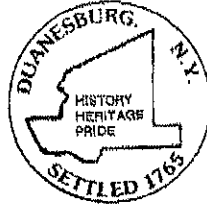


Jeffery Schmitt, Planning Board Chair
Michael Harris, Vice Chairperson
Teresa Bakner, Board Attorney
Dale Warner, Town Planner
Melissa Deffer, Clerk



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

**Town of Duanesburg
Planning Board Agenda
November 18th, 2021**

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

Topic: Town of Duanesburg's Planning Board Zoom Meeting

Time: This is a recurring meeting Meet anytime

Join Zoom Meeting

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

Meeting ID: 870 3907 8096

Passcode: 109029

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

Meeting ID: 870 3907 8096

Passcode: 109029

INTRODUCTION BY CHAIRPERSON JEFFERY SCHMITT:

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

PUBLIC HEARINGS:

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

Approved: Yes _____ No: _____

Comments: _____

OLD BUSINESS:

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

Comments: _____

NEW BUSINESS:

#21-03 Sisson, Joe and Debbie: SBL#52.00-1-41, (R-2) located at Braman Corners Rd is seeking a 3 lot Major Subdivision under section 3.5 of the Town of Duanesburg Subdivision Ordinance.

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



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

Comments: _____

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

Comments: _____

#21-18 Armstrong, Glenn: SBL#44.00-1-12, (R-2) located at 2663 Duanesburg Churches Rd is seeking a Minor Subdivision under section 3.4 of the Town of Duanesburg Subdivision Ordinance.

Comments: _____

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

Comments: _____

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

Comments: _____

SKETCH PLAN REVIEW:

None

Other:

None

Minute Approval:

October 21st, 2021, PLANNING BOARD MEETING MINUTES:

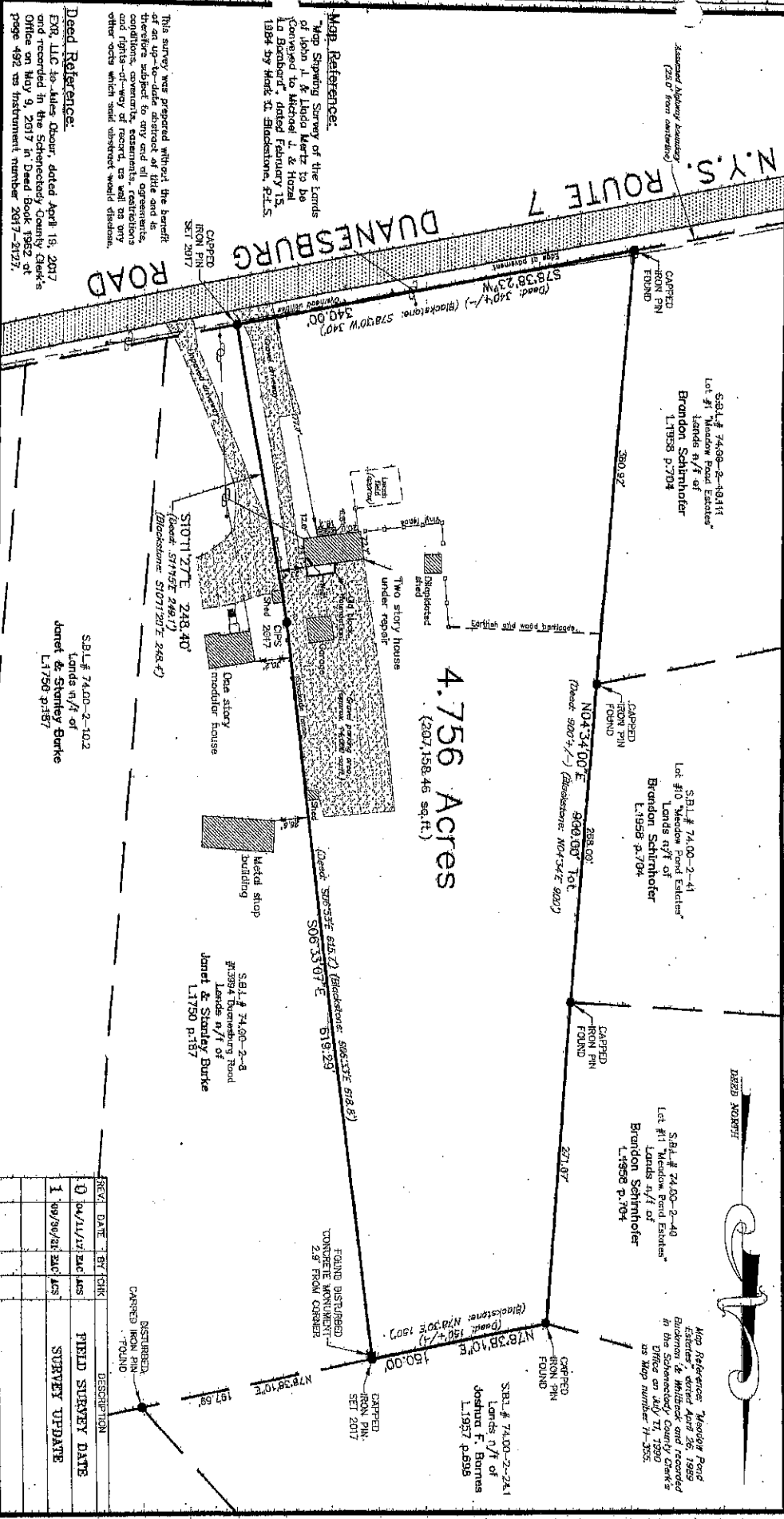
Approved: Yes _____ No: _____

Comments: _____

ADJOURNMENT

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

N.Y.S. ROUTE 7
 DUANESBURG ROAD



4.756 Acres
 (207,158.46 sq. ft.)

Map References:

Map Showing Survey of the Lands of John J. & Linda Metz to be conveyed to Michael J. & Hazel A. Barendt, dated February 15, 1984 by Mark G. Blackstone, P.L.S.

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

Deed Reference:

EXR, LLC to Jules Obour, dated April 18, 2017 and recorded in the Schenectady County Clerk's Office on May 9, 2017 in Deed Book 1952 of page 492 as instrument number 2017-2127.

Certifications indicated hereon signify that this survey was prepared in accordance with the existing Code of Practice of Land Surveyors adopted by the N.Y. State Association of Professional Land Surveyors. Said certifications shall run only to the title insurance company, not to the insured. Certifications are not transferable to additional institutions or subsequent owners. Unauthorized alteration or addition to a survey map-bearing a licensed land surveyor's seal is a violation of Section 7505, Subdivision 2 of the N.Y. State Education Law. Only copies from the original of this survey marked with an original of the land surveyor's embossed seal shall be considered to be valid copies.

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

SANTO ASSOCIATES
 LAND SURVEYING AND ENGINEERING, P.L.C.
 1 GANER ROAD - SUITE 410
 CLIFTON PARK, NY 12025
 PHONE: (518) 353-9001 FAX: (518) 353-9028
 © 2013 Santo Associates P.C. All Rights Reserved.
 "Unauthorized reproduction or use of any part of this document is prohibited."

Handwritten signature of Jules Obour

SURVEY MAP AND HOT PLAN OF LANDS OF JULES OBOUR
 AL 1998 NYS ROUTE 7 DEANSON NY EMS
 S.B.L. # 74.00-2-3

DRAWN BY:	EGC
CHECKED BY:	ALS
DATE:	04/11/17
TOWN OF:	DUANESBURG
COUNTY OF:	SCHENECTADY
STATE OF:	NEW YORK
SCALE:	1" = 50'
DWG. NO.:	7941
REV.:	1

REV.	DATE	BY/CHK.	DESCRIPTION
0	04/11/17	ZAC/ALS	FIELD SURVEY DATE
1	09/20/21	ZAC/ALS	SURVEY UPDATE

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



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

TOWN OF DUANESBURG
SCHENECTADY COUNTY

Town of Duanesburg
Planning Board Minutes
October 21st, 2021
Draft Copy

RECEIVED

OCT 28 2021

TOWN OF DUANESBURG
TOWN CLERK

MEMBERS PRESENT: Jeffery Schmitt Chairman, Elizabeth Novak, Joshua Houghton, Michael Santulli, Matthew Hoffman, Michael Walpole, Planning Board Attorney Teresa Bakner, Town Planner Dale Warner and Clerk Melissa Deffer.

INTRODUCTION: Chairman Jeffery Schmitt opened the meeting and welcomed everyone to tonight's Planning Board meeting. Schmitt asked for the board to introduce themselves to the public: Jeff Schmitt- Chairman, Elizabeth Novak- Planning Board Member, Teresa Bakner- Legal Counsel for the Planning Board, Mike Walpole- Planning Board Member, Matt Hoffman- Planning Board Member, Josh Houghton- Planning Board Member, Mike Santulli- Planning Board Member, Melissa Deffer- Planning Board Clerk, Dale Warner- Town Planner.

Chairman Schmitt also welcomed the Esperance Volunteer Fire Department, Chief Matt Deffer and Mutual Aid Chief Scott Johnson from Central Bridge Volunteer Fire Department. Chairman Schmitt thanked the gentlemen for serving their local community.

OPEN FORUM:

Schmitt/Hoffman made a motion to open the open forum at 7:05pm.
Schmitt yes, Hoffman yes, Walpole yes, Houghton yes, Santulli yes, Novak yes. **Approved.**

Lynne Bruning located at 13388 Duanesburg Rd (**Please see attachment**)

Schmitt/Novak made a motion to close the open forum at 7:08 pm.
Schmitt yes, Novak yes, Hoffman yes, Walpole yes, Houghton yes, Santulli yes. **Approved.**

PUBLIC HEARINGS:

None

OLD BUSINESS:

The amendment of application **#19-12 Murray, Richard/Eden Renewables:** SBL#74.00-2-5. (R-2) located at 13590 Duanesburg Rd is seeking an amendment to an existing special

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

Over→

use permit under local law #1-2016 of the solar energy facilities law and section 14.6.2.5 of the Town of Duanesburg Zoning Ordinance.

Chairman Schmitt explained that The Duanesburg Planning Board is continuing its review of the application by Oak Hill Solar 1 and 2 LLC for amended special use permit and site plan approvals for the two, 5 megawatt solar projects including battery energy storage, located on NYS Route 7. As you will recall the approvals for this project were previously issued in September of 2019 and were litigated with the NYS Appellate Division third department upholding the decision of the Planning Board. Since the end of the litigation and the end of the executive orders limiting construction due to Covid, Oak Hill submitted an application for a building permit with drawings at a substantially higher level of detail, to Dale, the Town Building Inspector. Due to the changes in the battery energy storage, the higher maximum tilt of the panels, the greater acreage of disturbance and the addition of an interior access road, Dale determined that the project had to come back to the Planning Board for review of an application to amend the special use permit and site plan approvals for the project.

The Project was back before the Planning Board at its July meeting, a public hearing was held at its August meeting and the written public comment period was continued until this Planning Board meeting (10 days before the meeting). A workshop was held during September and the focus of the workshop was the changes to the project and a thorough presentation by the Applicant and its consultants on the BESS and the changes to the project.

The Town retained AE Prime to review the application with a particular focus on the changes to the project. AE Prime has entered all of this comment letters into the public record and they have worked with the Applicant to obtain changes to the plans, additional information and clarification—all to establish compliance with the solar law and to address any SEQRA issues. The Town retained an expert in BESS: ESRG group, Paul Rogers to review the proposed BESS. The Town also reached out to NYSERDA on BESS and issues associated with solar projects in general and have had several representatives of NYSERDA provide information and speak at meetings on Solar issues.

The Town has also referred the project to Schenectady County Planning and received a recommendation back from the County that this is a local issue not of county wide concern with the recommendation that a visual analysis be required from the Applicant due to the project changes. The Applicant provided a new visual analysis as well as a noise analysis.

The Town Planning Board members have been carefully reviewing the application materials, all of which are available to the public in a drop box link that is on the Town website. The meetings are open to in person or zoom participation by the public. Many written public comments have been received all of them have been reviewed and the applicant has provided a response to community comment documents that has also been posted in the drop box.

All public comments and the responses have been reviewed by the Town Planning Board members.

Tonight the following steps will occur concerning this application:

- 1) A presentation from ESRG on the report that they complete for the Town Planning Board and set forth how any remaining issues will be addressed by AMP;
- 2) Gain insight on the project from the fire chief of the Village of Esperance volunteer Fire Company and a mutual aid fire chief who is accompanying him;
- 3) Discuss with Bill Oderkehr from NYSERDA any concerns regarding the panel composition related to PFOAs;
- 4) A summary of any remaining issues from Prime AES and the status of the remaining plan changes;
- 5) Commencement of the review of the EAF Part II with the assistance of Prime AES.

The review of Oak Hill will take some time tonight given the volume of materials received by the Planning Board since the last Planning Board meeting. The Planning Board intends to make a decision on the project at the November meeting of the Planning Board, assuming that all of the Planning Board's remaining concerns are addressed and that its technical consultants have completed their review of the project.

Paul Rogers and Michael Bowes from ESRG (Energy Safety Response Group) prepared a report for tonight's meeting and went over their findings and any questions, comments or concerns with the Board. **(Please See Attachment)**

The fire chiefs had no questions for Paul or Mike.

Bill Pederson state that there will be 2 scheduled walk throughs for the fire department. First, will be during the construction of the solar project. Second, will be when the project is completed and then a yearly training will be held. The Chiefs agreed that one training a year is sufficient. Mr. Pederson will be the liaison and will connect the fire department to Powin or the appropriate departments.

Bill Oderkehr from NYSERDA went over the concerns regarding the panel composition related to PFOAs. Bill explained that PFOA's is a group of 1000's of different chemicals that are subgrouped into different functional groups and most of those subgroups have different chemistry within them. PFOA can be found in a variety of different everyday items such as scotch guard, water repellents, firefighting foam, cleaning products, some clothing, and fuel. Bill does not know which of the chemicals are in the solar panels, how toxic the chemicals are, or how many solar panels the PFOA's are in, there is a fact sheet from the University of Michigan said that the solar industry does not typically use panels that contain the PFOA because there are alternatives that are commercially valuable on the market. For there to be potential water contamination from the solar panels you would need to have panels that contain PFOA, and it would have to be toxic. It would have to erode off the panels at such a volume that would be able to contaminate soil and ground water. All three of those factors are unknown. There was a study done on a Solar farm in the State of New Hampshire and there was no POFA found when the study was completed,

Board Member Novak went over the Part 2 of the FEAF **(Please See Attachment)**

Schmitt/Santulli made a motion to table the amendment of application **#19-12 Murray, Richard/Eden Renewables** until November 18th, 2021, meeting.

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

NEW BUSINESS:

#21-13 Obour, Jules: SBL# 74.00-2-9, (R-2) located at 13998 Duanesburg Rd is seeking a Special Use Permit for use of motor vehicle sales under Local Law #6 2017 of the Town of Duanesburg Zoning Ordinance Section 8.4(18). Attorney Gerald Dwyer is representing Mr. Obour. Mr. Dwyer explained that he has submitted an updated survey. A title search and nothing was found going back 35 years. Jules does not want to do repairs to any vehicles, he will only be selling. If there is any work that needs to be done, he will outsource it. The Board would like to see for the next meeting Mr. Dwyer revise the EAF to the accurate number of acres that will be disturbed.

Novak/Hoffman made a motion to declare our preliminary SEQRA to be a negative impact declaration for this unlisted action.

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

Novak/Santulli made a motion to set a public hearing on November 18th, 2021, for the application of #21-13 Obour, Jules.

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

#21-17 Daigle, Howard/Blevins, Jonathan: SBL# 67.00-3-19.21, (C-2) located at 3851 Western Turnpike is seeking a special use permit under section 12.4.33 of the Town of Duanesburg Zoning Ordinance. Howard Daigle property owner and Jody Thorpe Purchasing foreman from Northern Clearing Inc explained that they are going to be leasing the building with the possibility of a rent to own agreement. The company is working on the power lines and will be working up this way for about 2-3 more years on the project and will need a place to store their equipment. They will not be changing anything in or around the building except adding a fuel container. After reviewing the application, the Planning Board Determined that it is the same type of use and Jody can rent it and use Howard Daigle's special use permit and so the matter was referred back to Dale Warner, Building Inspector.

SKETCH PLAN REVIEW:

#21-16 Kirker, Richard: SBL#65.00-1-31.131, (R-2) located at 696 Gage Rd is seeking a Minor Subdivision under section 3.4 of the Town of Duanesburg Subdivision Ordinance. Project Manager John Hitchcock, Jr from ABD Engineers, LLP represent Mr. Richard Kirker. Mr. Kirker is purposing a 2-lot subdivision. Lot one to the North of the property will be 10.7 acre to build his house on. Lot 2 will be 5.61 acres and Richard will be giving to his daughter and son in law to build their house on. Both lots will be flag lots and are in front of the ZBA for Road Frontage. Lot 2 will have a private road that will connect to lot number 1 driveway. A turn around will be added to both driveways. The Board would like to have a driveway agreement for the next meeting.

#21-18 Armstrong, Glenn: SBL#44.00-1-12, (R-2) located at 2663 Duanesburg Churches Rd is seeking a Minor Subdivision under section 3.4 of the Town of Duanesburg Subdivision Ordinance. David Bogardus from the Northeast Land Survey & Land Development Consultants, P.C. representing the Armstrong estate. David is purposing a 2-lot minor subdivision. Lot 1 will be 29 acres and Lot 2 will be 12 acres with an existing house with 3 barns, out house and existing well and septic. Lot number 1 has part of the Delanson Upper Reservoir on the property. The board would like to know for the next meeting if there are

access rights to the reservoir and a title search to be completed to ensure ownership of the reservoir.

OTHER:

None

MINUTES APPROVAL:

Schmitt/ Walpole made the motion to approve September 16th, 2021, Planning Board minutes with no corrections.

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

ADJOURNMENT:

Walpole/ Houghton made the motion to adjourn.

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

DRAFT

PO Box 160
Quaker Stret, NY 12141

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

October 21, 2021

Re: Privilege of the Floor Planning Board Meeting,

Please include my statement in the meeting minutes as posted on the town website.

The Planning Board webpage, <https://www.duanesburg.net/planning-board>, lists board members Elizabeth Novack, Jeffery Schmitt, Thomas Rulison and Michael Harris. Mr. Rulison is no longer with the board. It appears that Dale Warner's name is erroneously listed under "Board Members." The list omits many names that are now on the board. I request that the planning board webpage is updated to accurately reflect board membership.

The Planning Board webpage does not include Planning Board Clerk name or contact information.

The Planning Board Calendar does not reflect meeting dates. According to the calendar it appears that the board never meets. I request that the town and planning board calendar be updated to reflect all board meetings and workshops.

Thank you for posting recordings of the board meetings again. Board meeting videos from January 18, 2018 through October 18, 2028 are posted. Recordings are not posted again until September 9, 2021 Battery Storage Workshop. Recordings of the meeting provide all citizens with valuable information about board actions and town development.

Planning Board Agendas are posted with a date and time stamp. This affords all citizens to follow changes in the Agenda.

Planning Board Meeting Minutes omit the date and time stamp. This omission prevents the citizens to following draft minutes, changes, and posting of final minutes. This system lacks transparency and accountability for board members as well as residents. Once again, I request that the board close the possible loophole for impropriety and prove a date and time stamps on the meeting minutes.

Thank you for your time and consideration.

Respectfully,

Lynne Bruning

720-272-0956

lynnebruning@gmail.com

Melissa Deffer

From: lynne bruning <lynnebruning@gmail.com>
Sent: Thursday, October 21, 2021 7:50 PM
To: Melissa Deffer
Subject: Bruning to Planning Board Privilege of the Floor October 21 2021

PO Box 160
Quaker Street, NY 12141

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

October 21, 2021

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Planning Board Agendas are posted with a date and time stamp. This affords all citizens to follow changes in the Agenda.

Planning Board Meeting Minutes omit the date and time stamp. This omission prevents the citizens to following draft minutes, changes, and posting of final minutes. This system lacks transparency and accountability for board members as well as residents. Once again, I request that the board close the possible loophole for impropriety and provide a date and time stamps on the meeting minutes.

Thank you for your time and consideration.

Respectfully,

Lynne Bruning
720-272-0956
lynnebruning@gmail.com

Duanesburg NEW YORK

Home Government Community Businesses Veterans Community Resource

FIND IT
FAST

- August 19, 2021 Eden - Murray Public Hearing
- August 19, 2021 Public Hearing Oak Hill Solar
- July 15, 2021 Coolidge Public Hearing
- June 17, 2021 Gemmiti Public Hearing
- June 17, 2021 Green Public Hearing
- Notice of Special Meeting & Workshop - Town Planning Board - September 9, 2021 5-7pm
- Oak Hill 1 & 2 Solar Documents
- Oak Hill Presentation
- Planning Board Meeting Videos
- State Environment(s) Quality Review Act (SEQR) Forms

Contact Info

Phone:
(518) 898-2040

Address:
Planning Board
8853 Western Turnpike
Duanesburg, NY 12056
United States
See map: Google Maps

Meetings - When: 3rd Thursday of each month

Meetings - Where: Town Board Room

Meetings - Time: 7:00 pm

Home » Government » Boards & Commissions

Planning Board

Staff Contacts

Name	Title	Phone
Terresa Salner	Board Attorney	
Dale Warner		(518) 898-2040

Board Members

Name	Title
Elizabeth Novak	Board Member
Jerry P. ...	Chairman
Thomas Bullara	Board Member
Michael Harris	Board Member
Dale Warner	

News & Announcements

Notice of Special Meeting & Workshop - Town Planning Board - September 9, 2021 5-7pm

Public Hearing Thursday November 19, 2020 - Kagas

Planning Board Calendar

October						
D	M	T	W	T	F	S
				1	2	
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

All upcoming events

Agendas

- October 21, 2021
October 21, 2021 - 7:00pm
- September 16, 2021 - Updated with Zoom Information and Agenda Supporting Documents
September 16, 2021 - 7:00pm
- August 19, 2021
August 19, 2021 - 7:00pm
- July 15, 2021 Updated 7-14-2021
July 15, 2021 - 7:00pm
- June 17, 2021
June 17, 2021 - 7:00pm

View all

Minutes

 ORIGINAL

Home » Government » Boards & Commissions » Planning Board

< 8

Planning Board Meeting Videos

- **2021**
-
- September 16, 2021
- September 9, 2021 Workshop
-
-
-
- **2018**
- October 18, 2018 (Part 1)
- October 18, 2018 (Part 2)
- October 18, 2018 (Part 3)
- September 20, 2018 (Part 1)
- September 20, 2018 (Part 2)
- September 20, 2018 (Part 3)
- August 16, 2018 (Part 1)
- August 16, 2018 (Part 2)
- August 16, 2018 (Part 3)
- July 19, 2018 (Part 1)
- July 19, 2018 (Part 2)
- June 21, 2018 (Part 1)
- June 21, 2018 (Part 2)
- May 17, 2018 (Part 2)
- May 17, 2018 (Part 1)
- April 19, 2018 Part 2
- April 19, 2018 Part 1
- March 15, 2018
- February 15, 2018
- January 18, 2018

Duanesburg NEW YORK

About Government Community Business Veterans Community Resource

FIND IT
FAST

August 19, 2021 Eden - Murray Public Hearing

August 19, 2021 Public Hearing Oak Hill Solar

July 15, 2021 Coedlge Public Hearing

June 17, 2021 Gemmti Public Hearing

June 17, 2021 Green Public Hearing

Notice of Special Meeting & Workshop - Town Planning Board - September 9, 2021 5-7pm

Oak Hill 1 & 2 Solar Documents

Oak Hill Presentation

Planning Board Meeting Videos

State Environmental Quality Review Act (SEQR) Farms

Home » Planning Board

October 21, 2021

SUBMITTED ON OCTOBER 15, 2021 - 9:27AM

Upload file:

o: october_21_2021_planning_board_meeting_agenda_zoom_002.pdf

Date: Thursday, October 21, 2021 - 7:00pm

Contact Info

Phone:

(518) 895-2040

Address:

Planning Board
5853 Western Turnpike
Duanesburg, NY 12056
United States
[See map: Google Maps](#)

Duanesburg NEW YORK

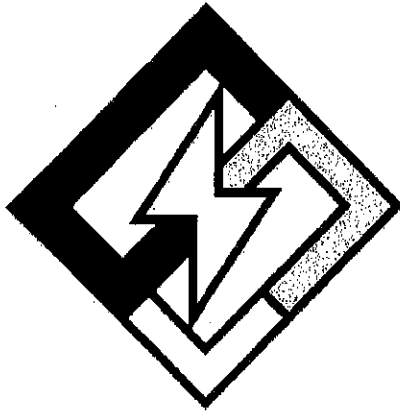
5853 Western Turnpike, Duanesburg, New York 12056 Phone: (518) 895-8926

Hours: Monday - Friday: 8am to 4pm (closed 12pm to 1pm)

[Login](#)



ORIGINAL



ESRG

ENERGY SAFETY
RESPONSE GROUP

OAK HILL BESS FCNYS 1206.8 Peer Review

Summary

This document serves as a third-party peer review for the Oak Hill 1 and Oak Hill 2 ESS projects, performed in compliance with 2020 Fire Code of New York State §1206.8.

Prepared For:

Town of Duanesburg
5853 Western Turnpike
Duanesburg, NY 12056

Energy Safety Response Group, LLC
8350 US Highway 23 North
Delaware, OH 43015

www.energyresponsegroup.com
1-833-SAFE-ESS

Rev. 1
10/21/2021

PROJECT INFORMATION

Project Name	Oak Hill 1 and Oak Hill 2 ESS
Prepared For	Town of Duanesburg
Customer Address	5853 Western Turnpike Duanesburg, NY 12056
Revision No.	Rev. 1
Date of Issue	10/21/2021

Prepared by:

Michael Bowes

Senior Project Engineer

Approved by:

Paul Rogers

Founding Principal

Revision History

Revision No.	Date of Issue	Substance of Change	Prepared By	Approved By
Rev. 0	10/20/2021	First issue	M. Bowes	P. Rogers
Rev. 1	10/21/2021	Background revision	M. Bowes	P. Rogers

IMPORTANT NOTICE AND DISCLAIMER

ESRG shall provide an initial draft of the document based on the system as it is designed. This document is intended for internal discussion and review and should not be provided externally until agreed by all parties and all major design and site details are finalized. Upon acceptance of the "as designed" draft, which may be made public as an "as designed release," ESRG shall treat this document as ready for release but shall not mark the document as "as-built final" until ESRG can confirm, via personnel on site, that the system, "as-built" aligns with the reviewed and reported design. As the industry evolves rapidly and technologies and best practices change regularly, it has been observed that more often than not changes are made to a project through the construction phase, be they to the battery itself or, more often, to the balance of system. As such, an "as designed release" document should be considered final in that if no changes were made to the system from design to construction, and it is thus 100% accurate, it will be released unchanged. However, should ESRG encounter deviations from design, the document will be amended accordingly per the design changes and released.

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Further, the contents of this document are in no way meant to address specific circumstances, and the contents are not meant to be exhaustive and do not address every potential scenario associated with the subject matter of the document. Site and circumstance-specific factors and real-time judgment and reason may significantly impact some of the subject matter conveyed in this document. Additional resources and actions, which may be beyond the scope of this document, may be required to address your specific issues.

Additionally, laws, ordinances, regulatory standards, and best practices related to the contents of this document are subject to change or modification from time to time. It is your responsibility to educate yourself as to any such change or modification.

