

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



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

**Town of Duanesburg
Planning Board Agenda
June 19, 2025**

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

The Town of Duanesburg offers Planning Board Meetings via zoom if you are unable to attend the meeting in person. Please be advised this is for viewing purposes only:

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

Topic: Town of Duanesburg's Planning Board Zoom Meeting

Time: This is a recurring meeting Meet anytime

Join Zoom Meeting

Meeting ID: 858 7403 2498

Passcode: 848175

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

Meeting ID: 858 7403 2498

Passcode: 848175

INTRODUCTION BY CHAIRPERSON JEFFERY SCHMITT

OPEN FORUM

Comments:

PUBLIC HEARINGS: NONE.

OLD BUSINESS:

#24-21 VZW – Duanesburg ES: SBL#76.00-1-12.311 located at 822 Chadwick Road is seeking a special use permit needed for a proposed cell tower. Under local law #4 of 2001 “Telecommunications Facilities Law” of The Town of Duanesburg Zoning Ordinance.

Comments:

Approved: Yes _____ No _____

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



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

#25-07 Red Fox Orchard: SBL# 64.00-1-1.1 located at 11338 Western Tpke is seeking a special use permit needed for a retail business with an existing building under The Town of Duanesburg Zoning Ordinance section 11.4(24) "uses permitted by special use permit, retail business."

Comments:

Approved: Yes _____ **No** _____

#25-05 Dawson, Ashley: SBL# 26.00-2-19.2 located on Mariaville Scotch Road is seeking a minor 2 lot subdivision needed to make 1 parcel into 2 parcels. Under The Town of Duanesburg Zoning Ordinance section 3.4 "minor subdivision" and a special use permit needed to construct 2, 2-unit town houses. Under The Town of Duanesburg Zoning Ordinance section 8.4(8) "dwelling, two-family."

SKETCH PLAN REVIEW:

#25-10 James, John Jr: SBL# 76.00-1-12.311 located on Chadwick Rd (R-2) is seeking a major 3 lot subdivision. Under The Town of Duanesburg Subdivision Ordinance section 3.5 "major subdivision."

Comments:

Approved: Yes _____ **No** _____

NEW BUSINESS:

#25-11 Proctor, Deanna: SBL# 68.00-3-30.41 located at 1928 Western Turnpike (C-1) is seeking a lot line adjustment to create a driveway for a land locked parcel. Under The Town of Duanesburg Subdivision Ordinance section 4.

Comments:

Approved: Yes _____ **No** _____

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



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

#25-13 Deforest, Jonathan: SBL# 67.04-1-2.1 located at 606 North Mansion Road (R-2) is seeking a lot line adjustment to transfer 3 acres from 184 Duanesburg Road under The Town of Duanesburg subdivision ordinance section 4.

Comments:

Approved: Yes _____ **No** _____

#25-12 McHugh, Kevin: SBL# 64.00-1-35 located on Route 30, Lot 3 (C-1) is seeking a special use permit to construct a single-family dwelling in a commercial district. Under The Town of Duanesburg section 11.4 (10)

Comments:

Approved: Yes _____ **No** _____

#25-14 Page, Sarah: SBL# 64.00-1-38 located on Route 30, Lot 6 (C-1) is seeking a special use permit to construct a single-family dwelling in a commercial district. Under The Town of Duanesburg section 11.4 (10)

Comments:

Approved: Yes _____ **No** _____

#25-15 Page, Sarah: SBL# 64.00-1-37 located on Route 30, Lot 5 (C-1) is seeking a special use permit to construct a single-family dwelling in a commercial district. Under The Town of Duanesburg section 11.4 (10)

Comments:

Approved: Yes _____ **No** _____

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



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

Other:

Joseph Serth – Religious Institution

Minute Approval:

May 15, 2025, PLANNING BOARD MEETING MINUTES:

Comments:

Approved: Yes _____ No _____

ADJOURNMENT: NEXT MEETING WILL BE HELD JULY 17, 2025

TOWN OF DUANESBURG ZONING BOARD OF APPEALS

RESOLUTION OF USE VARIANCE APPROVAL

Pursuant to the Rosenberg Public Utility Standard

TELECOMMUNICATIONS FACILITY AT

CHADWICK ROAD, TOWN OF DUANESBURG, SCHENECTADY COUNTY

FOR

CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS

Nature of Application

Cellco Partnership d/b/a Verizon Wireless (referred to herein as the "Applicant") applied for issuance of a Special Use Permit, Site Plan Review and a Rosenberg Use Variance to construct a 120± ft. (124 ft. when including the 4 ft. lightning rod) monopole telecommunications tower facility located off Chadwick Road ("Property").

Property Involved

The Property affected by this resolution is shown on the Tax Map of the Town of Duanesburg as parcel number 76.-1-12.311 and is owned by John E. James, Jr.

Zoning District

The property is located in the R-2 Zoning District in the Town of Duanesburg.

Application/Plans

The original Application included the following materials:

- Completed Town of Duanesburg Variance Application, Planning Board Application, and Agricultural Data Statement (located in Ag District SCHE001);
- Full Environmental Assessment Form;
- Redacted Land Lease with the owner of the property;
- Documentation of the Rosenberg standard;
- Information regarding the Telecommunications Act of 1996;
- Verizon Wireless' FCC Licenses;
- RF Coverage Plots and Site Selection Analysis;
- RF Safety Report;
- Non-Interference letter;
- Viewshed map;
- FCC TOWAIR determination results;

- Tower Design Letter;
- Collocation and Tower Removal Bond Commitment Letter;
- Noise Analysis and Comparison Letter;
- Zoning Site Plan Drawings.

The detailed Zoning Site Plan, totaling seven sheets, was prepared by Tectonic Engineering & Surveying, with the most recent set of plans dated March 6, 2025. The plans include the following:

- Title Sheet;
- Adjoiners Plan;
- Setback Plan and Bulk Requirements;
- Overall Site Plan;
- Grading Plan;
- Site Detail Plan;
- Elevation & Orientation Plan; and
- Site Details, including Equipment Elevations, all of which provide details of the installation proposed by the Applicant.

After the initial application, the Applicant subsequently held a balloon test on February 24, 2025 and submitted a comprehensive Visual Resource Evaluation dated March 5, 2025.

Review History

DATE OF APPLICATION

The Application was filed with the Town of Duanesburg on November 27, 2024.

PUBLIC REVIEW PROCESS AND HEARING

The Applicant appeared at the December 17, 2024 ZBA meeting and made an initial presentation. The matter was discussed and the ZBA acknowledged that they defer to the Planning Board to be lead agency for SEQR. The ZBA then moved to table the application until SEQR was completed.

The Applicant appeared at the April 15, 2025 ZBA meeting. At that meeting the ZBA and Applicant discussed the balloon fly and visual resource evaluation. Based on the status of the application with the Planning Board, the ZBA determined that the matter was ready for a public hearing. A public hearing was scheduled for May 20, 2025 at 7 PM.

A public hearing on the Application was duly convened on May 20, 2025. At the meeting, the Applicant made a presentation of the details of and need for the project. At the conclusion of the presentation, the ZBA opened up the floor for public comments.

The comments from the public hearing generally included the following questions and concerns: _____

SEQRA

Type of Action:

This matter constitutes an unlisted action under the State Environmental Quality Review Act ("SEQRA").

Lead Agency:

The Town of Planning Board declared itself as lead agency in regard to this action at the Planning Board meeting held on December 19, 2024. The Planning Board conducted a coordinated review with the ZBA and other interested and involved agencies.

Declaration of Significance:

After careful examination of the Application, including, among other things, the Environmental Assessment Form, the detailed Site Plans, the visual resource evaluation and other supporting materials submitted with the Application, the Planning Board found that the Application will not result in any significant adverse environmental impacts and issued a Negative Declaration pursuant to the requirements of SEQRA at the Planning Board meeting held on April 17, 2025.

Findings

Based upon the entire record before it consisting of numerous public meetings, submissions by the Applicant, and receipt of public comment, the Zoning Board of Appeals finds as follows:

1) The Town of Duaneburg Zoning Board of Appeals finds that the Applicant has sustained its burden of proof as required by the Telecommunications Act of 1996 in that it has shown a *public necessity* for the installation of its proposed facility at the site in question and has demonstrated that the Applicant is a public utility company within the meaning of the established New York State law and the Telecommunications Act of 1996.

2) As the applicant is held to the same standards as a public utility, the public utility standard requires the determination of whether (1) the variance is required to render safe and adequate service and (2) there are compelling reasons, economic or otherwise, for needing the variance.

3) The ZBA finds that the Applicant has demonstrated a public necessity for filling a significant coverage gap at the proposed location. The Applicant lacks sufficient coverage and capacity in the vicinity of the proposed tower and has demonstrated the need for RF coverage from the proposed base station facility. This was confirmed by the Applicant's expert proof in the form of submissions from the Applicant's RF design engineer. The Applicant's coverage maps depict areas where coverage issues exist and illustrate the geographic area within which the communications facility needs to be located.

4) The ZBA finds that the Applicant has demonstrated that a facility at the proposed location and at the proposed height will serve to substantially and appropriately remedy the identified gap in coverage. More specifically, there will be improvements along the I-88 corridor, Schoharie Turnpike/Duanesburg Road, Gallupville Road, Chadwick Road, Darby Hill Road, and Bozenkill Road, and several other local area roads, homes & businesses across the Targeted Improvement Area, including Gibby's Diner, Bear's Steakhouse and the Duanesburg High School.

5) The ZBA finds that the Applicant has demonstrated that compelling reasons exist for siting the tower at this location and that no other feasible locations exist for shared usage on existing structures. Further, the Applicant submitted a report and supplemental materials regarding the search by a real estate expert working in the telecommunications field. That report clearly established that there are no existing, viable towers (or other tall structures) that can be used to provide adequate and safe service to the Town of Duanesburg.

6) The real estate materials that were submitted identified that the Applicant evaluated multiple sites for a new tower and for a variety of reasons including designated parkland, proximity to residential properties, lack of adequate setback distances and lack of needed RF coverage, the proposed site is the appropriate location.

7) The proposed site is 123.9 acres in size and heavily wooded. As shown in the visual resource evaluation as recently submitted and based on a balloon fly on notice, the tower has limited visibility. The ZBA acknowledges that there is some minor degree of visibility to a limited number of properties but the views are limited and attenuated by the heavy stand of trees. The visual impact analyses, which demonstrate that the base of the proposed facility will be substantially screened by existing mature vegetation located on the proposed site. Moreover, the visual resource evaluation confirms that the proposed tower facility will not adversely impact any identified federal, state or local visual resources.

8) The Applicant has provided a certified statement from a Radio Frequency Engineer that the proposed antennas and equipment will not interfere with the radio or television service enjoyed by adjacent residential and non-residential properties or with public safety telecommunications.

9) The Applicant has provided evidence that the antennas and equipment will comply with the emission requirements established by the Federal Communications Commission.

10) The ZBA hereby determines that approval of the Rosenberg Use Variance will substantially serve the public convenience, safety and welfare; and will not otherwise be

unduly detrimental to the public health, safety, comfort convenience or welfare, subject to compliance in full with conditions hereinafter.

11) The ZBA finds that the facility will provide collocation opportunities for additional carriers to accommodate future shared use. The Applicant has also submitted a letter confirming it will negotiate in good faith concerning future collocation requests.

12) The ZBA also notes that the generator is exercised once a week during business hours and otherwise only runs if there is an extended power outage. Given the significant distance to nearby residences and the thick intervening tree cover, there is no potential impact from noise.

13) The ZBA finds that telecommunications are an important service to the public and the majority of residents rely on cell phones as their exclusive means of phone service at home. The Verizon Wireless network can provide high speed internet service to homes close to the tower. A majority of 911 calls are made on cell phones which highlights the need for a functioning wireless system. In addition, in some areas, police, fire and ambulances rely on the telecommunications system for navigation, internet and vehicle location.

14) The ZBA notes that the Town has complied with the requirements to refer this matter to Schenectady County Planning, which was made January 14, 2025 and received the referral letter response dated February 22, 2025, which stated "defer to local consideration (no county-wide or inter-community impact).

15) The ZBA notes that the Town has complied with SEQRA and the Planning Board, acting as Lead Agency, issued a Negative Declaration on April 17, 2025.

Resolution of Approval

NOW, THEREFORE, THE ZONING BOARD OF APPEALS RESOLVES to approve this Rosenberg Use Variance Application as said proposal is depicted on the Site Plan submitted, and now refers the approved application to the Planning Board for Site Plan Review and issuance of the Special Use Permit, upon the conditions outlined below.

Conditions

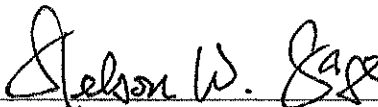
1. No building permit shall issue authorizing construction of structures inconsistent with the Site Plans submitted as part of the Application.
2. In accordance with the County Planning referral response, a highway work permit will be required by the County Department of Engineering and Public Works for access to Chadwick Road.
3. Operations should be maintained in accordance with the Town's zoning code and all other relevant Town codes.
4. Final Special Use Permit approval and issuance of the Special Use Permit by the Town Planning Board.
5. That the use variance that is granted only applies to the proposed tower at the proposed location. The use variance does not extend to the entire property or permit additional towers elsewhere on the property.

