



## Meeting Notice

**TO: Board Members**

**FROM: Andrew Santillo**

**DATE: August 9, 2022**

**RE: Planning Board Meeting**

The regular meeting of the Montgomery County Planning Board is scheduled for Thursday, August 11, 2022 at 6:30 p.m. at the Montgomery County Business Development Center, 9 Park Street, Fonda, NY.

Please call Karl at (518) 853-8334 between 8:30 a.m. and 4:00 p.m. if you have any questions.

cc: The Recorder  
Montgomery Co. Legislature  
DPW

The Leader Herald  
Daily Gazette





## **MONTGOMERY COUNTY PLANNING BOARD MEETING**

**Thursday, August 11, 2022**

**6:30 PM – Montgomery County Business Development Center**

- I. Pledge of Allegiance
- II. Role Call
- III. Adoption of Agenda
- IV. Approval of previous meeting minutes
- V. Public comments on agenda items (3 minute limit per person)
- VI. Town of Mohawk — Local Law Amendment
- VII. Town of Amsterdam — Site Plan Review
- VIII. Town of Florida — Site Plan Review
- IX. Town of Florida — Site Plan Review
- X. Any other business



**Montgomery County Planning Board**  
**Meeting Minutes**  
**June 9<sup>th</sup>, 2022**

**MEMBERS PRESENT:**

Ron Jemmott, Member  
Erin Covey, Member  
David Wiener, Member  
Mark Hoffman, Vice Chair  
Irene Collins, Member

**STAFF MEMBERS PRESENT:**

Alex Kuttesch, Senior Planner  
Karl Gustafson Jr., Grant Assistant  
Andrew Santillo, Assistant

**ABSENT:**

Doug Stahura, Member  
Angela Frederick, Member  
Betty Sanders, Alternate  
Wayne DeMallie, Chairman

**OTHERS PRESENT:**

**I. Call to Order**

The meeting was called to order by Vice Chairman Mark Hoffman at 6:31 p.m.

**II. Roll Call**

The roll call of board members was done by Vice Chairman Hoffman.

**III. Adoption of the Agenda**

David Wiener made a motion to adopt the agenda, Ron Jemmott seconded. All members present were in favor.

**IV. Approval of Previous Meeting's Minutes**

Erin Covey made a motion to accept previous meeting minutes, Irene Collins seconded the motion. The previous minutes were approved.

**V. Public Comment**

There was no public comments.

**VI. Town of Amsterdam- Site Plan Review**



Alex Kuttesch explained that this is referral was for the site plan review of the Log City Road PUD project. In the May meeting, the board passed the zoning change for the property and the board is now reviewing the site plan. Alex explained that the project took out the commercial piece, which would have less of an impact on the environment and would have less traffic.

Erin Covey asked about the water runoff onto neighboring property owners land. Karl stated that the Town of Amsterdam submitted public comments and that was not one of them.

Erin Covey made the motion to approve the referral and that the town provides the board with the updated SEQR documents, Ron Jemmott seconded the motion.

All were in favor.

The referral was approved with stipulations that the traffic study and SEQR be sent to the board.

#### **VII. City of Amsterdam- Zoning Change**

Alex Kuttesch stated that this referral is a zoning change for the Creative Clubhouse Connections in the City of Amsterdam. Two parcels were gifted to Creative Clubhouse connections and those parcels will need a zoning change to commercial.

Erin Covey made a motion to approve the referral, seconded by Dave Wiener.

All were in favor.

The referral was approved.

#### **VIII. Other Business**

There was no other business.

#### **IX. Adjournment**

Betty Sanders made a motion to adjourn the meeting at 7:00 p.m., seconded by David Wiener. All were in favor.

Respectfully submitted,



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Karl Gustafson Jr.  
Economic Development Grant Assistant



# REFERRAL FORM

## MONTGOMERY COUNTY PLANNING BOARD

Referral Number \_\_\_\_\_

assigned by the MCPB upon  
acceptance of referral for review

This Referral must be received **SEVEN CALENDAR DAYS** prior to the MCPB meeting date in order for it to be placed on the agenda.