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1 INTRODUCTION

1.1 Background

The Town of Duaneburg has retained Energy Safety Response Group LLC to perform a third-party peer review of the Amp Solar Development, Inc. Oak Hill battery energy storage system (BESS, or ESS) project to be located in Duaneburg, NY. This report provides an assessment of code compliance with *2020 Fire Code of New York State (FCNYS) §1206 Electrical Energy Storage Systems*, in fulfillment of *§1206.8 Peer Review*, as well as additional commentary on relevant safety concerns regarding fire service response for the Oak Hill BESS site.

1.2 Applicable Codes and Standards

The following codes and standards apply to this document:

- *2020 Fire Code of New York State §1206 Electrical Energy Storage Systems*
- *UL 9540A Test Method for Evaluating Thermal Runaway Fire Propagation in Battery Energy Storage Systems, 2019 Edition*

Additional supporting codes, standards, or other documents that may inform this report include:

- *International Fire Code (IFC), Section 1206 Electrical Energy Storage Systems, 2018 Edition*
- *NFPA 1 Fire Code, 2018 Edition*
- *NFPA 68 Standard on Explosion Protection by Deflagration Venting, 2018 Edition*
- *NFPA 69 Standard on Explosion Prevention Systems, 2019 Edition*
- *NFPA 70 National Electric Code, 2020 Edition*
- *NFPA 72 National Fire Alarm and Signaling Code, 2019 Edition*
- *NFPA 855 Standard for the Installation of Stationary Energy Storage Systems, 2020 Edition*
- *NFPA 1142 Standard on Water Supplies for Suburban and Rural Firefighting, 2022 Edition*
- *UL 1741 Standard for Inverters, Converters, Controllers and Interconnection Equipment for Use With Distributed Energy Resources, 2016 Edition*
- *UL 1973 Standard for Batteries for Use in Light Electric Rail (LER) Applications and Stationary Applications, 2016 Edition*
- *UL 9540A Test Method for Evaluating Thermal Runaway Fire Propagation in Battery Energy Storage Systems, 2019 Edition*
- *UL 9540 Standard for Energy Storage Systems and Equipment, 2020 Edition*

1.3 Summary of Findings

Based on the information on the Oak Hill ESS project provided by Amp Solar Development, ESRG finds that the project is largely compliant with *FCNYS §1206*, with some additional documentation outstanding, as noted throughout the report. These documents and any other required items should be provided to the local fire code official / authority having jurisdiction for review.

- Several construction commissioning, and other documents not provided at the time of this writing.
- A hazard mitigation analysis should be provided per *FCNYS §1206.5* as a basis for increasing of maximum allowable quantities of energy storage onsite.
- Where variance from code is required (e.g., maximum allowable quantities), it is recommended that a report demonstrating that no adverse risks are present based on large-scale fire testing be provided.
- Fire remediation and on-scene first responder information should be finalized and provided to the local fire code official and / or authority having jurisdiction prior to commissioning of the system. Several recommendations for emergency response plan are also provided.
- Dedicated onsite water supply is recommended for mitigating propagation of fire from ESS to nearby exposures. Further discussion with the local fire department should be coordinated to determine if needed and, if so, what criteria shall be required.

2 ENERGY STORAGE SYSTEM AND SITE DESCRIPTIONS

2.1 Energy Storage System Description

The PowIn Stack230 energy storage system (ESS – also referred to as BESS) to be used for the Oak Hill project consists of battery racks populated with LFP battery cells, HVAC system, heat, smoke, and gas detection systems, Stat-X fire extinguishing system, and StackOS EMS and BMS, all integrated into a cabinet-style enclosure. Each ESS unit provides approximately 4.5 MWh of energy storage capacity.

2.2 Site Description

The Oak Hill energy storage project consists of two sites (Oak Hill Solar 1 and Oak Hill Solar 2), each consisting of two PowIn ESS units (four units total), for a total of 7.68 MW / 18 MWh. The lot is subdivided into two parcels, for an aggregate lot size of approximately 140 acres. The battery enclosures are over 475 feet apart at their closest point, drastically reducing risk of fire spread across units. The site also houses a large number of PV solar arrays, with a minimum 23-foot setback from all ESS enclosures.

Wetlands are noted on the site drawings, though it has been indicated that these pose limited to no risk to the ESS, PV arrays, or fire apparatus access roads. No water source is available onsite for firefighting purposes.

3 FCNYS §1206 COMPLIANCE REQUIREMENTS

3.1 Code Compliance Summary

The following section provides a summary of compliance with primary sections of *FCNYS §1206 Electrical Energy Storage Systems*, with a focus on sections related to BESS safety and protection systems. §1206 requirements are described in greater detail in Sections 3.2 – 3.17 of this report. Items which are outside the scope of this report are not included in the summary table.

Table 1 - Code Compliance Summary Table

Section	Compliance Requirement	Compliance
<u>§1206.4 Construction Documents</u>	-	Partially compliant.
<u>§1206.5 Hazard Mitigation Analysis</u>	-	Not compliant.
<u>§1206.6 Large-Scale Fire Test</u>	-	Partially compliant.
<u>§1206.7 Fire Remediation</u>	-	Partially compliant.
<u>§1206.8 Peer Review</u>	-	Compliant.
<u>§1206.9 Commissioning, Decommissioning, Operation and Maintenance</u>	<u>§1206.9.1 Commissioning</u>	Partially compliant.
	<u>§1206.9.2 O&M Manual</u>	Partially compliant.
	<u>§1206.9.3 Decommissioning</u>	Compliant.
<u>§1206.10 Equipment</u>	<u>§1206.10.1 Energy Storage System Listings</u>	Not compliant.
	<u>§1206.10.2 Equipment Listing</u>	Partially Compliant.
	<u>§1206.10.3 Utility Interactive Systems</u>	Compliant.
	<u>§1206.10.4 Energy Storage Management System</u>	Compliant.
	<u>§1206.10.5 Enclosures</u>	Compliant.
<u>§1206.11 General Installations Requirements</u>	-	Partially compliant.
	<u>§1206.12.1 Size and Separation</u>	Not applicable.

<u>§1206.12</u> <u>Electrochemical Energy</u> <u>Storage System</u> <u>Protection</u>	<u>§1206.12.2 Maximum Allowable</u> <u>Quantities</u>	Not compliant.
	<u>§1206.12.4 Fire Detection</u>	Not applicable.
	<u>§1206.12.5 Fire Suppression</u> <u>Systems</u>	Not applicable.
	<u>§1206.12.7 Vegetation Control</u>	Compliant.
	<u>§1206.12.8 Means of Egress</u> <u>Separation</u>	Compliant.
<u>§1206.13</u> <u>Electrochemical Energy</u> <u>Storage System</u> <u>Technology Specific</u> <u>Protection</u>	<u>§1206.13.3 Explosion Control</u>	Not applicable.
	<u>§1206.13.5 Thermal Runaway</u>	Compliant.
<u>§1206.15 Outdoor</u> <u>Installations</u>	<u>§1206.15.1 Remote Outdoor</u> <u>Installations</u>	Compliant.
	<u>§1206.15.3 Clearance to Exposures</u>	Compliant.

3.2 General Requirements

General provisions for energy storage systems are provided in FCNYS §1206.1 - §1206.3, as listed below, though are not further elaborated on as they are either self-explanatory or outside the scope of this report.

Per FCNYS §1206.1, lithium-ion energy storage systems exceeding 20 kWh (252 Megajoules) shall comply with §1206.2 through §1206.17.7.7.

Per FCNYS §1206.2, the provisions of §1206 shall apply to the installation, operation, maintenance, repair, retrofitting, testing, commissioning, and decommissioning of stationary energy storage systems.

Per FCNYS §1206.2.1, electrical wiring and equipment used in connection with energy storage systems shall be installed and maintained in accordance with FCNYS Chapter 12 Energy Systems and NFPA 70, though further assessment of these requirements is outside the scope of this report.

Per FCNYS §1206.3, building permits and operating permits shall be provided in accordance with Section 105, though review of these is outside the scope of this report.

3.3 Construction Documents (§1206.4)

Per FCNYS §1206.4, the following information shall be provided with the permit application:

Table 2 - §1206.4 Construction Document Requirements

Compliance Requirement	Comments
1. Location and layout diagram of the room or area in which the energy storage system is to be installed.	Compliant. Location and layout diagram of ESS provided.
2. Details on the fire-resistance rating of assemblies enclosing the energy storage system.	Not compliant. While enclosure is rated to IP 54 (NEMA 3R) and is assumed to be of noncombustible construction, information on fire-resistance rating of the enclosure is not provided.
3. The quantities and types of energy storage systems to be installed.	Compliant. Installation will consist of four (4) Powin Stack230 ESS enclosures, totaling 7.68 MW / 18 MWh.
4. Manufacturer's specifications, ratings, and listings of each energy storage system.	Compliant. Manufacturer's specifications, ratings, and listings provided.
5. Description of energy storage management systems and their operation.	Compliant. Powin StackOS product manual provided.
6. Location and content of required signage.	Not compliant. Signage provided in <i>Schedule 4 Signage-Signage.pdf</i> , though signage specific to the ESS must be provided per §1206.11.8.
7. Details on the fire suppression, smoke or fire detection, thermal management, ventilation, exhaust and deflagration venting systems, if provided.	Compliant. Details on fire suppression, heat, smoke, and gas detection systems provided.
8. Support arrangement associated with the installation, including any seismic restraint.	Not compliant. Support arrangement including seismic restraint not provided.
9. A commissioning plan complying with 1206.9.1.	Partially compliant. See Section 3.8.1 of this report for more information.
10. A decommissioning plan complying with 1206.9.3.	Compliant. System-specific decommissioning plan provided.
11. A peer reviewer identification and qualifications, where required by the authority having jurisdiction.	Compliant. ESRG statement of qualifications provided.

- **PARTIALLY COMPLIANT.** Most construction documents are provided per §1206.4, with the exception of items 2, 6, 8, and 9, as described above.

3.4 Hazard Mitigation Analysis (§1206.5)

Per FCNYS §1206.5, a failure modes and effects analysis (FMEA) or other approved hazard mitigation analysis shall be provided where allowed as a basis for increasing maximum allowable quantities.

- **NOT COMPLIANT.** A system risk mitigation strategy document has been provided by Amp Solar Development, describing several mitigation strategies for a battery-related incident onsite, though does not meet all requirements prescribed by FCNYS §1206.5 as a basis for increasing maximum allowable quantities. A hazard mitigation analysis should be provided in accordance with §1206.5 and should evaluate the consequences of all conditions given in §1206.5.1 *Fault Conditions* and demonstrating that all conditions of §1206.5.2 *Analysis Approval* are met.

3.4.1 Fault Conditions (§1206.5.1)

Per FCNYS §1206.5.1, a failure modes and effects analysis (FMEA) or other approved hazard mitigation analysis shall be provided as a basis for increasing maximum allowable quantities per FCNYS Table 1206.12 (600 kWh for lithium-ion systems) and shall evaluate the consequences of the following failure modes:

1. *A thermal runaway condition in a single energy storage system rack, module, or unit.*
2. *Failure of any energy storage management system.*
3. *Failure of any required ventilation or exhaust system.*
4. *Voltage surges on the primary electric supply.*
5. *Short circuits on the load side of the energy storage system.*
6. *Failure of the smoke detection, fire detection, fire suppression, or gas detection system.*
7. *Required spill neutralization not being provided or failure of a required secondary containment system.*

3.4.2 Analysis Approval (§1206.5.2)

Per FCNYS §1206.5.2, the fire code official may approve the hazardous mitigation analysis provided the consequences of the hazard mitigation analysis demonstrate:

1. *Fires will be contained within unoccupied energy storage system rooms or areas for the minimum duration of the fire-resistance rated assemblies identified in Section 1206.14.4.*
2. *Fires in occupied work centers will be detected in time to allow occupants within the room or area to safely evacuate.*
3. *Toxic and highly toxic gases released during fires will not reach concentrations in excess of OSHA-regulated IDLH levels in the building or in adjacent means of egress routes during the time deemed necessary to evacuate occupants from any affected area.*

4. *Flammable gases released from energy storage systems during charging, discharging, and normal operation will not exceed 25 percent of their lower flammability limit (LFL).*
5. *Flammable gases released from energy storage systems during fire, overcharging and other abnormal conditions will be controlled through the use of ventilation of the gases preventing accumulation or by deflagration venting.*

3.4.3 Additional Protection Measures (§1206.5.3)

Per FCNYS §1206.5.3, construction, equipment, and systems that are required for the energy storage system to comply with the hazardous mitigation analysis, including, but not limited to, those specifically described in FCNYS §1206 shall be installed, maintained, and tested in accordance with nationally recognized standards and specified design parameters.

3.5 Large-Scale Fire Test (§1206.6)

Per FCNYS §1206.6, large-scale fire testing shall be conducted on a representative energy storage system in accordance with UL 9540A or approved equivalent. The testing shall be conducted or witnessed and reported by an approved testing laboratory and show that a fire involving one energy storage system will not propagate to an adjacent energy storage system. The test report shall be provided to the fire code official for review and approval.

- **PARTIALLY COMPLIANT.** UL 9540A (4th Edition) unit level testing conducted by TÜV Rheinland has been provided for the Powin Stack 230P unit, though cell and module level test reports have not been provided. Both cell and module level UL 9540A test reports should be provided for further review. Furthermore, where large-scale fire testing is to be used as a basis for variance from code requirements, it is recommended that a report demonstrating that no adverse risks are present based on UL 9540A testing be provided.

3.6 Fire Remediation (§1206.7)

Per FCNYS §1206.7, where a fire or other event has damaged the energy storage system, the system owner, agent, or lessee shall, at their expense, comply with Sections 1206.7.1 and 1206.7.2, or remove damaged equipment from the premises to a safe location.

3.6.1 Fire Mitigation Personnel (§1206.7.1)

Per FCNYS §1206.7.1, where required by the code official, the system owner, agent or lessee shall, at their expense, immediately dispatch one or more fire mitigation personnel to the premises. The person shall remain on duty continuously after the fire department leaves the premises and until the damaged energy storage system equipment is removed from the premises, or earlier if the fire code official indicates the public safety hazard has been abated.

- **NOT COMPLIANT.** Amp Solar has provided a site-specific safety plan including Powin Remote Operations Center (ROC) contact information and emergency response guide provided by Powin. Specific details on the fire mitigation personnel to be provided per

FCNYS §1206.7.1 have not yet been provided. It is recommended that a dedicated subject matter expert, trained and knowledgeable on the specific site and units be made available to arrive onsite in a reasonable amount of time in the case of an emergency. Amp has also indicated in this plan that it will work closely with the local fire department to ensure there is adequate familiarity with the solar and storage equipment onsite, as well as the safety plan, which they note can be updated based on feedback from the Town of Duaneburg, their safety consultants, and the local fire department.

3.6.2 Duties (§1206.7.2)

Per §1206.7.2, on-duty fire mitigation personnel shall have the following responsibilities:

1. *Keep diligent watch for fires, obstructions to means of egress, and other hazards.*
 2. *Immediately contact the fire department if their assistance is needed to mitigate any hazards or extinguish fires.*
 3. *Take prompt measures for remediation of hazards in accordance with decommissioning plan in Section 1206.9.3.*
 4. *Take prompt measures to assist in evacuation from the structures.*
- **COMPLIANT.** Actions in line with above duties provided in Powin emergency response plan. As noted in Section 3.6.1 above, fire mitigation personnel should be identified and contact information provided prior to commissioning.

3.7 Peer Review (§1206.8)

Per FCNYS §1206.8, where required by the authority having jurisdiction, the owner or the owner's authorized agent shall be responsible for retaining and furnishing the services of a registered design professional or special expert, who will perform as a peer reviewer, subject to the approval of the fire code official.

- **COMPLIANT.** This report is in fulfillment of requirement for peer review per FCNYS §1206.8. ESRG statement of qualifications has been provided to the Town of Duaneburg.

3.8 Commissioning, Decommissioning, Operation and Maintenance (§1206.9)

3.8.1 Commissioning (§1206.9.1)

Per FCNYS §1206.9.1, commissioning of a newly installed energy storage system shall be conducted prior to being placed in service and in accordance with a commissioning plan approved prior to initiating commissioning. Commissioning plan requirements per §1206.9.1 are outlined in the table below.

Table 3 - §1206.9 Commissioning Requirements

Compliance Requirement	Comments
1. A narrative description of the activities that will be accomplished during each phase of commissioning including the personnel intended to accomplish each of the activities.	Compliant. Description of activities to be accomplished during phases of commissioning provided.
2. A listing of the specific energy storage system and associated components, controls and safety related devices to be tested, a description of the tests to be performed and the functions to be tested.	Compliant. Description of tests to be performed for ESS and associated components, controls, and safety related devices provided.
3. Conditions under which all testing will be performed, which are representative of the conditions during normal operation of the system.	Compliant. Conditions under which testing will be performed provided.
4. Documentation of the owner's project requirements and the basis of design necessary to understand the installation and operation of the energy storage system.	Not compliant. It is stated that commissioning checks / tests are to be conducted by Powin field engineers or technicians trained and certified by Powin, though requirements and basis of design necessary to understand the installation and operation of the ESS is not documented.
5. Verification that required equipment and systems are installed in accordance with the approved plans and specifications.	Compliant.
6. Integrated testing for all fire and safety systems.	Compliant.
7. Testing for any required thermal management, ventilation or exhaust systems associated with the energy storage system installation.	Compliant.
8. Preparation and delivery of operation and maintenance documentation.	Not compliant. Preparation and delivery of O&M documentation not described.
9. Training of facility operating and maintenance staff.	Not compliant. Facility operating and maintenance staff training information not provided.
10. Identification and documentation of the requirements for maintaining system performance to meet the original design intent during the operation phase.	Not compliant. Identification and documentation of requirements for maintaining system performance to meet original design intent during operation not provided.
11. Identification and documentation of personnel who are qualified to service, maintain and decommission the energy storage system, and respond to incidents involving the energy storage system, including documentation that such service has been contracted for.	Partially compliant. It is stated that commissioning checks / tests are to be conducted by Powin field engineers or technicians trained and certified by Powin, though documentation of services provided for incidents involving the ESS not provided.

12. A decommissioning plan in accordance with Section 1206.9.3.	Compliant. See Section 3.8.3 of this report for more information.
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- **PARTIALLY COMPLIANT.** As summarized in the table above, most requirements for Operation and Maintenance Manual per §1206.9.1 are either *Compliant* or *Partially Compliant*. Additional documentation, as noted in the table above, should be provided in fulfillment of this requirement.

3.8.2 Operation and Maintenance Manual (§1206.9.2)

Per FCNYS §1206.9.2, an Operation and Maintenance Manual (O&M) shall be provided to both the energy storage system owner or their authorized agent and to the energy storage system operator before the energy storage system is put into operation. The energy storage system shall be operated and maintained in accordance with the manual. A copy of the manual shall be retained at an approved onsite location and be available to the fire code official. The O&M shall include the information in the following table.

Table 4 - §1206.9.2 O&M Manual Requirements

Compliance Requirement	Comments
1. Manufacturer's O&M for the entire energy storage system or for each component of the system requiring maintenance, that clearly identifies the required routine maintenance actions.	Not compliant. While spec sheets are provided for the PowIn ESS, an O&M manual with required maintenance actions for the ESS has not been provided.
2. Name, address and phone number of a service agency that has been contracted to service the energy storage system and its associated safety systems.	Compliant. PowIn contact information provided.
3. Maintenance and calibration information, including wiring diagrams, control drawings, schematics, system programming instructions and control sequence descriptions, for all energy storage system controls.	Compliant. O&M manual provided for PowIn StackOS system.
4. Desired or field-determined control set points that are permanently recorded on control drawings at control devices or, for digital control systems, in system programming instructions.	Partially compliant. Control points are defined in the StackOS manual, though predetermined values for the Oak Hill project have not been documented.
5. A schedule for inspecting and recalibrating all energy storage system controls.	Partially compliant. Maintenance schedule provided for FSS components, but still needed for PowIn ESS and StackOS.
6. A service record log form that lists the schedule for all required servicing and maintenance actions and space for logging such actions that are completed over time and retained on site.	Not compliant. A service record log should be developed prior to putting the ESS into operation.

7. Inspection and testing records shall be maintained in the O&M.	Partially compliant. It is expected that all inspection and testing records be maintained in the O&M.
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- **PARTIALLY COMPLIANT.** As summarized in the table above, many requirements per §1206.9.2 are either *Compliant* or *Partially Compliant*. At the time of this writing, while a product manual for the StackOS energy management system has been provided, no maintenance instructions or schedule have been included. Additional documentation, as noted in the table above, should be provided in fulfillment of this requirement.

3.8.3 Decommissioning (§1206.9.3)

Per FCNYS §1206.9.3, the authority having jurisdiction shall be notified prior to energy storage system decommissioning. Decommissioning or removal of the energy storage system from service, and from the facility in which it is located, shall be provided in accordance with the decommissioning plan. Details to be included in the decommissioning plan per §1206.9.3 are outlined in the table below.

Table 5 - §1206.9.3 Decommissioning Requirements

Compliance Requirement	Comments
1. A narrative description of the activities to be accomplished for removing the energy storage system from service, and from the facility in which it is located.	Compliant. Narrative description of activities for removal of the ESS from service and facility provided.
2. A listing of any contingencies for removing an intact operational energy storage system from service, and for removing an energy storage system from service that has been damaged by a fire or other event.	Compliant. Information on emergency decommissioning provided.

- **COMPLIANT.** A decommissioning plan has been provided including decommissioning activities, cost of decommissioning, establishment of decommissioning fund, demolition instructions, and information for emergency decommissioning.

3.9 Equipment (§1206.10)

The following sections of this report detail equipment requirements per FCNYS §1206.10.1 through 1206.10.9.

3.9.1 Energy Storage System Listings (§1206.10.1)

Per FCNYS §1206.10.1, energy storage systems shall be listed in accordance with UL 9540 or approved equivalent. At the time of this report, UL 9540 certification had not been achieved for the Powin Stack230 ESS. This is not uncommon for energy storage systems at this time, as there is generally a long backlog for certification. It is recommended that Powin provide a timeline of when they expect UL 9540 certification, and that this is provided to the Town of Duaneburg upon completion.

- **NOT COMPLIANT.** UL 9540 certification not provided at time of this writing.

3.9.2 Equipment Listing (§1206.10.2)

Per FCNYS §1206.10.2, chargers, inverters, energy storage management systems shall be covered as part of the UL listing or shall be listed separately. See Section 3.9.1 of this report above for information on UL 9540 listing.

- **PARTIALLY COMPLIANT.** UL 1741 inverter certification provided. UL 9540 and energy storage management system certifications not provided.

3.9.3 Utility Interactive Systems (§1206.10.3)

Per FCNYS §1206.10.3, only inverters listed and labeled for utility interactive system use and identified as interactive shall be allowed to operate in parallel with the electric utility power system to supply power to common loads. Inverters shall be listed and labeled in accordance with UL 1741.

- **COMPLIANT.** FS3190K Inverters to be used for the Oak Hill projects are listed to UL 1741.

3.9.4 Energy Storage Management System (§1206.10.4)

Per FCNYS §1206.10.4, where required by the energy storage system listing an approved energy storage management system shall be provided that monitors and balances cell voltages, currents, and temperatures within the manufacturer's specifications. The system shall disconnect electrical connections to the energy storage system or otherwise place it in a safe condition if potentially hazardous temperatures or other conditions such as short circuits, over voltage, or under voltage are detected.

- **PARTIALLY COMPLIANT.** The Powin StackOS energy storage management system (ESMS) provides all capabilities listed in §1206.10.4, though the Stack230 ESS has still not received UL 9540 listing. It is, however, expected that this system shall comply with requirements above.

3.9.5 Enclosures (§1206.10.5)

Per FCNYS §1206.10.5, enclosures of energy storage systems shall be of noncombustible construction.

- **PARTIALLY COMPLIANT.** While it is assumed that the Powin 230 ESS enclosures are of noncombustible construction, no documentation of materials used is provided.

3.9.6 Repairs (§1206.10.6)

Per FCNYS §1206.10.6, repairs of energy storage systems shall only be done by qualified personnel. Repairs with other than identical parts shall be considered a retrofit and comply with §1206.10.7. Repairs shall be documented in the service records log.

While it is anticipated that only Powin field engineers or technicians trained and certified by Powin shall provide repairs to the energy storage systems, this is not stated anywhere (e.g., in a Stack230 O&M manual – also not provided in this submittal package, as noted in Section 3.8.2 of this report).

➤ **NOT APPLICABLE**. Repairs requirements are outside the scope of this report.

3.9.7 Retrofits (§1206.10.7)

While outside the scope of this report, it is assumed that any future retrofitting of the Oak Hill energy storage systems shall comply with the following requirements, as listed in FCNYS §1206.10.7:

1. *A building permit shall be obtained in accordance with Section 105.*
2. *New batteries, battery modules, capacitors and similar energy storage system components shall be listed.*
3. *Energy storage management systems and other monitoring systems shall be connected and installed in accordance with the manufacturer's instructions.*
4. *The overall installation shall continue to comply with UL 9540 listing requirements, where applicable.*
5. *Systems that have been retrofitted shall be commissioning in accordance with Section 1206.9.1.*
6. *Retrofits shall be documented in the service records log.*

➤ **NOT APPLICABLE**. Retrofit requirements are outside the scope of this report.

3.9.8 Replacements (§1206.10.8)

While outside the scope of this report, it is assumed that replacements of energy storage systems shall be considered new energy storage installations and shall comply with the provisions of FCNYS §1206 as applicable to new energy storage systems, as required by FCNYS §1206.10.8. Furthermore, the energy storage system being replaced shall be decommissioned in accordance with FCNYS §1206.9.3.

➤ **NOT APPLICABLE**. Replacement requirements are outside the scope of this report.

3.9.9 Reused and Repurposed Equipment (§1206.10.9)

While outside the scope of this report, it is assumed that equipment and materials shall only be reused or reinstalled as approved by the fire code official, along with all other conditions of FCNYS §1206.10.9.

➤ **NOT APPLICABLE**. Reused and repurposed equipment is outside the scope of this report.

3.10 General Installations Requirements (§1206.11)

3.10.1 Electrical Disconnects (§1206.11.1)

Per FCNYS §1206.11.1, where the energy storage system disconnecting means is not within sight of the main electrical service disconnecting means, placards or directories shall be installed at the location of the main electrical service disconnecting means indicating the location of the stationary storage battery system disconnecting means, in accordance with *NFPA 70*.

- **NOT APPLICABLE**. Electrical disconnects in accordance with *NFPA 70* are outside the scope of this report.

3.10.2 Working Clearances (§1206.11.2)

Per FCNYS §1206.11.2, access and working spaces shall be provided and maintained about all electrical equipment to permit ready and safe operation and maintenance of such equipment, in accordance with *NFPA 70* and the manufacturer's instructions.

- **NOT APPLICABLE**. Working clearances in accordance with *NFPA 70* are outside the scope of this report.

3.10.3 Fire-Resistance-Rated Construction (§1206.11.3)

Per FCNYS §1206.11.3, rooms and other indoor areas containing energy storage systems shall be separated from other areas of the building in accordance with Section 1206.14.4 and Chapter 7 of FCNYS. Energy storage systems shall be permitted to be in the same rooms as the equipment they support.

- **NOT APPLICABLE**. All Powin ESS units are located outdoors and not confined within any room or other indoor area.

3.10.4 Seismic and Structural Design (§1206.11.4)

Per FCNYS §1206.11.4, stationary energy storage systems shall comply with the seismic design requirements in Chapter 16 of the *Building Code New York State* and shall not exceed the floor loading limitation of the building.