Motion Made by: Nelson Gage
Seconded by: Jonathan Lack

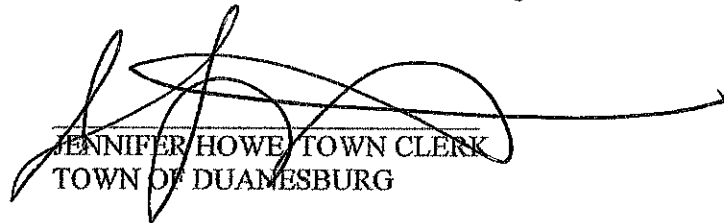
RESULT OF VOTE

In Favor 5 Against 0 Abstain 0 Absent 2

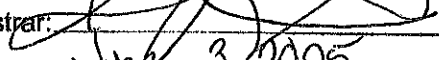
Dated: May 20, 2025

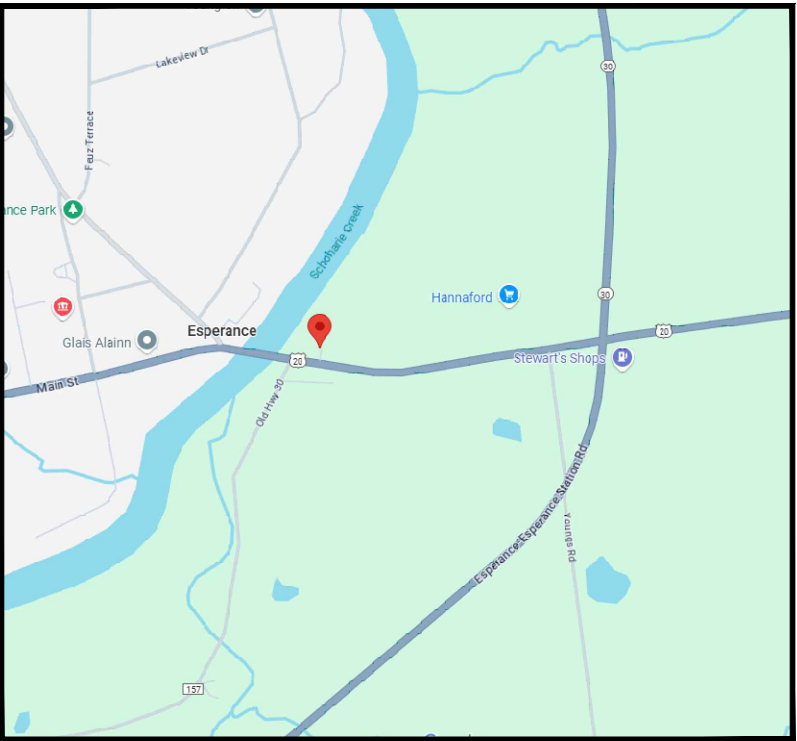
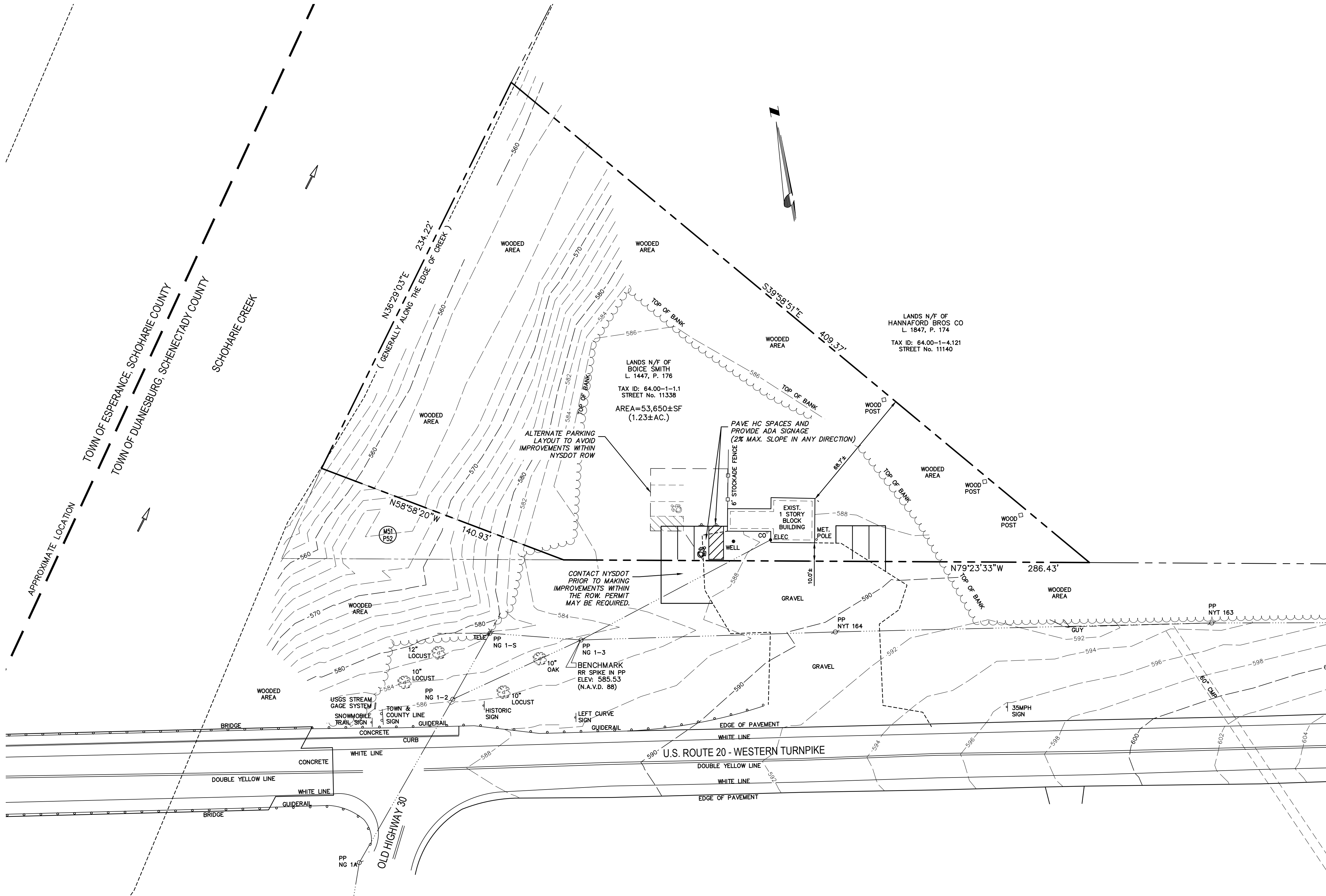

NELSON GAGE, CHAIRPERSON
TOWN OF DUANESBURG
ZONING BOARD OF APPEALS

I, Jennifer Howe, Town Clerk of the Town of Duanesburg, do hereby certify that the foregoing Resolution was filed in the Office of the Town Clerk on June 3, 2025.


JENNIFER HOWE, TOWN CLERK
TOWN OF DUANESBURG

This is to certify that the foregoing
is a true copy of the original record
on file in the office of the Town Clerk,
Duanesburg, New York.

Registrar: 
Date: June 3, 2025



SITE LOCATION MAP

N.T.S.

SURVEY NOTES:

- BOUNDARY EVIDENCE AND PLANIMETRIC INFORMATION SHOWN HEREON WAS COMPILED FROM AN ACTUAL FIELD SURVEY CONDUCTED BY AEG ENGINEERS & SURVEYORS LLP ON FEBRUARY 24, 2025 UNDER SNOW AND ICE COVERED CONDITIONS. SOME FEATURES MAY HAVE BEEN OBSCURED.
- TAX MAP DESIGNATION: 64.00 - 1 - 1.1.
- THE OFFSETS OR DIMENSIONS SHOWN HEREON, FROM PROPERTY LINES TO BUILDINGS ARE FOR BUILDING REFERENCE AND LOCATION AND ARE NOT INTENDED TO MONUMENT THE PROPERTY LINES OR TO GUIDE THE ERECTION OF FENCES, COVENANTS, RESTRICTIONS OR STATE OF FACTS THAT AN UP-TO-DATE ABSTRACT OF TITLE WOULD DISCLOSE.
- SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD.
- NORTH ORIENTATION BASED ON THE MAP REFERENCE.
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN UP-TO-DATE ABSTRACT OF TITLE OR TITLE REPORT AND IS THEREFORE SUBJECT TO ANY EASEMENTS, COVENANTS, RESTRICTIONS OR STATE OF FACTS THAT AN UP-TO-DATE ABSTRACT OF TITLE WOULD DISCLOSE.
- UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON UTILITY EVIDENCE VISIBLE AT GROUND SURFACE AND AVAILABLE RECORD DRAWINGS AND ARE SUBJECT TO FIELD VERIFICATION BY EXCAVATION. UTILITIES SHOWN DO NOT PURPORT TO CONSTITUTE OR REPRESENT ALL UTILITIES THAT MAY EXIST UPON OR ADJACENT TO THE SURVEYED PREMISES.

MAP REFERENCE:

MAP SHOWING SUBDIVISION OF THE LANDS OF VENTURA-DUANESBURG, LLC, TOWN OF DUANESBURG, SCHENECTADY COUNTY, N.Y., DATED MARCH 4, 2011, LAST REVISED MAY 9, 2011, AS PREPARED BY BLACKSTONE LAND SURVEYORS AND FILED IN THE SCHENECTADY COUNTY CLERK'S OFFICE JUNE 15, 2011 AS MAP NO. M-212.

COMMERCIAL DISTRICT
(C-1) ZONING:

MIN LOT SIZE: 100,000 SF (2.3 ACRES)
MIN LOT WIDTH: 200 FEET
MIN LOT DEPTH: 200 FEET
MAX LOT COV: 50%
MAX BLDG. SIZE: 40,000 SF

SETBACKS:
FRONT: 80 FEET
SIDE: 40 FEET
REAR: 80 FEET

BUILDING HEIGHT MAX: 3 STORIES (< 42 FEET)

SCHOOL DISTRICT:

DUANESBURG SCHOOL DISTRICT

FIRE DISTRICT:

FIRE DISTRICT #3

OWNER(UNDER

CONTRACT)

/APPLICANT:

RED FOX ORCHARDS LLC
ATTN: SERGIO AGME
578 TERRACE MOUNTAIN RD.
SCHOHARIE, N.Y. 12157
(518) 578-1080
SERGIO@SERGIOAGME.COM

PROPOSED SITE STATS:

BLDG: 871 SF 1.6% COVERAGE

PAVE/GRAVEL 1,934 SF 3.6% COVERAGE

GREEN SPACE: 50,845 SF 94.8% COVERAGE

TOTAL: 53,650 SF 100.0% COVERAGE

PROPOSED USE:

RETAIL BUSINESS

HOURS OF OPERATION: 7 AM TO 7 PM

NUMBER OF EMPLOYEES: 2

PARKING:

RETAIL BUSINESS

1 SPACE PER 180 SF (871/180 = 4.83)

SPACES REQUIRED: 5 SPACES (6 PROVIDED)

TOWN OF DUANESBURG

SPECIAL USE PERMIT APPLICATION

PROPOSED SITE PLAN

LANDS NOW OR FORMERLY OF

BOICE SMITH

STREET No. 11338 WESTERN TURNPIKE

TOWN OF DUANESBURG COUNTY OF SCHENECTADY

STATE OF NEW YORK

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

DATE: MARCH 4, 2025 SCALE: 1" = 30' DWG. 7137A-SITE-3 SHEET 1 OF 1



ROBERT D. DAVIS, JR., P.L.S.
N.Y.S. LICENSE NO. 51060

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 5-6-25
Case No. D-11-25
Returned 5-13-25

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
Received
Schenectady County

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

MAY 06 2025
Economic Development
and Planning Dept.

PUBLIC HEARING OR MEETING DATE: May 15, 2025

SUBJECT: #25-07 Red Fox Orchard: SBL# 64.00-1-1.1 located at 11338 Western Tpke is seeking a special use permit needed for a retail business with an existing building under The Town of Duanesburg Zoning Ordinance section 11.4(24) " uses permitted by special use permit, retail business."

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: Lindsay Althiser

Title: Planning/Zoning/Building Clerk

Address: 5853 Western Turnpike Duanesburg, NY 12056

E-mail: LAlthiser@duanesburg.net

Phone: (518) 895-2040


Signature

Date: 04/23/2025

RECEIVED

MAY 16 2025

TOWN OF DUANESBURG
TOWN CLERK



PLANNING & ZONING COORDINATION REFERRAL

Case No. D-11-25

Applicant Red Fox Orchard

Referring Officer Lindsay Althiser

Municipality Duanesburg

Considerations: Regarding a 2 acre parcel with a commercial building, requesting a special use permit to operate a roadside stand. Located on the north side of Western Turnpike (US Rt. 20) immediately east of the Schoharie Creek.

RECOMMENDATION

Receipt of zoning referral is acknowledged on May 6, 2025. 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:



Advisory Note:



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.

Date

5/12/25

Ray Gillen, Commissioner
Economic Development and Planning

RECEIVED

MAY 16 2025

TOWN OF DUANESBURG
TOWN CLERK

[illegible]

N.T.S.

