023-1482

WARRANTY DEED

*This Indenture* made the 31<sup>st</sup> day of March, 2023

Between

*Big Red Garage LLC*, a New York State Limited Liability Company, having a business address of 2730 W. Lydius Street, Schenectady, NY 12306,

*party of the first part, and*

*2261 Western Turnpike, LLC*, a New York State Limited Liability Company, having a business address of 466 East Brighton Ave, Suite 100, Syracuse, NY 13210

*party of the second part,*

**Witnesseth**-that the party of the first part, in consideration of One and No/100 Dollars (\$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, its heirs and assigns forever,

PARCEL A

**ALL THAT LOT, PIECE OR PARCEL OF LAND**, situate, located and being in the Town of Duaneburg, County of Schenectady and State of New York and being Lot No. 4 in the Subdivision Plan-Phase 1 Deer Cliff Subdivision, made by Ivan Zdrahal Associates, dated May 1, 1998 and filed in the Schenectady County Clerk's Office on May 4, 1989 in Cabinet H as Map No. 246 and 247.

1/1

PARCEL B

**ALL THAT TRACT, PIECE OR PARCEL OF LAND**, situate in the Town of Duaneburg, County of Schenectady and State of New York lying southerly of U.S. Route 20 and being more particularly bounded and described as follows:

55  
6800  
2 P. 15 A.  
MAP IDENT  
BLK 101

**COMMENCING** at a point on the southerly highway boundary line of U.S. Route 20 at its intersection with the division line between the lands now or formerly of Joseph B. Hamman (Liber 1749 of Deeds, Page 205) on the east and the lands of the party of the first part, being the lands now or formerly of Sam Donadio (Liber 1640 of Deeds, Page 138), on the west and running through the lands of the party of the first part of the follow four (4) courses and distances:

1. South 20° 05' 10" West 24.42 feet to a point;
  2. South 10° 48' 46" West 110.90 feet to a point;
  3. South 06° 29' 37" West 47.54 feet to a point;
  4. South 00° 19' 32" West 127.05 feet to a point on the first mentioned division line between the lands now or formerly of Joseph B. Hamman (Liber 1749 of Deeds, Page 205) on the east and the lands of the party of the first part on the west; Thence along lands of Hamman, North 20° 05' 10" East 300.00 feet to a point on the aforementioned southerly highway boundary line of U.S. Route 20; running thence North 70° 11' 20" West 72.00 feet, along said southerly highway boundary line, to the point or place of beginning.
- Containing 0.31 acres of land more or less.

⓪

BEING the same premises conveyed to Big Red Garage LLC, from Saydra Doyle by virtue of a certain deed dated October 16, 2019, and filed in the Schenectady County Clerk's Office on October 22, 2019 in Book 2022 of Deeds at Page 590.

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, its heirs and assigns forever,

And said party of the first part covenant 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 Sec. 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 improvements 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 set its hand and seal the day and year first above written.

Big Red Garage LLC

BY:   
Saydra Doyle - Member

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

On this 31<sup>st</sup> day of March, 2023 before me, the undersigned, a Notary Public in and for said State, personally appeared, *Saydra Doyle*, 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 she executed the same in her capacity, and that by her signature on the instrument, the individual, of the person upon behalf of which the individual acted, executed the instrument.



Notary Public / Commissioner of Deeds

KATHLEEN TASH-UNN  
Notary Public, State of New York  
No. 0279032399  
Qualified in Schenectady County  
Commission Expires 03/31/2025

Record and Return:

*Alario & Fischer, P.C.*  
*Richard F Kelly, Jr.*  
*5 Adler Dr Sayte 4*  
*East Syracuse, NY 13057*



# 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.

<b>Part 1 – Project and Sponsor Information</b>			
Special Use Permit Application - The DDS Companies			
Name of Action or Project: Special Use Permit Application			
Project Location (describe, and attach a location map): 2261 Western Turnpike, Duanesburg, New York			
Brief Description of Proposed Action: Special Use Permit application for an existing building and parcel in a C-1 zoning district, to allow new property owner and new tenant to continue historic operation of the site as an office and warehouse location for a heavy civil, site and public utility construction contractor.			
Name of Applicant or Sponsor: The DDS Companies		Telephone: 585-359-7540	
		E-Mail: mfallat@ddscompanies.com	
Address: 45 Hendrix Road			
City/PO: West Henrietta		State: New York	Zip Code: 14586
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?		5.32 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?		5.32 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 checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Religious Facility			
<input type="checkbox"/> Parkland			

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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NO YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	NO YES
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?	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	NO YES
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: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NO YES
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NO YES
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NO YES
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?	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	NO YES
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: _____ _____ _____	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	NO YES





# Business Plan

RECEIVED  
JUN 06 2023

Hewitts Garage LLC  
8554 Route 30  
Delanson, NY 12053  
518-396-7697

## Business Plan:

To conduct car, truck and motorcycle repairs, including recreational vehicle repairs. To include all aspects of vehicle maintenance repairs.