- **NOT APPLICABLE**. Compliance with seismic and structural design requirements is outside the scope of this report.

3.10.5 Vehicle Impact Protection (§1206.11.5)

Per FCNYS §1206.11.5, where energy storage systems are subject to impact by a motor vehicle, including fork lifts, vehicle impact protection shall be provided in accordance with Section 312 of FCNYS.

- **NOT APPLICABLE.** Though assessment of vehicle impact protection in accordance with *Section 312 of FCNYS* is outside the scope of this report, the Oak Hill project is located away from public roads and it is not anticipated that the area will be heavily trafficked by motor vehicles. Further assessment of compliance with *Section 312*, however, should be conducted, and vehicle impact protection installed if required.

3.10.6 Combustible Storage (§1206.11.6)

Per *FCNYS §1206.11.6*, combustible materials shall not be stored in energy storage system rooms, areas, or walk-in energy storage system units. Combustible materials in occupied work centers covered in *Section 1206.11.10* shall be stored at least 3 feet (914 mm) from energy storage system cabinets.

- **NOT APPLICABLE.** The Powin cabinet-style ESS enclosures are not walk-in units and are not located in an occupied work area.

3.10.7 Toxic and Highly Toxic Gases (§1206.11.7)

Per *FCNYS §1206.11.7*, energy storage systems installed indoors and that have the potential to release toxic and highly toxic gas during charging, discharging, and normal use conditions shall be provided with a hazardous exhaust system in accordance with *Section 502.9 of the Mechanical Code of New York State*.

- **NOT APPLICABLE.** Lithium-ion energy storage units do not release toxic and highly toxic gases during charging, discharging, or normal use conditions.

3.10.8 Signage (§1206.11.8)

Per *FCNYS §1206.11.8*, approved signs shall be provided on or adjacent to all entry doors to energy storage system rooms or areas, to walk-in energy storage system units located outdoors, on rooftops, or in open parking garages, and on enclosures of energy storage system cabinets. Signs shall be designed to meet both the requirements of this section and of NFPA 70. The signage shall include the following or equivalent:

1. "Energy Storage System," "Battery Storage System", "Capacitor Energy Storage System," or the equivalent.
2. The identification of the electrochemical energy storage system technology present and its rated capacity.
3. "Energized electrical circuits."
4. If water reactive electrochemical energy storage systems are present the signage shall include "APPLY NO WATER."
5. Current contact information, including phone number, for personnel with technical knowledge of the system who is authorized to service the equipment and for fire mitigation personnel required by *Section 1206.7.1*.

- **NOT COMPLIANT**. Signage for the energy storage system in compliance with the above requirements not provided.

3.10.9 Security of Installations (§1206.11.9)

Per FCNYS §1206.11.9, rooms, areas and walk-in energy storage system units in which electrochemical energy storage systems are located shall be secured against unauthorized entry and safeguarded in an approved manner. Security barriers, fences, landscaping, and other enclosures shall not inhibit the required air flow to or exhaust from the electrical energy storage system and its components.

- **NOT APPLICABLE**. The Powin cabinet-style enclosures are not walk-in units and are not confined within an energy storage room. The Oak Hill PV and ESS facility is also confined within an 8' security fence with access gate, though review of site securities is outside the scope of this report.

3.10.10 Occupied Work Centers (§1206.11.10)

Several requirements are presented for electrochemical energy storage systems located in rooms or areas occupied by personnel not directly involved with maintenance service and testing, per FCNYS §1206.11.10, however the ESS units are not located in an occupied work center, thus this item is not applicable to the Oak Hill ESS installation.

- **NOT APPLICABLE**. ESS units are not located in an occupied work center.

3.10.11 Open Rack Installations (§1206.11.11)

Per FCNYS §1206.11.11, where electrochemical energy storage systems are installed in a separate equipment room and only authorized personnel have access to the room, they shall be permitted to be installed on an open rack.

- **NOT APPLICABLE**. Powin ESS units are located outdoors, with battery racks installed within cabinet-style enclosures.

3.10.12 Walk-In Units (§1206.11.12)

Per FCNYS §1206.11.12, walk-in energy storage system units shall only be entered for inspection, maintenance and repair of energy storage system units and ancillary equipment and shall not be occupied for other purposes.

- **NOT APPLICABLE**. The cabinet-style Powin ESS enclosures cannot be physically entered at any time and thus shall never be occupied.

3.11 Electrochemical Energy Storage System Protection (§1206.12)

Table 6 - FCNYS Table 1206.12 - Maximum Allowable Quantities of Electrochemical Energy Storage Systems (Lithium-Ion)

Technology	Maximum Allowable Quantities ^a
Lithium-Ion	600 kWh
a. For electrochemical energy storage systems units rated in Amp-Hours, kWh shall equal rated voltage times the Amp-hour rating divided by 1,000.	

3.11.1 Size and Separation (§1206.12.1)

Per FCNYS §1206.12.1, electrochemical energy storage systems shall be segregated into groups not exceeding 50 kWh (180 Mega Joules). Each group shall be separated a minimum 3 feet (914 mm) from other groups and from walls in the storage room or area. The storage arrangements shall comply with Chapter 10 of FCNYS. An exception may be made, allowing larger capacities or smaller separation distances to be permitted based on large-scale fire testing complying with Section 1206.6.

- **NOT APPLICABLE.** ESS units are located outdoors and not within any storage room or area.

3.11.2 Maximum Allowable Quantities (§1206.12.2)

Per FCNYS §1206.12.2, fire areas within rooms, areas, and walk-in energy storage units containing electrochemical energy storage systems shall not exceed the maximum allowable quantities in FCNYS Table 1206.12. An exception may be made where approved by the fire code official, electrochemical energy storage systems that exceed the amounts in Table 1206.12 shall be permitted based on a hazard mitigation analysis in accordance with Section 1206.5 and large-scale fire testing complying with Section 1206.6.

- **NOT COMPLIANT.** The Oak Hill ESS exceeds the 600 kWh maximum allowable quantity limit for lithium-ion systems, and therefore an exception must be made by the fire code official based on large-scale fire testing and hazard mitigation analysis. UL 9540A unit level testing has been provided, though cell and module level test reports have not been submitted at the time of this writing. Additionally, no hazard mitigation analysis compliant with FCNYS §1206.5 has been provided at this time.

3.11.3 Elevation (§1206.12.3)

Per FCNYS §1206.12.3, electrochemical energy storage systems shall not be located 1) where the floor is located more than 75 feet above the lowest level of fire department vehicle access, or 2) where the floor is located below the lowest level of exit discharge.

- **COMPLIANT.** ESS units are not located more than 75 feet above the lowest level of fire department vehicle access or located below the lowest level of exit discharge.

3.11.4 Fire Detection (§1206.12.4)

Per FCNYS §1206.12.4, an approved automatic smoke detection system or radiant energy – sensing fire detection system complying with Section 907 shall be installed in rooms, indoor areas, and walk-in energy storage system units containing electrochemical energy storage systems. Alarm signals from detection systems shall be monitored by an approved supervising station in accordance with NFPA 72. Additionally, per §1206.12.4.1, where required by the authority having jurisdiction, visible annunciation shall be provided on cabinet exteriors or in other approved locations to indicate that potentially hazardous conditions associated with the energy storage system exist.

- **NOT APPLICABLE.** Per FCNYS §1206.12.4, fire detection is not required for the Powin ESS units, as they are not installed in rooms, indoor areas, and are not walk-in units. While not required, the Powin ESS shall be equipped with heat, smoke, and gas detection systems. Alarm signals from heat and smoke detectors should be provided in accordance with NFPA 72.

3.11.5 Fire Suppression Systems (§1206.12.5)

Per FCNYS §1206.12.5, rooms and areas within buildings and walk-in energy storage system units containing electrochemical energy storage systems shall be protected by an automatic fire suppression system designed and installed in accordance with one of the following:

1. An automatic sprinkler system designed and installed in accordance with Section 903.3.1.1 with a minimum density of 0.3 gpm/ft² based on the fire area or on a 2,500 square feet (232 m²) design area, whichever is smaller.
 2. Where approved, based on large scale fire testing complying with Section 1206.6, an automatic sprinkler system designed and installed in accordance with Section 903.3.1.1 with a sprinkler hazard classification.
 3. Where approved, based on large scale fire testing complying with Section 1206.6, the following alternate automatic fire extinguishing systems designed and installed in accordance with Section 904:
 - 3.1. NFPA 12, Standard on Carbon Dioxide Extinguishing Systems
 - 3.2. NFPA 15, Standard for Water Spray Fixed Systems for Fire Protection
 - 3.3. NFPA 750, Standard on Water Mist Fire Protection Systems
 - 3.4. NFPA 2001, Standard on Clean Agent Fire Extinguishing Systems
 - 3.5. NFPA 2010, Standard for Fixed Aerosol Fire Extinguishing Systems
- **NOT APPLICABLE.** The Powin ESS units are located outdoors and not within any room or area within a building or walk-in unit. Powin has opted to include Stat-X aerosol fire suppression system within each ESS enclosure.

3.11.6 Maximum Enclosure Size (§1206.12.6)

Per FCNYS §1206.12.6, outdoor walk-in energy storage system units housing energy storage systems shall not exceed 4,028 cubic feet (114 m³), not including bolt-on HVAC and related equipment, as approved. Outdoor walk-in energy storage system units exceeding these limitations shall be considered indoor installations and comply with the requirements in Section 1206.14.

- **NOT APPLICABLE.** The cabinet-style Pow/in ESS enclosures are not walk-in units and cannot be physically entered.

3.11.7 Vegetation Control (§1206.12.7)

Per FCNYS §1206.12.7, areas within 10 feet (3 m) on each side of an outdoor energy storage system shall be cleared of combustible vegetation and other combustible growth. Single specimens of trees, shrubbery, or cultivated ground cover such as green grass, ivy, succulents, or similar plants used as ground covers shall be permitted, provided that they do not form a means of readily transmitting fire.

- **COMPLIANT.** Area directly surrounding ESS units shall be cleared of vegetation, with gravel padding extending 10 feet or greater from each side of the ESS.

3.11.8 Means of Egress Separation (§1206.12.8)

Per FCNYS §1206.12.8, energy storage systems located outdoors shall be separated from any means of egress to ensure safe egress under fire conditions by no less than 10 feet (3048 mm).

- **COMPLIANT.** Energy storage systems are separated from any means of egress by greater than 10 feet.

3.12 Electrical Energy Storage System Technology Specific Protection (§1206.13)

Per §1206.13, electrochemical energy storage system installations shall comply with the following technology-specific requirements, as listed in FCNYS Table 1206.13. Requirements for lithium-ion systems are provided below.

Table 7 – FCNYS Table 1206.13 Electrochemical Energy Storage System Technology Specific Requirements (Lithium-ion)

Compliance Required ^b	Lithium-ion
§1206.13.1 Exhaust Ventilation	No
§1206.13.2 Spill Control and Neutralization	No
§1206.13.3 Explosion Protection	Yes

§1206.13.4 Safety Caps	No
§1206.13.5 Thermal Runaway	Yes*
<p>b. Protection shall be provided unless documentation acceptable to the fire code official is provided that provides justification why the protection is not necessary based on the technology used.</p> <p>e. The thermal runaway protection is permitted to be part of an energy storage management system that has been evaluated with the battery as part of the evaluation to UL 1973.</p>	

3.12.1 Exhaust Ventilation (§1206.13.1)

Per FCNYS §1206.13.1, where required by FCNYS Table 1206.13, exhaust ventilation shall be provided for rooms, areas, and walk-in energy storage system units containing electrical energy storage systems in accordance with the *International Mechanical Code and Section 1206.13.1 or 1206.13.1.2.*

- **NOT APPLICABLE.** Exhaust ventilation is not required for lithium-ion battery systems, per FCNYS Table 1206.13.

3.12.2 Spill Control and Neutralization (§1206.13.2)

Per FCNYS §1206.13.2, where required by FCNYS Table 1206.13, areas containing free-flowing liquid electrolyte or hazardous materials shall be provided with spill control and neutralization in accordance with Section 1206.13.2.

- **NOT APPLICABLE.** Spill control and neutralization is not required for lithium-ion battery systems, per FCNYS Table 1206.13.

3.12.3 Explosion Control (§1206.13.3)

Per FCNYS §1206.13.3, where required by Table 1206.13, explosion control complying with Section 911 shall be provided for rooms, areas, or walk-in energy storage system units containing electrochemical energy storage system technologies.

Exceptions:

1. Where approved by the fire code official, explosion control may be waived based on large scale fire testing complying with Section 1206.6 which demonstrates that flammable gases are not liberated from electrochemical energy storage system cells or modules.
2. Where approved by the fire code official, explosion control may be waived based on documentation provided that demonstrates that the electrochemical energy storage system technology to be used does not have the potential to release flammable gas concentrations in excess of 25 percent of the LFL anywhere in the room, area, walk-in energy storage system unit or structure under thermal runaway or other fault conditions.

- **NOT APPLICABLE.** Explosion control is not required, as the cabinet-style Powin ESS enclosure is not located within a room or area within a building, and is not a walk-in unit.

As an added layer of protection, the Powin ESS is also equipped with an HVAC system with emergency ventilation mode which provides at least 3800 CFM to fully exchange air within the enclosure. Stack level fans augment the HVAC to quickly dilute explosive gases and maintain concentrations below 25% of the LEL. CFD and ventilation analysis by third-party firms support that even in the case of multiple cells entering thermal runaway, explosive bases are maintained below the lower explosive limit and compliance with NFPA 69 is maintained.

3.12.4 Safety Caps (§1206.13.4)

Per FCNYS §1206.13.4, vented batteries and other energy storage systems shall be provided with flame arresting safety caps.

- **NOT APPLICABLE.** Safety caps are not required for lithium-ion battery systems, per FCNYS Table 1206.13.

3.12.5 Thermal Runaway (§1206.13.5)

Per FCNYS §1206.13.5, where required by Table 1206.13, batteries and other energy storage systems shall be provided with a listed device or other approved method to prevent, detect, and minimize the impact of thermal runaway. As noted in FCNYS Table 1206.13 note e, thermal runaway protection is permitted to be part of an emergency storage management system that has been evaluated with the battery as part of the evaluation to UL 1973.

- **COMPLIANT.** Powin ESS units are equipped with StackOS battery and energy management system to provide monitoring the system, early detection of abnormal conditions, triggering of corrective actions, and alarm notifications to minimize the potential for thermal runaway and minimize impact if a thermal runaway event should occur. Battery modules are certified to UL 1973.

3.13 Indoor Installations (§1206.14)

- **NOT APPLICABLE.** The Oak Hill ESS is classified as a *remote outdoor installation*, per FCNYS Table 1206.15.

3.14 Outdoor Installations (§1206.15)

Per FCNYS §1206.15, outdoor installations shall be in accordance with §1206.15.1 through 1206.15.3. The Oak Hill ESS is located more than 100 feet (30.5 m) from buildings, lot lines, public ways, hazardous materials, high piled stock, and other exposure hazards, and is therefore classified as a *remote installation*, per FCNYS Table 1206.15.

Table 8 - FCNYS Table 1206.15 Outdoor Energy Storage System Installations (Remote Installations)

Compliance Required	Remote Installations ^a
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§1206.11 General Installation Requirements	Yes
§1206.12.1 Size and Separation	No
§1206.12.2 Maximum Allowable Quantities	No
§1206.12.4 Smoke and Automatic Fire Detection	Yes
§1206.12.5 Fire Suppression Systems	Yes ^d
§1206.12.6 Maximum Enclosure Size	Yes
§1206.12.7 Vegetation Control	Yes
§1206.12.8 Means of Egress Separation	Yes
§1206.15.3 Clearance to Exposures	Yes
§1206.13 Technology Specific Protection	Yes
a. See Section 1206.15.1.	
d. Where approved by the fire code official, fire suppression systems are permitted to be omitted.	

3.14.1 Remote Outdoor Installations (§1206.15.1)

For the purposes of FCNYS Table 1206.15 (excerpt for remote installations above), remote outdoor installations include energy storage systems located more than 100 feet (30.5 m) from buildings, lot lines, public ways, stored combustible materials, hazardous materials, high piled stock, and other exposure hazards.

- **COMPLIANT.** The Oak Hill ESS is classified as a *remote outdoor installation*, per FCNYS Table 1206.15.

3.14.2 Installations Near Exposures (§1206.15.2)

- **NOT APPLICABLE.** The Oak Hill ESS is classified as a *remote outdoor installation*, per FCNYS Table 1206.15.

3.14.3 Clearance to Exposures (§1206.15.3)

The following table provides a summary of clearance requirements listed per FCNYS §1206.15.3, in which energy storage systems located outdoors shall be separated by a minimum 10 feet (3048 mm) from each exposure.

Table 9 - §1206.15.3 Clearance to Exposures

Compliance Required	Comments
1. Lot lines	Compliance requirement met. Nearest lot line is located greater than 500' from all ESS units.

2. Public ways	Compliance requirement met. Nearest public ways are located greater than 900' from all ESS units.
3. Buildings	Compliance requirement met. No buildings are located in the immediate area or within the Oak Hill ESS fence line (~300 from nearest ESS).
4. Stored combustible materials	Compliance requirement met. No stored combustibles identified near ESS units.
5. Hazardous materials	Compliance requirement met. No hazardous materials identified near ESS units.
6. High-piled storage	Compliance requirement met. No high-piled storage identified near ESS units.
7. Other exposure hazards	Compliance requirement met. No other exposure hazards identified near ESS units.
Exceptions:	
<ol style="list-style-type: none"> 1. Clearances from exposures are permitted to be reduced to 3 feet (914 mm) where a 1-hour free standing fire barrier, suitable for exterior use, and extending 5 feet (1.5 m) above and 5 feet (1.5 m) horizontally beyond the physical boundary of the energy storage system installation is provided to protect the exposure. 2. Clearances to buildings are permitted to be reduced to 3 feet (914 mm) where noncombustible walls without openings or combustible overhangs are provided on the wall adjacent to the energy storage system and the fire-resistance rating of the exterior wall is no less than 2 hours. 3. Clearances to buildings are permitted to be reduced to 3 feet (914 mm) where a weatherproof enclosure constructed of noncombustible materials is provided over the energy storage system, and it has been demonstrated that a fire within the enclosure will not ignite combustible materials outside the enclosure based on large scale fire testing complying with Section 1206.6. 4. Where exterior wall installations in accordance with Section 1206.15.4 are provided, the clearance between the energy storage system and the wall in which it is mounted, is permitted to be reduced to zero. 	

3.15 Special Installations (§1206.16)

- **NOT APPLICABLE.** The Oak Hill ESS is classified as a *remote outdoor installation*, per FCNYS Table 1206.15.

3.16 Mobile Energy Storage System Equipment and Operations (§1206.17)

- **NOT APPLICABLE.** The Oak Hill ESS is classified as a *remote outdoor installation*, per FCNYS Table 1206.15.

3.17 Energy Storage Systems in Group R-3, and R-4 Occupancies (§1206.18)

- **NOT APPLICABLE.** The Oak Hill ESS is classified as a *remote outdoor installation*, per FCNYS Table 1206.15.

4 ADDITIONAL CONSIDERATIONS

The following considerations and recommendations around battery safety and emergency response are provided for the Oak Hill energy storage site.

4.1.1 Water Supply

While not explicitly required by FCNYS §1206, an onsite water supply may provide an extra layer of defense against propagation of fire from a lithium-ion system to the surrounding area such as electrical equipment or solar panels (and vegetation beneath the panels) near the ESS units. Given that the site is remotely located with no fire hydrants or other sources of water, and the ability of the fire department to shuttle water may be limited, it is advisable that water tanks or other dedicated source of water are provided onsite in case of emergency. Coordination with the local fire department should be pursued to determine if additional resources are needed and, if desired, what design criteria or other requirements should be provided.

Guidance on water supply is also given in *NFPA 855 Standard for the Installation of Stationary Energy Storage Systems* §4.13:

Table 10 - NFPA 855 §4.13 Water Supply Requirements

4.13. Water Supply.
4.13.1 Where required elsewhere in this standard, sites where nonmechanical ESS are installed shall be provided with a permanent source of water for fire protection.
4.13.2 Where no permanent adequate and reliable water supply exists for fire-fighting purposes, the requirements of NFPA 1142 shall apply.

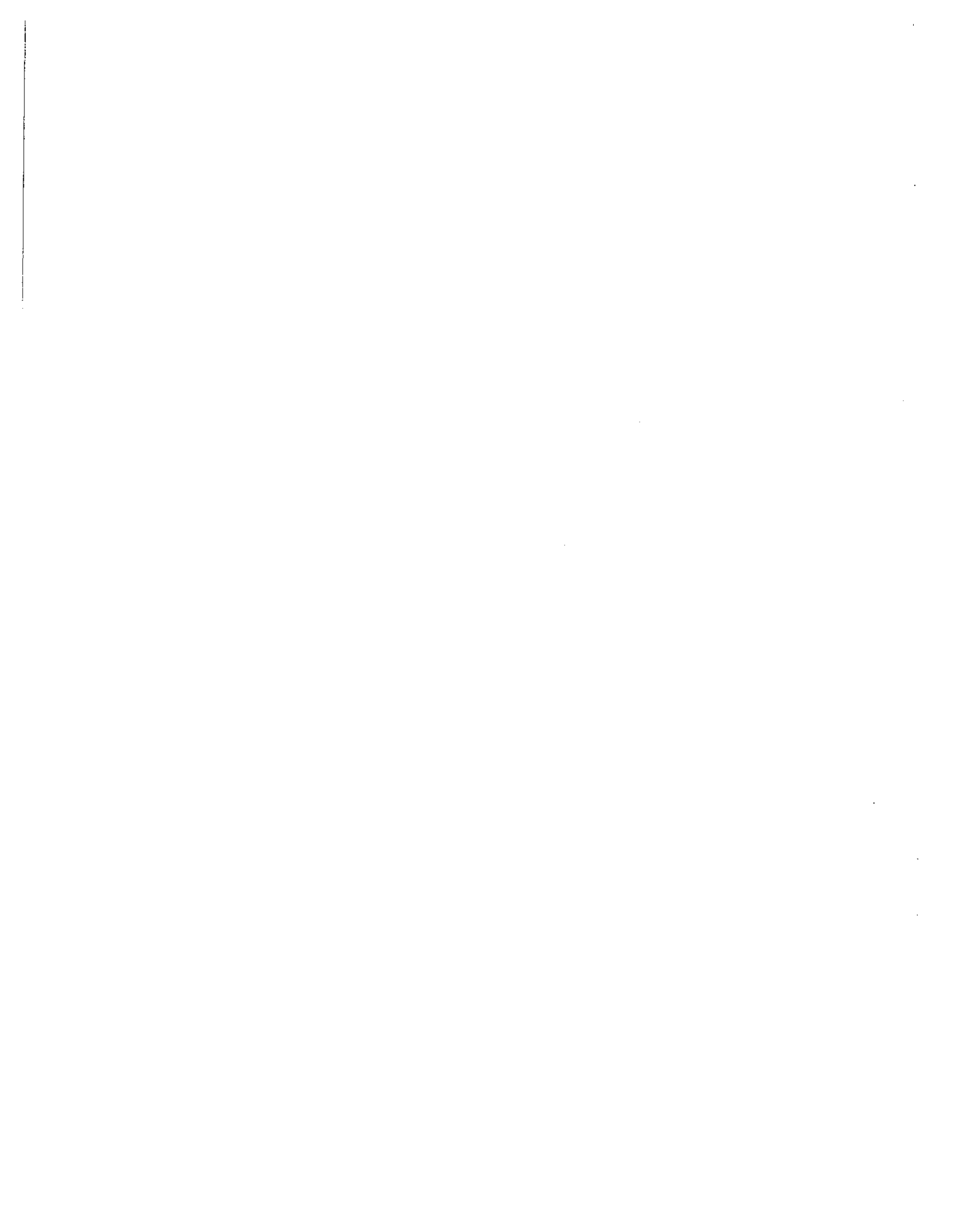
4.1.2 Emergency Response Plan

The following items may be helpful to include in the site-specific emergency response plan:

- Emergency power off and confirmation procedures should be more clearly delineated in the emergency response plan as it pertains to specific site equipment and protocols.
- Alarm system notification to the fire department should be more clearly explained.
- Enlarged site plan with key equipment and other locations highlighted.
- It is recommended that the emergency response plan be securely stored in a lock box or other secure, all-weather enclosure onsite which shall be readily available to first responders.

5 CONCLUSIONS

Based on the information on the Oak Hill ESS project provided by Amp Solar Development, ESRG finds that the project is largely compliant with *FCNYS §1206*, with some additional documentation outstanding, as noted in the sections above. These documents and any other required items should be provided to the local fire code official / authority having jurisdiction for approval prior to commissioning of the system.



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

Agency Use Only [If applicable]
Project: Oak Hill Solar 1 and 2, LLC
Date: 8/12/21

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

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

Tips for completing Part 2:

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

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features

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

NO

YES

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

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

3. Impacts on Surface Water

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

NO

YES

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

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

I. Other impacts: _____ _____	<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater
 The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. NO YES
 (See Part 1, D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)
 If "Yes", answer questions a - h. If "No", move on to Section 5.

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

5. Impact on Flooding
 The proposed action may result in development on lands subject to flooding. NO YES
 (See Part 1, E.2)
 If "Yes", answer questions a - g. If "No", move on to Section 6.

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

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air			
The proposed action may include a state regulated air emission source. (See Part 1. D.2.f, D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO ₂)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
ii. More than 3.5 tons/year of nitrous oxide (N ₂ O)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
iv. More than .045 tons/year of sulfur hexafluoride (SF ₆)	D2g	<input type="checkbox"/>	<input type="checkbox"/>
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HCFCs) emissions	D2g	<input type="checkbox"/>	<input type="checkbox"/>
vi. 43 tons/year or more of methane	D2h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals			
The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

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

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

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

11. Impact on Open Space and Recreation			
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1, C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b, E2h, E2m, E2o, E2n, E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c, E1c, E2g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2e, E1c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

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

13. Impact on Transportation
 The proposed action may result in a change to existing transportation systems. NO YES
 (See Part 1. D.2.j)
 If "Yes", answer questions a - f. If "No", go to Section 14.

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

14. Impact on Energy
 The proposed action may cause an increase in the use of any form of energy. NO YES
 (See Part 1. D.2.k)
 If "Yes", answer questions a - e. If "No", go to Section 15.

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

15. Impact on Noise, Odor, and Light
 The proposed action may result in an increase in noise, odors, or outdoor lighting. NO YES
 (See Part 1. D.2.m., n., and o.)
 If "Yes", answer questions a - f. If "No", go to Section 16.

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

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

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)
If "Yes", answer questions a - m. If "No", go to Section 17.

NO YES

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

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part 1, C.1, C.2, and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other: _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1, C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

PRINT FULL FORM

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



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

**Town of Duanesburg
Planning Board Agenda
November 18th, 2021**

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

Topic: Town of Duanesburg's Planning Board Zoom Meeting

Time: This is a recurring meeting Meet anytime

Join Zoom Meeting

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

Meeting ID: 870 3907 8096

Passcode: 109029

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

Meeting ID: 870 3907 8096

Passcode: 109029

INTRODUCTION BY CHAIRPERSON JEFFERY SCHMITT:

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

PUBLIC HEARINGS:

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

Approved: Yes _____ No: _____

Comments: _____

OLD BUSINESS:

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

Comments: _____

NEW BUSINESS:

#21-03 Sisson, Joe and Debbie: SBL#52.00-1-41, (R-2) located at Braman Corners Rd is seeking a 3 lot Major Subdivision under section 3.5 of the Town of Duanesburg Subdivision Ordinance.

