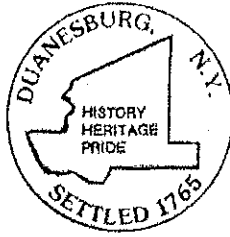


Roger Tidball, Town Supervisor
Jennifer Howe, Town Clerk
Brandy Fall, Deputy Town Clerk
William Reed, Highway Superintendent



John D. Ganther, Council Member
Randy Passonno, Council Member
Francis R. Potter, Council Member
Jeffrey Senecal, Council Member

Thursday June 28, 2018
Regular Town Board Meeting
Meeting Time: 7:00PM

Meeting called to order by Supervisor Tidball at 7:00PM

Present: Supervisor Tidball, Council Members Ganther, Passonno, Potter, Senecal, Town Attorney Terresa Bakner, Highway Superintendent Reed, Deputy Town Clerk Brandy Fall

Absent:

Pledge of Allegiance

Prayer/Moment of Reflection offered by Pastor McHeard

Public Comments on Agenda: Opened by Supervisor Tidball for public comments on agenda items listed in the Business Meeting section of the Agenda. Comments limited to 2 minutes per person.

No one wished to comment. Floor closed.

Resolution 100-18: Council Member Passonno motioned, seconded by Council Member Senecal to approve the Town Board Meeting minutes of Thursday, June 14, 2018.

Motion carried, 5 ayes

Resolution 101-18: Council Member Potter motioned, seconded by Council Member Ganther to pay the following claims:

Motion carried, 5 ayes

Vouchers to be Paid

June 28, 2018

General Fund: #196-209	\$70,603.43
SD#1: #60-70	\$5,917.77
SD#2: #66-71	\$3,831.87
Hwy:#94-101	\$1,448.55
Total Vouchers to be Paid=	<hr/> \$81,801.62

Committee Reports

Highway: Superintendent Reed reported that they have finished with the first round of mowing for the season. Ditches are being cleaned on South Shore Road. The widening of the shoulder of Gage Road is almost completed. Council Member Passonno stated that he received an email from a resident on Lake Road requesting that the town take over the road since the town is already plowing the road now and filling the pot holes. Councilmember Passonno stated that the road would need to be widened to Town which would be taking a good amount of the residents' front lawns. It could be widened to as little as 19 feet, it is probably only 12 feet wide now. There is also no turn around on the road either. They are working to see what they can do. Councilmember Passonno asked if the new truck had been out yet, Highway Supervisor Reed stated that it has not been out on the road yet but that it has been registered. He stated that the plates were not turned in from the last truck and that when he went to DMV, they told him they needed to be transferred because they are all Town of Duanesburg plates. Supervisor Tidball told Highway Superintendent Reed that the insurance company has been and will continue to charge the town for the insurance until the plates are turned in and to turn the plates in to him. DMV transferred the plates to the new truck already when Superintendent Reed went to register the new truck there.

Public Safety: Council Member Senecal had nothing to report stated that it has been very quiet.

Parks: Council Member Senecal reported that the restroom project for Van Patten Park is in progress. The septic tank and forms are in place; Council Member Senecal did the rough plumbing and that it was backfilled. The concrete slab should be poured sometime next week. Project will then be put on hold until after the Park Program finishes up. Supervisor Tidball asked Jean Frisbee if she had anything to add. Mrs. Frisbee stated that the garden club took care of the butterfly garden at Shafer Park. They would like to look for volunteers like boy scouts/girl scouts or 4H to tidy up the large garden there. Mrs. Debbie Peterson planted all the flowers at the point and Park Director Vanessa Baker has been watering them. Jean would like for the town to come up with some sort of watering system for the point. The Van Patten park program starts on Monday July 9th, 2018. The jungle gym at Van Patten Park has been taken down and they will look in to grant, etc. to work to get a new one.

Sewer District #1, 2 & 3: Council Member Ganther reported that there hasn't been anything new since the last meeting. Dale Warner went to training regarding erosion. Bill Brown from Delaware Engineering reported that they will be asking for approval for the supervisor to sign a WQIP grant application at the next meeting; there is funding in place to pay for up to 75% of a UV disinfection system if it has been mandated by the state in which our case it has. Applications will be accepted until the end of July. A bond resolution will need to be done for approval at the next Town Board meeting on Thursday July 12th, 2018. Mr. Brown stated that he will have a few things for the next meeting as SD#3 will need payment close outs. Supervisor Tidball stated that he would like to get to one of the next Metroplex meetings with Bill Brown and the Town Board to say thank you for everything they have done either August 8th, 2018 or September 12th, 2018.

Technology: Council Member Ganther reported that the next Broadband Committee meeting will be downstairs at Town Hall on July 10th @ 6:30. He also stated that Spectrum was fined \$2 million dollars and read the information regarding the fine.

Additional Items brought to the table:

The Duanesburg Historical Society will be having a grand opening of their new building on August 20th, 2018 from 4pm to 8 pm with a ceremony around 6pm.

Business Meeting:

Resolution 102-18: Council Member Potter motioned, seconded by Council Member Senecal to make a SEQRA Determination and Adopting Local Law No. 3 of 2018 to Re-Zone Tax Map Parcel No. 66.00-4-2.31 from C-2 (Commercial and Light Industrial) to R-1 (High-Density Residential), excepting a Small Portion of the Tax Map Parcel which will Remain Zoned Hamlet.
Motion carried, 5 ayes

Resolution 103-18: Council Member Ganther motioned, seconded by Council Member Senecal to authorize the sale of specified items of Town personal property by means of public auction.

Motion carried, 4 ayes, Council Member Passonno abstained

Resolution 104-18: Council Member Passonno motioned, seconded by Council Member Senecal to authorize the Town Board to enter into an option agreement to evaluate the suitability of approximately 5 acres of improved property located at 2261 Western Turnpike to be used as a Town Highway Garage.

Motion carried, 5 ayes

Resolution 105-18: Council Member Senecal motioned, seconded by Council Member Passonno to authorize the Town to enter into an agreement with CT Male for professional engineering services to evaluate the suitability of 2261 Western Turnpike for use as a Town Highway Garage and to perform the necessary due diligence on the property.