TOWN OF DUANESBURG

DATE: FEBRUARY 5, 2025	SCALE: 1" = 30'	DWG. 7086A-SUB6	SHEET OF 1 1
---------------------------	--------------------	--------------------	-----------------

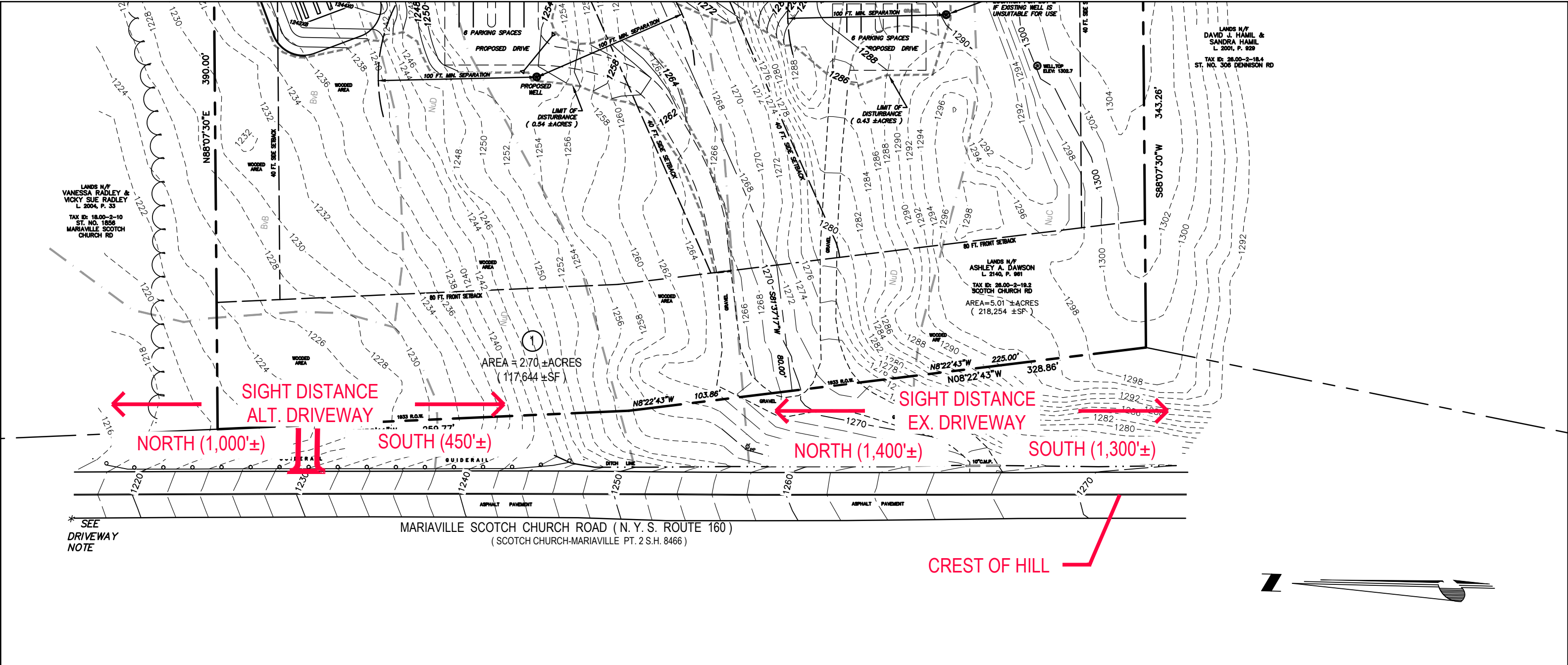
NO. _____

REVISION _____

ROBERT D. DAMS, JR., P.L.S.
N.Y. LICENSE NO. 51060

ROBERT D. DAVIS, JR., P.L.S.
N.Y.S. LICENSE NO. 51080

ROBERT D. DAVIS, JR., P.L.S.
N.Y.S. LICENSE NO. 51080



VERTICAL SIGHT DISTANCE ANALYSIS

LANDS NOW OR FORMERLY OF

ASHLEY A. DAWSON

MARIAVILLE SCOTCH CHURCH ROAD

TOWN OF DUANESBURG	COUNTY OF SCHENECTADY		
STATE OF NEW YORK			
<div><div>ABD</div><div>ENGINEERS SURVEYORS</div><div>411 Union Street Schenectady, N.Y. 12305 518-377-0315 Fax.518-377-0379 www.abdeng.com</div></div>			
DATE: MAY 5, 2025	SCALE: 1" = 60'	DWG. 7086A-SUB5	SHEET OF 1 2



EX. DRIVEWAY LOOKING SOUTH



ALT. DRIVEWAY LOOKING SOUTH



EX. DRIVEWAY LOOKING NORTH



ALT. DRIVEWAY LOOKING NORTH

VERTICAL SIGHT DISTANCE ANALYSIS
LANDS NOW OR FORMERLY OF
ASHLEY A. DAWSON
MARIAVILLE SCOTCH CHURCH ROAD

TOWN OF DUANESBURG

COUNTY OF SCHENECTADY

STATE OF NEW YORK

A

B

D

ENGINEERS

SURVEYORS

411 Union Street
518-377-0315 Fax.518-377-0379
www.abdeng.com

Schenectady, N.Y. 12305

DATE:
MAY 5, 2025

SCALE:
NONE

DWG.
7086A-SUB5

SHEET OF
2 2

**DECLARATION OF CROSS EASEMENT
FOR PERPETUAL USE AND MAINTENANCE
OF COMMON DRIVEWAY**

RECITALS

WHEREAS, Ashley A. Dawson (hereinafter the “Owner”) is the owner of certain premises located in the Town of Duanesburg, Schenectady County, New York known as “Dawson 2-Lot Subdivision” as shown on a map and plat filed in the Schenectady County Clerk’s office at Drawer No._____, Map No._____on _____, 2025 entitled “Dawson 2-Lot Subdivision” dated_____by ABD Engineers and Surveyors (hereinafter the “Map”), and

WHEREAS, said premises contains two separate building lots numbered Lot #1 and Lot #2, wherein access is to be provided by a shared driveway as shown on the Map, a copy of which is attached hereto as Schedule A; and

WHEREAS, the Owner desires to confer upon each lot a perpetual right of ingress and egress over and upon such Easement area to the benefit of each parcel equally;

NOW THEREFORE

Cross Easement

By this document, the Owner hereby creates in perpetuity a right of ingress and egress over and upon the Easement area to inure to and benefit equally each separate Lot numbered #1 and #2 as shown upon the aforementioned Map and Plat.

The responsibility for the costs for all aspects of maintenance of the Easement area, including but not limited the gravel portion within the Easement area and all trees, vegetation and green space areas located within such Easement area, shall be borne by the Lot owner of Lot #1, their successors in interest, heirs, and assigns. The maintenance responsibilities of Lot #1 shall include snow plowing, obstruction removal, necessary repairs, and any and all other actions necessary to allow for non-interrupted vehicular access to Lot #2.

This Cross Easement Agreement for right of ingress and egress and responsibility and duty for cost of maintenance shall run with the land and be binding upon and inure to the individual Lot owners, successors in interest, heirs, and assigns. All deeds for the lots subject to this Declaration shall contain specific reference this Declaration and its filing information

Modification of Agreement

Any modification of this agreement or additional obligation assumed by any record lot owner in connection with this agreement shall only be binding if evidenced in writing signed by both record lot owners.

Dated: _____, 2025

Ashley A. Dawson

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

On this ____ day of _____ 2025, before me, the undersigned, a notary public in and for said state, personally appeared ASHLEY A. DAWSON personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public



TOWN OF DUANESBURG
SCHENECTADY COUNTY

INSTRUCTIONS FOR APPLICATIONS TO THE PLANNING BOARD

- The Planning Board meets the **Third Thursday** of each month at **7:00PM** on the basement floor in the boardroom.
- Each application shall consist of **Nine (9) copies** of the requested information including the maps and the application with Environmental Assessment Form. Please make sure all sides of the copies are made as well as all maps.
- **A PDF copy of all maps is required to be e-mailed to the Planning Board Clerk, Lindsay Althiser at LAlthiser@Duanesburg.net**
- All applications shall be accompanied with the required fee (fees are non-refundable). Without the appropriate fee the application **WILL NOT** be reviewed by the Planning and Zoning Department.
- **COMPLETE** applications must be reviewed and submitted **TEN (10) DAYS** prior to the next meeting in the Planning and Zoning Office (the applications must be submitted no later than 3PM). **Note:** To be placed on the agenda, the Planning and Zoning Department must have reviewed all materials and agreed the application is ready to be heard, if for any reason the agenda is full for that month, the Board reserved the right to postpone your application until the following month.
- The Applicant must appear in person or by a duly designated representative at the hearing or the matter will not be considered. If for any reason you or your representative cannot attend the meeting scheduled, please contact the Planning and Zoning Office prior to the meeting.

Failure to submit required information may result in the delay of your application being considered.

Lindsay Althiser
Planning and Zoning Clerk
Town of Duanesburg
5853 Western Turnpike
Duanesburg NY 12053
518-895-2040

CHECK LIST OF REQUIRED INFORMATION:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Title of drawing | <input checked="" type="checkbox"/> Sewer system: Which district? |
| <input checked="" type="checkbox"/> Tax Map ID# | <input type="checkbox"/> Basic SWPPP (1≥) |
| <input checked="" type="checkbox"/> Zoning District | <input type="checkbox"/> full Storm Water Control Plan (more than an acre) |
| <input checked="" type="checkbox"/> Current Original Deed | <input type="checkbox"/> Storm Water Control Plan |
| <input checked="" type="checkbox"/> NYS Survey (L.S. & P.E.) | <input checked="" type="checkbox"/> Other (Building Set Backs) |
| <input checked="" type="checkbox"/> North Arrow scale (1"=100') | <input checked="" type="checkbox"/> Short or Long EAF - https://giservices.dec.ny.gov/cafmapper/ |
| <input checked="" type="checkbox"/> Boundaries of the property plotted and labeled to scale. | <input type="checkbox"/> Street pattern: Traffic study needed? |
| <input checked="" type="checkbox"/> School District/ Fire District | <input type="checkbox"/> All property Mergers REQUIRE both owner's signatures on the application |
| <input checked="" type="checkbox"/> Green area/ landscaping | <input checked="" type="checkbox"/> Email PDF copies of ALL maps to Planning & Zoning Clerk |
| <input checked="" type="checkbox"/> Existing watercourses, wetlands, etc/ | <u>Additional Requirements for Special Use Application:</u> |
| <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 |
| <input checked="" type="checkbox"/> Abutting properties wells/sewer systems within 100ft. | |
| <input checked="" type="checkbox"/> Well/Water System | |
| <input checked="" type="checkbox"/> Septic system: Soil investigation completed? | |

Application for The Planning Board

TOWN OF DUANESBURG

5853 Western Turnpike, Duanesburg, NY 12056
Building Department 518-895-2040



Date
MM DD YY

Application # 25-10

Application Type: ☐ Major Subdv. ☒ Minor Subdv. ☐ Special Use Permit ☐ Site/ Sketch Plan Review ☐ Lot Line Adjust.

Proposal: separate Two smaller lots From 76.00-1-12.311
FARM LAND

Section _____ of the _____ Ordinance.

Owner (AS APPEARS ON DEED): John E. James Jr.

Address: _____

Phone: _____

Applicant's Name (if different): _____

Location of Property (if different from owners): Chadwick Road,

Zoning District: _____

Phone: 518 265 7519 Tax Map #: 76.00-1-12.311

John E. James Jr.

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

LANDS CONVEYED TO (REQUIRED FOR MERGERS): _____

John E. James Jr.

Signature of receiving Owner(s) if different from Applicant (AS APPEARS ON DEED)

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

Date _____ Signature of Owner(s) and/or Applicant

(For Office Use Only)

ALL APPLICATION FEES ARE NON-REFUNDABLE

Application fee paid: \$ 500.00 ☐ Cash ☒ Check # _____ Date Pd. _____

Reviewed By: _____ Date _____ 20 _____

☐ Approved ☐ Unapproved ☐ Refer to Code Enforcement Section _____ of the _____ Ordinance.

Planning Commission Comments _____

Planning Chairperson

Date _____ 20 _____

Code Enforcement Officer

Date _____ 20 _____

Agriculture Data Statement

TOWN OF DUANESBURG

5853 Western Turnpike, Duaneburg, NY 12056
Building Department 518-895-2040

Application #

Date

MM

DD

YY

Applicant

Owner (if different from Applicant):

Name: John E. James Jr.

Address: 43 Willow Lane
DeLanson, N.Y., 12053

Name: _____

Address: _____

1. Application Type: ☐ Special Use Permit ☒ Site Plan Approval ☐ Use Variance ☐ Area Variance ☐ Subdivision Approval
(check all that apply)

2. Description of proposed project: Single Family House

3. Address of project: _____

Chadwick Rd.

Tax Map #: 76.00-1-12.311

4. Is this parcel within an Agriculture District? ☒ YES ☐ NO (Check with your local assessor if you do not know.)

5. If YES, Agriculture District #: 146

6. Is this parcel actively farmed? ☒ YES ☒ NO

7. List all farm operations within 500ft of your parcel. Attach additional sheet if necessary

hay operation

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

John E. James
Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by: _____

Christopher Parslow

Date

20

Revised 1/14/25

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.