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



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

Comments: _____

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

Comments: _____

#21-18 Armstrong, Glenn: SBL#44.00-1-12, (R-2) located at 2663 Duanesburg Churches Rd is seeking a Minor Subdivision under section 3.4 of the Town of Duanesburg Subdivision Ordinance.

Comments: _____

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

Comments: _____

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

Comments: _____

SKETCH PLAN REVIEW:

None

Other:

None

Minute Approval:

October 21st, 2021, PLANNING BOARD MEETING MINUTES:

Approved: Yes _____ No: _____

Comments: _____

ADJOURNMENT

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

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



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

TOWN OF DUANESBURG
SCHENECTADY COUNTY

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

NOTICE OF PUBLIC HEARING

Meeting will also be available Zoom

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

Meeting ID: 870 3907 8096

Passcode: 109029

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

Meeting ID: 870 3907 8096

Passcode: 109029

PLEASE TAKE NOTICE, THAT THE PLANNING BOARD OF THE TOWN OF
DUANESBURG, NEW YORK, WILL MEET AT THE TOWN HALL IN THE TOWN
OF DUANESBURG, 5853 WESTERN TURNPIKE, ON **NOVEMBER 18th, 2021**, AT
7:00 PM FOR THE PURPOSE OF HEARING ALL PERSONS INTERESTED IN THE
APPLICATION OF:

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

APPLICATION INFORMATION IS AVAILABLE DURING BUSINESS HOURS.
PLEASE CONTACT:

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

BY ORDER OF THE TOWN OF DUANESBURG
PLANNING BOARD
CHAIRPERSON

CHECKLIST OF REQUIRED INFORMATION:

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

Date August 6, 2021

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

Section 8.4 of Zoning Ordinance.

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

Applicants Name (if different): Gerald A Dwyer Phone# (required) 518 875 6119
 Location of Property (if different from owners)
 Tax Map # 24.09-2-9 Zoning District R-2

~~Signature of Owner (S) if different from Applicant (AS APPEARS ON DEED!)~~
LANDS CONVEYED TO (REQUIRED FOR MERGERS)
 Signature of receiving Property Owner _____ (AS APPEARS ON DEED!!)

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

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

ALL APPLICATION FEES ARE NON-REFUNDABLE!

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

Approved Disapproved Refer to Code Enforcement Section _____ of _____ Ordinance

Planning Commission Comments: _____

 Planning Chairperson Date Code Enforcement Date

 COPY

Gerald A. Dwyer, Esq.

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

August 6, 2021

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

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

Dear Mr. Warner:

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

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

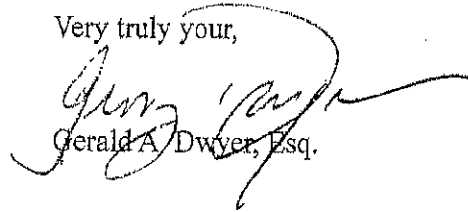
It is Mr. Obour's intention to sell used motor vehicles one at a time, through the internet only. At no time will there be more than six vehicles for sale on the property. There will be no signs, other than one small, unlighted sign less than two square feet at the road (Rte 7). There are no walk-in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

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

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

Thank you for your assistance in this matter.

Very truly yours,



Gerald A. Dwyer, Esq.

cc: Jules Obour

Short Environmental Assessment Form

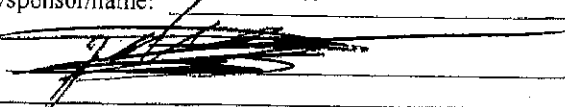
Part 1 - Project Information

Instructions for Completing

Part I - Project Information. The applicant or project sponsor is responsible for the completion of Part I. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part I 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 I. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

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

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline	<input checked="" type="checkbox"/> Forest	<input type="checkbox"/> Agricultural/grasslands
<input type="checkbox"/> Wetland	<input type="checkbox"/> Urban	<input checked="" type="checkbox"/> Suburban
<input type="checkbox"/> Early mid-successional		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plain?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe:		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>JULES OBOUR</u> Date: <u>AUGUST 6</u> 2021		
Signature: 	Title: <u>Owner</u>	

ASSESSMENT: LIMITED USE PERVIOUS ACCESS ROAD

Per AASHTO Guide for Design of Pavement Structures, Chapter 4 – Low Volume Road Design: Table 4.10 identifies design requirement of 10" thick aggregate roadbed to maintain 10,000 equivalent single axle load (ESAL) for industry standard 18-kip ESAL on a non-paved limited-use roadway.

Design criteria used to establish this minimum requirement:

Quality of Road Bed Soil:	Very Poor
Traffic Level:	Low
US Climate Region:	III (New York State)

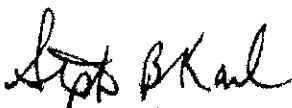
Note that a typical single rear axle chassis pumper fire truck equates to about 2.1 ESALs and a typical tandem rear axle chassis tanker equates to about 2.6 ESALs - Ref. Fire Apparatus Manufacturer's Association Size and Weight Guide and FHWA Comprehensive Truck Size and Weight Study.

Although it is evident that fire trucks can exert high ESALs on the gravel road surface, it is important to note that the gravel road, designed in accordance with AASHTO standards, is designed around 10,000 ESAL cycles. The impact of the occasional fire truck is considered to be marginal. Further, the access road design prepared for the Oak Hill Solar site includes the application of Tencate's Mirafi Geogrid BXG110. Based on design literature provided by the manufacturer, the inclusion of the BXG110 between the soil and aggregate stone subbase further increases the strength of the combined aggregate roadway by upwards of 65%.

Conclusion, the Limited Use Pervious Access Road detail identified in the Oak Hill Solar planset is capable of carrying the load of local fire equipment in the event that they are required to access the site.

References:

- AASHTO Guide for Design of Pavement Structures; 1993
- Fire Apparatus Manufacturer's Association Emergency Vehicle Size and Weight Guide (Pub 171130)
- Comprehensive Truck Size and Weight Study, Pavements and Truck Size and Weight Regulations; FHWA; February 1995
- Tencate Technical Note – Design Method for Geogrid Reinforced Unpaved Roads: I Development of Design Method; May 18, 2010



Stephen Karl, PE
NY PE #088084-1
10/19/2021

From: Steve Loss
To: Christopher Connolly
Subject: FW: Nationwide Permit Revisions - Greencells / Verdanterra
Date: Friday, October 15, 2021 2:41:23 PM
Attachments: NAN-2020-00232-USH (revised). NWP.pdf

-----Original Message-----

From: Sherwood, Bradley J CIV USARMY CBNAN (USA) <Brad.Sherwood@usace.army.mil>
Sent: Monday, October 4, 2021 10:04 PM
To: Steve Loss <slloss@verdanterra.com>
Cc: AJ Bonazzoli <ABonazzoli@verdanterra.com>; Dangler, Andrew C CIV USARMY CENAN (USA) <Andrew.C.Dangler@usace.army.mil>
Subject: RE: Nationwide Permit Revisions - Greencells / Verdanterra

Steve,

Please see my comments below:

White River Solar (NAN-2020-01206-USH)- The PCN/Application detail proposed impacts that will be less than 4356 SF of wetland to facilitate the installation of access roads and trenching and installation of associated utility lines. However, the drawings do not appear to provide the locations of these proposed impacts. Please clarify where on the drawings these are identified, or provide revised drawings that clearly and accurately identify these proposed impacts.

Cedar Hills Solar (NAN-2020-00232-USH) - Permit Attached

~~Oak Hill Solar (NAN-2019-01104-USH) - Your revised impacts are less than what was previously issued, therefore no further authorization is necessary.~~

Let me or Andy know if you have any further questions.

Thanks,
Brad

Brad Sherwood, Senior Project Manager
NY District, U.S. Army Corps of Engineers Upstate Regulatory Field Office Bldg 10, 3rd Floor
1 Burlington St.
Watervliet, NY 12189-4000
518-266-6355 - office
518-487-0382 - mobile

-----Original Message-----

From: Steve Loss <slloss@verdanterra.com>
Sent: Friday, September 24, 2021 9:09 AM
To: Sherwood, Bradley J CIV USARMY CENAN (USA) <https://urldefense.proofpoint.com/v2/url?u=http-3A__Brad.Sherwood-40usace.army.mil&d=DwIFAg&c=euGZsteaTDlIvimEN8b7jXrwqOf-v5A_CdpgnVfilMM&r=prHYajlQJlCJFVb7XvY-FqT645IfbMLOQ9dCdYt0sg&m=kvQkutyaXnXZq6StvseTCZVcU2ke5pR01PNix0Ag2EM&s=f_96J5nDOWQ8BT18QnIdeVV13iqg5BRSochPLD2mso&e=>
Cc: AJ Bonazzoli <ABonazzoli@verdanterra.com>; CENAN-R-Permit-App <CENAN-R-Permit-App@usace.army.mil>
Subject: [Non-DoD Source] Nationwide Permit Revisions - Greencells / Verdanterra

Brad,

We have submitted revised applications for the following project sites starting on June 11, 2021:

Oak Hill Solar - Submission by AJ Bonazzoli on June 11, resubmission due to minor changes on 8/26/21.

White River Solar - Initial email submission on June 11, 2021 by AJ Bonazzoli and a follow up submission on July 27, 2021.

Cedar Hill Solar - Submission by AJ Bonazzoli on June 11.

While we have had some discussions on Oak Hill Solar as recently as 8/4/21, but have not received any further feedback on any of these since then.

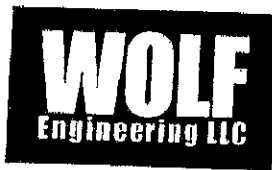
Can you please provide an update on all of them or another avenue that we can use to get a ballpark estimate of when they will be reviewed?

Steve

Stephen M. Loss, PE Project Manager / Senior Engineer

sloss@verdanterra.com <mailto:sloss@verdanterra.com> | Cell: 717-479-2173

https://urldefense.proofpoint.com/v2/url?u=http-3A__www.verdanterra.com&d=DwIFAg&c=euQZstcaTDIvlmEN8b7jXrwqOf-
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Memo Letter

To: Don Duvall, Director of Sales, Schletter NA Inc.
From: Wolfgang Fritz, Ph.D., P.E., President, Wolf Engineering, LLC
Date: 10/1/2021
Re: Oak Hill 1 and 2 Review Comment Response

Wolf Engineering, LLC performed the foundation and structural design for the Oak Hill 1 and 2 projects in Delanson, New York.

The project reviewer raised a comment regarding the units used on the mechanics drawings for the Schletter tracker system. All units shown are in millimeter (mm).

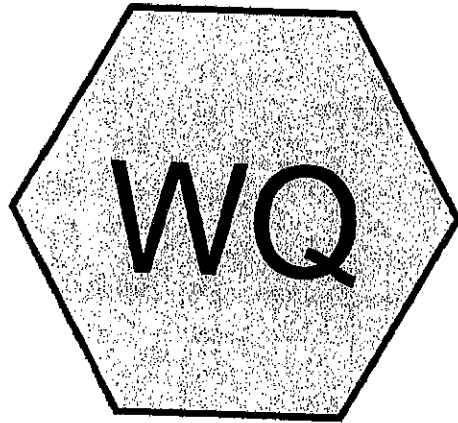
Please do not hesitate to contact us if you have any questions or need additional information.



IT IS IN VIOLATION OF LAW FOR ANY
PERSON TO ALTER ANY DOCUMENT
THAT BEARS THE SEAL OF A
PROFESSIONAL ENGINEER, UNLESS THE
PERSON IS ACTING UNDER THE DIRECTION
OF A LICENSED PROFESSIONAL ENGINEER
EXPIRATION DATE 02/28/2023

2021.10.01
11:59:50 -07'00'

Wolfgang Fritz, Ph.D., P.E.
President
Wolf Engineering, LLC



WATER QUALITY



WATER QUALITY 09.19.2021

Prepared by Verdanterra

HydroCAD® 10.10-5a s/n 11743 © 2020 HydroCAD Software Solutions LLC

Printed 9/19/2021

Page 2

Rainfall Events Listing (selected events)

Event#	Event Name	Storm Type	Curve	Mode	Duration (hours)	B/B	Depth (Inches)	AMC
1	Custom	Type II 24-hr		Default	24.00	1	1.10	2

WATER QUALITY 09.19.2021

Prepared by Verdanterra

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Printed 9/19/2021

Page 3

Area Listing (all nodes)

Area (acres)	CN	Description (subcatchment-numbers)
0.092	98	Unconnected pavement, HSG D (WQ)
0.092	98	TOTAL AREA

WATER QUALITY 09.19.2021

Prepared by Verdanterra

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Printed 9/19/2021

Page 4

Soil Listing (all nodes)

Area (acres)	Soil Group	Subcatchment Numbers
0.000	HSG A	
0.000	HSG B	
0.000	HSG C	
0.092	HSG D	WQ
0.000	Other	
0.092		TOTAL AREA

WATER QUALITY 09.19.2021

Prepared by Verdanterra

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Page 5

Ground Covers (all nodes)

HSG-A (acres)	HSG-B (acres)	HSG-C (acres)	HSG-D (acres)	Other (acres)	Total (acres)	Ground Cover	Subcatchment Numbers
0.000	0.000	0.000	0.092	0.000	0.092	Unconnected pavement	WQ
0.000	0.000	0.000	0.092	0.000	0.092	TOTAL AREA	

WATER QUALITY 09.19.2021

Prepared by Verdanterra

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Type II 24-hr Custom Rainfall=1.10"

Printed 9/19/2021

Page 6

Time span=0.00-30.00 hrs, dt=0.05 hrs, 601 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

SubcatchmentWQ: WATER QUALITY

Runoff Area=0.092 ac 100.00% Impervious Runoff Depth=0.89"
Tc=3.0 min CN=98 Runoff=0.14 cfs 0.007 af

Total Runoff Area = 0.092 ac Runoff Volume = 0.007 af Average Runoff Depth = 0.89"
0.00% Pervious = 0.000 ac 100.00% Impervious = 0.092 ac

WATER QUALITY 09.19.2021

Prepared by Verdanterra

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Type II 24-hr Custom Rainfall=1.10"

Printed 9/19/2021

Page 7

Summary for Subcatchment WQ: WATER QUALITY

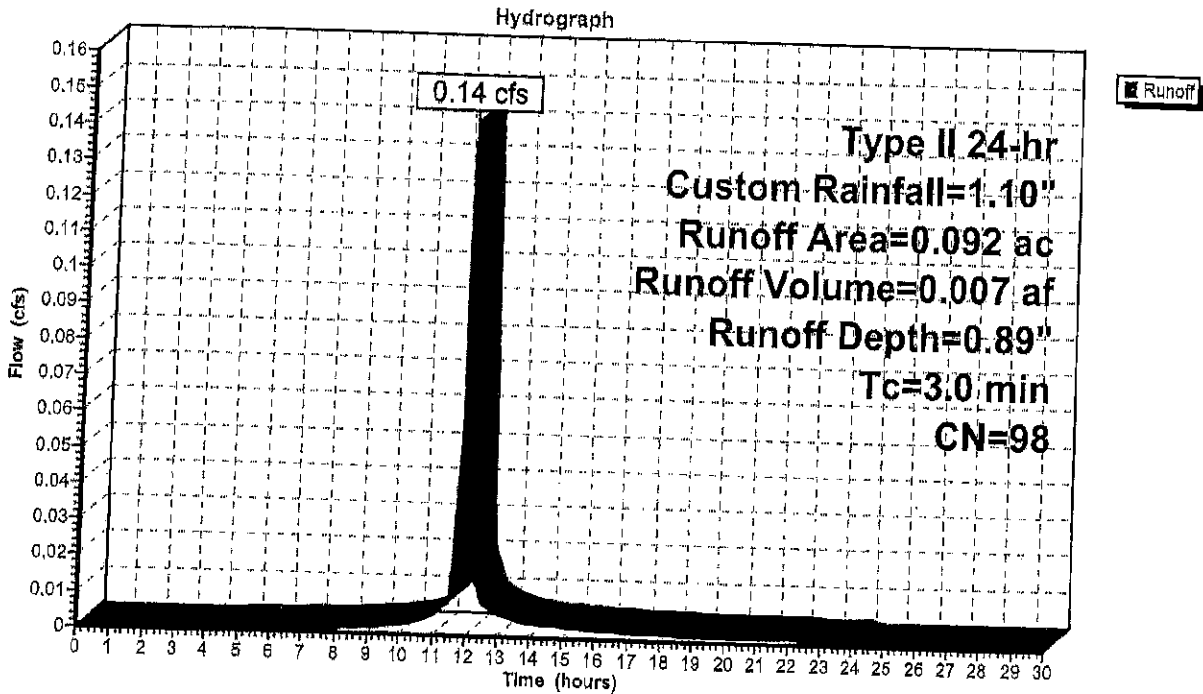
Runoff = 0.14 cfs @ 11.93 hrs, Volume= 0.007 af, Depth= 0.89"

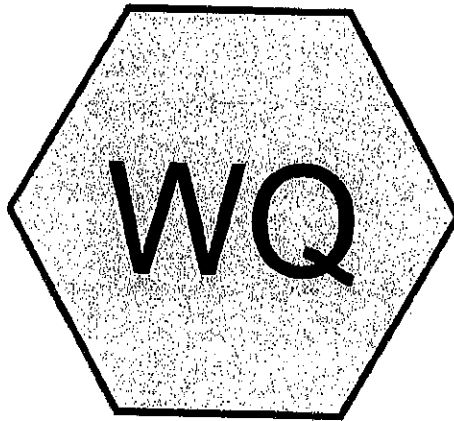
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs
 Type II 24-hr Custom Rainfall=1.10"

Area (ac)	CN	Description
0.092	98	Unconnected pavement, HSG D
0.092		100.00% Impervious Area
0.092		100.00% Unconnected

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
3.0					Direct Entry,

Subcatchment WQ: WATER QUALITY





WATER QUALITY



WATER QUALITY

Prepared by {enter your company name here}

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Printed 5/13/2021

Page 2

Rainfall Events Listing (selected events)

Event#	Event Name	Storm Type	Curve	Mode	Duration (hours)	B/B	Depth (inches)	AMC
1	Custom	Type II 24-hr		Default	24.00	1	1.10	2

WATER QUALITY

Prepared by {enter your company name here}

Printed 5/13/2021

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Page 3

Area Listing (all nodes)

Area (acres)	CN	Description (subcatchment-numbers)
0.110	98	Unconnected pavement, HSG D (WQ)
0.110	98	TOTAL AREA

**WATER QUALITY ANALYSIS -
0.11 ACRES IMPERVIOUS**

WATER QUALITY

Prepared by {enter your company name here}

Printed 5/13/2021

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Page 4

Soil Listing (all nodes)

Area (acres)	Soil Group	Subcatchment Numbers
0.000	HSG A	
0.000	HSG B	
0.000	HSG C	
0.110	HSG D	WQ
0.000	Other	
0.110		TOTAL AREA

WATER QUALITY ANALYSIS -
0.11 ACRES IMPERVIOUS

WATER QUALITY

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Page 5

Ground Covers (all nodes)

HSG-A (acres)	HSG-B (acres)	HSG-C (acres)	HSG-D (acres)	Other (acres)	Total (acres)	Ground Cover	Subcatchment Numbers
0.000	0.000	0.000	0.110	0.000	0.110	Unconnected pavement	WQ
0.000	0.000	0.000	0.110	0.000	0.110	TOTAL AREA	

**WATER QUALITY ANALYSIS -
0.11 ACRES IMPERVIOUS**

WATER QUALITY

Prepared by {enter your company name here}

Type II 24-hr Custom Rainfall=1.10"

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Time span=0.00-30.00 hrs, dt=0.05 hrs, 601 points
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment WQ: WATER QUALITY

Runoff Area=0.110 ac 100.00% Impervious Runoff Depth=0.89"
Tc=3.0 min CN=98 Runoff=0.17 cfs 0.008 af

Total Runoff Area = 0.110 ac Runoff Volume = 0.008 af Average Runoff Depth = 0.89"
0.00% Pervious = 0.000 ac 100.00% Impervious = 0.110 ac

WATER QUALITY

Prepared by {enter your company name here}

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Type II 24-hr Custom Rainfall=1.10"

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Summary for Subcatchment WQ: WATER QUALITY

[49] Hint: Tc<2dt may require smaller dt

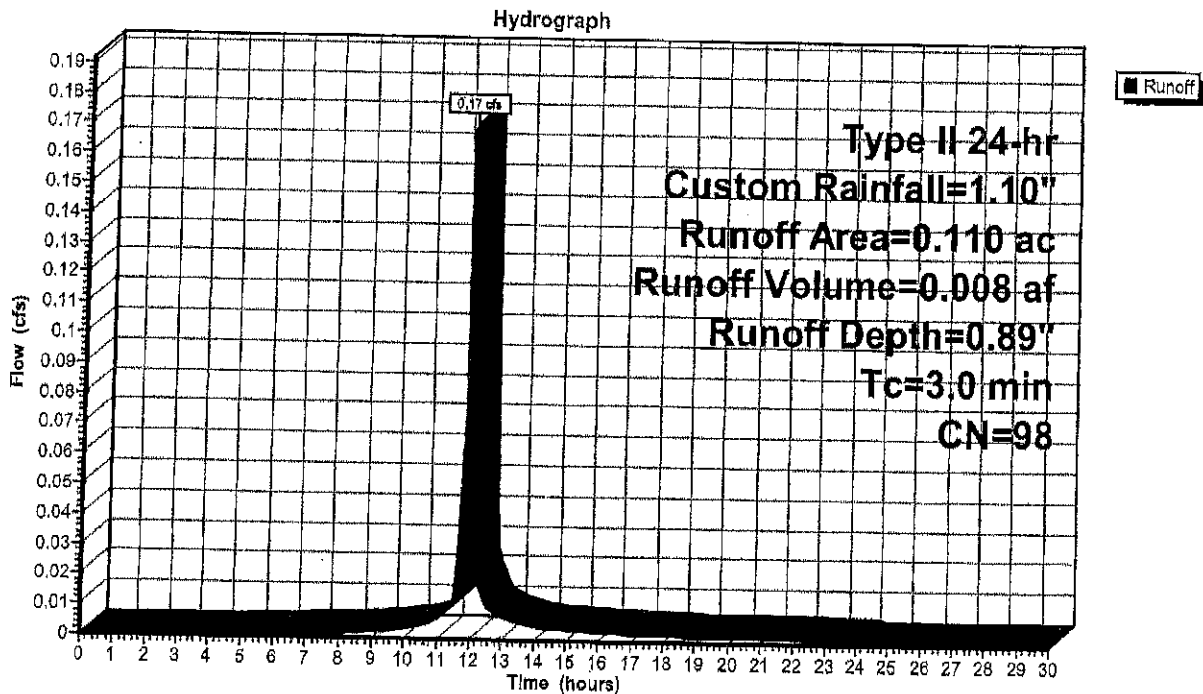
Runoff = 0.17 cfs @ 11.93 hrs, Volume= 0.008 af, Depth= 0.89"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-30.00 hrs, dt= 0.05 hrs
Type II 24-hr Custom Rainfall=1.10"

Area (ac)	CN	Description
0.110	98	Unconnected pavement, HSG D
0.110		100.00% Impervious Area
0.110		100.00% Unconnected

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
3.0					Direct Entry,

Subcatchment WQ: WATER QUALITY



BATTERY ENERGY STORAGE SYSTEM-SPECIFIC
DECOMMISSIONING PLAN

OAK HILL SOLAR 1 LLC & OAK HILL SOLAR 2 LLC

13590 DUANESBURG ROAD
TOWN OF DUANESBURG
SCHENECTADY COUNTY, NEW YORK

JULY 2021
REVISED NOVEMBER 2021

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APPENDIX

- Appendix 1 – Site Location Map
- Appendix 2 – BESS Specific Breakdown of Decommissioning Costs
- Appendix 3 – NYSDERDA Fact Sheet
- Appendix 4 – Decommissioning Performance Bond

1.0 Introduction

Oak Hill Solar 1, LLC & Oak Hill Solar 2, LLC (the "Applicant"), a New York limited liability company, hereby submits this plan for the eventual decommissioning of the Battery Energy Storage System (BESS) specific materials within two proposed 5 MWac community solar electric generation facilities located at 13950 Duaneburg Road, Delanson, NY 12053, in the Town of Duaneburg (the "Town") within Schenectady County in New York State (the "Projects") and the establishment of a decommissioning fund (the "Decommissioning Fund") for review as part of the "Solar Energy Facilities Law" as adopted by the Town of Duaneburg through Resolution NO. 107-2016 (the "Solar Bylaw"), before the planning board of the Town of Duaneburg (the "Board").

A site location plan is provided in Appendix 1 for reference.

2.0 Decommissioning Activities

The Projects are anticipated to operate for 25-40 years. At the time the Projects cease to operate, Applicant will perform full site decommissioning which shall include removal of all energy facilities, structures and equipment including any subsurface wires and footings from the parcel. Any access roads created for building or maintaining the system shall also be removed from the project site, unless being reused or repurposed for another project, shall be recycled in accordance with all applicable New York State policies and procedures in effect at the time of decommissioning.

Further, decommissioning will include restoring the property to its pre-installed condition, including grading and vegetative stabilization to eliminate any negative impacts to surrounding properties. Specifically, such decommissioning shall include, but is not limited to, physical removal of all ground-mounted solar collectors, structures, equipment, security barriers and transmission lines from the site.

Site decommissioning activities are included in a separate decommissioning plan. Decommissioning activities specific to this decommissioning plan includes removal and recycling of the BESS containers and associated DC-DC converters, removal of their concrete pads, and restoration of the ground area impacted by these specific items. Each Project contains two BESS areas that will need to be decommissioned.

3.0 Cost of Decommissioning

The inclusive cost to decommission the BESS areas within both Projects, as defined in Section 2 as specific to this decommissioning plan herein, is estimated at \$354,099 (the "Estimated Decommissioning Cost") as detailed in Appendix 2.

4.0 Establishment of Decommissioning Fund

The Decommissioning Fund will be funded with a surety bond that is solely for the benefit of the Town. No other entity, including Applicant, shall have the ability to demand payment under the

Decommissioning Fund. A decommissioning performance is attached to this plan as Appendix 4. The approved financial security shall be in place and filed with the Board upon commencement of construction.

Every five years and for the Project's life, Applicant shall file a report with the Board on the effect of the annual inflation adjustment, as noted above, including a Revised Estimated Decommissioning Cost. If the Revised Estimated Decommissioning Cost exceeds the then current Estimated Decommissioning Cost, Applicant shall create a new or amended Bond (or other appropriate financial security) to be issued to reflect the Revised Estimated Decommissioning Cost. In the event the CPI has a negative value at the time the annual adjustment is calculated, the value of the Bond (or other appropriate financial security) shall not be reduced.

At the end of the Project's useful life, and in the event the Applicant does not seek Board approval to repower the Project, Applicant will decommission the Project as required under the Board's Solar Bylaw. Upon completion of decommissioning, Applicant shall seek a certification of completion from the Board. The certification will be provided to the issuing bank with instruction to terminate the Bond (or another appropriate financial security).

The Board shall have the right to draw on the Bond (or other appropriate financial security) to pay the costs of decommissioning in the event that Applicant (or its successor) is unable or unwilling to commence decommissioning due to dissolution, bankruptcy, or otherwise. Prior to the Board drawing on the Bond (or other appropriate financial security), Applicant shall have a reasonable period of time to commence decommissioning, not to exceed ninety days following issuance of a Board order requiring decommissioning of the Project.