Motion carried, 5 ayes

Resolution 106-18: Council Member Senecal motioned, seconded by Council Member Ganther to appoint the 2018 Summer Park Program Counselors.

Motion carried, 5 ayes

Resolution 107-18: Council Member Passonno motioned, seconded by Council Member Potter to authorize the Mariaville Civic Association to hold their annual parade of water craft on July 4th, 2018 on Mariaville Lake.

Motion carried, 5 ayes

Privilege of the Floor: Opened at 7:39 pm

Mr. Hoffmann of Schoharie Turnpike stated his concerns regarding where the potential new Town Garage would be, that the new building is further out of town. Mr. Hoffmann also stated that he gave a quote at a previous meeting for a new garage on the current property. Council Member Passonno stated that the quote given was for a shell of a garage, not a completed building with water, a well, septic, separation tanks, wash bay and property. Council Member Passonno also stated that it is less than 5 miles from the current Highway Garage to where the potential new Highway Garage would be.

Mr. Parks of Maranatha Way asked what the purchase price of the property is. Supervisor Tidball stated that it is \$700,000.00 for the building and property.

Floor closed.

Supervisor Tidball motioned, seconded by Council Member Passonno to adjourn the meeting.
Motion carried, 5 ayes.

Meeting adjourned at 7:43pm.

I, Brandy Fall, Deputy Town Clerk of the Town of Duanesburg, so hereby certify that this is a true and accurate transcript of the Regular Town Board Meeting held on Thursday, June 28, 2018 at the Duanesburg Town Hall, 5853 Western Turnpike, Duanesburg, New York 12056

TOWN OF DUANESBURG TOWN BOARD

RESOLUTION NO. 102-2018

June 28, 2018

**Making a SEQRA Determination and Adopting
Local Law No. 3 of 2018 to Re-Zone Tax Map Parcel No. 66.00-4-2.31
From C-2 (Commercial and Light Industrial) to R-1 (High-Density Residential), excepting
a Small Portion of the Tax Map Parcel which will Remain Zoned Hamlet**

WHEREAS, Local Law No. 3 is entitled "A Local Law Amending the Zoning Map of the Town of Duanesburg to Re-Zone a portion of Tax Map Parcel No. 66.00-4-2.31 From C-2 (Commercial and Light Industrial) to R-1 (High-Density Residential), excepting a Small Portion of the Tax Map Parcel which will remain zoned Hamlet ." The purpose of this local law is to re-zone a portion of Tax Map Parcel No. 66.00-4-2.31 from C-2 (Commercial and Light Industrial) to R-1 (High-Density Residential) -- a small area of the Tax Map Parcel will remain zoned Hamlet; and

WHEREAS, the proposed local law was introduced at the meeting of April 26, 2018 of the Town Board and each member of the Town Board received the proposed local law; and

WHEREAS, the adoption of Local Law No. 3 of 2018 is an Unlisted action, the Town Board is the only involved agency, the Town Board declared itself lead agency, and the Town Board has received and reviewed the attached SEQRA documents (Short Form EAF Parts 1, 2 and 3); and

WHEREAS, Local Law No. 3 of 2018 was referred to Schenectady County Planning for its review pursuant to the NYS General Municipal Law; and

WHEREAS, on May 31, 2018, Schenectady County Planning deferred the proposed local law to the Town Board for local consideration and determined that there was no significant county-wide or inter-community impact; and

WHEREAS, the proposed local law was also referred to both the Town of Duanesburg Planning Board and to the Town of Duanesburg Zoning Board of Appeals for their comments, and neither the Duanesburg Planning Board or the Zoning Board of Appeals had any comments;

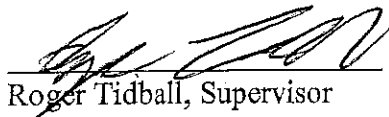
WHEREAS, a public hearing was duly noticed and held on May 24, 2018;

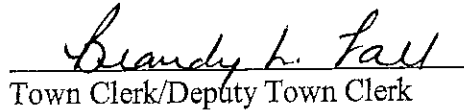
WHEREAS, the attached local law and map were revised slightly to address the small portion of the Tax Map Parcel that will remain zoned Hamlet; all of the remainder of the Tax Map Parcel currently shown as C-2 will be rezoned to R-1;

NOW THEREFORE BE IT RESOLVED that the Town Board as SEQRA lead agency hereby adopts the EAF Parts 1, 2 and 3 and determines to issue a negative declaration finding that no environmental impact statement will be prepared for the adoption of this local law as the adoption of the local law does not have the potential to cause a significant adverse environmental impact;

BE IT FURTHER RESOLVED that the Town Board hereby finds that any changes to the Local Law and the map to clarify the portion of the Tax Map parcel to rezoned are minor as set forth above and hereby adopts Local Law No. 3 of 2018 as attached with the map showing the portion of the tax map parcel to be rezoned from C-2 to R-1 and directs that the local law with the attached map be filed in the Town Clerk's office and with the NYS Secretary of State's Office.

Motion made by Councilmember Potter
Motion seconded by Councilmember Senecal


Roger Tidball, Supervisor


Town Clerk/Deputy Town Clerk

Present:

Absent:

Council Members:

Roger Tidball	<u>Yea</u>	Nay	Abstain
John Ganther	<u>Yea</u>	Nay	Abstain
Rick Potter	<u>Yea</u>	Nay	Abstain
Randy Passonno	<u>Yea</u>	Nay	Abstain
Jeff Senecal	<u>Yea</u>	Nay	Abstain

TOWN OF DUANESBURG LOCAL LAW NO. 3 OF 2018

**A LOCAL LAW AMENDING THE ZONING MAP OF THE TOWN OF DUANESBURG
TO RE-ZONE TAX MAP PARCEL NO. 66.00-4-2.31 FROM C-2 (COMMERCIAL AND
LIGHT INDUSTRIAL) TO R-1 (HIGH-DENSITY RESIDENTIAL), EXCEPTING A
SMALL PORTION OF THE TAX MAP PARCEL WHICH WILL REMAIN ZONED
HAMLET**

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 Zoning Map of the Town of Duanesburg to Re-Zone Tax Map Parcel No. 66.00-4-2.31 From C-2 (Commercial and Light Industrial) to R-1 (High-Density Residential), excepting a small portion of the Tax Map Parcel which will remain zoned Hamlet."