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	525.00'	69.65'	69.60'	S 36°52'39" E	7°36'03"
C2	475.00'	330.12'	323.52'	S 20°46'04" E	39°49'13"

LEGEND

IPS	IRON PIN SET BEING A 5/8" X 34" RE-ROD WITH A YELLOW CAP TAGGED R.D. SNYDER
IPF	IRON PIN FOUND BEING A 5/8" X 34" RE-ROD WITH A YELLOW CAP TAGGED R.D. SNYDER
CL	CENTERLINE
PL	PROPERTY LINE
SW	STONE WALL
UP	UTILITY POLE
BU	BURIED UTILITY
BSL	BUILDING SET BACK LINE
C	CULVERT

MOHAMMAD W. SIDDIQUI
LIBER 2078 PAGE 455
REFERENCE MAP 2
TAX PARCEL #76.-1-12.32

GIUSEPPE AND KRISTEN CASCHERA
LIBER 2057 PAGE 35
REFERENCE MAP 2
TAX PARCEL #76.-1-16

STEVEN H. JOLICOEUR
LIBER 2044 PAGE 283
TAX PARCEL #76.-1-12.112

CHADWICK ROAD
LIBER 369 PAGE 328
REFERENCE MAP 3

HANNAH R. EDGERLY AND AIDAN M. ENDERS
LIBER 2144 PAGE 253
TAX PARCEL #76.-1-12.12

ZACHERY STUART LAWRENCE AND EMILY M. SNYDER
LIBER 2141 PAGE 748
REFERENCE MAP 1
TAX PARCEL #76.-1-12.312

LOT 1
REMAINING LANDS OF
JOHN E. AND CHERYL J. JAMES
LIBER 1856 PAGE 29
TAX PARCEL #76.-1-12.311
+/- 118.5 ACRES

NOTES

A PORTION OF THE LANDS OF JOHN E. AND CHERYL J. JAMES
RECORDED IN LIBER 1856 PAGE 29 TAX PARCEL #76.-1-12.311

9.69 ACRES

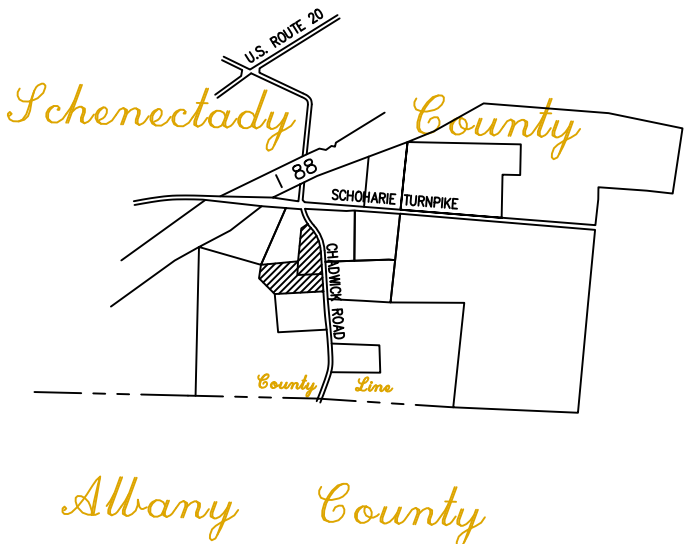
TOGETHER WITH ALL RIGHTS AND PRIVILEGES THAT EXIST
TO THE CENTERLINE OF THE CHADWICK ROAD

REFERENCED MAPS

- 1.) MAP P-153 AT THE SCHENECTADY COUNTY CLERK'S OFFICE
FOR JOHN E. AND CHERYL J. JAMES BY R.D.SNYDER,L.S.,P.C.
DATED 05-17-2021 AND LAST REVISED 09-23-2021
- 2.) MAP P-72 AT THE SCHENECTADY COUNTY CLERK'S OFFICE
FOR JOHN E. AND CHERYL J. JAMES BY R.D.SNYDER,L.S.,P.C.
DATED 01-03-2020 AND REVISED 02-05-2020
- 3.) LAND TAKING MAP No. 1 COUNTY ROAD No. 7-D
TOWN OF DUANESBURG, SCHENECTADY, NY DATED 3-24-1972
- 4.) SCHENECTADY COUNTY TAX MAP

Unauthorized alteration or addition to this
survey map is a violation of section 7209
(2) of the N. Y. State Education Law.
James Bliss Snyder, L.S.#50133

LOCATION MAP



JAMES MINOR SUBDIVISION PLAT

OWNERS: JOHN E. JAMES
43 WILLOW LANE
DELANSON, NY 12053

TAX PARCEL 76.-1-12.311

LANDS ARE LOCATED IN THE QUAKER STREET FIRE DISTRICT
AND THE DUANESBURG CENTRAL SCHOOL DISTRICT

LANDS ARE ZONED AGRICULTURE AND RURAL RESIDENTIAL (R-2)
BUILDING SET BACKS ARE 80' FRONT AND REAR AND 40' SIDE
FOR A CORNER LOT THEY ARE 80' FRONT AND REAR AND 80' SIDE
RE: TOWN OF DUANESBURG ZONING LAW DATED 2015

THIS PROPERTY IS ADJACENT TO LANDS IN THE AGRICULTURAL DISTRICT AND FARMING
ACTIVITIES MAY INCLUDE, BUT NOT LIMITED TO, ACTIVITIES THAT CAUSE NOISE, DUST
AND ODORS.

PROPOSED LIMITS OF CLEARING FOR HOUSE, SEPTIC, DRIVEWAY AND WELL AREAS
FOR LOT 1 IS 0.95 ACRE AND 0.51 ACRE FOR LOT 2 REQUIRE A STORM WATER
CONTROL PLAN. PROJECT DISTURBANCE OF 1.0 ACRE OR MORE REQUIRES A BASIC
STORMWATER POLLUTION PREVENTION PLAN COMPLIANCE WITH NYSDEC REGULATIONS

CONTOURS ARE SCALED FROM USGS QUADRANGLE MAP

TOWN OF DUANESBURG SEPTIC SYSTEM DISCLOSURE
ISSUANCE OF A BUILDING PERMIT FOR EACH LOT AS SHOWN WILL BE CONTINGENT
UPON APPROVAL BY THE BUILDING INSPECTOR OF SANITARY DISPOSAL SYSTEMS AND
WATER SUPPLY WELLS FOR LOCATION, QUALITY AND QUANTITY OF SUPPLY BASED
UPON SOIL SURVEY DATA OBTAINED BY THE UNITED STATES DEPARTMENT OF
AGRICULTURE\SOIL CONSERVATION SERVICE AND SITE SOILS EVALUATION. IT IS
EXPECTED THAT SOME, IF NOT ALL LOTS, WILL REQUIRE ALTERNATIVE SEPTIC
SYSTEMS, AS DESIGNED BY A LICENSED ENGINEER OR ARCHITECT AND REVIEWED AND
APPROVED BY THE SCHENECTADY COUNTY DEPARTMENT OF HEALTH. APPROVAL SHALL
BE OBTAINED PRIOR TO ISSUANCE OF A BUILDING PERMIT BY THE BUILDING
INSPECTOR.
CONVENTIONAL SEPTIC SYSTEMS WILL BE ALLOWED ONLY WHEN AND WHERE
PERCOLATION TEST RESULTS AND SOILS EVALUATION ARE IN CONFORMANCE IN EVERY
RESPECT WITH THE STANDARDS SET FORTH IN THE CURRENT NEW YORK STATE
DEPARTMENT OF HEALTH PUBLICATION "WASTE TREATMENT STANDARDS HOUSEHOLD
SYSTEMS" AND ARE APPROVED BY THE SCHENECTADY COUNTY DEPARTMENT OF
HEALTH. FOR CONVENTIONAL SEPTIC SYSTEMS THE COUNTY DEPARTMENT OF HEALTH
MUST WITNESS THE SOILS INVESTIGATION AND PERCOLATION TESTS.

A SURVEY FOR
JOHN E. JAMES

TOWN of DUANESBURG,

COUNTY of SCHENECTADY, STATE of NEW YORK
SCALE: 1" = 100.00' APRIL 17, 2025

RUDOLPH D. SNYDER, L.S., P.C.
MIDDLEBURGH, NEW YORK 12122-0391

MAP # F6-09-25 BY James B. Snyder, L.S. # 50133

John James
518-265-7519

911 address?

Untitled Map

Tower
Ag Exemption



Application for The Planning Board TOWN OF DUANESBURG

5853 Western Turnpike, Duanesburg, NY 12056
Building Department 518-895-2040



Date 5 28 2025
MM DD YY

Application # 25-11

Application Type: ☐ Major Subdv. ☒ Minor Subdv. ☐ Special Use Permit ☐ Site/ Sketch Plan Review ☒ Lot Line Adjust.

Proposal: Lot Line adjustment with 60' driveway easement
for separate parcel access.

Section _____ of the _____ Ordinance.

Owner (AS APPEARS ON DEED): Edward McKinley

Address: 1896 Western Turnpike Duanesburg NY 12056

Phone: 518-566-7508

Applicant's Name (if different): Deanna Proctor

Location of Property (if different from owners): 1928 Western Turnpike Duanesburg
NY 12056

Zoning District: _____

Phone: 518-542-3818

Tax Map #: 68-00-3-30.11 / 68-3-30.15 (new address)

68-00-3-30.41

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

LANDS CONVEYED TO (REQUIRED FOR MERGERS): "N/A - not a merger, LOT Line adjustment only"

Signature of receiving Owner(s) if different from Applicant (AS APPEARS ON DEED)

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

EDM

Date 5/28/2025

Signature of Owner(s) and/or Applicant

Date _____

(For Office Use Only)

ALL APPLICATION FEES ARE NON-REFUNDABLE

Application fee paid: \$ _____ ☐ Cash ☐ Check # _____ Date Pd. _____

Reviewed By: _____ Date _____ 20 _____

☐ Approved ☐ Unapproved ☐ Refer to Code Enforcement Section _____ of the _____ Ordinance.

Planning Commission Comments _____

Planning Chairperson

Date

20 _____

Code Enforcement Officer

Date

20 _____

Agriculture Data Statement

TOWN OF DUANESBURG

5853 Western Turnpike, Duanesburg, NY 12056
Building Department 518-895-2040

Application # 25-11

Date 5 28 2025
MM DD YY

Applicant

Name: Deanna Proctor
Address: 319 Mott Rd Duanesburg
NY 12056

Owner (if different from Applicant):

Name: Ed McKinley
Address: 1896 Western Turnpike
Duanesburg NY 12056

1. Application Type: ☒ Special Use Permit ☒ Site Plan Approval ☐ Use Variance ☐ Area Variance ☒ Subdivision Approval
(check all that apply)

2. Description of proposed project: We are requesting a lot line adjustment with 60'-foot easment to access a new residential homestead (Lot 2B, 2.7 Acres) while maintaining the front parcel (Lot 2A, 2.12 acres) for commercial use. The historic barn 1850's will be restored and used as a farmstore.

3. Address of project: 1928 Western Turnpike Duanesburg NY 12056
Tax Map #: 68-00-3-30.111

4. Is this parcel within an Agriculture District? ☐ YES ☐ NO (Check with your local assessor if you do not know.)

5. If YES, Agriculture District #: _____

6. Is this parcel actively farmed? ☐ YES ☐ NO


7. List all farm operations within 500ft of your parcel. Attach additional sheet if necessary

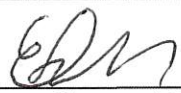
Name: Capital District YMCA
Address: 185 Mott Rd Duanesburg
NY 12056
Is this parcel actively farmed? ☐ YES ☒ NO

Name: _____
Address: _____
Is this parcel actively farmed? ☐ YES ☒ NO

Name: Lowell M. Carson
Address: 2000 Western Turnpike
Duanesburg NY 12056
Is this parcel actively farmed? ☐ YES ☒ NO

Name: Charles Proctor
Address: 319 Mott Rd Duanesburg
NY 12056
Is this parcel actively farmed? ☒ YES ☐ NO


Signature of Applicant


Signature of Owner (if other than applicant)

Reviewed by: _____ Date: 20 _____
Christopher Parslow

Revised 1/14/25

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 Agriculture Data Statement must be submitted along with the referral to the County Planning Department.

Agricultural Data Statement

Application Type

☒ Special Use Permit Approval

☒ Site Plan Approval ☐ Use Variance ☐ Area Variance ☒ Subdivision

Description of Proposed Project

We are requesting a lot line adjustment with a 60-foot easement to access a new residential homestead

(Lot 2B, 2.7 acres), while maintaining the front parcel (Lot 2A, 2.12 acres) for commercial use. The historic

1850s barn on Lot 2A will be restored and used as a farm store to sell handcrafted products, including goats

milk bath and body goods, fresh eggs, and seasonal items. The steel building will eventually house our

relocated business and possibly a few mini storefronts for other local vendors.

On the back parcel (Lot 2B), we will build a home and raise small livestock, including goats, chickens,

turkeys, guinea hens, ducks, and potentially peacocks. The R-2 zoning supports this low-impact agricultural

use.

Is this parcel within an Agricultural District?

Not confirmed - awaiting verification from the local assessor.

Is this parcel actively farmed?

Planned agricultural use - homestead will include animals and small livestock.

List all farm operations within 500 ft of your parcel

1. Charles Proctor - Adjacent R-2 land (family-owned). Residential with future agricultural potential.

2. Other parcels (YMCA, Carson): To our knowledge, not actively farmed

LANDS N/F
VALLEY MOBILE
HOME COURT, LLC
L.1635, P.653
TM#68.00-2-28

LOT 3
LANDS N/F
CHARLES F. PROCTOR
L.1586, P.720
TM#68.00-3-30.14

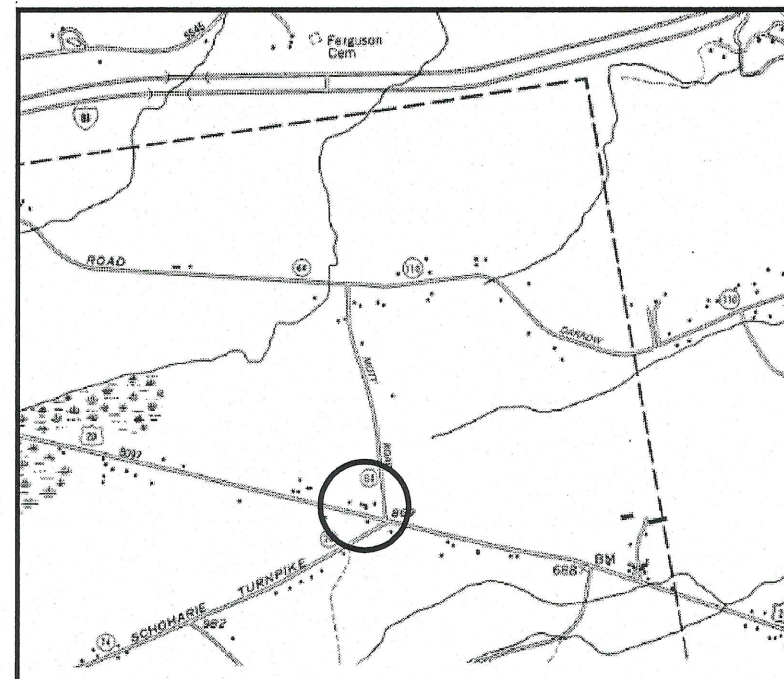
LANDS FORMERLY OF
VAMR DEVELOPMENT, LLC
L. 1649, P. 376
REPUTED CURRENT OWNER
EDWARD E. MC KINLEY, IV &
STEPHANIE A. MC KINLEY
TAX ID: 68.00-3-30.41
WESTERN TPKE.
LOT 2B - PER MAP REF. 1

LANDS N/F OF
LOWELL M. CARSON
L. 1906, P. 565
TAX ID: 68.00-3-31
STREET NO. 2002

REPUTED CURRENT OWNER
EDWARD E. MC KINLEY, IV &
STEPHANIE A. MC KINLEY
TAX ID: 68.00-3-30.111
STREET NO. 1928

LANDS N/F OF
THE YOUNG MEN'S CHRISTIAN
ASSOCIATION OF THE CAPITAL
DISTRICT, INC.
L. 1967, P. 490
TAX ID: 68.00-3-30.42
STREET NO. 185
LOT 2A - PER MAP REF. 1

LANDS N/F OF
EDWARD E. MC KINLEY, IV &
STEPHANIE A. MC KINLEY
L. 1705, P. 296
TAX ID: 68.00-3-30.111
STREET NO. 1896



SITE LOCATION MAP
N.T.S.