The decommissioning fund described in this decommissioning plan is for the BESS specific items and does not include the site decommissioning. A site-specific decommissioning fund will be established.

5.0 Demolition Instructions

The following is the sequential procedure that should be followed by the Town for removal of the BESS specific items pursuant to this plan. Note that site decommissioning demolition instructions are established in the site decommissioning plan.

5.1 Project Component Removal

The DC-DC converters will be removed from their concrete pads. Their electronic components and internal cables will be removed. These components will be lowered to the ground where they will be transported whole for reconditioning and reuse or disassembled/cut into more easily transportable sections for salvageable, recyclable, or disposable components.

The BESS containers will be removed from their concrete pads. The BESS containers will be removed by crane and set on tractor trailers for transport. The containers will be transported to their manufacturing facility where they will be recycled. The battery recycling estimate is based

on an estimate provided by the battery system Integrator.

5.2 Concrete Slab Removal

Concrete slabs used for the DC-DC converters and BESS containers will be broken and removed to a depth of two feet below grade. Clean concrete will be crushed and disposed of off-site and/or recycled and reused either on or off-site. The excavation will be filled with subgrade material found on-site of quality and compacted density comparable to the surrounding area.

5.3 Site Restoration Process

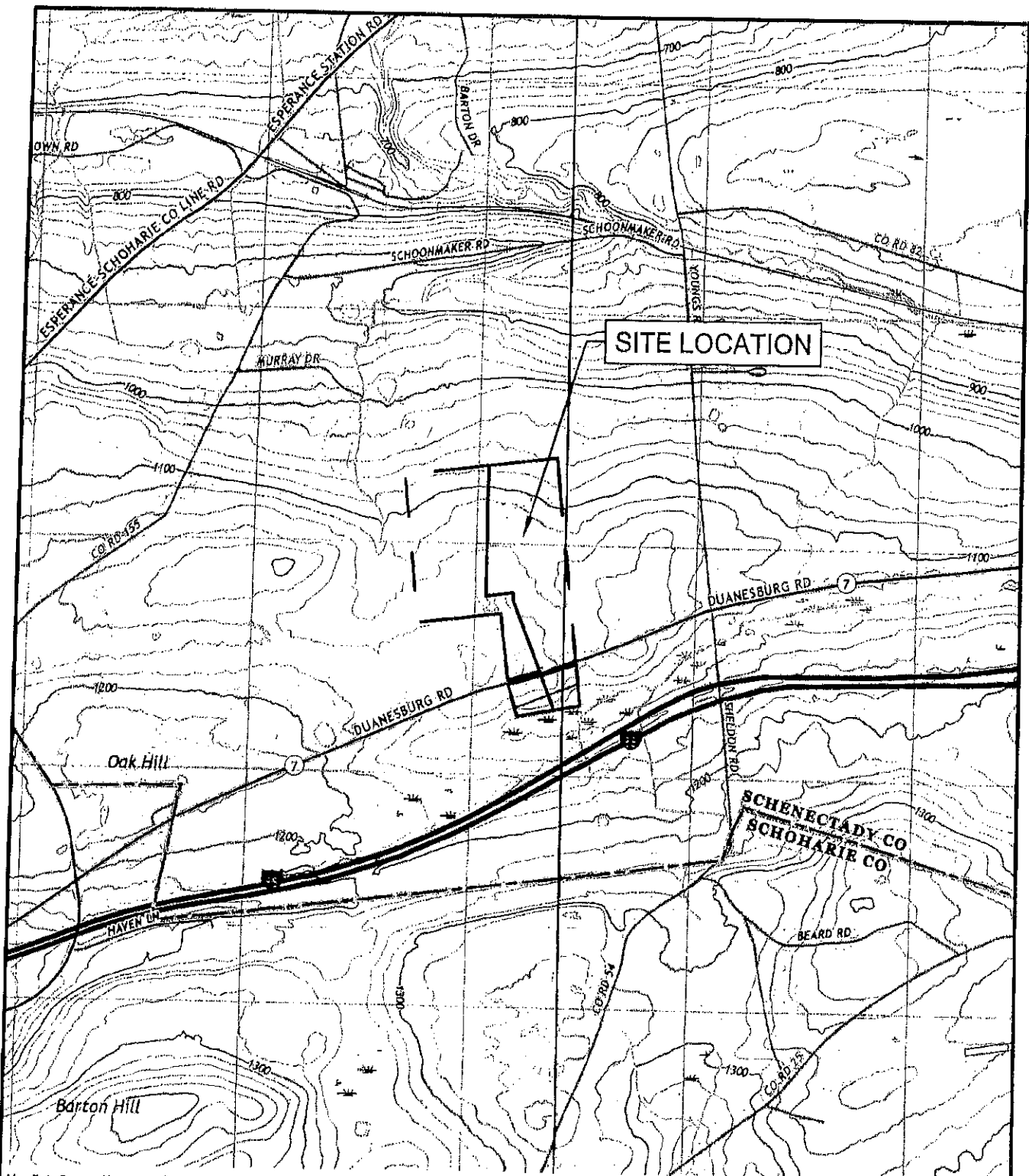
The site consists of 65.2 acres of agricultural land. The area containing BESS specific equipment is approximately 5,000 square feet (0.11 acres). Following the decommissioning activities, the sub-grade material, and topsoil from affected areas will be de-compacted and restored to a density and depth consistent with the surrounding areas. All unexcavated areas compacted by used in decommissioning shall be de-compacted in a manner to adequately restore the topsoil and sub-grade material to the proper density consistent and compatible with the surrounding area.

If the subsequent use for the Project site will involve agriculture, a deep till of the Project site will be undertaken. The affected areas will be inspected, thoroughly cleaned, and all construction related debris removed. Disturbed areas will be reseeded to promote the revegetation of the area unless the area is to be immediately redeveloped. In all areas restoration shall include, as reasonably required, levelling, terracing, mulching, and other necessary steps to prevent soil erosion, to ensure the establishment of suitable grasses and forbs, and to control noxious weeds and pests. The future use of the land for agricultural purposes would not be prejudiced.

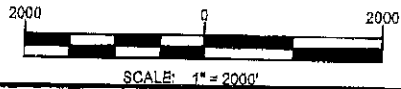
6.0 Emergency BESS Decommissioning


In the event of a BESS failure that requires emergency removal (such as a BESS container fire) the Applicant will be responsible for proper removal and disposal of the BESS system and any damaged equipment surrounding the BESS. The BESS equipment will be replaced in kind or equivalent at the Applicant's expense. If an equivalent BESS system is used as replacement the Town will be notified of the equivalent replacement. Additional training for the equivalent BESS system will be required and provided by the Applicant. The decommissioning fund does not include decommissioning costs and salvage value for emergency BESS decommissioning. The emergency decommissioning dollar value would be covered by the standard decommissioning surety. A revised surety will be posted prior to providing any new/replacement equipment under a post emergency event.

Appendix 1
Site Location Plan



Map Data Source: U.S. Geological Survey (USGS; <http://www.usgs.gov>)



Engineer

VERDANTERRA
 601 TECHNOLOGY DRIVE, STE. 200
 CANONSBURG, PA 16317
 724.916.4541
 WWW.VERDANTERRA.COM

Project Title
OAK HILL 1 & 2 SOLAR FARM

Drawing Description
LOCATION MAP

USGS Quadrangle:	GALLUPVILLE, NY SCHOHARIE, NY
Project Number:	05221002
Drawn By:	THR
Checked By:	CWC
Scale:	1" = 2000'
Sheet Number:	

FIGURE 1

Appendix 2

BESS Specific Breakdown of Decommissioning Costs

Applicant submits this breakdown of the Estimated Decommissioning Cost to support the proposed decommissioning fund of \$354,099 for the BESS specific decommissioning for both Projects based on 2021 cost of work estimates following the NYSERDA guidance which is based on the estimated practices by the State of Massachusetts and New York Southeast scrap value prices.

It should be further noted that while the Decommissioning Fund is established in the amount equal to the gross decommissioning costs of \$354,099, there will likely be significant salvage value that would make the net system decommissioning cost (site and BESS specific decommissioning) lower than the proposed Decommissioning Fund amount.

To better explain the potential salvage value for this Project we have completed a more detailed analysis of the current value of the BESS specific project components: DC-DC converter/steel content. Note that the BESS containers will be recycled by the manufacturing company and are not included in potential salvage value. The current published values for these materials can have a fairly large spread. For each item we chose the most conservative pricing available to assume current worst-case scenario. As you can see the current salvage value is less than the proposed decommissioning bond for the BESS specific work.

Estimated Decommissioning Cost - BESS Specific					
Description	Type	Quantity	Cost Per Item	Total	Total after 25 Years of Inflation (2.5% rate)
Remove DC-DC Converters & Concrete Pads	Each	20	\$ 300.00	\$ 6,000.00	\$ 11,123.66
Remove BESS Containers & Concrete Pads	Each	4	\$ 5,000.00	\$ 20,000.00	\$ 37,078.88
Transport BESS Containers to Manufacturer For Recycling	Each	4	\$ 2,500.00	\$ 10,000.00	\$ 18,539.44
Site Restoration, Grade and Seed	Acre	0.11	\$ 900.00	\$ 99.00	\$ 183.54
Oak Hill Battery Recycling Estimate (per project)*	Each	2	\$ 159,000.00	\$ 318,000.00	\$ 589,554.22
Total Decommissioning Cost				\$ 354,099.00	\$ 656,479.75
Detailed Salvage Value					
DC-DC Converter Panels / Steel	Lbs	40684	\$ 0.08	\$ 3,254.73	
Total Salvage Value				\$ 3,254.73	
Proposed Decommissioning Fund				\$ 354,099.00	

* = The battery recycling estimate is based on an estimate provided by the battery system integrator.

Revised Appendix 2 – 9/28/2021
Breakdown of Decommissioning Costs

Applicant submits this breakdown of the Estimated Decommissioning Cost to support the proposed decommissioning fund of \$744,823.78 in aggregate for both projects based on 2021 cost of work estimates following the NYSERDA guidance which is based on the estimating practices followed by the State of Massachusetts and New York Southeast scrap value prices. The Estimated Decommissioning Cost estimates include labor, transport and machinery costs for every line item.

An estimate for the cost of decommissioning the energy storage system was provided by Verdanterra. The estimate is included as a line item in each project's Estimated Decommissioning Cost. A detailed breakdown of this energy storage decommissioning estimate and a description of the energy storage decommissioning process is included in Appendix 6: Battery Energy Storage System-Specific Decommissioning Plan

It should be further noted that while the Decommissioning Fund is established in the amount equal to the gross decommissioning costs of \$372,527.46 for Oak Hill 1 and \$372,296.32 for Oak Hill 2, there will likely be significant salvage value that could lower the net system decommissioning cost. The salvage value is provided as a reference and does not impact the proposed decommissioning amount.

To better explain the potential salvage value for this project we have completed a more detailed analysis of the current value of the main project components: solar panels, racking system aluminum/steel content and the electric cabling copper/aluminum content. The current published values for these materials can have a fairly large spread. For each item we choose the use the most conservative pricing available to assume current worst case scenario.

Oak Hill 1

Estimated Decommissioning Cost				
	Type	Quantity	Cost Per Item	Total
Fence Removal with Gate (fence cost divided between sites)	Lf	4,150	\$4.50	\$18,675.00
Remove Transformers & Concrete Pads	Each	2	\$5,000.00	\$10,000.00
Remove Major Switch Gear & Concrete Pad	Each	1	\$5,000.00	\$5,000.00
Remove Modules and Racking	S/MWac	5	\$9,000.00	\$45,000.00
Removal of Posts	Each	1,512	\$20.00	\$30,240.00
Remove & Dispose of Central Inverters	Each	2	\$7,500.00	\$15,000.00
Storage Decommissioning and Recycling Cost - per Verdanterra estimate	N/A	N/A	N/A	\$177,049.50
Removal of Underground Wires and Conduits and Backfill	Lf	2,400	\$10.00	\$24,000.00
Site Restoration, Grade and Seed	Acres	10	\$900.00	\$9,000.00
Removal of Gravel Access Road (road cost divided between sites)	Cubic Yards	825	\$25.00	\$20,612.50
Current Total				\$354,577.00
Revised Total based on Prime AE requested escalation				\$372,527.46
Total after 25 years of inflation (2.5% inflation rate)				\$557,363.94
Single Project Detailed Salvage Value				
	Solar Panels	21,728	\$6.60	\$143,404.80
	Racking Steel (lbs.)	584,050	\$0.05	\$29,202.50
	Racking Aluminum (lbs.)	880,000	\$0.15	\$132,000.00
	Project Cabling (lbs.)	37,966	\$0.73	\$27,714.82
Total Salvage Value				\$332,322.12
Proposed decommissioning fund				\$372,527.46

Oak Hill 2

Estimated Decommissioning Cost				
	Type	Quantity	Cost Per Item	Total
Fence Removal with Gate (fence cost divided between sites)	LF	4,150	\$4.50	\$18,675.00
Remove Transformers & Concrete Pads	Each	2	\$5,000.00	\$10,000.00
Remove Major Switch Gear & Concrete Pad	Each	1	\$5,000.00	\$5,000.00
Remove Modules and Racking	\$/MWac	5	\$9,000.00	\$45,000.00
Removal of Posts	Each	1,501	\$20.00	\$30,020.00
Remove & Dispose of Central Inverter	Each	2	\$7,500.00	\$15,000.00
Storage Decommissioning and Recycling Cost - per Verdamberra estimate	N/A	N/A	N/A	\$177,049.50
Removal of Underground Wires and Conduits and Backfill	LF	2,400	\$10.00	\$24,000.00
Site Restoration, Grade and Seed	Acre	10	\$900.00	\$9,000.00
Removal of Gravel Access Road (road cost divided between sites)	Cubic Yards	825	\$23.00	\$20,612.50
Current Total				\$354,357.00
Revised Total based on Prime AE requested escalation				\$372,296.32
Total after 25 years of inflation (2.5% inflation rate)				\$558,958.07
Detailed Salvage Value				
	Solar Panels	21,728	\$6.60	\$143,404.80
	Racking Steel (lbs.)	584,050	\$0.05	\$29,202.50
	Racking Aluminum (lbs.)	880,000	\$0.15	\$132,000.00
	Project Cabling (lbs.)	97,966	\$0.73	\$27,714.82
Total Salvage Value				
Proposed decommissioning fund				\$372,296.32

*Full Environmental Assessment Form
Part I - Project and Setting*

Instructions for Completing Part I

Part I is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part I based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part I is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Oak Hill Solar 1, LLC & Oak Hill Solar 2, LLC		
Project Location (describe, and attach a general location map): 13590-13592 Duanesburg Road, Delanson, NY 12053		
Brief Description of Proposed Action (include purpose or need): The applicant proposes to construct two (2) 5.0 MW photovoltaic solar sites including battery energy storage systems (BESS) such that each solar array will be situated on its own parcel.		
Name of Applicant/Sponsor: Kevin Foster - Oak Hill Solar 1, LLC & Oak Hill Solar 2, LLC		Telephone: (416) 450-7023
Address: 1550 Wewatta Street, 4th Floor		E-Mail: kfoster@amp.energy
City/PO: Denver	State: CO	Zip Code: 80202
Project Contact (if not same as sponsor; give name and title/role): Pallav Shah		Telephone: (781) 589-1928
Address: 1550 Wewatta Street, 4th Floor		E-Mail: pshah@amp.energy
City/PO: Denver	State: CO	Zip Code: 80202
Property Owner (if not same as sponsor): Richard Murray		Telephone:
Address: 1206 Oak Hill Road		E-Mail:
City/PO: Esperance	State: NY	Zip Code: 12066



B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Possible pending discussion regarding solar credits.	
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Lot Line Adjustment, Subdivision, Site Plan, Special Use Permit, PILOT	
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	County planning referral.	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDOT - curb cut, OPRHP, NYSEDA, NYSEDC - wetlands, stormwater & end. species	
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	ACOE - wetlands	
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.

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

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

C.2. Adopted land use plans.

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

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

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

If Yes, identify the plan(s):
 NYS Heritage Areas: Mohawk Valley Heritage Corridor

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

If Yes, identify the plan(s):



C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?
Agricultural-Residential (R-2)

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

c. Is a zoning change requested as part of the proposed action? Yes No

i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Duanesburg

b. What police or other public protection forces serve the project site?
NY State Police & Schenectady County Sheriffs

c. Which fire protection and emergency medical services serve the project site?
Esperance Volunteer Fire Department

d. What parks serve the project site?
Central Bridge Community Park, Shafer Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Utility

b. a. Total acreage of the site of the proposed action? 140.73 +/- acres

b. Total acreage to be physically disturbed? 69.75 +/- acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 140.73 +/- acres

c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No

If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
Utility separation

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? 2

iv. Minimum and maximum proposed lot sizes? Minimum 70.35 ac Maximum 70.38 ac

e. Will the proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: 12 months

ii. If Yes:
• Total number of phases anticipated _____
• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
• Anticipated completion date of final phase _____ month _____ year
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

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

If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No

If Yes, * Structures noted as walk-in enclosures - 4

- i. Total number of structures 6* BESS, 2 spare parts containers
- ii. Dimensions (in feet) of largest proposed structure: 8' height; 7'-5-1/2" width; and 53' length
- iii. Approximate extent of building space to be heated or cooled: 1500 square feet

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

If Yes,

- i. Purpose of the impoundment: _____
- ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____

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

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

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

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

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

- i. What is the purpose of the excavation or dredging? _____
- ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 - Volume (specify tons or cubic yards): _____
 - Over what duration of time? _____
- iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
If yes, describe. _____

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

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

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

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

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

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): Wetland ID: G-104 ; Wetland Class: 3



ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:
 Approximately 1,263 sf of utility trench and limited use pervious haul road is proposed to be installed within wetland areas. Fence posts and solar structures are to be mechanically driven to avoid disturbance.

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

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

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

v. Describe any proposed reclamation/mitigation following disturbance: _____

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

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

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

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

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

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

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

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

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

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

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

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

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

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

Yes No
 Yes No
 If Yes:

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

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

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

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

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

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

- i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or 0.092 acres (impervious surface)
 _____ Square feet or 140.7 acres (parcel size)
- ii. Describe types of new point sources. Inverter/transformer pads, spare parts storage containers, energy storage system pads, DC-DC converter pads
- iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?
Site will feature a limited use pervious gravel solar access road that will not alter site hydrology.
 - If to surface waters, identify receiving water bodies or wetlands: _____

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

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

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

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

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

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

- i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
- ii. In addition to emissions as calculated in the application, the project will generate:
 - _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 - _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 - _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 - _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 - _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 - _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)



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h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No
 If Yes:
 i. Estimate methane generation in tons/year (metric): _____
 ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No
 If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? Yes No
 If Yes:
 i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____
 ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____
 iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____
 iv. Does the proposed action include any shared use parking? Yes No
 v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:
 vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No
 vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No
 viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No
 If Yes:
 i. Estimate annual electricity demand during operation of the proposed action: _____
 ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____
 iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.
 i. During Construction:
 • Monday - Friday: _____ 7am - 5pm _____
 • Saturday: _____
 • Sunday: _____
 • Holidays: _____
 ii. During Operations:
 • Monday - Friday: _____
 • Saturday: _____
 • Sunday: _____
 • Holidays: _____



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m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
If yes:
i. Provide details including sources, time of day and duration:
Inverters and BESS < 79dBA at equipment (similar to dishwasher), very low dBA at property lines - 24 hour per day duration / heavy machinery during construction Yes No

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

n. Will the proposed action have outdoor lighting?
If yes:
i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
_____ Yes No

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

o. Does the proposed action have the potential to produce odors for more than one hour per day?
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:
_____ Yes No


p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?
If Yes:
i. Product(s) to be stored _____ (e.g., month, year)
ii. Volume(s) _____ per unit time _____
iii. Generally, describe the proposed storage facilities: _____ Yes No

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No
If Yes:
i. Describe proposed treatment(s):
Spot use of herbicides to control invasive species during operational phase of project

ii. Will the proposed action use Integrated Pest Management Practices? Yes No
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No

If Yes:
i. Describe any solid waste(s) to be generated during construction or operation of the facility:
• Construction: _____ tons per _____ (unit of time)
• Operation: _____ tons per _____ (unit of time)
ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
• Construction: _____
• Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:
• Construction: _____
• Operation: _____

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

Urban Industrial Commercial Residential (suburban) Rural (non-farm)

Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

The land and surrounding parcels are currently a mix of farming and residential.

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.16	0.26	+0.09
• Forested	24.98	24.68	-0.30
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	89.64	24.67	-84.97
• Agricultural (includes active orchards, field, greenhouse etc.)	16.10	16.10	0
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)	9.85	9.83	-0.02
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: Solar field	0.00	65.2	+65.2

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c. Is the project site presently used by members of the community for public recreation? Yes No
 i. If Yes: explain: _____

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


e. Does the project site contain an existing dam? Yes No
 If Yes:
 i. Dimensions of the dam and impoundment:
 • Dam height: _____ feet
 • Dam length: _____ feet
 • Surface area: _____ acres
 • Volume impounded: _____ gallons OR acre-feet
 ii. Dam's existing hazard classification: _____
 iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
 If Yes: Yes No
 i. Has the facility been formally closed?
 • If yes, cite sources/documentation: _____
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
 iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
 If Yes:
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
 If Yes: Yes No
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:
 Yes - Spills Incidents database Provide DEC ID number(s): _____
 Yes - Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): _____
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

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

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

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ >6 feet Yes No

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

c. Predominant soil type(s) present on project site:

Burdett-Scriba	_____	72 %
Illian Silt Loam	_____	28 %
	_____	%

d. What is the average depth to the water table on the project site? Average: _____ 2-4 feet

e. Drainage status of project site soils:

<input type="checkbox"/> Well Drained:	_____ % of site
<input type="checkbox"/> Moderately Well Drained:	_____ % of site
<input checked="" type="checkbox"/> Poorly Drained	100 % of site

f. Approximate proportion of proposed action site with slopes:

<input checked="" type="checkbox"/> 0-10%:	_____ 90 % of site
<input checked="" type="checkbox"/> 10-15%:	_____ 10 % of site
<input type="checkbox"/> 15% or greater:	_____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No
 If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

• Streams:	Name _____	Classification _____
• Lakes or Ponds:	Name _____	Classification _____
• Wetlands:	Name Federal Waters, NYS Wetland	Approximate Size NYS Wetland (In a...)
• Wetland No. (if regulated by DEC) G-104	_____	_____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

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

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

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

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: Principal Aquifer

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m. Identify the predominant wildlife species that occupy or use the project site: _____
 Deer _____ Squirrels _____ Skunks _____
 Birds _____ Opossum _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
 If Yes:
 i. Species and listing (endangered or threatened): _____
 Northern Long-eared Bat

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No
 If Yes:
 i. Species and listing: _____

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

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

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

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? 133 +/- acres** by the USDA Soil Survey, it has been the landowner's experience
 ii. Source(s) of soil rating(s): USDA Web Soil Survey that the land is too wet to be productive.

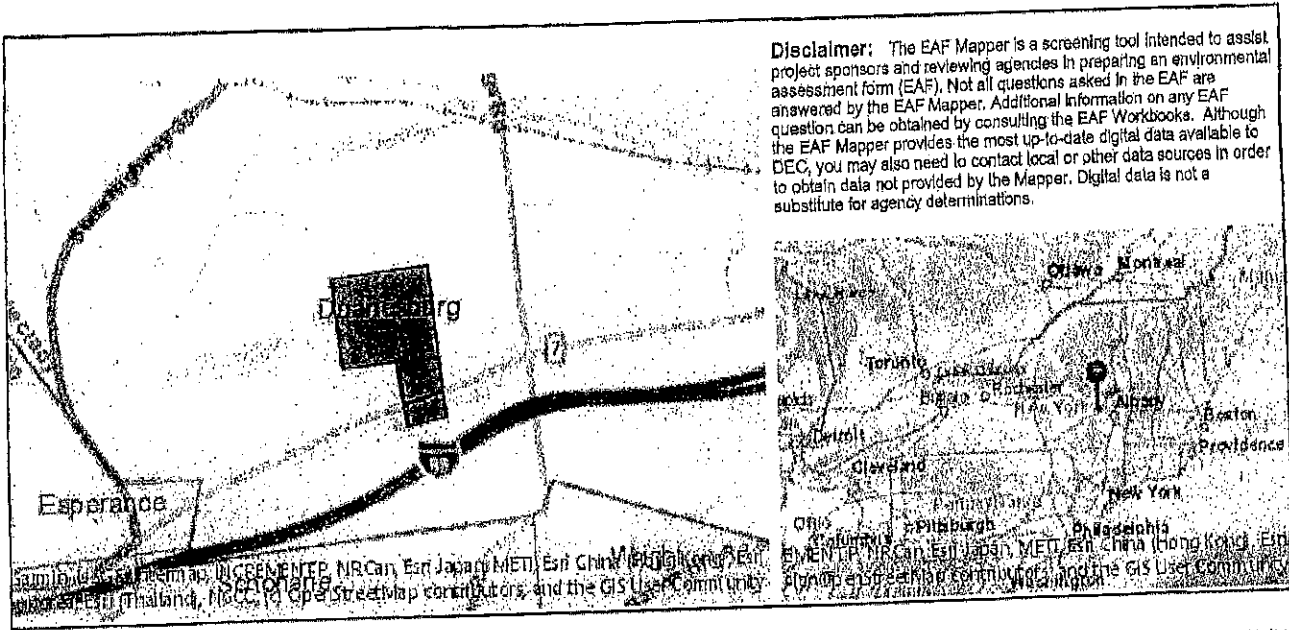
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and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

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

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EAF Mapper Summary Report

Friday, July 23, 2021 9:00 AM



B.1.i [Coastal or Waterfront Area]	No
B.1.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas: Mohawk Valley Heritage Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.ii [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters, NYS Wetland
E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres): 82.2
E.2.h.iv [Surface Water Features - DEC Wetlands Number]	G-104
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No

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E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Northern Long-eared Bat
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d. [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Sheidon Farmhouse
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

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Melissa Deffer

From: lynne bruning <lynnebruning@gmail.com>
Sent: Monday, November 8, 2021 2:08 PM
To: Jennifer Howe; Melissa Deffer
Subject: Oak Hill Construction Traffic

Please distribute to the Planning Board.
No hard copy to follow.

November 8, 2021

Dear Chairman Schmitt and planning board members,

The 2019 Operations and Maintenance statement - one paragraph - addresses construction traffic as 50- 60 truckloads for the construction phase and 30 cars per day. Amp's 2021 answer to #33 as found in the October 18, 2021 Response letter states there will be even less traffic! Unbelievable!

Response to number 33.
Amp states that "There are no significant changes to the Amendment's proposed construction traffic relative to the 2019 plan." Amp estimates that there will be four truck deliveries per day per project.

Using Amps Estimates:
Combined Oak Hill Solar 1 & 2 will have an estimated eight (8) trucks per day
Duration of deliveries "slightly over a (2) month period"
Estimate 10 weeks of deliveries
Five work days per week
Five work days per week for ten weeks = 50 work days
50 days x 8 trucks per day = 400 trucks loads total for both projects.
This equates to 800 round trips.

In 2019 Eden Renewables provided the Board with a "Construction Phase for Oak Hill Solar 1 & 2" one page document. See attached. It states; "In terms of traffic during construction months we expect: 25-30 cars daily. Additionally, we expect 50 -60 truck deliveries and 10 onsite machines operating over the course of construction."

According to the information provided by Amp there may be more than 340 additional truck loads above and beyond the 2019 estimate of just 60.