**TO:** Montgomery County Planning Board,  
Old County Courthouse,  
PO Box 1500, Fonda, New York 12068  
Phone: 518-853-8334  
Fax: 518-853-8336

**FROM:** Municipal Board: Town Board \_\_\_\_\_  
Referring Officer: Claudia Braymer, Esq., Attorney  
for Town  
Mail original resolution to:  
2-4 Park Street, Fonda NY 12068

1. **Applicant:** Town of Mohawk \_\_\_\_\_ 2. **Site Address:** \_\_\_\_\_ Townwide \_\_\_\_\_

3. **Tax Map Number(s):** \_\_\_\_\_ 4. **Acres:** \_\_\_\_\_

5. **Is the site currently serviced by public water?** ☐ Yes ☐ No

6. **On-site waste water treatment is currently provided by:** ☐ Public Sewer or ☐ Septic System

7. **Current Zoning:** \_\_\_\_\_ 8. **Current Land Use:** \_\_\_\_\_

9. **Project Description:** \_\_Amendments to the Town Zoning Law: Clarifying the use provisions of the Zoning Law to make it clear that motocross tracks are prohibited except where expressly allowed by with a special permit, changing the Zoning Law to allow travel trailers in Travel Camps in the R-M Mobile Home Residential District for up to 180 days during a calendar year, and fixing errors or inconsistent language in the Zoning Law.

10. **MCPB Jurisdiction:** \_\_\_\_\_

☒ **Text Adoption or Amendment** ☐ **Site is located within 500' of:** \_\_\_\_\_

- ☐ a municipal boundary.
- ☐ a State or County thruway/highway/roadway
- ☐ an existing or proposed State or County park/recreation area
- ☐ an existing or proposed County-owned stream or drainage channel
- ☐ a State or County-owned parcel on which a public building or institution is situated
- ☐ a farm operation within an Agricultural District (Incl. Ag data Statement) (does not apply to area variances)

11. **PUBLIC HEARING:** Date: July 14th, 2022 Time: 7:00 pm Location: The Town of Mohawk Office Building  
2-4 Park st Fonda NY 12068

### Referred Action(s)

If referring multiple, related actions, please identify the referring municipal board if different from above.

12. ☐ **Text Adoption or** ☒ **Amendment** **Referring Board:**  
☐ Comprehensive Plan ☒ Local Law ☐ Zoning Ordinance ☐ Other \_\_\_\_\_

13. ☐ **Zone Change** **Referring Board:**

Proposed Zone District: \_\_\_\_\_ Number of Acres: \_\_\_\_\_

Purpose of the Zone Change: \_\_\_\_\_

14. ☐ **Site Plan** ☐ **Project Site Review** **Referring Board:**

Proposed Improvements: \_\_\_\_\_

Proposed Use: \_\_\_\_\_

Will the proposed project require a variance? ☐ Yes ☐ No Type: ☐ Area ☐ Use

Specify: \_\_\_\_\_

Is a State of County DOT work permit needed? If Yes : ☐ State or ☐ County ☐ No

Specify: \_\_\_\_\_



**15. ☐ Special Permit**

**Referring Board:**

Section of local zoning code that requires a special permit for this use: \_\_\_\_\_

Will the proposed project require a variance? ☐ Yes ☐ No Type: ☐ Area ☐ Use

**16. Variance**

**Referring Board:**

☐ Area ☐ Use

Section(s) of local zoning code to which the variance is being sought: \_\_\_\_\_

Describe how the proposed project varies from the above code section: \_\_\_\_\_

**SEQR Determination**

**Action:**

**Finding:**

☒ Type I

☐ Positive Declaration – Draft EIS

☐ Type II

☐ Conditional Negative Declaration

☐ Unlisted Action

☒ Negative Declaration

☐ Exempt

☐ No Finding (Type II Only)

**SEQR determination made by (Lead Agency):** Negative Declaration \_\_\_\_\_ **Date:** 7/14/2022

**REQUIRED MATERIAL**

**Send 3 copies of a “Full Statement of the Proposed Action” which includes:**

All materials required by and submitted to the referring body as an application

- If submitting site plans, please submit only 1 large set of plans, and 12 11x17 packets.
- All material may be submitted digitally as well at <http://www.mcblc.org/planning-services/montgomery-county-planning-board-referrals/>

This referral, as required by GML §239 1 and m, includes complete information, and supporting materials to assist the Montgomery County Planning Board (MCPB) in its review. Recommendations by MCPB shall be made to the Referring Body within thirty days of receipt of the Full Statement.

Claudia Braymer Esq. - (518) 502-1213

\_\_\_\_\_  
Name, Title & Phone Number of Person Completing this Form

7/27/20

\_\_\_\_\_  
22  
Transmittal Date



This side to be completed by Montgomery County Planning.