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 Town of Duanesburg has received an application from the owner of tax map parcel #66.00-4-2.31 which comprises +/- 50 acres on both sides of Duanesburg Road (NYS Route 7) as you enter the hamlet of Duanesburg. This property is currently zoned C-2 (Commercial and Light Industrial) and Hamlet and the owner has requested that the portion of the tax map parcel zoned C-2 be changed to R-1 (High Density Residential). The Town Board finds that this request for a zone change is consistent with the Comprehensive Plan and the character of the community along Duanesburg Road at this location.

Section 4. Zoning Map Amendment

The Town of Duanesburg Zoning Map is hereby amended to show the change of #66.00-4-2.31 from C-2 (Commercial and Light Industrial) to R-1 (High Density Residential), with the exception of the portion of the tax map parcel zoned Hamlet which shall remain as Hamlet, as set forth on the attached map.

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 Secretary of State in accordance with Municipal Home Rule Law § 27.

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COMMERCIAL-1

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6600-2-7-4

6600-4-2-31

6600-2-4-12

6600-2-7-13

6600-2-9-4

6600-3-3 6600-2-7-211

6700-4-16-1

61 70-4-24

61 00-4-13

61 00-4-221

6600-4-2-31

COMMERCIAL-2

6705-4-7

6705-4-18

6705-4-9

6705-4-13

6600-4-100

6705-4-12

67

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.

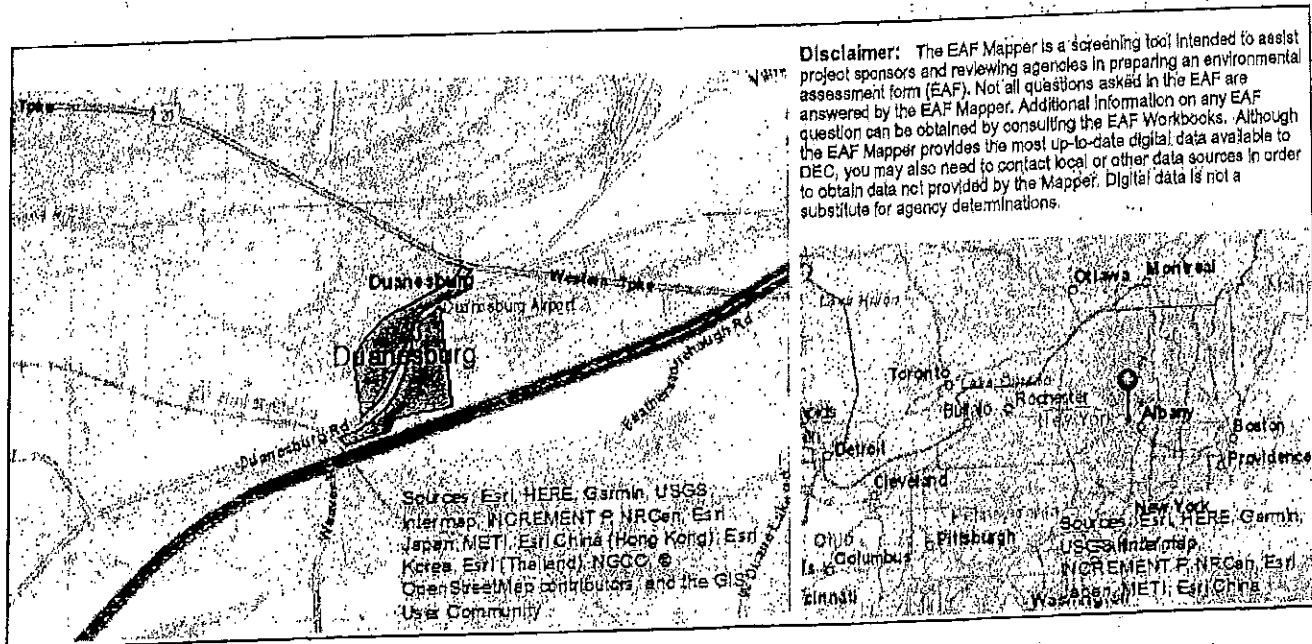
Part 1 - Project and Sponsor Information							
James C. Breitenstein							
Name of Action or Project: Zone Change							
Project Location (describe, and attach a location map): Duaneburg Rd. from Airport to Weaver Rd. both side of State Rd. Rt. 7							
Brief Description of Proposed Action: Change existing Zoning from C-2 Commercial and Light Industrial to R-1 Higher Density Residential							
Name of Applicant or Sponsor: James C. Breitenstein		Telephone: 518-895-8808 E-Mail: jcbreitenstein@gmail.com					
Address: 6167 Western Turnpike							
City/PO: Delanson		State: NY	Zip Code: 12063				
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.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="padding: 2px;">NO</th> <th style="padding: 2px;">YES</th> </tr> <tr> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Schenectady County Planning			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="padding: 2px;">NO</th> <th style="padding: 2px;">YES</th> </tr> <tr> <td style="text-align: center; padding: 5px;"><input type="checkbox"/></td> <td style="text-align: center; padding: 5px;"><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		48.8 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?		48.8 acres					
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input 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: _____	<input type="checkbox"/>	<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: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input type="checkbox"/>	<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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/> Forest <input checked="" 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? Northern Long-eared Bat	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input type="checkbox"/>	<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? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES If Yes, briefly describe: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO <input checked="" type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: _____ Date: _____ Signature: _____		

EAF Mapper Summary Report

Friday, March 16, 2018 8:47 AM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
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]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Northern Long-eared Bat
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	No

Town of Duanesburg Town Board
State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Date: June 28, 2018

This notice is issued pursuant to the State Environmental Quality Review Act, Article 8 of the NYS Environmental Conservation Law and its implementing regulations at Part 617 of the New York State Code of Rules and Regulations (collectively referred to as "SEQRA").

The Town Board of the Town of Duanesburg (the "Town Board"), as the lead agency under SEQRA, has determined that the proposed action described below will not have a significant adverse environmental impact and a draft Environmental Impact Statement will not be prepared.