Delivery of Solar Panels
The developer claim that, "There will likely be slightly less traffic relative to the original plan because of the decrease in the number of solar modules, racking post, decentralized inverters, and decentralized batteries."

Vikram Somera specifications states:
Packaging Information
Quantity /Pallet 26
Pallets/Container (40' HC) 22
Quantity/Container (40'HC) 572

If
Oak Hill Solar 1 + Oak Hill Solar 2 = 43,456 panels
and 572 modules (panels) per 40' container
Then
76 40' containers of solar panels may be delivered to the Project site

The proposed panels for 2019 were Astroenergy Stave Panels. The specification sheet reflects:
Packing Specification
Module weight 48.06 pounds
Packing Unit: 27 pieces per box
Weight of packing unit (for 40' container): 1,424 pounds
Number of modules per 40' container: 648

If
Oak Hill Solar 1 + Oak Hill Solar 2 = 43,456 panels
and 648 modules (panels) per 40' container
Then
67 40' containers of solar panels may be delivered to the Project site

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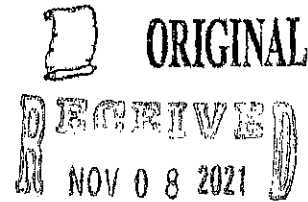
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**Parks, Recreation,
and Historic Preservation**

KATHY HOCHUL
Governor

ERIK KULLESEID
Commissioner



November 8, 2021

Joseph Sisson
978 Mariaville Scotch Church Rd
Pattersonville, NY 12137

Re: SEQRA
Sisson Subdivision
Town of Duanesburg, Schenectady County, NY
21PR07211

Dear Joseph Sisson:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP) as part of your SEQRA process. These comments are those of the Division for Historic Preservation and relate only to Historic/ Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impact must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

We note that the project area is located adjacent to the State and National Register listed Thomas Liddel Farm. We understand that the proposed project will include subdivision of a 15.6-acre property into three separate individual house lots.

Based on our review of the provided site plan, the OPRHP has no concerns with potential impacts to historic and cultural resources. In addition, there are no archaeological concerns associated with this project.

If this project will involve state or federal permitting, funding or licensing, it may require continued review for potential impacts to architectural and archaeological resources, in accordance with Section 106 of the National Historic Preservation Act or Section 14.09 of NYS Parks Recreation and Historic Preservation Law.

If you have any questions, I can be reached at (518) 268-2164.

Sincerely,

Weston Davey
Historic Site Restoration Coordinator

CC: Dale Warner, Town of Duanesburg

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

SEP 07 2021

CHECKLIST OF REQUIRED INFORMATION:

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

- Septic system: Soil investigation completed?
- Sewer System: Which district?
- Basic SWPPP (1 \geq)
- Full Storm Water Control Plan (More than an acre)
- Other (Building Set Backs)
- Storm Water Control Plan
- Short or long EAF www.dec.ny.gov/eafmapper/
- Street pattern: Traffic study needed?
- All property Mergers **REQUIRE** both owners Signatures on the Application

Additional Requirements for Special Use Application:

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

80' F
40' S
80' R

Date _____

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

_____ Section _____ of _____ Ordinance.

Present Owner: Joseph Robinson And Debra J. Szymanski (AS APPEARS ON DEED!!)
Address: 978 Sister Church Rd. Palisades NY Zip code: 12137
Phone # (required): (518) 729-9878

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

Location of Property (if different from owners) _____
Tax Map # 52.00-1-41 Zoning District R-2

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

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

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

[Signature] Date 9-3-21
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: _____

_____ Date _____ Code Enforcement _____ Date _____
Planning Chairperson

SEP 07 2021

ORIGINAL

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

Applicant	Owner if Different from Applicant
Name: <u>Joseph Gissin Jr.</u> Address: <u>918 Mendota, Scott. Chart Pl., Patterson NY 12157</u>	Name: _____ _____ _____

1. Type of Application: Special Use Permit; Site Plan Approval; Use Variance; Area Variance; Subdivision Approval (circle one or more)
2. Description of proposed project:
Subdivide into 3 lots for new homes
3. Location of project: Address: RT 30 Debnison NY
Tax Map Number (TMP) 52-1-91
4. Is this parcel within an Agricultural District? YES NO (Check with your local assessor if you do not know.)
5. If YES, Agricultural District Number _____
6. Is this parcel actively farmed? YES NO
7. List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

NAME: <u># 28 L 22 a</u> ADDRESS: _____ Is this parcel actively farmed? <u>YES</u> NO	NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES NO
NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES NO	NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES NO

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

Reviewed by: Dale R. Warner 4/22/21
Dale R. Warner Date

Revised 4/4/17

FARM NOTE

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

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

NOTICE OF DETERMINATION
of the Town of Duanesburg

SEP 07 2021

 ORIGINAL

Date of Determination Sept. 3, 2021

Application of Joseph Sigson under section
3.5 of the (Village of Delanson/ Town of Duanesburg)
Subdivision Ordinance.

Applicant Joseph D. Sigson Jr.
Address 978 Mariaville Scotch Church RD.

Phone _____ Zoning District R.2 SBL# 52.00-1-41

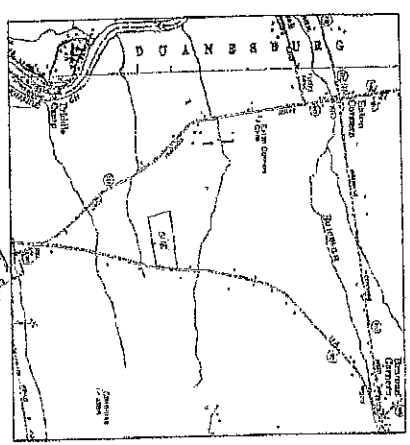
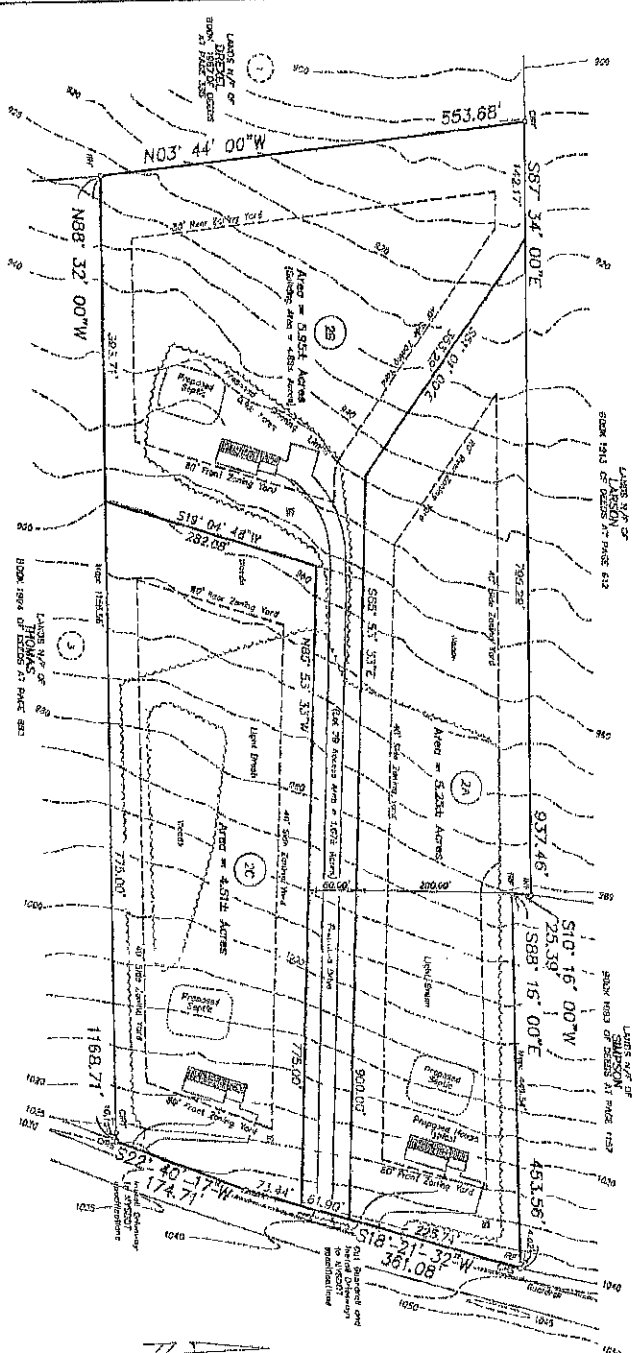
Description of
Project: 3 lot subdivision

Determination:
Major

Reason supporting determination:
Town of Duanesburg subdivision ordinance adopted 3/6/15 Article II #32
#14. Town of Duanesburg zoning ordinance section 9; section 3.5.93(B)

Action: Refer to Planning Board for the purpose of Major Subdivision

Code Enforcement Officer: Dee Warren



SEP 07 2021
ORIGINAL

FROM NOTES
 1. THE PROPERTY IS TO BE DIVIDED INTO LOTS, BLOCKS AND NEIGHBORHOODS.
 2. THE PROPERTY IS TO BE DIVIDED INTO LOTS, BLOCKS AND NEIGHBORHOODS.
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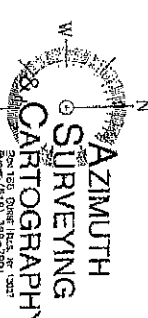
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SUBDIVISION OF LANDS OF
SISSON
 TOWN OF DUANEBURG, SCHENECTADY COUNTY, NY
 SUBDIVISION PLAT

Prepared For:
 Joe Sisson
 978 Mercerville Station Church Road
 Pattersonville, NY 12157

DATE: 9/20/2021
 REVISIONS:



Scale: 1" = 100'
 Date: 9/20/2021

ZONING COORDINATION REFERRAL

SCHENECTADY COUNTY DEPT. OF ECONOMIC DEVELOPMENT & PLANNING
Recommendations shall be made within 30 days after receipt of a full statement of the proposed action.

For Use By SCDEDP

Received 9-21-21
Case No. D-9-21
Returned 9-29-21

FROM: Legislative Body
 Zoning Board of Appeals
 Planning Board

Municipality:
Town of Duanesburg

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

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

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

PUBLIC HEARING OR MEETING DATE: October 21st, 2021

SUBJECT: #21-03 Slsson, Joe and Debbie: SBL#52.00-1-41, (R-2) located at Braman Corners Rd is seeking a 3 lot Major Subdivision under section 3.5 of the Town of Duanesburg Subdivision Ordinance.

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

1. This zoning case is forwarded to your office for review in compliance with Sections 239-l, 239-m and 239-n of Article 12-B of the General Municipal Law, New York State.
2. This material is sent to you for review and recommendation because the property affected by the proposed action is located within 500 feet of the following:
 - the boundary of any city, village or town;
 - the boundary of any existing or proposed County or State park or other recreation area;
 - the right-of-way of any existing or proposed County or State parkway, thruway, expressway, road or highway;
 - the existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines;
 - the existing or proposed boundary of any County or State-owned land on which a public building or institution is situated;
 - the boundary of a farm operation located in an agricultural district, as defined by Article 25-AA of the agriculture and markets law. The referral requirement of this subparagraph shall not apply to the granting of area variances.

SUBMITTED BY:

Name: Melissa Deffer Title: Planning/Zoning Clerk
Address: 5853 Western Turnpike Duanesburg, NY 12056
E-mail: mdeffer@duanesburg.net Phone: (518) 895-2040

Date: _____

Signature



PLANNING & ZONING COORDINATION REFERRAL

Case No. D-09-21

Applicant Joe & Debbie Sisson

Referring Officer Melissa Deffer

Municipality Duanesburg

Considerations: Regarding a vacant 15.6 acre parcel, requesting subdivision approval to create three lots of 5.95, 5.25, and 4.51 acres. Located on the west side of State Rt. 30 approximately 1/2 mile north of McGuire School Road.

RECOMMENDATION

Receipt of zoning referral is acknowledged on September 17, 2021. Please be advised that the undersigned Commissioner of Economic Development and Planning of the County of Schenectady (having under the Schenectady County Charter the powers and duties of a County Planning Board) has reviewed the proposed action stated on the opposite side of this form and makes the following recommendations:

- *Approve of the proposal.
- Defer to local consideration (No significant county-wide or inter-community impact)
- Modify/Conditionally Approve. Conditions:
NYS DOT highway work permit for driveway construction.

Advisory Note:

A note should be placed on the plan indicating that the driveway for lot 2B must comply with the fire code of NYS and needs to be constructed to support fire apparatus. A cross section construction detail for the driveway should be shown on the plans. For lots 2A and 2C it should be noted that any driveway in excess of 300' also needs to comply with the fire code of NYS. County Environmental Health Department approval for septic and well required with building permit application.

Disapprove. Reason:

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

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

9/28/21
Date

Ray Gillen, Commissioner
Economic Development and Planning

*Full Environmental Assessment Form
Part I - Project and Setting*

SEP 07 2021

ORIGINAL

Instructions for Completing Part I

Part I is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part I based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part I is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: <i>Subdivision</i>		
Project Location (describe, and attach a general location map): <i>RT 30 Delamont, NY</i>		
Brief Description of Proposed Action (include purpose or need): <i>Subdivide into 3 lots for new homes</i>		
Name of Applicant/Sponsor: <i>Joseph & Debra Sisson</i>	Telephone: <i>(518) 729-9878</i>	E-Mail: <i>jd.sissonjr@gmail.com</i>
Address: <i>978 Maricville Sisk Church Rd</i>		
City/PO: <i>Pattersonville</i>	State: <i>New York</i>	Zip Code: <i>12137</i>
Project Contact (if not same as sponsor; give name and title/role):	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission		
c. City, Town or <input type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<ul style="list-style-type: none"> If Yes, complete sections C, F and G. If No, proceed to question C.2 and complete all remaining sections and questions in Part I 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, identify the plan(s): NYS Heritage Areas: Mohawk Valley Heritage Corridor	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify the plan(s):	

C.3. Zoning

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

R.2

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

c. Is a zoning change requested as part of the proposed action? Yes No

If Yes,

i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Duanesburg

b. What police or other public protection forces serve the project site?
state police county Sheriff

c. Which fire protection and emergency medical services serve the project site?
Esplanade FD Duanesburg Amb.

d. What parks serve the project site?
Shaker

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

Residential

b. a. Total acreage of the site of the proposed action? 15.6 acres

b. Total acreage to be physically disturbed? 1.6 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 15.6 acres

c. Is the proposed action an expansion of an existing project or use? Yes No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

Residential

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? 3

iv. Minimum and maximum proposed lot sizes? Minimum 4.5 Maximum 5.95

e. Will the proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

• Total number of phases anticipated _____

• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year

• Anticipated completion date of final phase _____ month _____ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: Family members



f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	<u>1</u>			
At completion				
of all phases				


g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,
 i. Total number of structures _____
 ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length
 iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,
 i. Purpose of the impoundment: _____
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
 iii. If other than water, identify the type of impounded/contained liquids and their source. _____
 iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
 v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) Yes No
 If Yes:
 i. What is the purpose of the excavation or dredging? _____
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): _____
 • Over what duration of time? _____
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____
 iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____
 v. What is the total area to be dredged or excavated? _____ acres
 vi. What is the maximum area to be worked at any one time? _____ acres
 vii. What would be the maximum depth of excavation or dredging? _____ feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:
 i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

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

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

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

If Yes:

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

v. Describe any proposed reclamation/mitigation following disturbance: _____

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

If Yes:

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

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

If Yes:

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

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

If Yes:

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

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

If, Yes:

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

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

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

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: 330 per Res. gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

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

If Yes:

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



• Do existing sewer lines serve the project site? Yes No
 • Will a line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____

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

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

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
 ii. Describe types of new point sources. _____

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

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

• Will stormwater runoff flow to adjacent properties? Yes No
 iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

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

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

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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

If Yes:

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

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

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

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

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

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend

Randomly between hours of _____ to _____

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

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

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

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

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

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

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

i. During Construction:

• Monday - Friday: _____

• Saturday: _____

• Sunday: _____

• Holidays: _____

ii. During Operations:

• Monday - Friday: _____

• Saturday: _____

• Sunday: _____

• Holidays: _____

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m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:

i. Provide details including sources, time of day and duration:

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

Describe:

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

If yes:

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

single family dwelling

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

Describe:

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

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

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

If Yes:

i. Product(s) to be stored

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

iii. Generally, describe the proposed storage facilities:

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

If Yes:

i. Describe proposed treatment(s):

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

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

If Yes:

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

• Construction: _____ tons per _____ (unit of time)

• Operation: _____ tons per _____ (unit of time)

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


• Construction: _____

• Operation: _____

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

• Construction: _____

• Operation: _____

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

Urban Industrial Commercial Residential (suburban) Rural (non-farm)

Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	15.6		
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

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c. Is the project site presently used by members of the community for public recreation? Yes No
 i. If Yes: explain: _____

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

e. Does the project site contain an existing dam? Yes No
 If Yes:
 i. Dimensions of the dam and impoundment:
 • Dam height: _____ feet
 • Dam length: _____ feet
 • Surface area: _____ acres
 • Volume impounded: _____ gallons OR acre-feet
 ii. Dam's existing hazard classification: _____
 iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
 If Yes:
 i. Has the facility been formally closed? Yes No
 • If yes, cite sources/documentation: _____
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
 iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
 If Yes:
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
 If Yes:
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes - Spills Incidents database Provide DEC ID number(s): _____
 Yes - Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____
 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): _____
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

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

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

E.2. Natural Resources On or Near Project Site

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

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

c. Predominant soil type(s) present on project site: _____ %
 _____ %
 _____ %

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

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

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

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

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

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

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

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

If Yes:

i. Name of aquifer: _____



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m. Identify the predominant wildlife species that occupy or use the project site: Deer Rabbit

n. Does the project site contain a designated significant natural community? Yes No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): _____

ii. Source(s) of description or evaluation: _____

iii. Extent of community/habitat:

- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No

If Yes:

i. Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No

If Yes:

i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No

If yes, give a brief description of how the proposed action may affect that use: _____

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

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No

If Yes, provide county plus district name/number: SCHE001

b. Are agricultural lands consisting of highly productive soils present? Yes No

i. If Yes: acreage(s) on project site? _____

ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No

If Yes:

i. Nature of the natural landmark: Biological Community Geological Feature

ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No

If Yes:

i. CEA name: _____

ii. Basis for designation: _____

iii. Designating agency and date: _____



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

If Yes:

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

ii. Name: Liddle, Thomas, Farm Complex

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No

If Yes:

i. Identify the name of the river and its designation: _____

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

F. Additional Information

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

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

G. Verification

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

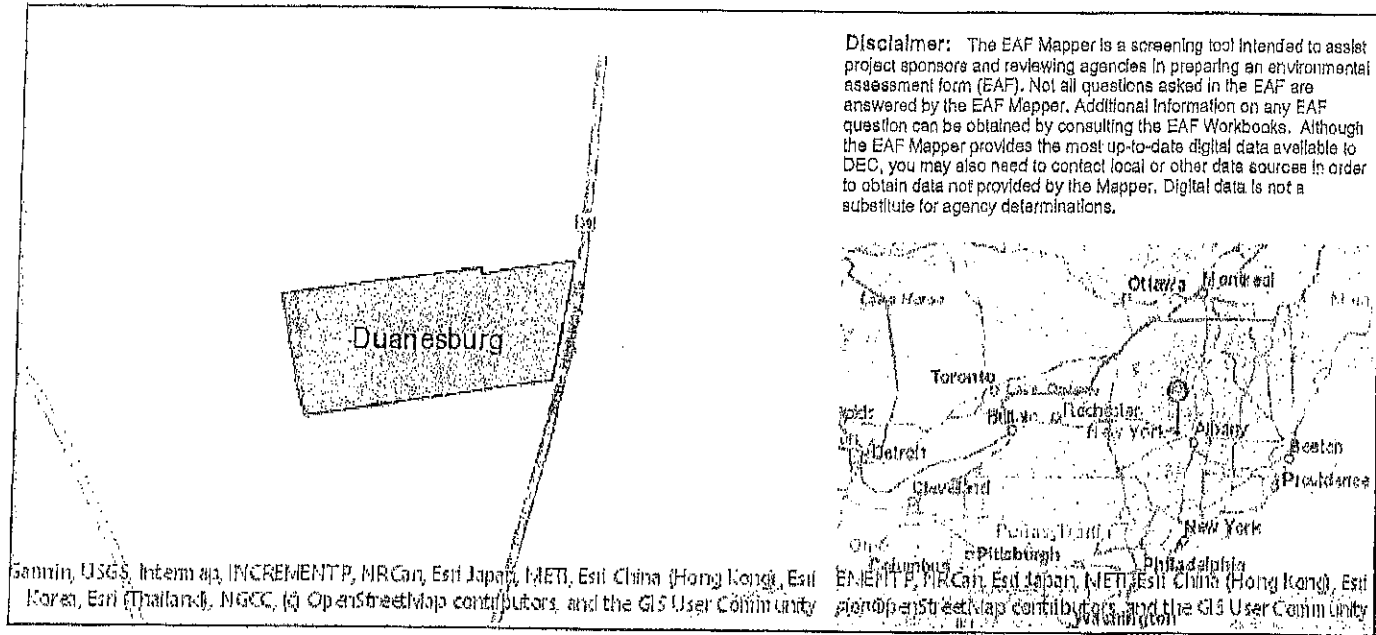
Applicant/Sponsor Name Joseph D. Sisson Sr Date 9-7-21

Signature  Title 9-7-21

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Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

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

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E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	SCHE001
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Liddle, Thomas, Farm Complex
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

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

Agency Use Only (If applicable)
Project: <u>Slisson Major Subdivision</u>
Date: <u>9/9/21</u>

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

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

Tips for completing Part 2:

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

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

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2. Impact on Geological Features
 The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part I, E.2.g) NO YES
If "Yes", answer questions a - c. If "No", move on to Section 3.

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

3. Impacts on Surface Water
 The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part I, D.2, E.2.h) NO YES
If "Yes", answer questions a - l. If "No", move on to Section 4.

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

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I. Other impacts: _____	<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater
 The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. NO YES
 (See Part I, D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)
 If "Yes", answer questions a - h. If "No", move on to Section 5.

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

5. Impact on Flooding
 The proposed action may result in development on lands subject to flooding. NO YES
 (See Part I, E.2)
 If "Yes", answer questions a - g. If "No", move on to Section 6.

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

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

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

NO

YES

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

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

7. Impact on Plants and Animals

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

NO

YES

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

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

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

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

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9. Impact on Aesthetic Resources
 The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part I. E.1.a, E.1.b, E.3.h.)
If "Yes", answer questions a - g. If "No", go to Section 10.

NO YES

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

10. Impact on Historic and Archeological Resources
 The proposed action may occur in or adjacent to a historic or archaeological resource. (Part I. E.3.e, f. and g.)
If "Yes", answer questions a - e. If "No", go to Section 11.

NO YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: Liddle, Thomas, Farm Complex	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

11. Impact on Open Space and Recreation NO YES

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.)
If "Yes", answer questions a - e. If "No", go to Section 12.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b, E2h, E2m, E2o, E2n, E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c, E1c, E2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas NO YES

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)
If "Yes", answer questions a - c. If "No", go to Section 13.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

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13. Impact on Transportation
 The proposed action may result in a change to existing transportation systems. NO YES
 (See Part 1, D.2.j)
If "Yes", answer questions a - f. If "No", go to Section 14.

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

14. Impact on Energy
 The proposed action may cause an increase in the use of any form of energy. NO YES
 (See Part 1, D.2.k)
If "Yes", answer questions a - e. If "No", go to Section 15.

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

15. Impact on Noise, Odor, and Light
 The proposed action may result in an increase in noise, odors, or outdoor lighting. NO YES
 (See Part 1, D.2.m., n., and o.)
If "Yes", answer questions a - f. If "No", go to Section 16.

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

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

16. Impact on Human Health

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

NO

YES

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

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

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17. Consistency with Community Plans NO YES

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

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

18. Consistency with Community Character NO YES

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

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

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Project: Slason Major Subdivision

Date: 8/9/21

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

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

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

Reasons Supporting This Determination:

To complete this section:

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

The Slason Major Subdivision project has been reviewed and evaluated for environmental impacts in accordance with SEQRA, including completion of Parts 1, 2, and 3 of the Full Environmental Assessment Form. On Part 2 "Identification of Potential Project Impacts", none of the potential project impacts have been identified as "Moderate to Large" for the proposed Major Subdivision located on Tax Map number 52.00-1-41 a 15 acre parcel to be divided into 3 lots. Lot 2A consists of 5.25 Acres, Lot 2B consists of 5.95 acre "Flag Lot", and Lot 2C consisting of 4.51 acres. The Proposed Major Subdivision is consistent with the Town Comprehensive Plan; and, the Town Zoning Ordinance. The Parcel is not located in an Environmental Sensitive Area, or a Hazardous Waste Remediation Site, and not within the 100 - Year Flood Plain.

The anticipation of 3 single family dwellings to be constructed over a period of time, the project will require private wells to be drilled and private Septic Systems installed requiring a permit from the Schenectady County Health Department. The total area of disturbance is anticipated to be less than one acre. Any construction will require appropriate stormwater controls prior to any construction activities. The action will not result in any impacts to agricultural resources as the property is not actively farmed with row crops. Any construction would take place outside of any wet areas as there may be Federally regulated wetlands. The proposed action will have no impact or any adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway. The proposed action should not create a hazard to environmental resources or human health, or rare, threatened or endangered species. There are no known Archaeological sites. The project is consistent with existing community character with no aesthetic impacts anticipated. The proposed action will have little to no impact or increase in the use of energy.

The parcel is located on the National or State Register of Historic Places once part of the Liddle, Thomas Farm Complex.

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

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Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: Type 1 Unlisted

Identify portions of EAF completed for this Project: Part 1 Part 2 Part 3

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

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

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

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

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

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

Name of Action: Sisson Major Subdivision

Name of Lead Agency: Town of Duaneburg Planning Board

Name of Responsible Officer in Lead Agency: Jeffrey Schmitt

Title of Responsible Officer: Planning Board Chairman

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer) Dale Warner

Date:

9/9/21

For Further Information:

Contact Person: Melissa Deffer

Address: 5853 Western Turnpike, Duaneburg NY 12056

Telephone Number: 518-895-2040

E-mail: mdeffer@duaneburg.net

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

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

Other involved agencies (if any)

Applicant (if any)

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

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APPLICATION FOR THE PLANNING BOARD Revised 06/02/2020 -MD
 TOWN OF DUANESBURG
 *******FOR OFFICE USE ONLY*******

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 (1a) |
| <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 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 platted and labeled to scale. | <input checked="" type="checkbox"/> Short or long EAF www.dec.ny.gov/efmappoe/ |
| <input checked="" type="checkbox"/> School District/Fire District | <input type="checkbox"/> Street pattern: Traffic study needed? |
| <input checked="" type="checkbox"/> Green area/ landscaping | <input type="checkbox"/> All property Mergers REQUIRE both owners Signatures on the Application |
| <input checked="" type="checkbox"/> Existing watercourses, wetlands, etc. | Additional Requirements for Special Use Application: |
| <input checked="" type="checkbox"/> Contour Lines (increments of 10ft.) | <input checked="" type="checkbox"/> New or existing building |
| <input checked="" type="checkbox"/> Easements & Right of ways | <input checked="" type="checkbox"/> <u>Business Plan, Hours of operation, & number of employees,</u> |
| <input checked="" type="checkbox"/> Abutting Properties Wells/ Sewer Systems within 100ft. | <u>floor plan, uses, lighting plan/ landscaping/signage</u> |
| <input checked="" type="checkbox"/> Well/ Water system | <u>Parking, Handicap Spaces, & lighting plan</u> |

Date November 4, 2021

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

Section 3.2 of Subdivision Ordinance.