SURVEY NOTES:

- BOUNDARY EVIDENCE AND PLANIMETRIC INFORMATION SHOWN HEREON WAS COMPILED FROM AN ACTUAL FIELD SURVEY CONDUCTED BY ABD ENGINEERS LLP ON FEBRUARY 27, 2023 UNDER SNOW AND ICE COVERED CONDITIONS AND REFLECTS VISIBLE CONDITIONS EXISTING ON THAT OCCASION.
- TAX MAP DESIGNATION: 68.00 - 3 - 30.111.
- THE OFFSETS OR DIMENSIONS SHOWN HEREON, FROM PROPERTY LINES TO BUILDINGS ARE FOR BUILDING REFERENCE AND LOCATION AND ARE NOT INTENDED TO MONUMENT THE PROPERTY LINES OR TO GUIDE THE ERECTION OF FENCES, ADDITIONAL STRUCTURES, OR ANY OTHER IMPROVEMENT.
- SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD.
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN UP-TO-DATE ABSTRACT OF TITLE OR TITLE REPORT AND IS THEREFORE SUBJECT TO ANY EASEMENTS, COVENANTS, RESTRICTIONS OR STATE OF FACTS THAT AN UP-TO-DATE ABSTRACT OF TITLE WOULD DISCLOSE.
- NORTH ORIENTATION BASED ON MAP REFERENCE 1.
- UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON UTILITY EVIDENCE VISIBLE AT GROUND SURFACE AND AVAILABLE RECORD DRAWINGS AND ARE SUBJECT TO FIELD VERIFICATION BY EXCAVATION. UTILITIES SHOWN DO NOT PURPORT TO CONSTITUTE OR REPRESENT ALL UTILITIES THAT MAY EXIST UPON OR ADJACENT TO THE SURVEYED PREMISES.

MAP REFERENCES:

- BOUNDARY ADJUSTMENT DUANEBSBURG COMMUNITY CENTER 185 MOTT ROAD LOT 2 GRANDVIEW SUBDIVISION, TOWN OF DUANEBSBURG, COUNTY OF SCHENECTADY, STATE OF NEW YORK, DATED MARCH 5, 2017, LAST REVISED JUNE 21, 2017, AS PREPARED BY ABD ENGINEERS, LLP AND FILED IN THE SCHENECTADY COUNTY CLERK'S OFFICE ON JUNE 28, 2017 AS INSTRUMENT NO. 201728871.
- FINAL PLAN, MAP SHOWING GRANDVIEW SUBDIVISION, PREPARED BY ABD ENGINEERS AND SURVEYORS, DATED JANUARY, 1992, LAST REVISED APRIL, 1992 AND FILED IN THE SCHENECTADY COUNTY CLERK'S OFFICE ON JULY 22, 1992 AS MAP NO. 1-159.
- MINOR SUBDIVISION PLAN LANDS NOW OR FORMERLY OF EDWARD E. MC KINLEY, IV & STEPHANIE A. MC KINLEY, STREET NO. 1896 WESTERN TURNPIKE, TOWN OF DUANEBSBURG, COUNTY OF SCHENECTADY, STATE OF NEW YORK, DATED FEBRUARY 28, 2023, AS PREPARED BY ABD ENGINEERS, LLP.

ZONING DATA:

ZONE: COMMERCIAL (C-1)

MIN. LOT AREA: 43,560 SQUARE FEET
MIN. LOT WIDTH: 150 FEET
MIN. LOT DEPTH: 200 FEET
MAX. LOT COVERAGE: 35%
MIN. FRONT SETBACK: 70 FEET
MIN. SIDE SETBACK: 20 FEET
MIN. SIDE(CORNER LOT): 70 FEET
MIN. REAR SETBACK: 50 FEET
MAX. BUILDING HEIGHT: 3-STORY(42 FEET)

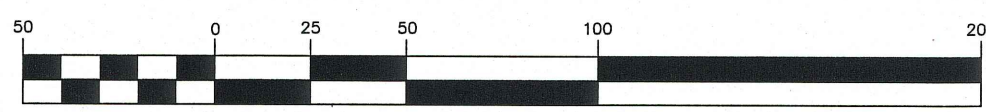
SCHOOL DISTRICT:

DUANEBSBURG CENTRAL SCHOOL DISTRICT

FIRE DISTRICT:

FIRE DISTRICT #2
(DUANEBSBURG FIRE DEPT.)

GRAPHIC SCALE



(IN FEET)
1 inch = 50 ft.

UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW. COPIES OF THIS SURVEY MAP NOT BEARING THE LAND SURVEYOR'S EMPOWERED SEAL SHALL NOT BE CONSIDERED TO BE VALID COPIES.	
NO.	REVISION
BY	DATE
CERTIFICATIONS INDICATED OR APPLIED HEREON SHALL ONLY RUN TO THE PARTY FOR WHOM THE SURVEY WAS PREPARED, & ON HIS BEHALF TO THE ADDITIONAL PARTIES LISTED HEREON. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL PARTIES OR SUBSEQUENT OWNERS NOT LISTED HEREON.	
STATE OF NEW YORK ROBERT D. DAVIS, JR., P.L.S. N.Y.S. LICENSE NO. 51060	
MINOR SUBDIVISION PLAN LANDS NOW OR FORMERLY OF EDWARD E. MC KINLEY, IV & STEPHANIE A. MC KINLEY STREET No. 1928 WESTERN TURNPIKE & WESTERN TPKE. TOWN OF DUANEBSBURG COUNTY OF SCHENECTADY STATE OF NEW YORK ABD ENGINEERS SURVEYORS 411 Union Street Schenectady, N.Y. 12305 518-377-0315 Fax 518-377-0379 www.abdeng.com DATE: MAY 27, 2025 SCALE: 1" = 50' DWG. 7017A-P3 SHEET OF 1 1	

Town of Duanesburg Planning Board Application – Updated Proposal

We are requesting a lot line adjustment and a 60-foot access easement to separate two parcels for distinct, purposeful uses. The front parcel contains a historic 1850s 14-stall barn and a 70' x 100' metal and steel building. Our plan is to relocate our existing business—currently located approximately six minutes from this site—into the metal building. The barn will be converted into a farm store and used for storage, preserving its character while supporting our agricultural goals.

The second parcel will serve as our future residential homestead, where we plan to build a home and develop new animal pastures and facilities. This division allows for clearer zoning boundaries, insurance compliance, and long-term sustainability by keeping the homestead fully separate from business operations.

Statement of Intent: Lot Line Adjustment & Easement Request

We are requesting a lot line adjustment and a 60-foot easement for driveway access instead of merging the two parcels due to the distinct and carefully planned purposes for each lot.

Currently, the 70' x 100' metal and steel building is physically connected to the historic 1850s 14-stall barn via an overhead passthrough structure. However, due to insurance requirements and future use considerations, this passthrough will need to be removed.

The parcel containing the barn and metal building will serve exclusively for business purposes. Our plan is to use the barn—due to its age, scale, and character—as a farm store and storage facility, preserving its history while repurposing it in a low-impact commercial manner. The metal building will house a business we currently operate six minutes from this location, and may eventually include space for up to three mini storefronts to support local entrepreneurship.

The second parcel—accessed via the proposed easement—is intended to become our family homestead. We plan to build a residence and develop pastures and new facilities for animals, keeping all residential and agricultural operations clearly separated from business functions for insurance, zoning, and long-term planning purposes.

This approach allows us to:

- Maintain insurance compliance by separating commercial and residential structures
- Preserve and responsibly utilize the historic barn without overloading the parcel
- Clearly define and separate homestead/livestock areas from business areas
- Support local agriculture and business with minimal environmental or zoning impact

We believe this plan offers the most practical and sustainable use of the land while contributing to the rural, agricultural character of Duanesburg and providing local economic value through small business and farm operations.

Short Environmental Assessment Form (SEAF) – Part 1

1. Project Name

Lot Line Adjustment & Easement for 1928 Western Turnpike

2. Project Location

1928 Western Turnpike, Duanesburg, NY 12056

3. Brief Description of Project

A lot line adjustment and the creation of a 60-foot driveway easement between two parcels. Currently, Lot 2B is 2.7 acres and Lot 2A is 2.12 acres. After the proposed lot line adjustment and easement, Lot 2B will be 3.03 acres and Lot 2A, which includes the historic barn and steel building, will be 1.81 acres. Lot 2B will serve as a residential homestead with small livestock, a residence, and pasture area. Lot 2A will house a farm store and a relocated small business.

4. Name of Applicant

Deanna Proctor (property representative)

5. Property Size

Current: Lot 2B - 2.7 acres, Lot 2A - 2.12 acres; After Adjustment: Lot 2B - 3.03 acres, Lot 2A - 1.81 acres

6. Zoning District

R-2 and C-1

7. Will the action comply with existing zoning or land use plans?

Yes

8. Is the site within an agricultural district?

Not confirmed - pending review

9. Does the site contain a structure over 50 years old?

Yes - 1850s barn to be preserved and used

10. Will proposed action disturb more than one acre of land?

No

11. Does project involve construction on land with steep slopes or wetlands?

No

12. Utilities

Water: private well; Sewer: private septic; Electric: existing connections available

Application for The Planning Board

TOWN OF DUANESBURG

5853 Western Turnpike, Duanesburg, NY 12056
Building Department 518-895-2040



Date 06 06 2025
MM DD YY

Application #

Application Type: ☐ Major Subdv. ☐ Minor Subdv. ☐ Special Use Permit ☐ Site/ Sketch Plan Review ☒ Lot Line Adjust.

Proposal: LOT LINE ADJUSTMENT TO TRANSFER APPROXIMATELY +/- 3 ACRES
FROM 184 DUANE LAKE RD (KUON) TO 606 N. MANSION RD
(DEEPEST) Section _____ of the _____ Ordinance.

Owner (AS APPEARS ON DEED): RUSSELL A. KUON
Address: 184 DUANE LAKE ROAD, DUANESBURG NY. 12056
SEC 67.04 BLOCK 1 LOT 1.11 Phone: 610.805.6538

Applicant's Name (if different): JONATHAN DEEPEST

Location of Property (if different from owners): _____

Zoning District: R2

Phone: 518.857.1246 Tax Map #: 67.04 Block 1 lot 1.1

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

LANDS CONVEYED TO (REQUIRED FOR MERGERS): THE DEEPEST FAMILY TRUST

TRUSTEE

Signature of receiving Owner(s) if different from Applicant (AS APPEARS ON DEED)

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

606 N. MANSION RD. OWNER. 1 JONATHAN DEEPEST APPROX DATE 6/5/25
184 DUANE LAKE RD. OWNER. Date Russell Kuon Signature of Owner(s) and/or Applicant Date 6/5/25

(For Office Use Only)

ALL APPLICATION FEES ARE NON-REFUNDABLE

Application fee paid: \$ 75. ☐ Cash ☒ Check # _____ Date Pd. _____

Reviewed By: _____ Date _____ 20 _____

☐ Approved ☐ Unapproved ☐ Refer to Code Enforcement Section _____ of the _____ Ordinance.

Planning Commission Comments _____

[illegible]

Application for The Planning Board TOWN OF DUANESBURG

5853 Western Turnpike, Duanesburg, NY 12056
Building Department 518-895-2040



Date 6 6 25
MM DD YY

Application # 25-12

Application Type: ☐ Major Subdv. ☐ Minor Subdv. ☒ Special Use Permit ☐ Site/ Sketch Plan Review ☐ Lot Line Adjust.

Proposal: BUILD SINGLE FAMILY RESIDENCE

Section _____ of the _____ Ordinance.