Name of Action:

Adoption of A Local Law Amending the Zoning Map of the Town of Duanesburg to Re-Zone Tax Map Parcel No. 66.00-4-2.31 From C-2 (Commercial and Light Industrial) to R-1 (High-Density Residential), Excepting a Small Portion of the Tax Map Parcel Which Will Remain Zoned Hamlet.

SEQR Status:

Unlisted

Description of Action:

The Town of Duanesburg Town Board proposes to amend the Zoning Map of the Town of Duanesburg. The Town of Duanesburg has received an application from the owner of tax map parcel #66.00-4-2.31 which comprises +/- 50 acres on both sides of Duanesburg Road (NYS Route 7) as you enter the hamlet of Duanesburg. This property is currently zoned C-2 (Commercial and Light Industrial) and Hamlet and the owner has requested that the non-"Hamlet" portion of the tax map parcel zoned C-2 be changed to R-1 (High Density Residential). The Town Board finds that this request for a zone change is consistent with the Comprehensive Plan and the character of the community along Duanesburg Road at this location.

Location:

The Proposed Action will only affect a +/- 50-acre site along State Route 7 between the existing Airport west to Weaver Road, designated as Tax Map Parcel No. 66.00-4-2.31 in the Town of Duanesburg, New York.

Reasons Supporting This Determination:

The Town Board has carefully considered whether the Proposed Action would potentially have a significant adverse impact on the environment. For the reasons set forth below, the adoption of a SEQRA Negative Declaration by the Town Board is appropriate.

1. The Town Board has given due consideration to the action as defined in 6 NYCRR §§ 617.2(b)(1) and 617.3(g).

2. The Town Board has given due consideration to the public and agency comments provided on or before the public hearing, held on May 24th, 2018.

3. The Town Board has completed Parts 1 and 2 of the Short Environmental Assessment Form, and has concluded that environmental effects of the proposed action will not exceed any of the criteria for Determining Significance found in 6 NYCRR § 617.7(c), as more fully described below:

- a. No substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; no substantial increase in solid waste production; and no substantial increase in potential for erosion, flooding, leaching or drainage problems will result from the Proposed Action. The Proposed Action will not generate off-premises noise, waste, lights, glare or any other intrusive condition. The Proposed Action is purely a legislative act and there is no construction or disturbance proposed. Any future development of the subject property will be subject to review and approval under the Town Zoning Ordinance and SEQRA.
- b. No removal or destruction of large quantities of vegetation or fauna; no substantial interference with the movement of any resident or migratory fish or wildlife species; no impacts on a significant habitat area; no substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; and no other significant adverse impacts to natural resources will result from the Proposed Action. No environmental resources will be impacted by the Proposed Action. A portion of the subject property is located within the 100-Year Flood Plain, is adjacent to Freshwater Wetlands D-17, and may be located near Northern Long-Eared Bat habitat(s). However, as described above, the Proposed action is purely a legislative act and there is no construction or disturbance proposed. Any future development of the affected property will be subject to review and approval under the Town Zoning Ordinance and SEQRA.
- c. The Proposed Action will not create the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to subdivision 6 NYCRR § 617.14(g).
- d. The Proposed Action will not create a material conflict with the community's current plans or goals as officially approved or adopted. Rather, the Proposed Action is consistent with the Town's Comprehensive Plan.
- e. The Proposed Action will not create the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character. The subject property is located in

an archeologically sensitive area. However, as described above, the Proposed Action is purely a legislative act and there is no construction or disturbance proposed. Any future development of the affected property will be subject to review and approval under the Town Zoning Ordinance and SEQRA.

- f. The Proposed Action will not create a major change in the use of either the quantity or type of energy.
- g. The Proposed Action will not create a hazard to human health.
- h. The Proposed Action will create a change in the allowed use of land; however, the rezoning is will result in few environmental impacts because more commercial and industrial projects were allowed under the previous zoning than will be allowed under the high-density residential zoning district.
- i. The Proposed Action will not encourage or attract a large number of people to the Town of Duanesburg, compared to the number of people who would come to such place absent its adoption.
- j. The Proposed Action will not create a material demand for other actions that would result in one of the above consequences.
- k. No cumulative adverse impacts on the environment will result from the Proposed Action.

For Further Information:

Contact Person: Roger Tidball, Supervisor
Town of Duanesburg Town Board
Address: 5853 Western Turnpike
Duanesburg, NY 12056
Telephone: 518-895-2331

A Copy of this Notice is Filed With:

Town of Duanesburg Town Clerk (Lead Agency)

Interested Agencies:

Town of Duanesburg Planning Board
Schenectady County Department of Planning

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			
James C. Breitenstein			
Name of Action or Project: Zone Change			
Project Location (describe, and attach a location map): Duanesburg Rd. from Airport to Weaver Rd, both side of State Rd. Rte.7			
Brief Description of Proposed Action: Change existing Zoning from C-2 Commercial and Light Industrial to R-1 Higher Density Residential			
Name of Applicant or Sponsor: James C. Breitenstein		Telephone: 518-895-8808	
		E-Mail: jcbreitenstein@gmail.com	
Address: 6187 Western Turnpike			
City/PO: Delanson	State: NY	Zip Code: 12053	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental 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?		48.8 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?		48.8 acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