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


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

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

LANDS CONVEYED TO (REQUIRED FOR MERGERS)

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

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

 Date November 4, 2021
 Signature of Owner(S) and/or Applicant(S)

ALL APPLICATION FEES ARE NON-REFUNDABLE!

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

Approved Disapproved Refer to Code Enforcement Section _____ of _____ Ordinance

Planning Commission Comments: _____

 Planning Chairperson Date Code Enforcement Date

TOWN OF DUANESBURG

Application# _____

Agricultural Data Statement

Date: _____

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

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

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

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

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



Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by: _____
Dale R. Warner

Date

Revised 6/30/08

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

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

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

Part 1 - Project and Sponsor Information			
Name of Action or Project: 696 Gage Road Subdivision			
Project Location (describe, and attach a location map): 696 Gage Road			
Brief Description of Proposed Action: Subdivide 16.34± acre parcel into two residential lots.			
Name of Applicant or Sponsor: Richard E. Kirker, Jr.		Telephone: 618-859-7775	
Address: 6 Independence Trail		E-Mail: e130jarhed@gmail.com	
City/PO: Ballston Spa		State: NY	Zip Code: 12020
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" 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 checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		16.34 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		_____ acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

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

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

Shoreline Forest Agricultural/grasslands Early mid-successional

Wetland Urban Suburban

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

Northern Long-eared Bat

	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

If Yes,

a. Will storm water discharges flow to adjacent properties?

	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

	NO	YES
	<input type="checkbox"/>	<input type="checkbox"/>

If Yes, briefly describe:

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

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

	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

If Yes, describe:

	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

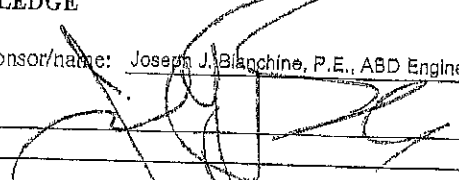
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?

If Yes, describe:

	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

Applicant/sponsor/name: Joseph J. Blanchine, P.E., ABD Engineers, LLP Date: October 4, 2021

Signature:  Title: Professional Engineer

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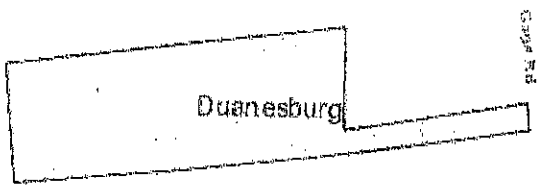
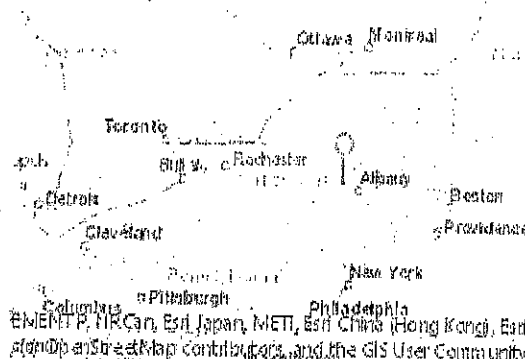
 **ORIGINAL**

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EAF Mapper Summary Report

Friday, October 1, 2021 3:43 PM

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

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

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

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

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

Part 2 is to be completed by the Lead Agency.

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

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

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SEA 2019

Project: **Kirker Minor Subdivision**

Date: **10/27/21**

Short Environmental Assessment Form Part 3 Determination of Significance

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

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

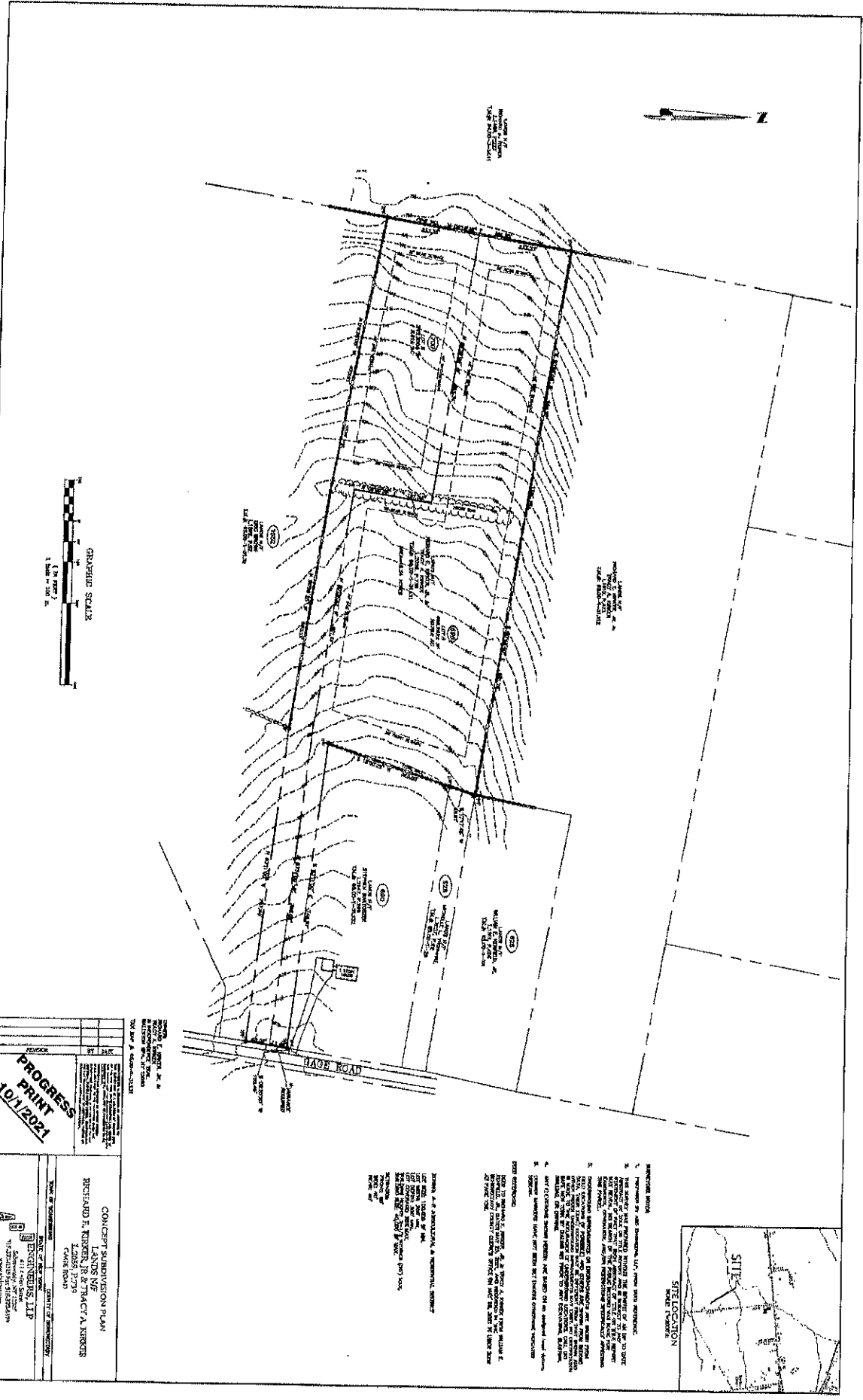
Therefore, based on this information, the Planning Board has determined that the proposed Minor Subdivision will not have any significant adverse impacts on the environment and a Negative Declaration is made for the purposes of Article 8 of the Environmental Conservation Law.

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

PRINT FORM

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GRAPHIC SCALE
1" = 100'
1" = 200'

PROGRESS PRINT
10/1/2024

CONCEPT SUBDIVISION PLAN
LANDS VIE
RICHARD E. KIRKNER, JR. & TRACY A. KIRKNER
L2024 2779

STATE OF MISSISSIPPI
COUNTY OF WASHINGTON

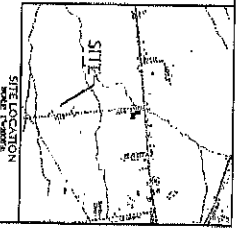
ENGINEERS, LLP
5411 14th Street
Jackson, Mississippi 39208
www.kirchner.com

DATE: 10/1/2024
SCALE: 1" = 100'
SHEET: 1 OF 1

THIS PLAN IS THE PROPERTY OF THE ENGINEER AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER.

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1. THE ENGINEER HAS CONDUCTED A VISUAL INSPECTION OF THE SITE AND HAS FOUND THAT THE SITE IS SUITABLE FOR THE PROPOSED DEVELOPMENT.
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APPLICATION FOR THE PLANNING BOARD TOWN OF DUANESBURG FOR OFFICE USE ONLY

Revised 06/02/2020 -MD

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CHECKLIST OF REQUIRED INFORMATION:

- Checklist of required information including Title of drawing, Tax Map ID #, Zoning district, Current/Original Deed, NYS Survey, North Arrow, Boundaries of the property, School District/Fire District, Green area/landscaping, Existing watercourses, Contour Lines, Easements & Right of ways, Abutting Properties Wells/Sewer Systems, Well/Water system, Septic system, Sewer System, Basic SWPPP, Full Storm Water Control Plan, Other (Building Set Backs), Storm Water Control Plan, Short or long EAF, Street pattern, All property Mergers, Additional Requirements for Special Use Application.

Form containing application details: Date 11/08/21, Application type: Minor Subdy, Proposal: Subdivide 39 ac. into two parcels, Present Owner: Est. of Glenn W. Armstrong, Address: 125 Browns Ln, Corstoken, NY, Phone #: (518) 210-3245, Applicants Name: Same, Location of Property: Same, Tax Map #: 44-1-12, Zoning District: R-2, Signature of Owner, LANDS CONVEYED TO, I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT, Signature of Owner(S) and/or Applicant(S), ALL APPLICATION FEES ARE NON-REFUNDABLE!, Application fee paid, Reviewed By, Date, Approved/Disapproved, Planning Commission Comments, Planning Chairperson, Date, Code Enforcement, Date.

TOWN OF DUANESEBURG

Application# _____

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NOV 08 2021

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.



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Applicant	Owner if Different from Applicant
Name: _____ Address: _____ _____	Name: _____ _____

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

- Location of project; Address: _____

Tax Map Number (TMP) _____

- Is this parcel within an Agricultural District? YES NO (Check with your local assessor if you do not know.)
- If YES, Agricultural District Number 50
- Is this parcel actively farmed? YES NO
- List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

# 45 NAME: <u>Baule</u> ADDRESS: _____ Is this parcel actively farmed? YES NO	# 49 NAME: <u>Chandler</u> ADDRESS: _____ Is this parcel actively farmed? YES NO
# 50 NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES NO	# 53 NAME: <u>Cribbs</u> ADDRESS: _____ Is this parcel actively farmed? YES NO

Signature of Applicant

Ronan L. Adams, Executive of the State of New York
Agriculture
 dotloop verified
 11/09/21 5:30 PM EST
 XXHS-8HLY-N985-AM44

Signature of Owner (if other than applicant)

11/9/2021

Reviewed by: _____

Date R. Warner

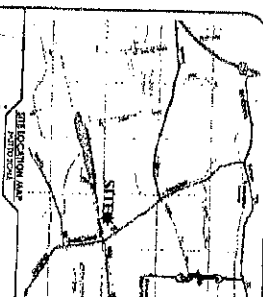
Date

Revised 4/4/17

FARM NOTE

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

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



NOTE:

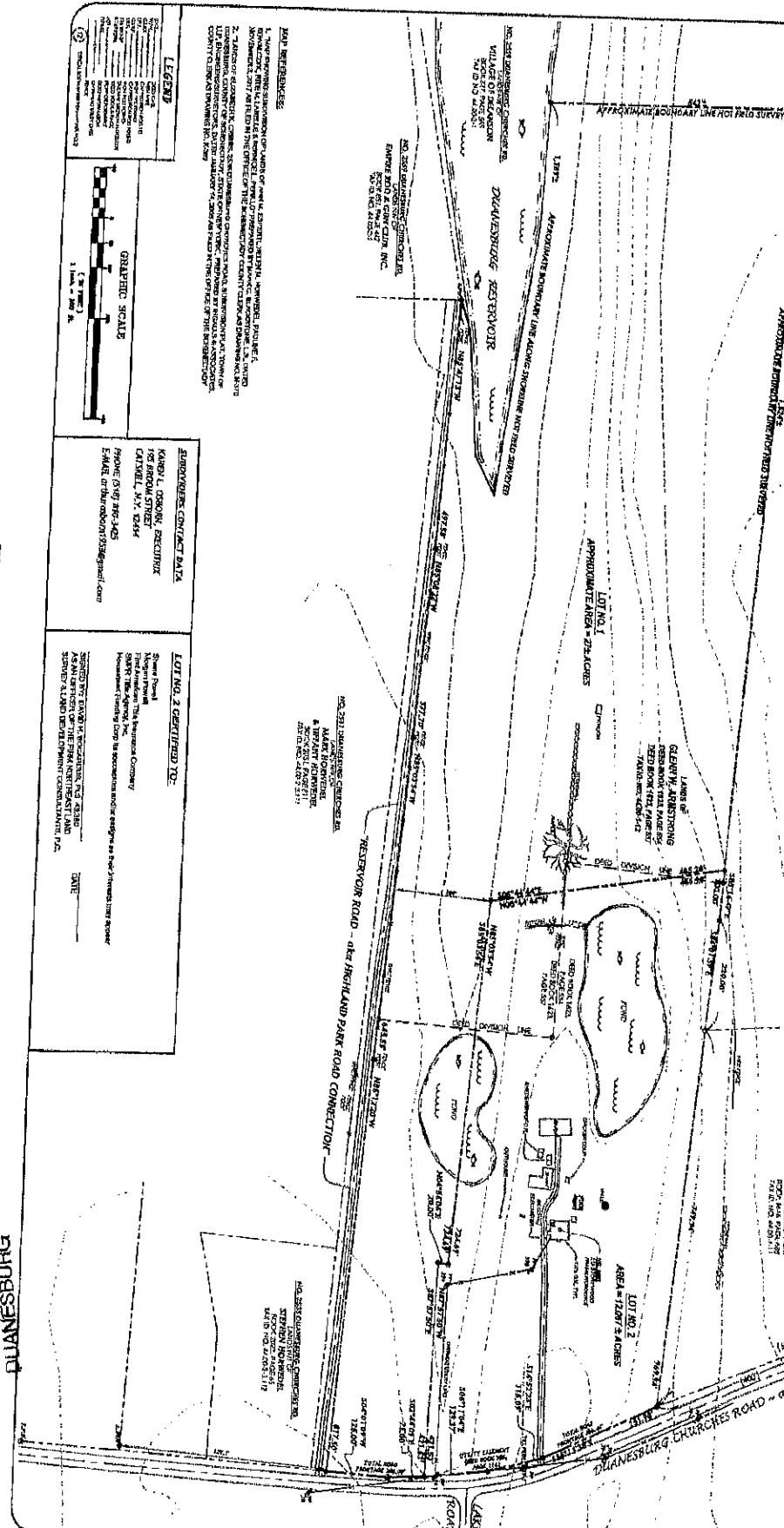
1. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE TOWN OF DUANEBURG AND HAS FOUND NO RECORDS OF ANY PREVIOUS SURVEYS OF THIS AREA.
2. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE TOWN OF DUANEBURG AND HAS FOUND NO RECORDS OF ANY PREVIOUS SURVEYS OF THIS AREA.
3. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE TOWN OF DUANEBURG AND HAS FOUND NO RECORDS OF ANY PREVIOUS SURVEYS OF THIS AREA.
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NOTE:

7. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE TOWN OF DUANEBURG AND HAS FOUND NO RECORDS OF ANY PREVIOUS SURVEYS OF THIS AREA.
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NOTE:

13. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE TOWN OF DUANEBURG AND HAS FOUND NO RECORDS OF ANY PREVIOUS SURVEYS OF THIS AREA.
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18. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE TOWN OF DUANEBURG AND HAS FOUND NO RECORDS OF ANY PREVIOUS SURVEYS OF THIS AREA.



LEGEND

1. 1/4" = 100' SCALE

2. 1/4" = 100' SCALE

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18. 1/4" = 100' SCALE

19. 1/4" = 100' SCALE

20. 1/4" = 100' SCALE

ADJACENT OWNERS CONTACT DATA

ROBERT L. DORR, EXECUTIVE
100 PEARSON STREET
CHATELAIN, N.Y. 12514
PHONE: (518) 396-3465
EMAIL: rdor@duaneburgny.com

LOT NO. 2 CERTIFIED TO:

Shirley Powell
Margaret Powell
The Historical Company
100 PEARSON STREET
CHATELAIN, N.Y. 12514
PHONE: (518) 396-3465
EMAIL: rdor@duaneburgny.com

NEARBY OWNERS CONTACT DATA

GLENN W. ARMSTRONG
100 PEARSON STREET
CHATELAIN, N.Y. 12514
PHONE: (518) 396-3465
EMAIL: rdor@duaneburgny.com

MARK W. ARMSTRONG
100 PEARSON STREET
CHATELAIN, N.Y. 12514
PHONE: (518) 396-3465
EMAIL: rdor@duaneburgny.com

PROPERTY INFORMATION

LOT NO. 1 AREA: 23.40 ACRES

LOT NO. 2 AREA: 17.29 ACRES

TOTAL AREA: 40.69 ACRES

APPROXIMATE AREA: 23.40 ACRES

APPROXIMATE AREA: 17.29 ACRES

PRINT DATE 11/12/2021

NORTHEAST LAND SURVEY & LAND DEVELOPMENT CONSULTANTS, P.C.
P.O. BOX 4140, MALTA, NY 12548, PH: (518) 682-7233 FAX: (518) 682-7240
WWW.NORTHEASTLANDSURVEY.COM

SURVEY AND SUBDIVISION OF A PORTION OF THE LOTS OF THE ESTATE OF GLENN W. ARMSTRONG
DEED BOOK 111, PAGE 557
TAX ID: 100-100-100-100
NO. 100-100-100-100
MUNICIPALITY OF DUANEBURG, CHATELAIN, NEW YORK

SHEET 1 OF 1

ORIGINAL

NOV 08 2021

NOV 09 2021

REVISOR

Northeast Land Survey

From: Northeast Land Survey [Northeast@nelandsurvey.com]

Sent: Monday, November 08, 2021 2:59 PM

To: 'tbakner@woh.com'

Subject: 21-084 Proposed Subdivision Lands of Armstrong

Good afternoon Teresa Bakner,

Attached hereto is the subdivision plan revised per our discussion at the planning board meeting. The map now depicts the approximate boundary line location between the Village of Delanson and Armstrong. It conforms to the language recited in deed book 1623 page 557. Per your comments I will send copies to the planning board in advance of the November 18 meeting. Please advise.

Best regards,
David H. Bogardus, PLS
Northeast Land Survey



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NOV 08 2021

11/9/2021

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

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ENTERED ON: 10/5/21
BY: DW

CHECKLIST OF REQUIRED INFORMATION:

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

- Septic system: Soil Investigation completed?
- Sewer System: Which district?
- Basic SWPPP (1±)
- Full Storm Water Control Plan (More than an acre)
- Other (Building Set Backs) **F 40' S 80' N**
- Storm Water Control Plan
- Short or long EAF www.dec.ny.gov/eafmapper/
- Street pattern: Traffic study needed?
- All property Mergers **REQUIRE** both owners Signatures on the Application

Additional Requirements for Special Use Application:

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

Date Oct 5, 2021

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

Section 3.4 of subdivision Ordinance.

Present Owner: Sergei Tazin (AS APPEARS ON DEED!!)
Address: 750 Rickard Hill Rd Schoharie Zip code: 12157
Phone # (required) 845-520-0417

Applicants Name (if different): Irina Tazin Phone# (required) 845-520-0417
Location of Property (if different from owners) _____
Tax Map # 52.00-1-2612 Zoning District R-2

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

LANDS CONVEYED TO (REQUIRED FOR MERGERS) _____

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

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

[Signature] Date Oct 5, 2021
Signature of Owner(S) and/or Applicant(S)

ALL APPLICATION FEES ARE NON-REFUNDABLE!

Application fees paid: 75.00 Check# 228 (For office use only)
Reviewed By DW Date 10/5/21

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.

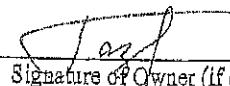
Applicant	Owner if Different from Applicant
Name: <u>Irina Tazin</u>	Name: <u>Sergei Tazin</u>
Address: <u>750 Richard Hill Rd</u> <u>Schoharie, NY 12157</u>	<u>750 Richard Hill Rd</u> <u>Schoharie, NY 12157</u>

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

- Location of project; Address: Rte 30 Esperance, NY
Tax Map Number (TMP) # 62
- 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># 70 Waddell</u>	NAME: <u># 67 Easton</u>
ADDRESS: _____	ADDRESS: _____
Is this parcel actively farmed? YES NO	Is this parcel actively farmed? YES NO
NAME: <u># 62 Pohl</u>	NAME: <u># 66 Easton</u>
ADDRESS: _____	ADDRESS: _____
Is this parcel actively farmed? YES NO	Is this parcel actively farmed? YES NO


Signature of Applicant


Signature of Owner (if other than applicant)

Reviewed by: Dale R. Warner Date: 10/5/21

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.

AUG 27 2021



ORIGINAL

TOWN OF DUANESBURG

APPLICATION FOR SITE/ SKETCH DEVELOPMENT PLAN APPROVAL

Preliminary Date: _____ Final Date: _____
(Check appropriate box)

Name of proposed development Subdivision of remaining "Lands of Sergei Tazin"
53±33 Acres

Applicant:	(Sergei's)	Plans Prepared by:
Name <u>Irina Tazin (wife)</u>		Name <u>Jason / Raymond Koch</u>
Address <u>750 Rickard Hill Rd</u>		Address <u>133 Mohawk Ave</u>
<u>Schoharie, NY 12157</u>		<u>Scotia, NY 12302</u>
Telephone <u>845-520-0417</u>		Telephone <u>518-398-0989</u>

Owner (if different):	(if more than one owner, provide information for each)
Name <u>Sergei Tazin</u>	
Address <u>750 Rickard Hill Road</u>	
<u>Schoharie, NY 12157</u>	
Telephone <u>845-520-0417</u>	

Ownership intentions, i.e., purchase options Minor subdivision with lot adjustment is necessary so neighbor John H. Orlop may purchase 11.10± Acres land surrounding his house/3 Acre lot.

Location of site Northern side of NYS Rte 30 with remaining 53.33± Acres.

Section 52 Block 00-1 Lot 20, 17

Current zoning classification R 2

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

Proposed use(s) of site

Total site area (square feet or acres) _____

Anticipated construction time N/A

Will development be phased? N/A

*Full Environmental Assessment Form
Part 1 - Project and Setting*

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Subdivision of lands of Tazin to be conveyed to Orlop		
Project Location (describe, and attach a general location map): A 52.07± acres vacant parcel on the west side of State Highway 30 known as Tax ID: 52.00-1-20.12		
Brief Description of Proposed Action (include purpose or need): Vacant lands of Tazin known as Tax No.52.00-1-20.12 proposed to subdivide 10.80± acres portion of the Southern end and convey it to J.H. & E.A. Orlop as a new lot for Intensions undetermined at this time.		
Name of Applicant/Sponsor: Sergel & Irina Tazin	Telephone: 845-520-0417	
	E-Mail: irinatazin@gmail.com	
Address: 19 York Drive		
City/PO: New City	State: New York	Zip Code: 10956
Project Contact (if not same as sponsor; give name and title/role):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Sergel Tazin	Telephone: 845-825-7463	
	E-Mail: sergel_tazin@yahoo.com	
Address: 19 York Drive		
City/PO: New City	State: New York	Zip Code: 10956

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission		
c. City, Town or <input type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input type="checkbox"/> Yes <input type="checkbox"/> No	
<ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part I 	
C.2. Adopted land use plans.	
a. Do any municipally-adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input type="checkbox"/> Yes <input type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, identify the plan(s):	
NYS Heritage Areas: Mohawk Valley Heritage Corridor	

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, identify the plan(s):	

C.3. Zoning

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

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

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

C.4. Existing community services.

a. In what school district is the project site located? Dunesburg

b. What police or other public protection forces serve the project site?
Sherlock County Sheriff

c. Which fire protection and emergency medical services serve the project site?
Esperance Fire Dept.

d. What parks serve the project site?
N/A

D. Project Details

D.1. Proposed and Potential Development

b. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?
agricultural

b. a. Total acreage of the site of the proposed action? 52.07 acres
 b. Total acreage to be physically disturbed? 0 acres
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? Yes No
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
 If Yes,
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
agricultural
 ii. Is a cluster/conservation layout proposed? Yes No
 iii. Number of lots proposed? 2
 iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No
 i. If No, anticipated period of construction: 0 months
 ii. If Yes:
 • Total number of phases anticipated _____
 • Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
 • Anticipated completion date of final phase _____ month _____ year
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

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

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

i. Purpose of the impoundment: _____

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

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

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

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

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

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) Yes No
 If Yes:

i. What is the purpose of the excavation or dredging? _____

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

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

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

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

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

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

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

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

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

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

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

Will not affect

iii. Will the proposed action cause or result in disturbance to bottom sediments?

Yes No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?

Yes No

If Yes:

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

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water?

Yes No

If Yes:

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

ii. Will the proposed action obtain water from an existing public water supply?

Yes No

If Yes:

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

iii. Will line extension within an existing district be necessary to supply the project?

Yes No

If Yes:

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

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

Yes No

If Yes:

- Applicant/sponsor for new district: _____
 - Date application submitted or anticipated: _____
 - Proposed source(s) of supply for new district: _____
- v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

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

d. Will the proposed action generate liquid wastes?

Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities?

Yes No

If Yes:

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

• Do existing sewer lines serve the project site? Yes No
 • Will a line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____
 v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

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

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
 ii. Describe types of new point sources. _____

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

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

 • Will stormwater runoff flow to adjacent properties? Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No
 f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

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

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

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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

If Yes:

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

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

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

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

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

If Yes:

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

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

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

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

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

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

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

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:
 i. Provide details including sources, time of day and duration:

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

n. Will the proposed action have outdoor lighting? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

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

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No
 If Yes:
 i. Product(s) to be stored _____
 ii. Volume(s) _____ per unit time _____ (e.g., month, year)
 iii. Generally, describe the proposed storage facilities:

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

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

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No
 If Yes:
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:
 • Construction: _____ tons per _____ (unit of time)
 • Operation: _____ tons per _____ (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: _____
 • Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: _____
 • Operation: _____

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

Urban Industrial Commercial Residential (suburban) Rural (non-farm)

Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
 i. If Yes, explain: _____

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

e. Does the project site contain an existing dam? Yes No
 If Yes:
 i. Dimensions of the dam and impoundment:
 • Dam height: _____ feet
 • Dam length: _____ feet
 • Surface area: _____ acres
 • Volume impounded: _____ gallons OR acre-feet
 ii. Dam's existing hazard classification: _____
 iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
 If Yes:
 i. Has the facility been formally closed? Yes No
 • If yes, cite sources/documentation: _____
 ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
 iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
 If Yes:
 i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
 If Yes:
 i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes - Spills Incidents database Provide DEC ID number(s): _____
 Yes - Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
 ii. If site has been subject of RCRA corrective activities, describe control measures: _____
 iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
 If yes, provide DEC ID number(s): _____
 iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

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

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

E.2. Natural Resources On or Near Project Site

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

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

c. Predominant soil type(s) present on project site: _____ %
 _____ %
 _____ %

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

e. Drainage status of project site soils: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 879-11 Classification C
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

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

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

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

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

i. Name of aquifer: Principal Aquifer

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

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
 If Yes:
 i. Species and listing (endangered or threatened): _____
 Northern Long-eared Bat

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No
 If Yes:
 i. Species and listing: _____

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

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

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: SCH001 68

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

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

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

<p>e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District</p> <p>ii. Name: <u>Avery Farmhouse</u></p> <p>iii. Brief description of attributes on which listing is based: _____</p>	
<p>f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>g. Have additional archaeological or historic site(s) or resources been identified on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe possible resource(s): _____</p> <p>ii. Basis for identification: _____</p>	
<p>h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Identify resource: _____</p> <p>ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____</p> <p>iii. Distance between project and resource: _____ miles.</p>	
<p>i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program of NYCRR 666? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Identify the name of the river and its designation: _____</p> <p>ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	

F. Additional Information

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

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

G. Verification

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

Applicant/Sponsor Name _____ Date _____

Signature _____ Title _____

PRINT FORM

#21-21

CHECKLIST OF REQUIRED INFORMATION:

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

- Septic system: Soil investigation completed?
- Sewer System: Which district?
- Basic SWPPP (1±)
- Full Storm Water Control Plan (More than an acre)
- Other (Building Set Backs)
- Storm Water Control Plan
- Short or long EAF www.dec.ny.gov/eafmapper/
- Street pattern: Traffic study needed?
- All property Mergers **REQUIRE** both owners Signatures on the Application

Additional Requirements for Special Use Application:

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

Date _____

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

Section _____ of _____ Ordinance. Local Law #1 of 2021

Present Owner: Josiah + Chelsea Smith (AS APPEARS ON DEED!!)