Business Hours: Monday - Friday, 9AM-5PM.

Employees: *No employees, owner operator.*

Designated parking area will be provided for vehicles coming in for repair and vehicles will be locked and under video surveillance at all times. Vehicles onsite for repair is estimated to be 5 to 10 per day. The estimated number of cars on premises including personal vehicles is 12 to 18. Additionally, I personally own 1 Recreational Vehicle, and 2 hot rods that will be onsite occasionally.

Cars may sit for a period of time due to availability of parts. Some cars do come to me as unregistered vehicles. These cars may have need of major component replacement, or hotrods that are not yet road worthy. I shall keep no more than 2 of these vehicles onsite.

A handicap parking spot is designated directly next to door entrance pad. Vehicles that will be dropped off after hours will have an overnight locked drop box for customers keys for security. Motion activated flood lights are installed to provide lighting over the pedestrian and overhead door area.

Signage will be added to the front of the property entrance once the special use permit is granted.





FUSCO

No New Paperwork







Pat Whipple <ptwhipple@gmail.com>

### Conceptual Approval for driveways on Route 20 and Route 30 in Duanesburg

1 message

Harrington, James (DOT) <James.Harrington@dot.ny.gov>

Tue, Jun 6, 2023 at 12:59 PM

To: Pat Whipple <ptwhipple@gmail.com>

Cc: "Corbett, Chad J. (DOT)" <Chad.Corbett@dot.ny.gov>, "Tedesco, Gaetano (DOT)" <Gaetano.Tedesco@dot.ny.gov>

Hello Pat,

I have reviewed the attached, proposed subdivision of the seven lot subdivision on the corner of NYS Route 20, NYS Route 30 and Youngs Rd. lands prepared by William Symolon Jr. The Department can conceptually approve of the proposed residential driveways depicted on the drawing.

Should the Town of Duanesburg approve the lots and grant building permits, highway work permits from NYSDOT would be required to construct the driveways to Route 20 and Route 30. Separate permits (application attached) would be required for each lot/driveway. The driveways would have to be constructed in accordance with the Policy & Standards for the Design of Entrances to State Highways. (See attachments)

Should you have any questions moving forward, please feel free to contact me.

Thank You

#### James Harrington

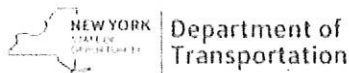
Assistant Resident Engineer  
New York State Department Of Transportation, Region1  
3008 Chrisler Ave

Schenectady, NY 12303

(518) 393-0863 Office

(518) 428-4283 Cell

James.Harrington@dot.ny.gov



#### 4 attachments

1783SUBr2-Model.pdf  
597K

PERM33 July 2015.pdf  
689K

Driveway typicals 608-03\_050116.pdf  
919K





Pat Whipple &lt;ptwhipple@gmail.com&gt;

**Henry Whipple proposed driveways**

3 messages

**Pat Whipple** <ptwhipple@gmail.com>  
To: angelo.melillo@schenectadycounty.com

Tue, Mar 28, 2023 at 12:34 PM

Mr. Melillo,

Could you email me a letter of approval of the location of 2 driveways on Youngs Rd. in the town of Duanesburg as shown on the map that I gave to your office?

Lot 2 proposed driveway is 85 ft. north of NYS Rt. 30

Lot 7 proposed driveway is 2500 ft. south of Rt. 30. I have staked out the proposed driveways with green flagging.

Thank you,  
Henry Whipple

**Pat Whipple** <ptwhipple@gmail.com>  
To: angelo.melillo@schenectadycounty.com

Wed, Apr 5, 2023 at 9:36 AM

Good Morning Mr. Melillo,

I'm just following up on this to see if you've had an opportunity to review it.