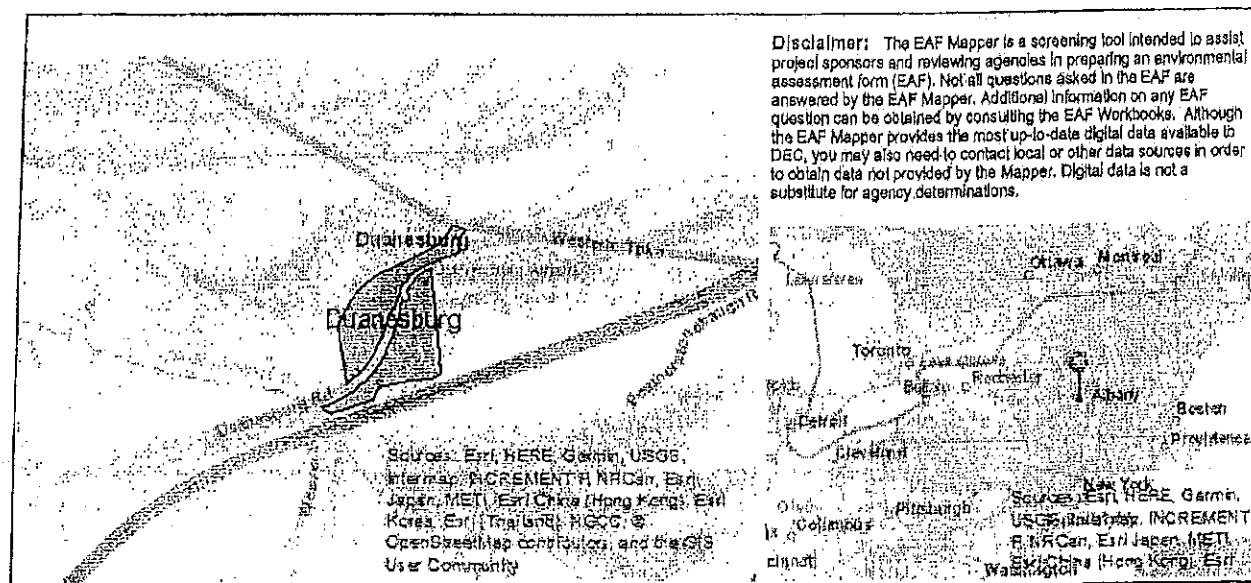
5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input checked="" type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) 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 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? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO <input checked="" type="checkbox"/> <input type="checkbox"/>	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 <input type="checkbox"/> <input checked="" type="checkbox"/>	YES <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 checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" 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? Northern Long-eared Bat	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input type="checkbox"/>	YES <input checked="" 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? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	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 AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>JAMES C BREITENSTAM</u> Date: <u>6-28-18</u> Signature: <u>[Signature]</u>		

PRINT FORM

EAF Mapper Summary Report

Thursday, May 31, 2018 8:12 AM



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
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]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Northern Long-eared Bat
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	No

Agency Use Only [If applicable]

Project: Breitenstein Zone Change

Date: 5/31/18

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:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>

Project: Breitenstein Zone Chang

Date: 5/31/18

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.

See attached determination of significance.

<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.
<div style="display: flex; justify-content: space-between;"> <div> <u>Town Bd Town of Duchesne</u> Name of Lead Agency </div> <div> <u>6.28.18</u> Date </div> </div>	
<div style="display: flex; justify-content: space-between;"> <div> <u>Roger Tidball</u> Print or Type Name of Responsible Officer in Lead Agency </div> <div> <u>Town Supervisor</u> Title of Responsible Officer </div> </div>	
<div style="display: flex; justify-content: space-between;"> <div> <u>[Signature]</u> Signature of Responsible Officer in Lead Agency </div> <div> <u>[Signature]</u> Signature of Preparer (if different from Responsible Officer) </div> </div>	

PRINT FORM

RESOLUTION OF THE TOWN BOARD

RESOLUTION NO. 103 -2018

June 28, 2018

WHEREAS, pursuant to Town Law § 64(2-a), the Town may sell personal property as the purposes of the town may require; and

WHEREAS, the Town owns a bucket lift (Model # JG/34-J6), a 72-inch metal break (manufacturer unknown), a 30-inch Wain/roy bucket, and a 1992 International Paystar 5000 4x4 with a tow plow and sander (the "Personal Property"); and

WHEREAS, the Town wishes to sell the Personal Property by means of public auction; and

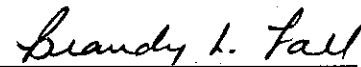
WHEREAS, the Town believes the public auction will yield the best price and maximum financial benefit to the Town; and

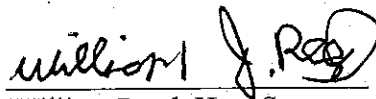
WHEREAS, the Town will take all appropriate measures to ensure that the sale price is upon the best and/or most beneficial terms.

NOW, THEREFORE BE IT RESOLVED, that the Town Board authorizes the sale of the Personal Property by public auction.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of June 28, 2018.


Roger Tidball, Supervisor


Brandy Fall, Deputy Town Clerk


William Reed, Hwy Sup.

7/2/18
Date

7/2/2018
Date

7-3-18
Date

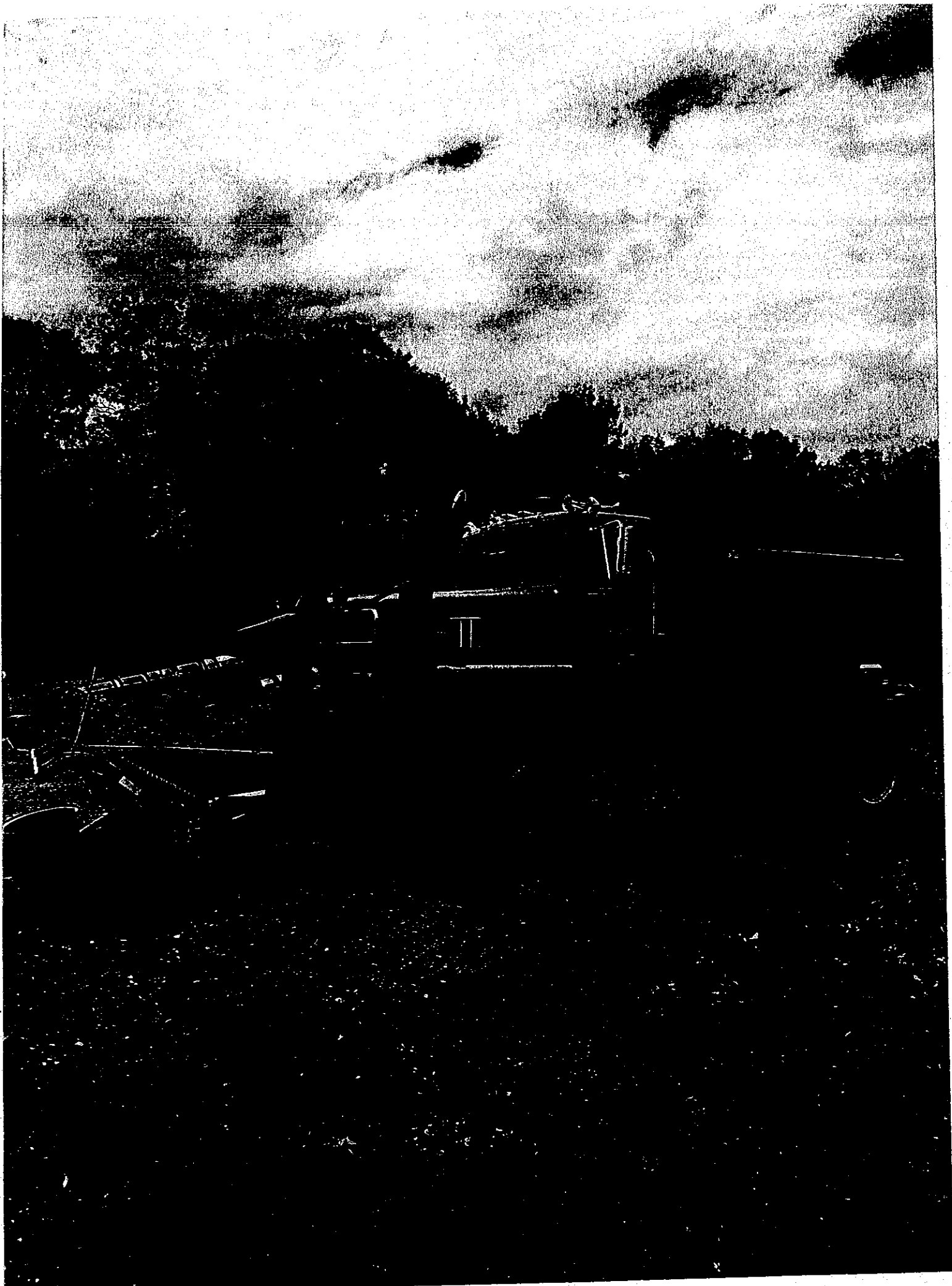
Present:

Absent:

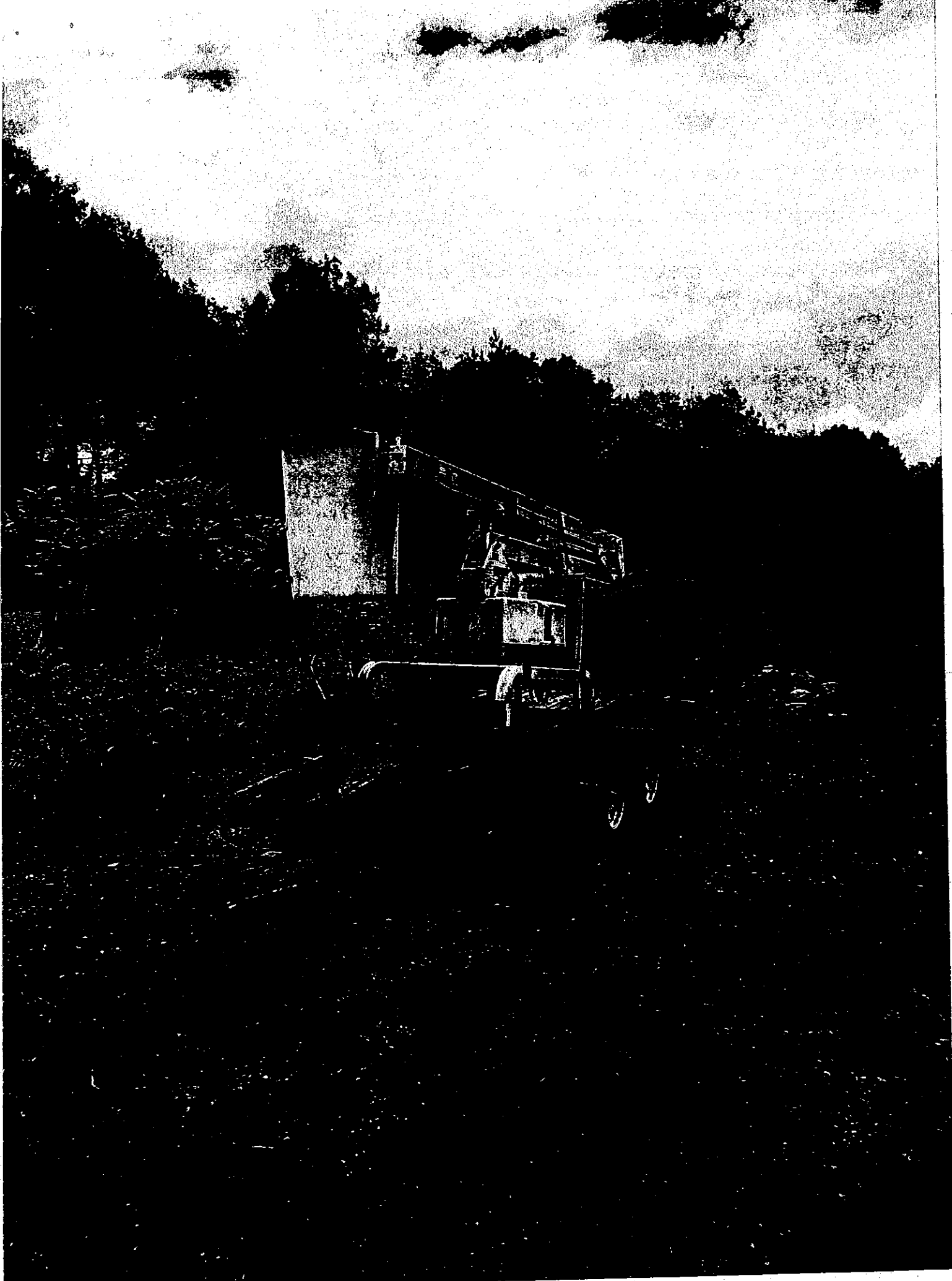
Town Board Members:

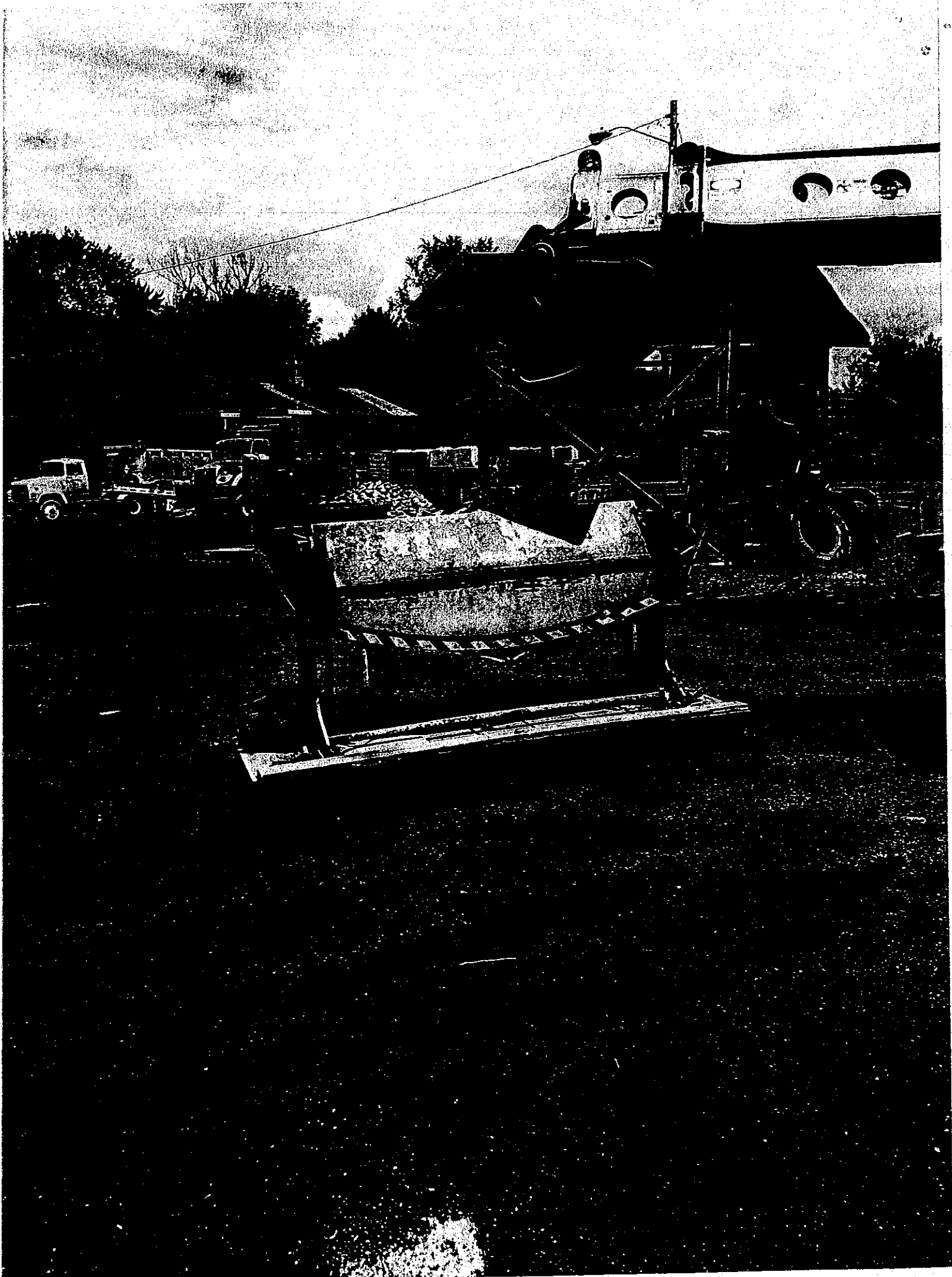
Roger Tidball	<u>Yea</u>	Nay	Abstain
John Ganther	<u>Yea</u>	Nay	Abstain
Rick Potter	<u>Yea</u>	Nay	Abstain
Randy Passonno	Yea	Nay	<u>Abstain</u>
Jeff Senecal	<u>Yea</u>	Nay	Abstain