## **REFERRAL FORM**

### **MONTGOMERY COUNTY PLANNING BOARD**

TO: \_\_\_\_\_

Receipt of 239-m referral is acknowledged on \_\_\_\_\_. Please be advised that the Montgomery County Planning Board has reviewed the proposal stated on the opposite side of this form on \_\_\_\_\_ and makes the following recommendation.

- ☐ Approves
  
- ☐ Approves (with Modification)
  
- ☐ Disapproves:
  
- ☐ No significant County-wide or inter-community input
  
- ☐ Not subject to Planning Board review
  
- ☐ Took no action

Section 239-m of the General Municipal Law requires that within thirty days after final action by the municipality is taken; a report of the final action shall be filed with the County Planning Board.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kenneth F. Rose, Director  
Montgomery County Dept. of Economic  
Development and Planning



**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Town of Mohawk Zoning Law Revisions 2022		
Project Location (describe, and attach a general location map): Town of Mohawk		
Brief Description of Proposed Action (include purpose or need): Zoning amendments that will be effective throughout the town. No specific project is proposed to be undertaken by the Mohawk Town Board pursuant to this zoning change.		
Name of Applicant/Sponsor: Town of Mohawk Town Board		Telephone:(518) 853-3031
		E-Mail:
Address: 2 Park St		
City/PO: Fonda	State: NY	Zip Code:12068
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:



## B. Government Approvals

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

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

## C. Planning and Zoning

<b>C.1. Planning and zoning actions:</b> Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1	
<b>C.2. Adopted land use plans:</b> a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, identify the plan(s): NYS Heritage Areas: Mohawk Valley Heritage Corridor, Remediation Sites: B00138 _____ _____ _____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, identify the plan(s): Farmland protection plan _____ _____ _____	



**C.3. Zoning**

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

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

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

i. What is the proposed new zoning for the site? Various zoning amendments

**C.4. Existing community services**

a. In what school district is the project site located? Fonda-Fultonville Central School District

b. What police or other public protection forces serve the project site?  
Montgomery County Sheriff, NYS Police

c. Which fire protection and emergency medical services serve the project site?  
Town of Mohawk Fire Department, Tribes Hill Fire Department, Fonda Fire Department

d. What parks serve the project site?  
Various parks in the Town

**D. Project Details****D.1. Proposed and Potential Development**

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

b. a. Total acreage of the site of the proposed action? 35.39 sq mi **acres**  
b. Total acreage to be physically disturbed? \_\_\_\_\_ acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? N/A acres

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

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

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

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

iii. Number of lots proposed? \_\_\_\_\_

iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

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

i. If No, anticipated period of construction: \_\_\_\_\_ months

ii. If Yes:

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



f. Does the project include new residential uses? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>				
If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

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

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

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)	
If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
<ul style="list-style-type: none"> <li>• Volume (specify tons or cubic yards): _____</li> <li>• Over what duration of time? _____</li> </ul>	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____	
iv. Will there be onsite dewatering or processing of excavated materials? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
ix. Summarize site reclamation goals and plan: _____	
_____	
_____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____	
_____	
_____	



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

iii. Will the proposed action cause or result in disturbance to bottom sediments?

☐ Yes ☐ No

If Yes, describe:

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?

☐ Yes ☐ No

If Yes:

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

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?

☐ Yes ☐ No

If Yes:

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

ii. Will the proposed action obtain water from an existing public water supply?

☐ Yes ☐ No

If Yes:

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

iii. Will line extension within an existing district be necessary to supply the project?

☐ Yes ☐ No

If Yes:

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

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

☐ Yes ☐ No

If Yes:

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

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

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

d. Will the proposed action generate liquid wastes?

☐ Yes ☐ No

If Yes:

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

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

iii. Will the proposed action use any existing public wastewater treatment facilities?

☐ Yes ☐ No

If Yes:

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



<ul style="list-style-type: none"> <li>• Do existing sewer lines serve the project site? _____</li> <li>• Will a line extension within an existing district be necessary to serve the project? _____</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> <li>• Describe extensions or capacity expansions proposed to serve this project: _____</li> </ul>	
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____	
If Yes: <ul style="list-style-type: none"> <li>• Applicant/sponsor for new district: _____</li> <li>• Date application submitted or anticipated: _____</li> <li>• What is the receiving water for the wastewater discharge? _____</li> </ul>	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____	
If Yes: <ul style="list-style-type: none"> <li>i. How much impervious surface will the project create in relation to total size of project parcel?                  _____ Square feet or _____ acres (impervious surface)                  _____ Square feet or _____ acres (parcel size)</li> <li>ii. Describe types of new point sources. _____</li> <li>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____</li> </ul>	
• If to surface waters, identify receiving water bodies or wetlands: _____	
• Will stormwater runoff flow to adjacent properties? _____	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____	
If Yes, identify: <ul style="list-style-type: none"> <li>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</li> <li>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</li> <li>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</li> </ul>	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____	
If Yes: <ul style="list-style-type: none"> <li>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____</li> <li>ii. In addition to emissions as calculated in the application, the project will generate:             <ul style="list-style-type: none"> <li>• _____ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)</li> <li>• _____ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)</li> <li>• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)</li> <li>• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)</li> <li>• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)</li> <li>• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)</li> </ul> </li> </ul>	