Thank you,  
Henry Whipple  
[Quoted text hidden]

**Angelo Melillo** <Angelo.Melillo@schenectadycounty.com>  
To: Pat Whipple <ptwhipple@gmail.com>

Wed, Apr 5, 2023 at 1:04 PM

Henry,

Per review of the 2 lot entrance locations that you are proposing on Youngs Road in Duanesburg, the County does not see any issue to approve permits for driveway entrances in the locations pervaded.

**Angelo Melillo**

Junior Civil Engineer

Schenectady County Department of

Engineering &amp; Public Works

100 Kellar Avenue

Schenectady, NY 12306

518-356-5340 EXT: 3233

Email: angelo.melillo@schenectadycounty.com



Chandler-

No new Paperwork



**TOWN OF DUANESBURG**

**APPLICATION FOR SITE/ SKETCH DEVELOPMENT PLAN APPROVAL**

Preliminary  Date: 6/1/2023 Final  Date: \_\_\_\_\_  
(Check appropriate box)

Name of proposed development MarDon Community Solar

**Applicant:**

Name C-TEC Solar, LLC  
Address 1 Griffin Road South Suite 200  
Bloomfield, CT 06002  
Telephone 585-734-0945 (Mike Lewis)

**Plans Prepared by:**

Name Tetra Tech, Inc.  
Address 3136 S. Winton Road, Ste 303  
Rochester, NY 14623  
Telephone 585-749-3949 (Sonja Torpey)

**Owner (if different):**

(if more than one owner, provide information for each)

Name Martin & Donna Hebert  
Address 10516 Western Turnpike  
Delanson, NY 12053  
Telephone 518-424-3048

Ownership intentions, i.e., purchase options

C-TEC Solar has entered into a lease agreement with Martin and Donna Hebert for siting of a solar energy generation facility

Location of site

10516 Western Turnpike, Delanson, NY 12053

Section 64.00 Block 2 Lot 8

Current zoning classification Part of property is Commercial-1 and part is Agricultural & Residential (R-2)

State and federal permits needed (list type and appropriate department)

State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity, as required by the New York State (NYS) Dept of Environmental Conservation.  
Commercial Driveway/Access Permit, as required by the NYS Dept of Transportation. No other required permits have been identified at this time.

Proposed use(s) of site

Community-scale (2.11 MW AC) solar energy generation facility

Total site area (square feet or acres) Site Area = ~90 acres; Total Project Area of Disturbance = 10.9 acres

Anticipated construction time October 2023

Will development be phased? No, development will not be phased.

Over →



Current land use of site (agricultural, commercial, underdeveloped, etc.)

Agricultural

Current condition of site (buildings, brush, etc.) Actively maintained agricultural land with forested tracts bordering the Site

Character of surrounding lands (suburban, agricultural, wetlands, etc.) commercial, agricultural, residential, forested

Estimated cost of proposed improvement \$ Approximately \$5MM

Anticipated increase in number of residents, shoppers, employees, etc. (as applicable)

Not applicable.

Describe proposed use, including primary and secondary uses; ground floor area; height; and number of stories for each building:

- for residential buildings include number of dwelling units by size (efficiency, one-bedroom, two-bedroom, three or more bedrooms) and number of parking spaces to be provided.
- For non-residential buildings, include total floor area sales area; number of automobile and truck parking spaces,
- Other proposed structures.

(Use separate sheet if needed)

The MarDon Community Solar energy generation facility will consist of a ground-mounted array with the capacity to generate a total of 2.11 megawatts (MW) alternating current (AC). The racking system for the photovoltaic (PV) panels will be installed on small I-beam posts driven into the ground. Medium voltage collector cabling running from the PV panels to inverters will be buried underground. The facility will also feature fencing around the array, an equipment pad for electrical components (i.e., inverters and switchgear), an access road from the Western Turnpike, and a temporary laydown area (during the construction phase). There will be no building structures.