Owner (AS APPEARS ON DEED): Heldenberg Realty LLC

Address: 325 Old Stage Rd. Altamont, NY 12009

Phone: 518 861-6541

Applicant's Name (if different): KEVIN Mc HUGH

Location of Property (if different from owners): LOT 3 RT 30 ESPERANCE

Zoning District: _____

Phone: 914-774-8103

Tax Map #: 64.00-1-35

Henry A. Whipple

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

LANDS CONVEYED TO (REQUIRED FOR MERGERS): _____

Signature of receiving Owner(s) if different from Applicant (AS APPEARS ON DEED)

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

Date

Kevin Mc Hugh
Signature of Owner(s) and/or Applicant

Date

6/6/2025

(For Office Use Only)

ALL APPLICATION FEES ARE NON-REFUNDABLE

Application fee paid: \$ _____ ☐ Cash ☐ Check # _____ Date Pd. _____

Reviewed By: _____ Date _____ 20 _____

☐ Approved ☐ Unapproved ☐ Refer to Code Enforcement Section _____ of the _____ Ordinance.

Planning Commission Comments _____

Planning Chairperson

Date

20 _____

Code Enforcement Officer

Date

20 _____

Agriculture Data Statement

TOWN OF DUANESBURG

5853 Western Turnpike, Duaneburg, NY 12056
Building Department 518-895-2040

Application # 25-12

Date 6 6 25
MM DD YY

Applicant

Name: KEVIN MC HUGH
Address: 37 LEE AVE
YONKERS, NY 10705

Owner (if different from Applicant):

Name: Henry A. Whipple
Address: Heldberg Realty LLC
325 Old Stage Rd.
Altamont, NY 12009

1. Application Type: ☒ Special Use Permit ☐ Site Plan Approval ☐ Use Variance ☐ Area Variance ☐ Subdivision Approval
(check all that apply)

2. Description of proposed project: SINGLE FAMILY DWELLING

3. Address of project: LOT 3 RT 30 ESPERANCE

Tax Map #: 64-00-1-35

4. Is this parcel within an Agriculture District? ☒ YES ☐ NO (Check with your local assessor if you do not know.)

5. If YES, Agriculture District #: _____

6. Is this parcel actively farmed? ☐ YES ☒ NO

7. List all farm operations within 500ft 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

Kevin Mc Hugh
Signature of Applicant

Henry A. Whipple
Signature of Owner (if other than applicant)

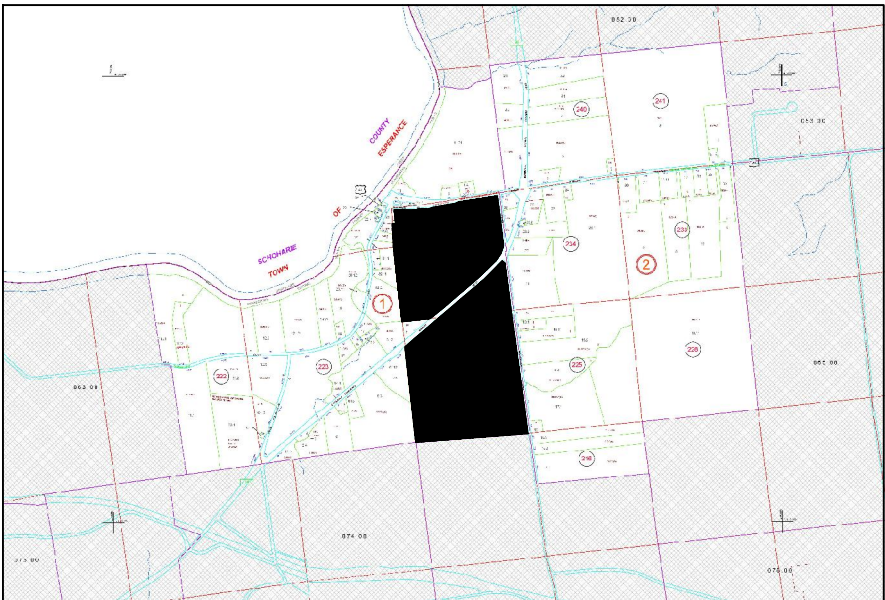
Reviewed by: _____ Date: 20 _____
Christopher Parslow

Revised 1/14/25

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 Agriculture Data Statement must be submitted along with the referral to the County Planning Department.



PROJECT LOCATION MAP - NO SCALE

NOTE :
WESTERLY LINE OF LOT ONE REVISED ON 6/1/23 TO REFLECT
BOUNDARY LINE ADJUSTMENT BEING MADE WITH BEHRMAN

TOTAL AREA = 185.113 ACRES
INST# 2023-85
TAX ID - 64.-1-4.3

LANDS OF MARK R. & KATHLEEN E. SCHAIBLE
L.1936 , P.224
TAX ID - 64.-1-33.11

LANDS OF PHILLIP & JENNIFER SEXTON
L.1589 , P.503
TAX ID - 64.-1-32.2

LANDS OF PHILLIP & JENNIFER SEXTON
INST# 2022-488
TAX ID - 64.-1-6.12

LANDS OF FRANCIS & SUSAN J. COLETTO
L.2043 , P.710
64.-1-6.112

LANDS OF JAMES BARTON
L.1247 , P.309
TAX ID - 64.-1-6.3

LANDS OF KENNETH E. RUTTER
L.1056 , P.812
TAX ID - 64.-1-27.1

LANDS OF MICHAEL J. BEHRMAN
AND CAROL A. BEELER

LANDS OF ROBERT J. WELCH
L.2000 , P.510

LANDS OF CHARLES L.
AND LISA M. GAVIN
L.1547 , P.932
TAX ID - 64.-1-5

LANDS OF DANIEL NASTI & MARIA SIME
L.2038 , P.822
64.-1-26

LEGEND

- = UTILITY POLE
- △ = CONCRETE HIGHWAY MONUMENT
- ⊕ = CAPPED REBAR HIGHWAY MONUMENT
- ⊗ = FOUND CAPPED RE-ROD
- = FOUND IRON PIPE
- = SET RE-ROD
- = CENTER OF STREAM
- - - - = PROPOSED DRIVEWAY
- = EDGE OF WOODS
- ▨ = WETLANDS AS FLAGGED - 5/11/23 BY NORTH COUNTY ECOLOGICAL SERVICES

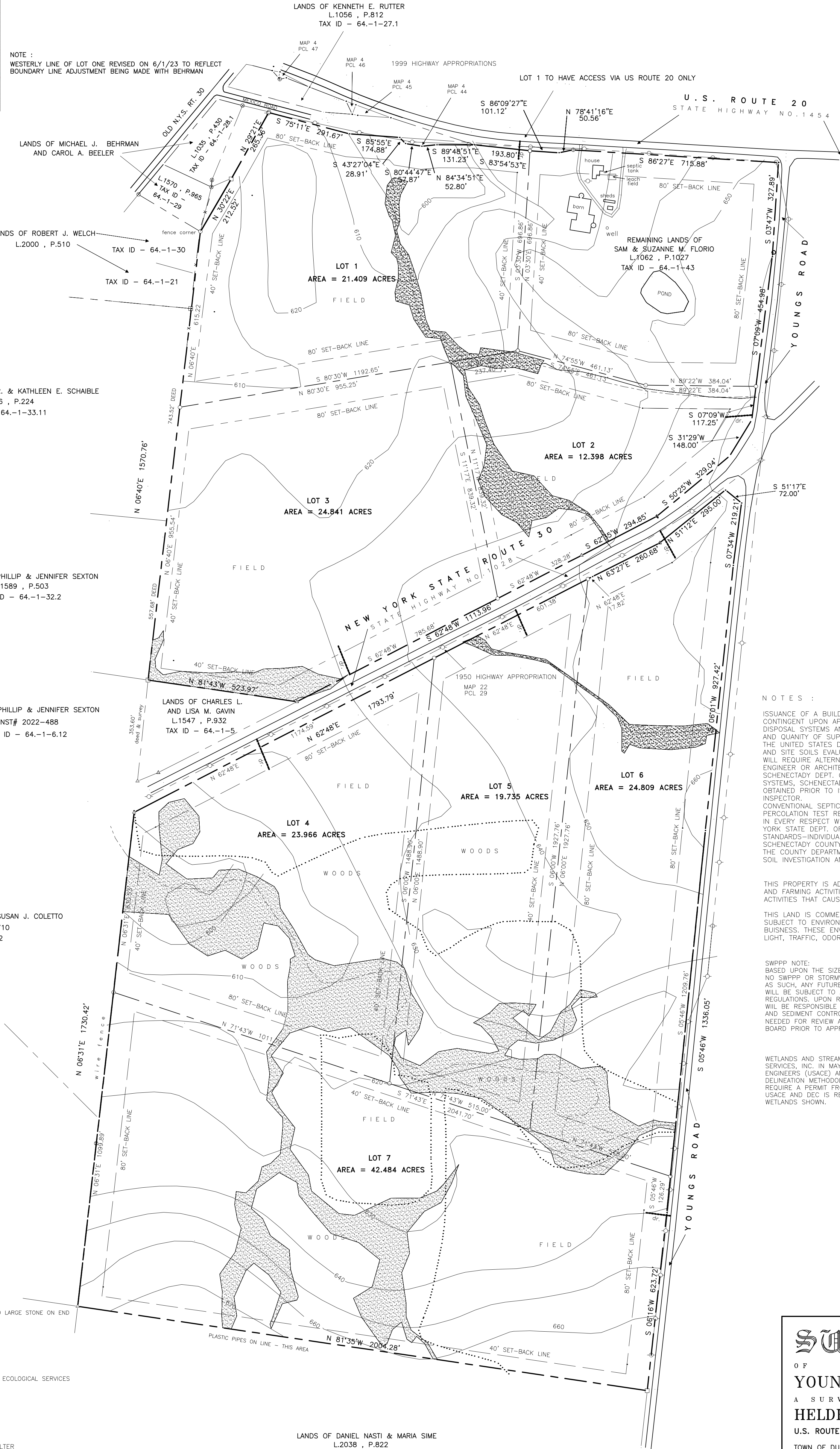
NOTES :

THIS SURVEY PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.

IT IS A VIOLATION OF THE EDUCATION LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED LAND SURVEYOR, TO ALTER THIS MAP IN ANY WAY.

THIS PROPERTY IS NOT LOCATED IN THE FEMA 100 YEAR FLOOD PLAIN

THIS PROPERTY IS LOCATED IN THE FOLLOWING DISTRICTS :
ESPERANCE FIRE DISTRICT
DUANESBURG SCHOOL DISTRICT
AGRICULTURAL DISTRICT 104
ZONING CODE C-1



NOTES :

ISSUANCE OF A BUILDING PERMIT FOR EACH LOT AS SHOWN WILL BE CONTINGENT UPON APPROVAL BY THE BUILDING INSPECTOR OF SANITARY DISPOSAL SYSTEMS AND WATER SUPPLY WELLS FOR LOCATION, QUALITY AND QUANTITY OF SUPPLY, BASED UPON SOIL SURVEY DATA OBTAINED BY THE UNITED STATES DEPT. OF AGRICULTURE/SOIL CONSERVATION SERVICE AND SITE SOILS EVALUATION, IT IS EXPECTED THAT SOME, IF NOT ALL LOTS, WILL REQUIRE ALTERNATIVE SEPTIC SYSTEMS, AS DESIGNED BY A LICENSED ENGINEER OR ARCHITECT AND REVIEWED AND APPROVED BY THE SCHENECTADY DEPT. OF HEALTH, ON LOTS REQUIRING ALTERNATIVE SEPTIC SYSTEMS, SCHENECTADY COUNTY HEALTH DEPT. APPROVAL SHALL BE OBTAINED PRIOR TO ISSUANCE OF A BUILDING PERMIT BY THE BUILDING INSPECTOR.

CONVENTIONAL SEPTIC SYSTEMS WILL BE ALLOWED ONLY WHEN AND WHERE PERCOLATION TEST RESULTS AND SOIL EVALUATIONS ARE IN CONFORMANCE IN EVERY RESPECT WITH THE STANDARDS SET FORTH IN THE CURRENT NEW YORK STATE DEPT. OF HEALTH PUBLICATION "WASTE TREATMENT STANDARDS-INDIVIDUAL HOUSEHOLD SYSTEMS" AND APPROVED BY THE SCHENECTADY COUNTY DEPT. OF HEALTH, FOR CONVENTIONAL SYSTEMS THE COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH MUST WITNESS THE SOIL INVESTIGATION AND PERCOLATION TESTS.

THIS PROPERTY IS ADJACENT TO LANDS IN THE AGRICULTURAL DISTRICT AND FARMING ACTIVITIES MAY INCLUDE, BUT ARE NOT LIMITED TO, ACTIVITIES THAT CAUSE NOISE, DUST AND ODORS.

THIS LAND IS COMMERCIAL ZONED (C-1) AND MAY ON OCCASION BE SUBJECT TO ENVIRONMENTAL CONDITIONS ASSOCIATED WITH A POTENTIAL BUSINESS, THESE ENVIRONMENTAL CONDITIONS MAY INCLUDE NOISE, LIGHT, TRAFFIC, ODORS, ETC.

SWPPP NOTE:
BASED UPON THE SIZE OF THE 7 LOTS PROPOSED FOR THIS SUBDIVISION, NO SWPPP OR STORMWATER DESIGN WAS PREPARED AT THE TIME OF FILING. AS SUCH, ANY FUTURE DEVELOPMENT WITHIN ONE OF THE PROPOSED LOTS WILL BE SUBJECT TO ALL NYS DEC SWPPP AND STORMWATER COMPLIANCE REGULATIONS. UPON REVIEW OF ANY PROPOSED DEVELOPMENT THE APPLICANT WILL BE RESPONSIBLE FOR PROVIDING THE REQUIRED LAYOUT PLANS, EROSION AND SEDIMENT CONTROL PLANS, SWPPP AND STORMWATER NARRATIVE AS NEEDED FOR REVIEW AND APPROVAL BY THE TOWN OF DUANESBURG PLANNING BOARD PRIOR TO APPROVAL AND CONSTRUCTION.