Address: 2496 McConville Rd Zip code: 12131

Phone # (required) 518 852 5378

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

Location of Property (if different from owners) 216 Butler St.

Tax Map # 35.05-1-19.2 Zoning District R-1

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 of Owner(S) and/or Applicant(S) _____ Date _____

ALL APPLICATION FEES ARE NON-REFUNDABLE!

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

Approved Disapproved Refer to Code Enforcement Section _____ of _____ Ordinance

Planning Commission Comments: _____

Planning Chairperson

Date

Code Enforcement

Date

NOTICE OF DETERMINATION
of the Town of Duaneburg

Date of Determination 11/12/24

Application of Joseph + Christine Smith under section
_____ of the (Village of Delanson/ Town of Duaneburg)
Zoning Ordinance, Local Law #1 2021

Applicant Joseph + Christine Smith
Address 8496 Marquette Rd

Phone 518 852-5378 Zoning District R-1 SBL# 35.05.1-19.2

Description of
Project: Commercial Event Venue using barn + parcel
for Weddings + Parties etc.

Determination:
Special Use permit

Reason supporting determination:
Local Law #1 2021 Commercial Event Venues

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

Code Enforcement Officer: Dale Nelson

Agricultural Data Statement

Date: 8/23/21

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>Joseph Scyth</u> Address: <u>8496 Marianne Rd</u> <u>Pattersonville NY 12137</u>	Name: _____ _____ _____

- Type of Application: Special Use Permit Site Plan Approval; Use Variance; Area Variance; Subdivision Approval (circle one or more)
- Description of proposed project:
Commercial event venue
- Location of project; Address: 216 Butler St Pattersonville NY 12137
Tax Map Number (TMP) 35-05-1-19.2
- Is this parcel within an Agricultural District? YES NO (Check with your local assessor if you do not know.)
- If YES, Agricultural District Number _____
- Is this parcel actively farmed? YES NO
- List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

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

[Signature] Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by: [Signature] Date 11/3/21

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.

35.05-1-19.2



November 12, 2021

polygonLayer

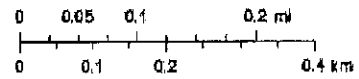
█ Override 1

Parcels

█ Override 1

Parcels

1:8,426



Source: Esri, Mapbox, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

No Author
This map and information is provided as is. We make no warranties or guarantees, expressed or implied. The user assumes all data and responsibility for determining whether this map is suitable for purposes intended. The data is deemed reliable but not guaranteed.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

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

Part 1 – Project and Sponsor Information			
Name of Action or Project: <div style="text-align: center; font-size: 1.2em;">Serth's Wedding Barn</div>			
Project Location (describe, and attach a location map): <div style="text-align: center; font-size: 1.2em;">216 Batter St. Pattersonville NY 12137</div>			
Brief Description of Proposed Action: <div style="text-align: center; font-size: 1.2em;">We are planning on utilizing the barn and existing property with respect to commercial event venues.</div>			
Name of Applicant or Sponsor: <div style="text-align: center; font-size: 1.2em;">Joseph Serth</div>		Telephone: 518-852-5378	
		E-Mail: cmvski@aol.com	
Address: <div style="text-align: center; font-size: 1.2em;">8496 Mariaville Rd</div>			
City/PO: <div style="text-align: center; font-size: 1.2em;">Pattersonville</div>		State: <div style="text-align: center; font-size: 1.2em;">NY</div>	Zip Code: <div style="text-align: center; font-size: 1.2em;">12137</div>
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 checked="" 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 checked="" type="checkbox"/>	YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		<u>6.7</u> acres	
b. Total acreage to be physically disturbed?		<u>0</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>6.7</u> acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

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

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

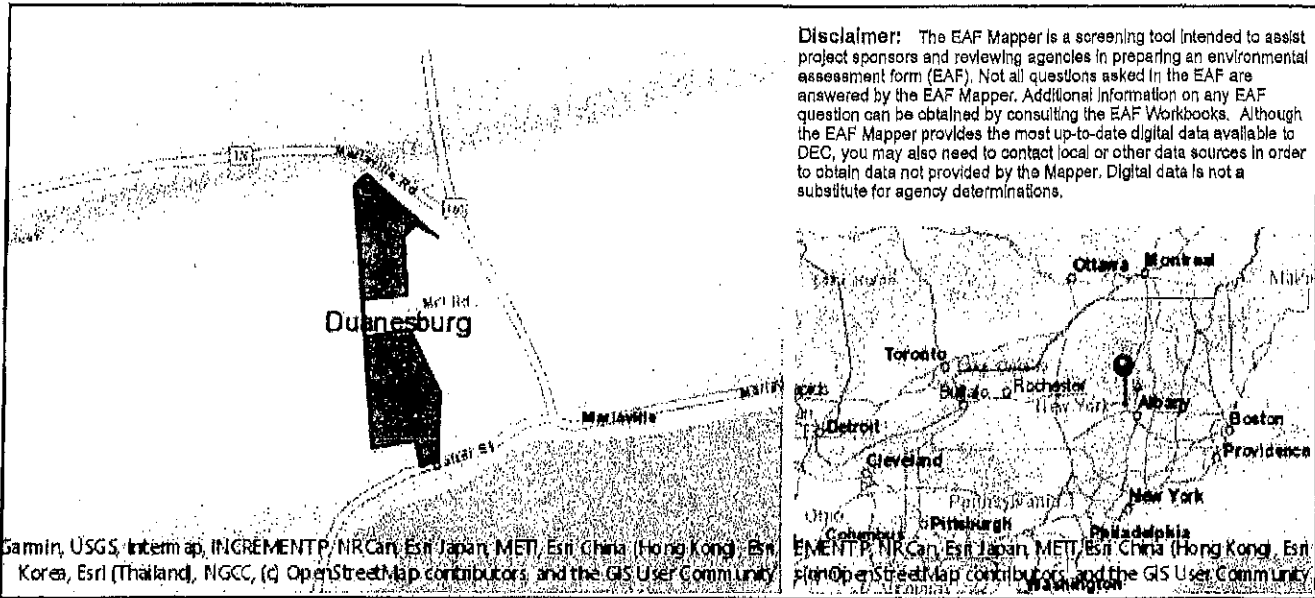
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

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

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Joseph Serth</u>	Date: <u>8/23/21</u>	
Signature: <u>[Signature]</u>	Title: <u>Owner</u>	

PRINT FORM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

Applicants Assistance List

NYS Historic Preservation Office

Ruth Pierpont
Deputy Commissioner/Deputy SHPO
New York State Division for Historic
Preservation
NYS Office of Parks, Recreation & Historic
Preservation
Peebles Island State Park
P.O. Box 189
Waterford, NY 12188-0189

NYS Department of Transportation

NYS Department of Transportation
Region 1
c/o Regional Director
328 State Street
Schenectady, New York 12305

NYS Department of Environmental Conservation

NYS Department of Environmental
Conservation
Region 4
c/o Regional Permit Administrator
1130 North Westcott Road
Schenectady, New York 12306

NYS Dept of Army Corp

Department of the Army New York District,
Corps of Engineers
Albany Field Office
Attn: Andrew Dangler
1 Bond Street
Troy, NY 12180

Schenectady County Health Department

Schenectady County Health
Attn: Andrew Suflija
107 Nott Terrace, Suite 306
Schaffer Heights
Schenectady, NY 12308
(518) 386-2818

Schenectady County Dept of Public works

Paul Sheldon, P.E.
Director of Engineering
Schenectady County DPW
100 Keller Ave
Schenectady, NY 12306
(518) 356-5344

Town of Duanesburg Highway Dept

Duanesburg Highway Dept.
Attn: William Reed
5799 Western Turnpike
Duanesburg, NY 12056
(518) 895-2772

Village of Delanson

Village of Delanson
Attn: Gayle Gifford
1797 Main St.
Delanson, NY 12053

TOWN OF DUANESBURG LOCAL LAW NO. 1 OF 2021

A LOCAL LAW AMENDING THE TOWN OF DUANESBURG ZONING ORDINANCE
WITH RESPECT TO COMMERCIAL EVENT VENUES

BE IT ENACTED by the Town Board of the Town of Duanesburg in the County of Schenectady as follows:

Section 1. Title of the Local Law.

This local law shall be entitled "A Local Law Amending the Town of Duanesburg Zoning Ordinance with Respect to Commercial Event Venues."

Section 2. Authorization.

This local law is enacted pursuant to the Municipal Home Rule Law and Article 16 of the Town Law of the State of New York.

Section 3. Purpose.

The purpose of this local law is to allow within the Town of Duanesburg in all but the L-2 District, the conversion and use of existing structures for temporary events such as weddings, anniversaries, graduation parties, and other similar occasions on a commercial basis. The Town Zoning Ordinance currently addresses mass gatherings but does not address smaller commercial events that may be held in existing structures and/or tents, including Bed and Breakfasts, Agricultural Barns or other accessory structures. Use of Fire Halls, Churches and other buildings already rated for public assemblies for such events is not in any way restricted by the adoption of these regulations which pertain to commercial temporary events. Use of homes and properties on a non-commercial basis for such events is also exempted from the requirements of this local law. For purposes of commercial event venues in the L-1 District, the intent is to allow such events in conjunction with approved Bed and Breakfast uses only.

Where an existing structure is going to be used for commercial events the goal is to balance the impacts of such events on the surrounding neighbors and to ensure that the events are carefully regulated to address impacts related to noise, property maintenance, traffic, public health, welfare and safety.

Section 4. Zoning Ordinance Amendment

The Zoning Ordinance is amended to reflect and include the following:

§ 1-1 Applicability.

- A. This section shall apply to the conversion of existing structures, including temporary tents, for the holding of temporary events such as weddings, anniversaries, graduation parties and the like in all zoning districts in the Town, with the exception of the L-2 District.
- B. With regard to the L-1 District, such events shall only be permitted in conjunction with approved Bend and Breakfast uses only.
- C. This section shall not apply to a facility that has been granted a special use permit to hold mass gatherings as defined under the Town Zoning Code.
- D. This section shall not prohibit the Planning Board from approving a special use permit for a project in any district, except the L-2 District, where the only access to the property is through the L-1 or L-2 District.

§ 1-2 Definitions.

- A. For purposes of this local law, the term "commercial" shall mean any use related to doing business or for business purposes.

§ 1-3 Standards.

- A. The Planning Board may grant a special use permit to allow the conversion of existing structures, including temporary tents, for the holding of temporary events such as weddings, anniversaries, graduation parties and the like, pursuant to 1-1., provided that the Planning Board finds that all of the following conditions and standards have been met for the conversion of each existing structure for such purposes and that the structure/event venue:
 1. Will comply with applicable legal requirements, will be consistent with the purposes of the district in which it is located and has been given due consideration by the Planning Board.
 2. Will not result in off-premises noise, dust, odors, solid waste nor lighting.
 3. Will not cause significant traffic congestion, will provide adequate parking, will not impair pedestrian safety, will not adversely impact emergency services accessibility or overload existing roads, considering their current width, surfacing, condition and any proposed improvements made to them by the applicant.
 4. Will be suitable for the proposed action considering the property's size, location, topography, vegetation, soils, natural habitat, hydrology, and its ability to be buffered or screened from neighboring properties and public roads.

§ 1-4 Decision.

The Planning Board may approve the application, approve it subject to modifications, or disapprove the application.

- A. Decision. Any decision by the Planning Board to grant or deny a special use permit shall include either a negative declaration of environmental significance or a written SEQRA findings statement consistent with the requirements of SEQRA. The decision shall contain a statement of its findings regarding the appropriateness of the use so authorized and the conditions required in the special use permit, or its reasons for denial. In granting any approval, the Planning Board shall impose any conditions that may be necessary to ensure that the proposed use will be compatible with its surroundings.
- B. Quantity of Events. The number of events that can be held at a location may be limited at the discretion of the Planning Board depending upon the facts and circumstances of the application.
- C. The Planning Board shall attach to the special use permit such conditions and restrictions as are deemed necessary. Upon its granting of said special use permit, any such conditions must be met by the Applicant prior to the issuance of any permits by the Building Inspector and throughout the operation of the event venue. The special use permit for events may be reviewed at the discretion of the Planning Board on a yearly basis.

§ 2 Event Venue.

§ 2-1 Use Standards.

An event venue must demonstrate compliance with the following standards in addition to the special use standards in § 1-3.

- A. The event venue shall be located on a site with a minimum of five acres, unless the venue includes a permitted bed and breakfast or hotel/motel type facility.
- B. The site of the event venue shall have at least two means of egress, at least one of which is adequate for emergency vehicles, as determined by the Planning Board in consultation with emergency responders based on its width, length, surface and ability to support the gross vehicle axle weight of emergency vehicles.
- C. The maximum number of attendees at the event venue shall be 200.
- D. The applicant shall demonstrate either that all required parking can be accommodated on-site or that sufficient off-site parking areas are under the control of the event operator and shuttle vehicles shall be used by the operator of the event venue for such off-site parking areas. All off-site parking areas shall be reviewed by the Planning Board and are subject to the standards herein.
- E. The applicant shall also submit a traffic study showing that the roadways around, entering and leaving the event venue have sufficient capacity and are safe to accommodate the event venue including event attendees and support employee vehicles as well as emergency vehicles.
- F. All events shall be provided with adequate potable water and sanitary facilities as required by the Planning Board, Building Inspector and/or the NYS Department of Health.
- G. The Planning Board shall require appropriate buffers between the event venue and off-site parking, if any, and adjoining properties, given the size of parcel, the natural topography and vegetative cover.

- H. The event will not make, continue, cause, or permit, unreasonably intrusive noise. Standards to be considered in determining whether an unreasonably intrusive noise exists include, but are not limited to, the following:
- a. The volume of the noise.
 - b. The frequency of the noise.
 - c. The time of day of the noise.
 - d. The proximity to any residential, educational, medical, or religious facility.
 - e. The duration of the noise.
- I. Maximum Sound Levels.
- a. Events may only take place between the hours of 9:00 AM to 10:00 PM, except where otherwise specified by the Planning Board.
 - b. At no time may the maximum sound level exceed 70 decibels measured at any of the property boundaries or at the closest residential receptor, as determined by the Planning Board.
 - c. The measurement of any sound or noise shall be made with a sound-level meter using the A-weighted scale and slow response, except for sounds or noises which occur in single or multiple bursts with a duration of less than one second, for which fast response shall be used.
- J. Seating for events may occur outdoors, under a fabric structure temporarily constructed on the property, or in an event structure meeting the standards in § 2-3 below.
- K. Locations for proposed temporary fabric structures must be included on the site plan. All buildings and structures, including fabric structures, to be used as part of the event venue shall, where required, obtain a certificate of occupancy for their intended uses, including an event structure meeting the standards in § 2-3 below.
- L. The Planning Board shall determine the permitted hours of operation of an event venue. Events shall commence no earlier than 9:00 AM and shall terminate no later than 10:00 PM. The Planning Board shall also have the power to modify the commencement and termination times for a particular site based upon the specifics of the application before it as long as the modifications do not impact the health, safety and welfare of the neighborhood and the surrounding community. For purposes of this section, "termination" shall mean the termination of food, drinks, service and entertainment, with the understanding that attendees and servers will need a reasonable amount of time after termination to exit the premises. A generic event management plan shall be prepared and submitted to the Planning Board for review and approval as part of the special use permit review. The plan shall include provisions for traffic and parking management, hours of operation, noise abatement, sanitary facilities and maximum number of guests. The plan shall also include a list of contacts for emergency situations to be used by the guests and shall be provided at each event along with the legal name and address of an emergency contact person at the site shall also be provided.
- M. The Applicant shall provide to the Town a certificate of insurance evidencing coverage in a commercially reasonable amount for the event venue naming the Town as additional insured. Such certificate of insurance shall be provided to the Town Clerk on an annual basis by January 1 of each year or the special use permit will be revoked. An annual

certification of compliance with the terms and conditions of the special use permit shall be provided to the Town by the Applicant.

§ 2-3. Event Structures.

Event venues may utilize new structures or former residential, agricultural or accessory structures as a place of public assembly, such as a barn, house or garage, provided the following criteria are satisfied:

- A. The use of any structure for events shall be permitted only after the issuance of a building permit and a certificate of occupancy for public assembly by the Town's Building Inspector.
- B. The applicant shall provide the Building Inspector with a plan prepared by a registered licensed design professional to improve the structure to be used for events to enable the structure to obtain a certificate of occupancy for an assembly area, where none exists. A copy of the plan shall also be submitted to the Planning Board as part of special use permit and site plan review.
- C. The occupancy of the event structure shall not exceed occupancy load and exiting provisions of the New York State Uniform Code and those occupancy load limits shall be posted at the premises by the Town's Building Inspector.

§ 2-4. Special Use Permit.

- A. The special use permit and site plan for an event venue must include:
 1. The maximum number of attendees permitted during any event, but in no event greater than 200 attendees.
 2. The hours of operation of the special event venue and whether amplified sound is permitted either outside or inside or both.
 3. Any other conditions on operation, design and layout reasonably necessary to ensure compatibility with surrounding uses and to protect the natural, historic and scenic resources of the Town.
 4. Items in Subsection A(1) through (3) above shall be determined by the Planning Board based on the size of the parcel, location, topography, parking, proximity of neighbors, emergency access and the ability of existing and proposed buffers to provide sound attenuation and visual screening.
 5. This permit is allowed in all districts except the L-2. In the L-1 District such events are allowed by special permit only at a Bed and Breakfast that has received all necessary approvals from the Town to operate in the Town.
 6. Trash and other debris shall be stored in containers with lids. Any blowing trash shall not accumulate on any neighboring properties and all trash generated from the event must be removed no later than noon on the day following the event.
- B. Once a special use permit has been granted to permit an event venue at a particular site, individual events may be held at the site without further review by the Planning Board as

long as such events are compliant with § 2-1 and with all the conditions of the special use permit and other approvals issued by the Town.

Section 5. Supersession.

Pursuant to the powers granted by the Municipal Home Rule, this Local Law supersedes all provisions of the Town of Duanesburg Town Code, in so far as such statutes are inconsistent with this Local Law and any other laws or regulations of the Town of Duanesburg are superseded to the extent necessary to give this Local Law full force and effect. All other provisions shall remain the same.

Section 6. Severability.

Each separate provision of this Local Law shall be deemed independent of all other provisions therein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

Section 7. Effective Date.

This Local Law shall take effect immediately upon filing in the office of the New York Secretary of State in accordance with Municipal Home Rule Law § 27.

State Environmental Quality Review Act (SEQRA)
A Local Law Amending the Town of Duanesburg Zoning Ordinance With Respect to
Commercial Event Venues

Support for Determination of Significance
Town of Duanesburg, County of Schenectady, New York
August 12, 2021

The proposed action consists of passing a local law to allow, within the Town of Duanesburg, in all but the L-2 District, the conversion and use of existing structures for temporary events such as weddings, anniversaries, graduation parties, and other similar occasions on a commercial basis. The Town Zoning Ordinance currently addresses mass gatherings but does not address smaller commercial events that may be held in structures and/or tents, including Bed and Breakfasts, Agricultural Barns, or other accessory structures. Use of Fire Halls, Churches and other buildings already rated for public assemblies for such events is not in any way restricted by the adoption of these regulations which pertain to commercial temporary events. Use of homes and properties on a non-commercial basis for such events is also exempted from the requirements of this local law. For purposes of commercial event venues in the L-1 District, the intent is to allow such events in conjunction with approved Bed and Breakfast uses only. Where a structure is going to be used for commercial events the goal is to balance the impacts of such events on the surrounding neighbors and to ensure that the events are carefully regulated to address impacts related to noise, property maintenance, traffic, public health, welfare, and safety.

The Town of Duanesburg has classified the action as Type I action.

The Town has given due consideration as to whether the local law would potentially have a significant adverse impact on the environment. Amending the zoning ordinance will not have a significant adverse impact on the environment and will not exceed any of the criteria for determining significance found in 6 NYCRR § 617.7(c), described below:

- i. a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- ii. the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;
- iii. the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to subdivision 617.14(g) of this Part;
- iv. the creation of a material conflict with a community's current plans or goals as officially approved or adopted;

COPY

**A LOCAL LAW AMENDING THE TOWN OF DUANESBURG ZONING ORDINANCE
WITH RESPECT TO COMMERCIAL EVENT VENUES**

BE IT ENACTED by the Town Board of the Town of Duanesburg in the County of Schenectady as follows:

Section 1. Title of the Local Law.

This local law shall be entitled "A Local Law Amending the Town of Duanesburg Zoning Ordinance with Respect to Commercial Event Venues."

Section 2. Authorization.

This local law is enacted pursuant to the Municipal Home Rule Law and Article 16 of the Town Law of the State of New York.

Section 3. Purpose.

The purpose of this local law is to allow within the Town of Duanesburg in all but the L-2 District, the conversion and use of existing structures for temporary events such as weddings, anniversaries, graduation parties, and other similar occasions on a commercial basis. The Town Zoning Ordinance currently addresses mass gatherings but does not address smaller commercial events that may be held in existing structures and/or tents, including Bed and Breakfasts, Agricultural Barns or other accessory structures. Use of Fire Halls, Churches and other buildings already rated for public assemblies for such events is not in any way restricted by the adoption of these regulations which pertain to commercial temporary events. Use of homes and properties on a non-commercial basis for such events is also exempted from the requirements of this local law. For purposes of commercial event venues in the L-1 District, the intent is to allow such events in conjunction with approved Bed and Breakfast uses only.

Where an existing structure is going to be used for commercial events the goal is to balance the impacts of such events on the surrounding neighbors and to ensure that the events are carefully regulated to address impacts related to noise, property maintenance, traffic, public health, welfare and safety.

Section 4. Zoning Ordinance Amendment

The Zoning Ordinance is amended to reflect and include the following:

- A. Decision. Any decision by the Planning Board to grant or deny a special use permit shall include either a negative declaration of environmental significance or a written SEQRA findings statement consistent with the requirements of SEQRA. The decision shall contain a statement of its findings regarding the appropriateness of the use so authorized and the conditions required in the special use permit, or its reasons for denial. In granting any approval, the Planning Board shall impose any conditions that may be necessary to ensure that the proposed use will be compatible with its surroundings.
- B. Quantity of Events. The number of events that can be held at a location may be limited at the discretion of the Planning Board depending upon the facts and circumstances of the application.
- C. The Planning Board shall attach to the special use permit such conditions and restrictions as are deemed necessary. Upon its granting of said special use permit, any such conditions must be met by the Applicant prior to the issuance of any permits by the Building Inspector and throughout the operation of the event venue. The special use permit for events may be reviewed at the discretion of the Planning Board on a yearly basis.

§ 2 Event Venue.

§ 2-1 Use Standards.

An event venue must demonstrate compliance with the following standards in addition to the special use standards in § 1-3.

- A. The event venue shall be located on a site with a minimum of five acres, unless the venue includes a permitted bed and breakfast or hotel/motel type facility.
- B. The site of the event venue shall have at least two means of egress, at least one of which is adequate for emergency vehicles, as determined by the Planning Board in consultation with emergency responders based on its width, length, surface and ability to support the gross vehicle axle weight of emergency vehicles.
- C. The maximum number of attendees at the event venue shall be 200.
- D. The applicant shall demonstrate either that all required parking can be accommodated on-site or that sufficient off-site parking areas are under the control of the event operator and shuttle vehicles shall be used by the operator of the event venue for such off-site parking areas. All off-site parking areas shall be reviewed by the Planning Board and are subject to the standards herein.
- E. The applicant shall also submit a traffic study showing that the roadways around, entering and leaving the event venue have sufficient capacity and are safe to accommodate the event venue including event attendees and support employee vehicles as well as emergency vehicles.
- F. All events shall be provided with adequate potable water and sanitary facilities as required by the Planning Board, Building Inspector and/or the NYS Department of Health.
- G. The Planning Board shall require appropriate buffers between the event venue and off-site parking, if any, and adjoining properties, given the size of parcel, the natural topography and vegetative cover.

certification of compliance with the terms and conditions of the special use permit shall be provided to the Town by the Applicant.

§ 2-3. Event Structures.

Event venues may utilize new structures or former residential, agricultural or accessory structures as a place of public assembly, such as a barn, house or garage, provided the following criteria are satisfied:

- A. The use of any structure for events shall be permitted only after the issuance of a building permit and a certificate of occupancy for public assembly by the Town's Building Inspector.
- B. The applicant shall provide the Building Inspector with a plan prepared by a registered licensed design professional to improve the structure to be used for events to enable the structure to obtain a certificate of occupancy for an assembly area, where none exists. A copy of the plan shall also be submitted to the Planning Board as part of special use permit and site plan review.
- C. The occupancy of the event structure shall not exceed occupancy load and exiting provisions of the New York State Uniform Code and those occupancy load limits shall be posted at the premises by the Town's Building Inspector.

§ 2-4. Special Use Permit.

- A. The special use permit and site plan for an event venue must include:
 1. The maximum number of attendees permitted during any event, but in no event greater than 200 attendees.
 2. The hours of operation of the special event venue and whether amplified sound is permitted either outside or inside or both.
 3. Any other conditions on operation, design and layout reasonably necessary to ensure compatibility with surrounding uses and to protect the natural, historic and scenic resources of the Town.
 4. Items in Subsection A(1) through (3) above shall be determined by the Planning Board based on the size of the parcel, location, topography, parking, proximity of neighbors, emergency access and the ability of existing and proposed buffers to provide sound attenuation and visual screening.
 5. This permit is allowed in all districts except the L-2. In the L-1 District such events are allowed by special permit only at a Bed and Breakfast that has received all necessary approvals from the Town to operate in the Town.
 6. Trash and other debris shall be stored in containers with lids. Any blowing trash shall not accumulate on any neighboring properties and all trash generated from the event must be removed no later than noon on the day following the event.
- B. Once a special use permit has been granted to permit an event venue at a particular site, individual events may be held at the site without further review by the Planning Board as