---



---



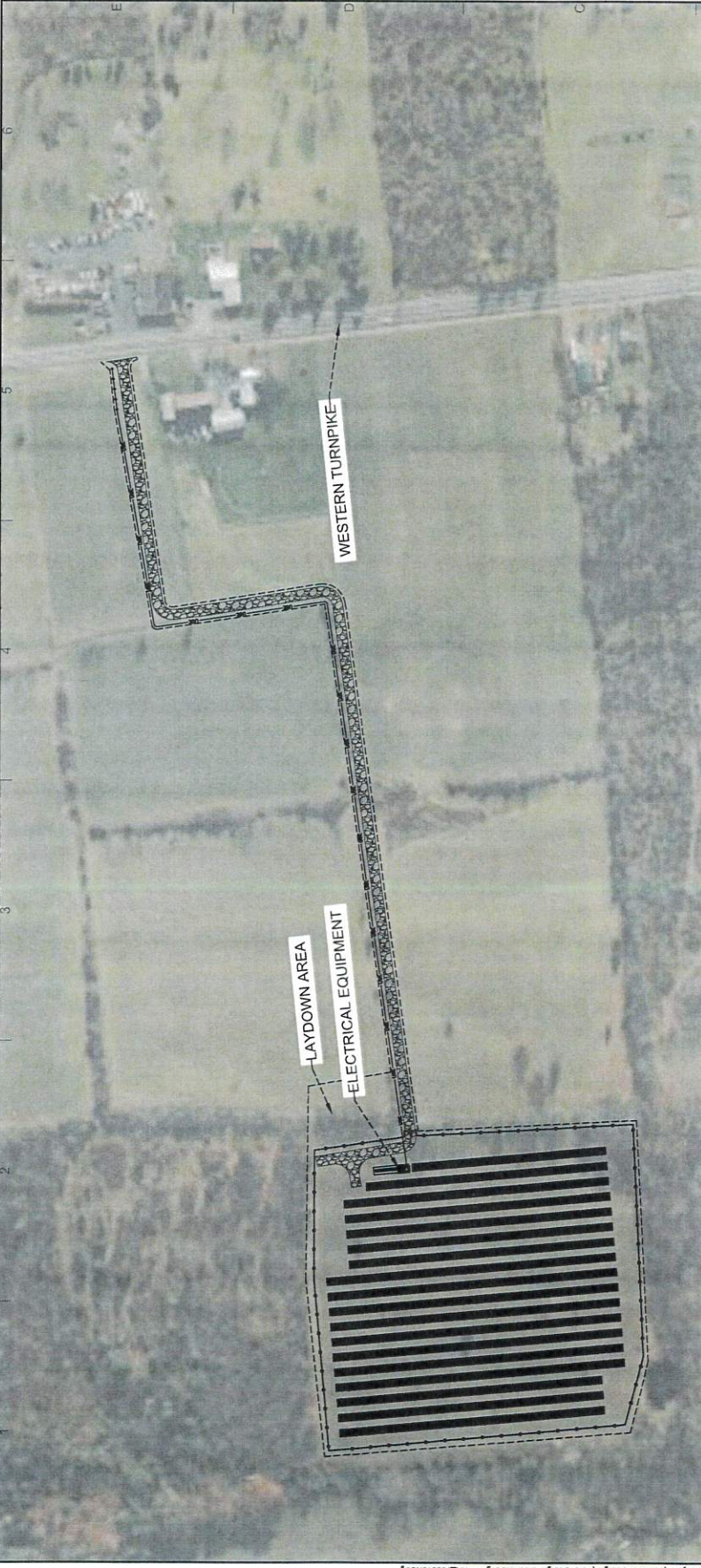
---



---



---



**PROJECT DETAILS**

NUMBER OF PANELS	5,330
EACH PANEL	535 W
TOTAL DC WATTAGE	2.85 MW
DC:AC RATIO	1.35:1
TOTAL AC POWER OUTPUT	2.11 MW
TOTAL DISTURBED AREA	10.9 ACRES
TOTAL FENCED AREA	8.2 ACRES
TOTAL PARCEL ACREAGE	90.0 ACRES

- LEGEND**
- PROPOSED SOLAR PANELS
  - PROPOSED ACCESS ROAD
  - PROPOSED FENCE
  - PROPOSED UNDERGROUND ELECTRIC
  - PROPOSED OVERHEAD ELECTRIC
  - PROPOSED LIMIT OF DISTURBANCE

**CTEC SOLAR**  
 10819A TETRA TECH CORP. SUITE 200  
 BLOOMFIELD, CT 06002

**TETRA TECH**  
 TETRA TECH ENGINEERING CORPORATION, P.C.  
 3174 SOUTH WATSON ROAD, SUITE 303  
 ROCHESTER, NY 14622

STAMP:

**NOT FOR CONSTRUCTION**

DUANE SBURG SOLAR PROJECT  
 10516 WESTERN TURNPIKE  
 DELANSON, NY 12053

PROJECT NUMBERS:  
 194-1409-0003

SHEET TITLE:  
 10% CIVIL DESIGN

SHEET SIZE: ARCH "D"  
 24" X 36" (610 X 914)

DATE: 6/11/2023

THIS DOCUMENT IS THE PROPERTY OF TETRA TECH ENGINEERING CORPORATION. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR DISTRIBUTED TO ANY OTHER PARTY WITHOUT THE WRITTEN PERMISSION OF TETRA TECH ENGINEERING CORPORATION.