WETLANDS AND STREAMS WERE DELINEATED BY NORTH COUNTRY ECOLOGICAL SERVICES, INC. IN MAY OF 2023 USING THE CURRENT U.S. ARMY CORPS OF ENGINEERS (USACE) AND NYS DEPT. OF ENVIRONMENTAL CONSERVATION (DEC) DELINEATION METHODOLOGIES. ANY DISTURBANCE TO THE WETLANDS WOULD REQUIRE A PERMIT FROM THE USACE AND/OR DEC. CONSULTATION WITH THE USACE AND DEC IS REQUIRED PRIOR TO ANY TYPE OF DISTURBANCE TO THE WETLANDS SHOWN.

SURVEY MAP

OF
YOUNGS ROAD SUBDIVISION
A SURVEY FOR
HELDERBERG REALTY LLC
U.S. ROUTE 20, N.Y.S. ROUTE 30 AND YOUNGS ROAD

TOWN OF DUANESBURG COUNTY OF SCHENECTADY
SCALE : 1" = 200' DATE : JANUARY 2, 2023



PREPARED BY :

WILLIAM J. SYMOLON, JR. LAND SURVEYOR LICENSE NUMBER 49964	202 WASHINGTON STREET SARATOGA SPRINGS, NEW YORK 12866 518-258-7035
--	---

REVISED : 6/20/23 - WETLANDS NOTE
REVISED : 6/1/23 - WESTERLY LINE OF LOT 1
REVISED : 2/3/23

APPLICATION FOR THE PLANNING BOARD
TOWN OF DUANESBURG

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

CHECKLIST OF REQUIRED INFORMATION:

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

- ☒ Septic system: Soil investigation completed?
- ☒ Sewer System: Which district?
- ☐ 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 6/09/25

Application type: ☐ Major Subdv ☐ Minor Subdv ☒ Special Use Permit ☐ Site/ Sketch Plan Review ☐ LotLine Adjust.
Proposal: Build a home & ADU, barn, garage, & necessary utilities - power, well, septic, - for primary residence
Section _____ of _____ Ordinance.

Present Owner: Helderberg Realty LLC (AS APPEARS ON DEED!!)
Address: 325 Old Stage Rd, Hamlet NY Zip code: 12009
Phone # (required) 518-861-6541

Applicants Name (if different): Sarah Page Phone# (required) 360-261-3705
Location of Property (if different from owners): Rt 30 & Youngs Rd, lots 5 & 6
Tax Map # 691-38 Zoning District C1

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

LANDS CONVEYED TO (REQUIRED FOR MERGERS)

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

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

Sarah Page Date 6/09/25
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

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>Sarah Page</u>	Name: _____
Address: <u>2908 10th St NW</u> <u>Albuquerque NM 87107</u>	_____ _____ _____

1. Type of Application: Special Use Permit Site Plan Approval; Use Variance; Area Variance; Subdivision Approval (circle one or more)
2. Description of proposed project:
Build Barn/Garage - approx 2000 sq ft
Build house & Add - house 2 bdrm 2 bath, 1 den 1 bdrm, 1.5 bath
Build Supporting utilities - well, septic, power, etc...
3. Location of project: Address: No address yet - corner of Youngs Rd & Rt 30
Tax Map Number (TMP) 64-1-38
4. Is this parcel within an Agricultural District? YES NO (Check with your local
5. If YES, Agricultural District Number _____ assessor if you do not know.)
6. Is this parcel actively farmed? YES NO
7. List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

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

Sarah Page
Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by: _____
Christopher Parslow

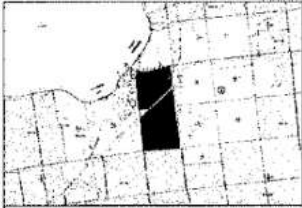
Date

Revised 6/6/23

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.

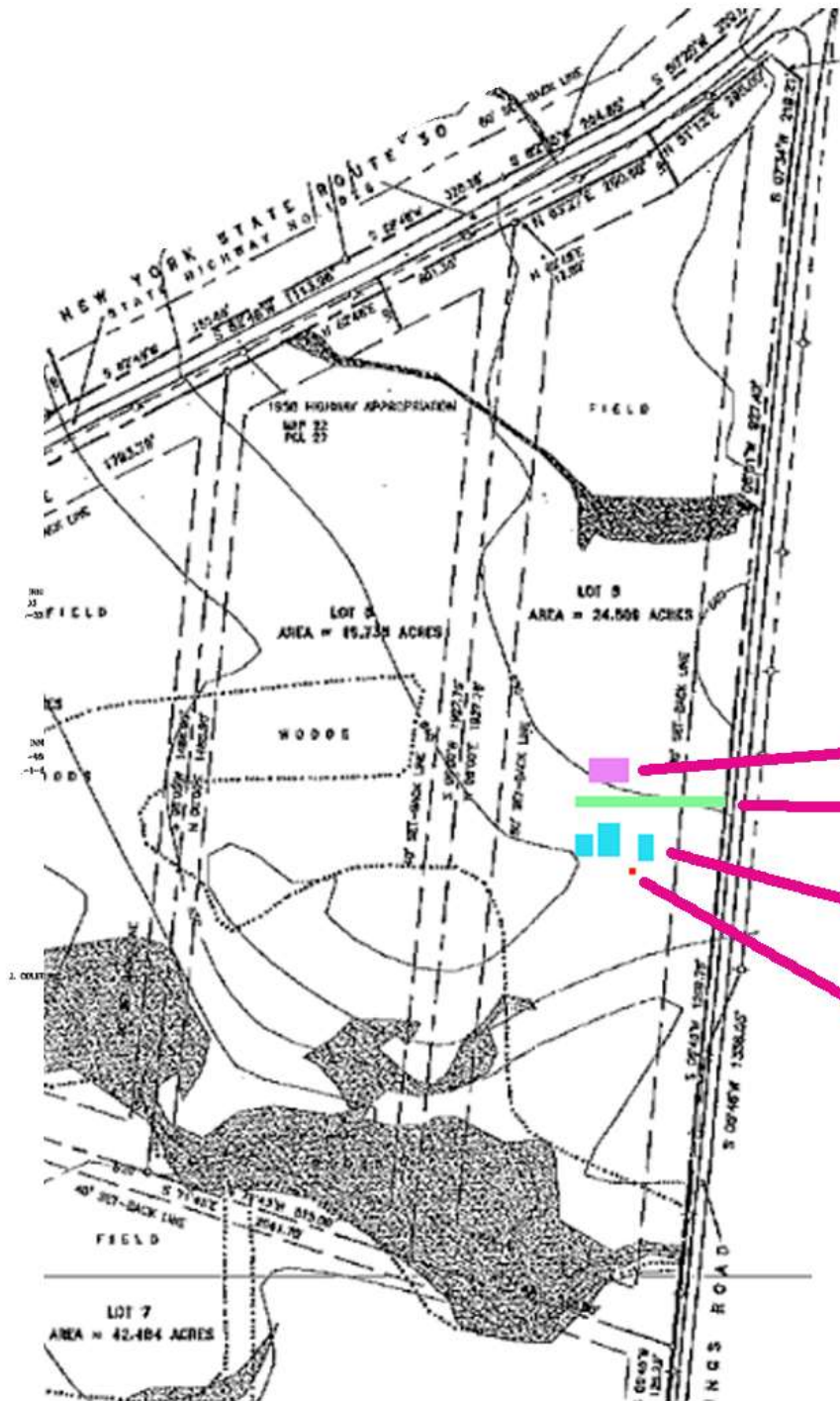
NOTE TO REFERRAL AGENCY: County Planning Board review is required. A copy of the Agricultural Data Statement must be submitted along with the referral to the County Planning Department.



PROJECT LOCATION MAP - NO SCALE



TOTAL AREA = 185.113 ACRES
RIST# 2023-35
TAX ID = 84-1-4.3



LEGEND

- = UTILITY POLE
- = CONCRETE HIGHWAY MONUMENT
- = CAPPED IRON HIGHWAY MONUMENT
- = IRON CAPPED MONUMENT
- = IRON MONUMENT
- = SET BACK
- = CORNER OF SECTION
- = PROPERTY BOUNDARY
- = END OF MONUMENT
- = MONUMENT IS PLACED - 1/4 1/2 3/4 BY NORTH COUNTY TOWNSHIP SURVEYORS

NOTES:

THIS SURVEY PREPARED WITHOUT THE ASSISTANCE OF ANY INSTRUMENT OF TITLE.

IT IS A VIOLATION OF THE EMBROIDERED LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED LAND SURVEYOR, TO ALTER THIS MAP IN ANY WAY.

THIS PROPERTY IS NOT LOCATED IN THE FLOOD HAZARD FLOOD PLAN.

THIS PROPERTY IS LOCATED IN THE FOLLOWING DISTRICTS:

- SENIOR CITIZEN DISTRICT
- SENIOR CITIZEN DISTRICT
- SENIOR CITIZEN DISTRICT
- SENIOR CITIZEN DISTRICT

- Septic
- Driveway
- House
- Garage
- ADU
- Well

YOUNGS ROAD SUBDIVISION

A SURVEY FOR

HELDERBERG REALTY LLC

U.S. ROUTE 20, N.Y.S. ROUTE 50 AND YOUNGS ROAD

TOWN OF SCHENECTADY COUNTY OF SCHENECTADY

SCALE: 1" = 200'

DATE: JANUARY 2, 2023

GRAPHIC SCALE - FEET

PREPARED BY:

WILLIAM J. SHERMAN, JR.

LAND SURVEYOR

242 WASHINGTON STREET

SCHENECTADY, NEW YORK 12309

518-258-7038

REVISED: 6/26/23 - METACALFE WORK

REVISED: 6/1/23 - METACALFE WORK

REVISED: 2/3/23

APPLICATION FOR THE PLANNING BOARD
TOWN OF DUANESBURG
*******FOR OFFICE USE ONLY*******

CHECKLIST OF REQUIRED INFORMATION:

- | | |
|--|---|
| <ul style="list-style-type: none"><input checked="" type="checkbox"/> Title of drawing.<input checked="" type="checkbox"/> Tax Map ID #<input checked="" type="checkbox"/> Zoning district<input checked="" type="checkbox"/> Current Original Deed<input checked="" type="checkbox"/> NYS Survey (L.S. & P.E.)<input checked="" type="checkbox"/> North Arrow, scale (1"=100'),<input checked="" type="checkbox"/> Boundaries of the property plotted and labeled to scale.<input checked="" type="checkbox"/> School District/Fire District<input checked="" type="checkbox"/> Green area/ landscaping<input checked="" type="checkbox"/> Existing watercourses, wetlands, etc.<input checked="" type="checkbox"/> Contour Lines (increments of 10ft.)<input checked="" type="checkbox"/> Easements & Right of ways<input checked="" type="checkbox"/> Abutting Properties Wells/ Sewer Systems within 100ft.<input checked="" type="checkbox"/> Well/ Water system | <ul style="list-style-type: none"><input checked="" type="checkbox"/> Septic system: Soil investigation completed?<input checked="" type="checkbox"/> Sewer System: Which district?<input type="checkbox"/> Basic SWPPP (1≥)<input type="checkbox"/> Full Storm Water Control Plan (More than an acre)<input checked="" type="checkbox"/> Other (Building Set Backs)<input type="checkbox"/> Storm Water Control Plan<input checked="" type="checkbox"/> Short or long EAF www.dec.ny.gov/eafmapper/<input type="checkbox"/> Street pattern: Traffic study needed?<input type="checkbox"/> All property Mergers REQUIRE both owners Signatures on the Application <p><u>Additional Requirements for Special Use Application:</u></p> <ul style="list-style-type: none"><input checked="" type="checkbox"/> New or existing building<input checked="" type="checkbox"/> <u>Business Plan, Hours of operation, & number of employees, floor plan, uses, lighting plan/ landscaping/signage</u><u>Parking, Handicap Spaces, & lighting plan</u> |
|--|---|

Date _____

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

Proposal: Build a home & garage & necessary utilities
power, well, septic, etc.
Section _____ of _____ Ordinance.

Present Owner: Helderberg Realty LLC (AS APPEARS ON DEED!!)

Address: 325 Old Stage Rd., Albany, NY Zip code: 12009

Phone # (required) 518-861-6571

Applicants Name (if different): Sarah Pace Phone# (required) 360-261-3705

Location of Property (if different from owners) At 308 Youngs Rd, lots 5 & 6

Tax Map # 69 1 37 Zoning District C1

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

LANDS CONVEYED TO (REQUIRED FOR MERGERS) _____

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

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

Date _____

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

ALL APPLICATION FEES ARE NON-REFUNDABLE!

.....
(For office use only)

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

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

Planning Commission Comments: _____

Planning Chairperson

Date

Code Enforcement

Date

Agricultural Data Statement

Date: _____

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>Sarah Page</u>	Name: _____
Address: <u>2908 16th St NW</u> <u>Albuquerque, NM 87107</u>	_____ _____ _____

1. Type of Application: Special Use Permit; Site Plan Approval; Use Variance; Area Variance; Subdivision Approval (circle one or more)
2. Description of proposed project:
Build a single family home & garage - 2 bdrm 2 bath
Build supporting Utilities - power, well, septic, etc...
3. Location of project: Address: No address yet - Youngs Rd & Rt 30
Tax Map Number (TMP) 64-1-37
4. Is this parcel within an Agricultural District? YES NO (Check with your local
5. If YES, Agricultural District Number 1 assessor if you do not know.)
6. Is this parcel actively farmed? YES NO
7. List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

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


Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by: _____
Christopher Parslow

Date

Revised 6/6/23

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.