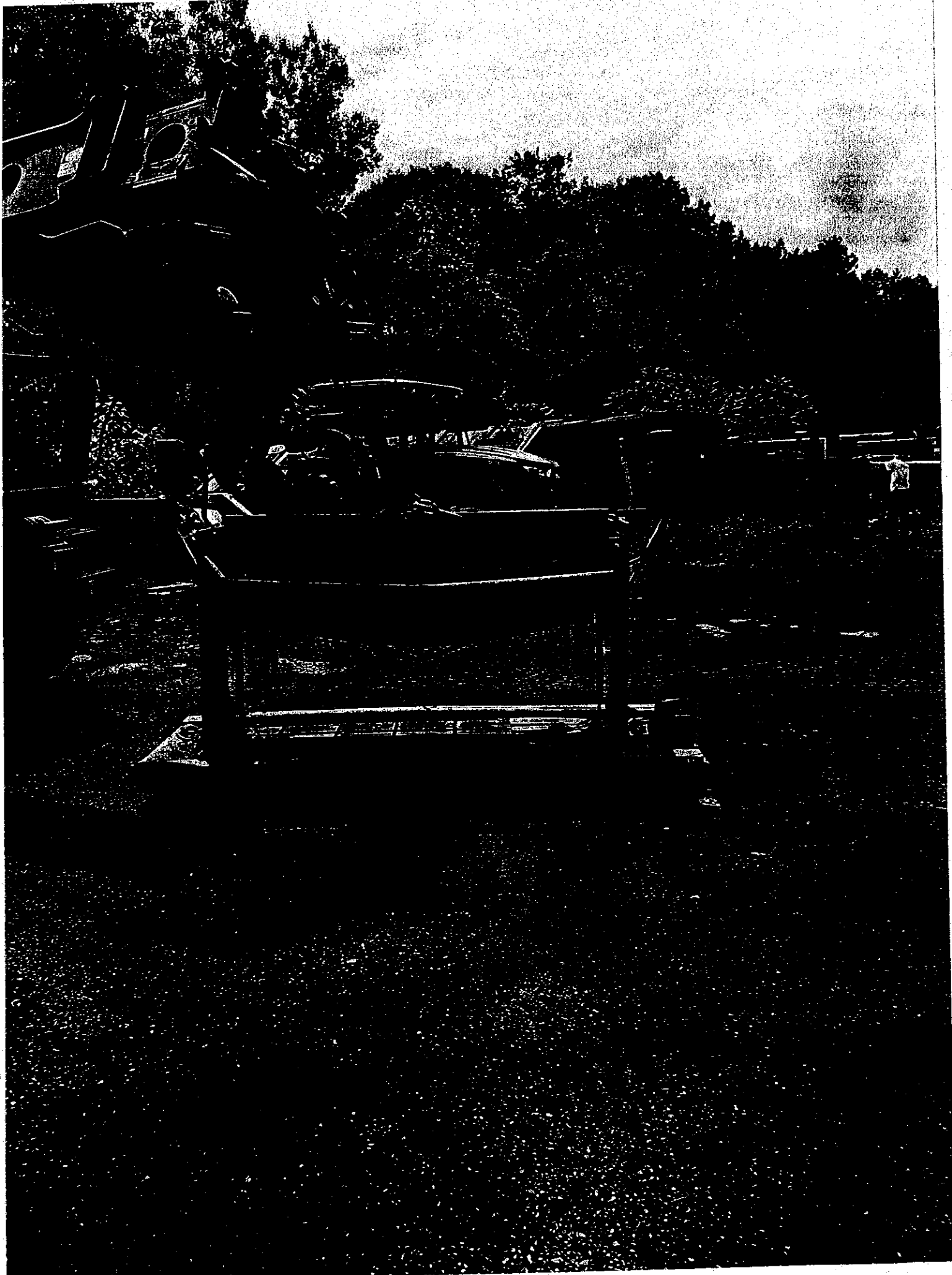














RESOLUTION OF THE TOWN BOARD

RESOLUTION NO. 104-2018

June 28, 2018

WHEREAS, the Town Board is evaluating the suitability of approximately 5 acres of improved property located at 2261 Western Turnpike, Duanesburg, New York 12056 (tax map parcel number 68.00-2-41.1) to determine if it could potentially serve as a new Town Highway Garage for the Town of Duanesburg as the existing Town Highway Garage is deficient in many respects; and

WHEREAS, the Town Board has obtained an appraisal of the value of 2261 Western Turnpike, Duanesburg, New York 12056 and has determined that it would be beneficial to enter into a non-binding option agreement with the owner of the property, Saydra Doyle, to allow the Town Board enough time to further evaluate the suitability of the property and to undertake its due diligence in making a decision whether to commence the process of purchasing the property; and

WHEREAS, the proposed purchase price of the facility, if the option is exercised by the Town Board, is \$700,000, which is consistent with the value set forth in the accepted Bauer appraisal obtained by the Town Board; and

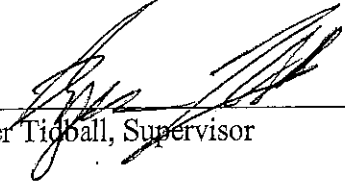
WHEREAS the cost of obtaining the non-binding option to purchase is \$10,000, and pursuant to the terms of the option agreement, the option cost shall be applied to the purchase price should the option be exercised; and

WHEREAS, notwithstanding the above, the Town is not bound by the option agreement to purchase the property and will need to resolve to exercise the option to purchase the property in the future. Such a subsequent resolution to purchase the property will be a resolution subject to a permissive referendum; and

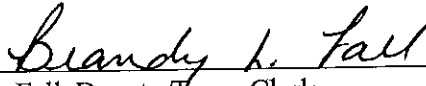
WHEREAS, this proposed action is a Type II action pursuant to the NYS Environmental Quality Review Act because entering into the option agreement does not bind the Town Board to purchase the property but merely allows the Town Board the time to study the property and to undertake the preliminary planning and budgetary processes necessary to determine if the property should be purchased to serve as the new Town Highway Garage.

NOW, THEREFORE BE IT RESOLVED, that the Town Board approves the attached option agreement and authorizes the Town Supervisor to sign the option agreement allowing the Town Board the option to purchase the improved property located at 2261 Western Turnpike, Duanesburg, New York 12056 for the purpose of serving as the new Town Highway Garage.

By (unanimous/majority) vote of the Town Board of the Town of Duanesburg at its regular meeting of June 28, 2018.



Roger Tidball, Supervisor



Brandy Fall, Deputy Town Clerk

6/28/18
Date

6/28/2018
Date

Present:
Absent:

Town Board Members:

Roger Tidball	<input checked="" type="radio"/> Yea	<input type="radio"/> Nay	<input type="radio"/> Abstain
John Ganther	<input checked="" type="radio"/> Yea	<input type="radio"/> Nay	<input type="radio"/> Abstain
Rick Potter	<input checked="" type="radio"/> Yea	<input type="radio"/> Nay	<input type="radio"/> Abstain
Randy Passonno	<input checked="" type="radio"/> Yea	<input type="radio"/> Nay	<input type="radio"/> Abstain
Jeff Senecal	<input checked="" type="radio"/> Yea	<input type="radio"/> Nay	<input type="radio"/> Abstain

RESOLUTION OF THE TOWN BOARD

RESOLUTION NO. 165-2018

June 28, 2018

WHEREAS, pursuant to Town Law § 64(2) the Town may purchase real property for any public purpose; and

WHEREAS, the Town wishes to enter into an agreement with C.T. Male to evaluate the suitability of 2261 Western Turnpike (the "Property") and to assist the Town in undertaking its due diligence in making a decision whether to commence the process of purchasing the Property (the "Work"); and

NOW, THEREFORE BE IT RESOLVED, that the Town Board authorizes the Town Supervisor to enter into an agreement with C.T. Male for the Work in an amount up to \$5,000.00.

By (unanimous/majority) vote of the Town Board of the Town of Duaneburg at its regular meeting of June 28, 2018.


Roger Tidball, Supervisor


Brandy Fall, Deputy Town Clerk

7/2/18
Date

7/2/2018
Date

Present:

Absent:

Town Board Members:

Roger Tidball	<input checked="" type="radio"/> Yea	Nay	Abstain
John Ganther	<input checked="" type="radio"/> Yea	Nay	Abstain
Rick Potter	<input checked="" type="radio"/> Yea	Nay	Abstain
Randy Passonno	<input checked="" type="radio"/> Yea	Nay	Abstain
Jeff Senecal	<input checked="" type="radio"/> Yea	Nay	Abstain