NO.	REVISION	DATE	INT.

DATE: 06/11/2023  
 DRAWN BY: NG  
 ENGINEER: NG  
 APPROVED BY: MFR

PROJECT PHASE: 10% DESIGN

SCALE: 1"=40'

SHEET NO.:



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



 ORIGINAL

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

TOWN OF DUANESBURG  
SCHENECTADY COUNTY

---

Town of Duanesburg  
Planning Board Minutes  
May 18, 2023  
**Draft Copy**

**MEMBERS PRESENT:**

Jeffery Schmitt- Chairperson, Michael Harris- Vice Chairperson, Elizabeth Novak, Joshua Houghton, Michael Walpole, Matthew Hoffman, Terresa Bakner- Planning Board Attorney, Chris Parslow- Town Planner and Clerk Carol Sowycz.

**INTRODUCTION:**

Chairperson Jeffery Schmitt opened the meeting and welcomed everyone to tonight's Planning Board meeting and stated the agenda for the meeting.

**OPEN FORUM:**

**Harris/Walpole** made a motion to open the open forum at 7:00 pm.

Harris yes, Houghton yes, Hoffman yes, Houghton yes, Novak yes, Schmitt yes. **Approved.**  
Resident Lynne Bruning on Zoom. No comment.

**Schmitt/Novak** made a motion to close the open forum.

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

**SKETCH PLAN REVIEW:**

None

**PUBLIC HEARINGS:**

**Schmitt/Harris** made a motion to open the public hearing for Tyler Hewitt special use permit.  
Schmitt yes, Harris yes, Novak yes, Houghton yes, Hoffman yes, Walpole yes. **Approved.**

**#23-05 Hewitt, Tyler:** SBL#43.11-1-12(R-2) located at 8554 Route 30 Delanson NY is seeking a Special Use Permit under 8.4(10) of the Town of Duanesburg Ordinance. Mr. Hewitt stated that he wants to turn his garage into a public garage. Chairman Schmitt asked if anyone has any comments. Kathleen Kosinski, 8554 Rt. 30 Delanson NY stated that she and her husband live directly across from the applicant's property. She stated they have an extensive list of concerns to share. Please see attached. Chairman Schmitt stated that Mr. Hewitts business plan identified



the business as owner/operator, hours of operation would be 9AM -5PM Monday thru Friday with 5-10 cars for repair per day.

Board members had questions concerning:

- Is there a gate to restrict access to the property?
- Is there a sign indicating the street address?
- Exactly how many vehicles are going to be on site at one time?
- Is there intent to put up a permanent fence?
- Was Mr. Hewitt aware that there's a limit of 1 RV per property?

Mr. Hewitt responded that there isn't a gate, and he has no intentions of putting a permanent fence up at this time. He also stated that he placed 2 fence posts with his address in both directions showing he is at 8554. He stated that he would have no more than 15 vehicles on the site at one time. Mr. Hewitt also stated that he was not aware of the restriction of one RV per property. Chairman Schmitt then asked Mr. Hewitt to prepare a revised business plan that addresses the concerns of the planning board defining the maximum numbers of vehicles, limitations on RV's, limitations of unregistered vehicles, and signage.

Novak/Walpole made a motion to close the Tyler Hewitt public hearing.

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

Novak/Houghton made a motion to table the Tyler Hewitt special use permit.

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

Harris/ Walpole made a motion to open the public hearing for Salvatore Fusco, 756 Wells Road a major subdivision in the Town of Duanesburg.