TOTAL AREA = 185.113 ACRES
DIST# 2023-85
TAX ID = 84-1-4.3

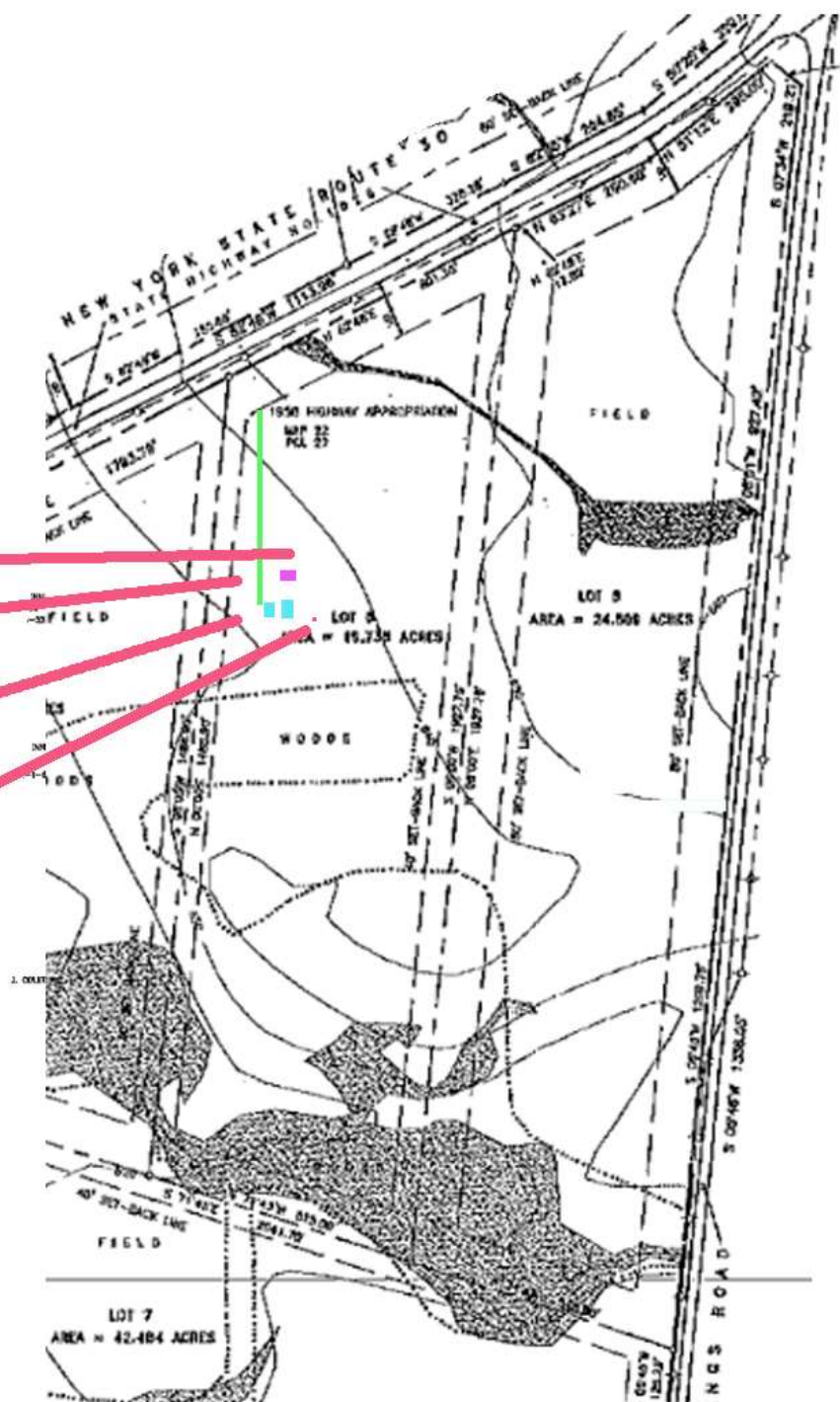
Septic

Driveway

House

Garage

Well



LEGEND

- C) = URGENT POLICE
- A) = CONSTRUCT HIGHWAY MARIJUANA
- B) = CAPTED (CART) HIGHWAY MARIJUANA
- A) = FORWARD CAPTED HI-ROB
- C) = FORWARD (CART) HI-ROB
- D) = SET HI-ROB
- E) = FORWARD (CART) HI-ROB
- F) = FORWARD (CART) HI-ROB
- G) = FORWARD (CART) HI-ROB
- H) = FORWARD (CART) HI-ROB
- I) = FORWARD (CART) HI-ROB
- J) = FORWARD (CART) HI-ROB
- K) = FORWARD (CART) HI-ROB
- L) = FORWARD (CART) HI-ROB
- M) = FORWARD (CART) HI-ROB
- N) = FORWARD (CART) HI-ROB
- O) = FORWARD (CART) HI-ROB
- P) = FORWARD (CART) HI-ROB
- Q) = FORWARD (CART) HI-ROB
- R) = FORWARD (CART) HI-ROB
- S) = FORWARD (CART) HI-ROB
- T) = FORWARD (CART) HI-ROB
- U) = FORWARD (CART) HI-ROB
- V) = FORWARD (CART) HI-ROB
- W) = FORWARD (CART) HI-ROB
- X) = FORWARD (CART) HI-ROB
- Y) = FORWARD (CART) HI-ROB
- Z) = FORWARD (CART) HI-ROB

NOTES :

THIS SURVEY PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.

IT IS A VIOLATION OF THE EMBLICATION LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED LAND SURVEYOR, TO ALTER THIS SIGN IN ANY WAY.

THIS PROPERTY IS NOT LOCATED IN THE FEMA 100 YEAR FLOOD PLAIN

THIS PROPERTY IS LOCATED IN THE FOLLOWING DISTRICTS :
ESPERANCE FIRE DISTRICT
BARNESBURGH SCHOOL DISTRICT
AGRICULTURAL DISTRICT 124
ZONING CODE G-1

REVISED : 8/20/23 - WETLANDS MORE
REVISED : 9/1/23 - WESTERLY LINE OF LOT 5
REVISED : 2/3/23

STRUTHER MAP

YOUNGS ROAD SUBDIVISION
A SURVEY FOR

HELDERBERG REALTY LLC
U.S. ROUTE 20, N.Y.S. ROUTE 30 AND YOUNGS ROAD

TOWN OF DUNBURY COUNTY OF SCHENECTADY
SCALE : 1" = 100' DATE : JANUARY 2, 2023

200 0 200 400 600
GRAPHIC SCALE - FEET

PREPARED BY:

WILLIAM J. SHERKOW, JR.
LAND SURVEYOR
LICENSE NUMBER 40384

202 WASHINGTON STREET
SHATOGA SPRING, NEW YORK 1285
518-758-7038

Jeffery Schmitt, Planning Board Chair
Michael Harris, Vice Chairman
Chris Parslow, Town Planner
Teresa Bakner, Board Attorney
Lindsay Althiser, Planning Clerk



TOWN OF DUANESBURG
SCHENECTADY COUNTY

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

Town of Duanesburg
Planning Board Minutes
May 15, 2025
Draft Copy

MEMBERS' PRESENT:

Chairman Schmitt, Vice Chairman Harris, Board Member Hoffman, Board Member Houghton, Board Member Novak, Board Member Walpole. Also Attending: Town Attorney Teresa Bakner, Town Planner Chris Parslow and Lindsay Althiser Town Building, Planning and Zoning Clerk.

INTRODUCTION:

Chairperson Schmitt opened the meeting at 7:00pm and welcomed everyone to the Planning Board meeting.

OPEN FORUM:

Chairman Schmitt/ Vice Chairman Harris made a motion to open the open forum.

Chairman Schmitt aye, Vice Chairman Harris aye, Board Member Hoffman aye, Board Member Houghton aye, Board Member Novak aye. **Approved.**

No comments were made.

Vice Chairman Harris/ Board Member Houghton made a motion to close the open forum.

Vice Chairman Harris aye, Board Member Houghton aye, Chairman Schmitt aye, Board Member Hoffman aye, Board Member Novak aye. **Approved.**

PUBLIC HEARINGS:

#25-07 Red Fox Orchards: SBL# 64.00-1-1.1 located at 11338 Western Tpke is seeking a special use permit needed for a retail business with an existing building under The Town of Duaneburg Zoning Ordinance section 11.4(24) “uses permitted by special use permit, retail business.”

Chairman Schmitt/ Vice Chairman Harris made a motion to open the public hearing for the special use permit of **#25-07 Red Fox Orchard:** for the May 15, 2025, meeting. Chairman Schmitt aye, Vice Chairman Harris aye, Board Member Hoffman aye, Board Member Houghton aye, Board Member Novak aye, Board Member Walpole aye. **Approved.**

Dave Kimmer of ABD engineers a representative for the applicant, Sergio of Red Fox Orchards took the floor to explain that they have submitted a new map showing the parking spaces they will use if they get the approval from the DOT to expand their right of way or the parking spaces they will use if they do not get approval from the DOT to expand their right of way.

No public comments were made.

Board Member Novak/ Board Member Walpole made a motion to close the public hearing for the special use permit of **#25-07 Red Fox Orchard:** for the May 15, 2025, meeting. Board Member Novak aye, Board Member Walpole aye, Chairman Schmitt aye, Vice Chairman Harris aye, Board Member Hoffman aye, Board Member Houghton aye. **Approved.**

Vice Chairman Harris asked the applicant if the fencing shown on the map was new or existing. Mr. Kimmer responded that the fencing was already there. Board member Hoffman asked the code enforcement officer Chris Parslow if the number of parking spaces was adequate to which Mr. Parslow responded yes. Board Member Hoffman asks the applicant to add the parking table to the maps. The applicant agreed.

The signed county referral with recommendations have not yet been received.

Board Member Novak/ Board Member Houghton made a motion to table the special use permit of **#25-07 Red Fox Orchard:** for the June 19, 2025, meeting. Board Member Novak aye, Board Member Houghton aye, Chairman Schmitt aye, Vice Chairman Harris aye, Board Member Hoffman aye, Board Member Walpole aye. **Approved.**

OLD BUSINESS:

#25-05 Dawson, Ashley: SBL# 26.00-2-19.2 located on Mariaville Scotch Road is seeking a minor 2 lot subdivision needed to make 1 parcel into 2 parcels. Under The Town of Duanesburg Zoning Ordinance section 3.4 “minor subdivision” and a special use permit needed to construct 2, 2-unit town houses. Under The Town of Duanesburg Zoning Ordinance section 8.4(8) “dwelling, two-family.”

Dave Kimmer of ABD engineers and a representative for the applicant Ashley Dawson completed the stop distance calculations the board asked for in regard to whether or not a second driveway could safely be put in on the property. The board members agreed that a second driveway could indeed be put in and it would not be necessary to have a shared driveway. Mr. Kimmer stated that the grading is too steep for a second driveway. However, Board member Walpole stated that he can put the driveways side by side and where the grading would be the same. There was some debate with the applicant whether or not that could be done. Ultimately the board believes it is doable and sees no need to have a shared driveway. Board member Novak questioned whether or not the applicant would need to have a SWPP done now that there will be a second driveway put in and that the project is now likely to be over an acre of disturbance. Mr. Kimmer does not agree with the board as he does not feel even with the second driveway there will be over an acre of disturbance but if the new plans come back with over an acre then he will do one.

Chairman Schmitt/ Board Member Novak made a motion to table the minor subdivision of **#25-05 Dawson, Ashley** until the June 19, 2025, meeting.

Chairman Schmitt aye, Board Member Novak aye, Vice Chairman Harris aye, Board Member Hoffman aye, Board Member Houghton aye, Board Member Walpole aye. **Approved.**

SKETCH PLAN REVIEW:

#25-09 Breitenstein, Carl: SBL# 66.00-4-2.31 located on Duanesburg Rd (R-1) is seeking a major 5 lot subdivision. Under The Town of Duanesburg Subdivision Ordinance section 3.5 “major subdivision.”

Mr. Carl Breitenstein took the floor to explain his plans for a 5-lot subdivision. Stating that he plans to build a home on each lot to sell. Mr. Breitenstein went on to state that his original plan was to have a shared driveway but upon hearing the boards views on shared driveways which he agrees with he will need to do some reconfiguring of the lots in order to add a driveway to each as the hill on route 7 gets pretty steep towards the top. Chris was not sure but stated that he would look into it. Board member Hoffman asked Mr. Breitenstein what the rights were to the existing driveway already on the property to which Mr. Breitenstein states that it has always been shared but does not believe it is in writing. Town attorney Bakner suggested that should be put into writing. Town attorney Bakner ask town planner Chris Parslow if the creek has a flood

plain. Board Member Houghton asked Mr. Breitenstein to check out the distance from the wetlands that lie behind his property to his lot to make sure that he is far enough away from the 100-foot wetland buffer. Town attorney Bakner told the applicant that he will need to consult the DOT in regard to his driveway locations and he will also needs to complete a SEAF part 1.

NEW BUISINESS: NONE.

OTHER: NONE.

MINUTE APPROVAL:

Chairman Schmitt/ Board Member Walpole made a motion to approve the April 17, 2025, meeting minutes with corrections.

Chairman Schmitt aye, Board Member Walpole aye, Vice Chairman Harris aye, Board Member Hoffman aye, Board Member Houghton aye, Board Member Novak abstain. **Approved.**

ADJOURNMENT:

Vice Chairman Harris/Board Member Walpole made a motion to adjourn the May 15, 2025, meeting.

Vice Chairman Harris aye, Board Member Walpole aye, Chairman Schmitt aye, Board Member Hoffman aye, Board Member Houghton aye, Board Member Novak aye. **Approved.**

I, Lindsay Althiser, Town Planning and Zoning Clerk of the Town of Duanesburg, hereby certify that this is a true and accurate transcript of the Planning Board Meeting held on Thursday May 15, 2025.