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

**#23-06 Fusco, Salvatore:** SBL#25.00-1-6.11, (R-2) located at 756 Wells Road is seeking a Major Subdivision under section 3.5 of the Town of Duanesburg Subdivision Ordinance. Luigi Palleschi P.E. with ABD Engineers stated that the property is approximately 75 acres with most of the frontage on Wells Rd. He explained that the proposed subdivision is for 5 lots with single family homes. Chairman Schmitt asked the audience if they have any questions or comments. Bonnie Wilson, 1116 Wells Rd. Duanesburg stated her questions and concerns. Please see attached, revised statement included. The board pointed out that the lot sizes are substantial in size and there should be minimal impact on the area with only a few more houses and that zoning would allow a lot more homes. Also explained by the board was the wetlands delineation process. The public also had concerns regarding road traffic, construction vehicles and power outages.

Schmitt/Harris made a motion to close the public hearing for Salvatore Fusco.

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

Novak/ Harris made a motion to approve the Fusco major subdivision contingent upon a notice of content for Environmental Conservation for the storm water retention plan.

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

Chairperson Schmitt stated the next public hearing we have scheduled is Spiro Kagas. He submitted an application a couple of years ago for the development of a third bay, accessory

parking lot and a food truck. A couple of things for the board's convenience and proper procedures, at the last meeting we had held, the day of the meeting the consultant was unavailable. We proceeded without him because the public hearing had been notified 10 days in advance that it was on the agenda, so there was no way that we could cancel it and have all the public show up. We got a submission dated May 16<sup>th</sup>, just 2 days ago so were not going to talk about that. We can talk about that later, but tonight's public hearing is going to discuss what we had received to date and has been reviewed by our town designated engineer.

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

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

Chairman Schmitt stated that he believes there are several people in the audience that had come specifically tonight to hear some concerns about the prior design. The board decided to allow the engineer for the Spiro Kagas to proceed with a new proposal. Mr. Bianchine PE. then explains to the public and the board what the newly proposed concept would look like. The board asked questions concerning:

- 1.- Where the water would be pumped to.
- 2.- The process of lowering the pond.
- 3.- If this would be a continuous process.
- 4.- What the level of the pond is.

Mr. Bianchine answered that the water would go to the ditch on route 20 and be done during dry periods and answered the questions that were presented to him. There was much discussion about the new proposed concept, permitting, and runoff. Mr. Zee, the attorney for Spiro Kagas explained to the public and to the board that the hold-up is with the lack of communication with DEC, as it is quite hard to get a hold of anyone. Chairman Schmitt asked that the public speak so that they can have their comments on record. Patrick Wren, 9866 Western Turnpike expresses his concerns. See Attached. Heidi Krietzer, 9848 Western Turnpike stated that Mr. Wren summed up her concerns as well. Bill Snyder, 9973 Western Turnpike stated that the music does go off at night and that water is constantly a problem due to the ditching along the road. Mr. Wren stated that the music had just started being turned off. The board stated that they still have concerns about the design of the new proposal and wish to see if the DEC approves the design. The board also wanted to address the concerns of the public, being dust, the use of the parking area, keeping the gate shut and moving dumpster and equipment from the property line, as the permit was revoked. A verbal confrontation involving Mr. Kagas and Mr. Wren followed. Mr. Kagas removed himself from the meeting. At that time Mr. Wren stated "That he was glad there was a bunch of people to witness this, that I feel threatened by that guy. I really feel threatened by that. I want that to be on the record." There is more discussion concerning the proposed engineering design between the board and the applicant's consultants.

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

**NEW BUSINESS:**

**#23-08P Chandler Jr., Robert:** SBL#44.00-1-8.21, (R-2) located at 2978 Duanesburg Churches Rd is seeking a Major Subdivision under section 3.5 of the Town of Duanesburg Subdivision Ordinance. Mr. Blackstone representing Mr. Chandler states that they are proposing 3 lots. There is discussion about possible wetlands and Mr. Blackstone stated that they would get a private delineator instead of waiting for the DEC to be available. **Novak/Harris** made a motion to SEQRA review and table until June 15<sup>th</sup> meeting. Novak yes, Harris yes, Walpole yes, Hoffman yes, Houghton yes, Schmitt yes.

**OTHER:**

None

**Minute Approval:**

**April 20, 2023, PLANNING BOARD MEETING MINUTES:**

**Harris/Hoffman** made a motion to approve the April 20, 2023, Planning Board minutes. Harris yes, Hoffman yes, Walpole yes, Houghton yes, Novak yes, Schmitt yes. **Approved.**

**ADJOURNMENT:**

**Schmitt/Walpole** made the motion to adjourn at 9:55 PM.

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