<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>			
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>			
<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend  <input type="checkbox"/> Randomly between hours of _____ to _____.</p> <p>ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade, to an existing substation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>
<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>		



<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p>	
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p> <p>_____</p>	
<p>n. Will the proposed action have outdoor lighting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p> <p>_____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p> <p>_____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> <li>• Construction: _____ tons per _____ (unit of time)</li> <li>• Operation : _____ tons per _____ (unit of time)</li> </ul> <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul>	



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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: \_\_\_\_\_ years

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: \_\_\_\_\_

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

#### E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

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

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe: \_\_\_\_\_

b. Land uses and covertypes on the project site. N/

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



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

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

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

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

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

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



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<p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____</p> <p>_____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>Various hunting, fishing and trapping opportunities are available in the Town _____</p>	
<p><b>E.3. Designated Public Resources On or Near Project Site</b></p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>	



e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> <li>i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site    <input type="checkbox"/> Historic Building or District</li> <li>ii. Name: _____</li> <li>iii. Brief description of attributes on which listing is based: _____</li> </ul>	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> <li>i. Describe possible resource(s): _____</li> <li>ii. Basis for identification: _____</li> </ul>	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> <li>i. Identify resource: _____</li> <li>ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____</li> <li>iii. Distance between project and resource: _____ miles.</li> </ul>	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> <li>i. Identify the name of the river and its designation: _____</li> <li>ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> </ul>	

**F. Additional Information**


Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name TOWN OF MOHAWK Date 7-14-2022

Signature  Title COUNCIL PERSON  
Acting Deputy Supervisor



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

Agency Use Only [If applicable]  
 Project : Zoning Law Revisions 2022  
 Date : 7/14/2022

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

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

**Tips for completing Part 2:**

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

<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>



<b>2. Impact on Geological Features</b> The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>3. Impacts on Surface Water</b> The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>



l. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>4. Impact on groundwater</b> The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>5. Impact on Flooding</b> The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>



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

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



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

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



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

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



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

<b>11. Impact on Open Space and Recreation</b> The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

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



**13. Impact on Transportation**

The proposed action may result in a change to existing transportation systems.  
(See Part 1. D.2.j)

☒ NO

☐ YES

*If "Yes", answer questions a - f. If "No", go to Section 14.*

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

**14. Impact on Energy**

The proposed action may cause an increase in the use of any form of energy.  
(See Part 1. D.2.k)

☒ NO

☐ YES

*If "Yes", answer questions a - e. If "No", go to Section 15.*

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

**15. Impact on Noise, Odor, and Light**

The proposed action may result in an increase in noise, odors, or outdoor lighting.  
(See Part 1. D.2.m., n., and o.)

☒ NO

☐ YES

*If "Yes", answer questions a - f. If "No", go to Section 16.*

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



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

#### 16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part I.D.2.q., E.1. d. f. g. and h.)

☒ NO

☐ YES

*If "Yes", answer questions a - m. If "No", go to Section 17.*

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



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

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



Project: Zoning Law Revisions 2022  
 Date: 7/14/2022

**Full Environmental Assessment Form**  
**Part 3 - Evaluation of the Magnitude and Importance of Project Impacts**  
**and**  
**Determination of Significance**

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

**Reasons Supporting This Determination:**

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status:

☒ Type 1

☐ Unlisted

Identify portions of EAF completed for this Project: ☐ Part 1

☐ Part 2

☐ Part 3



Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the \_\_\_\_\_ as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Town of Mohawk Zoning Law Revisions 2022

Name of Lead Agency: Town of Mohawk Town Board

Name of Responsible Officer in Lead Agency: Gerry Murray

Title of Responsible Officer: Councilman Acting Deputy Supervisor

Signature of Responsible Officer in Lead Agency: [Signature]

Date: 7-14-22

Signature of Preparer (if different from Responsible Officer)

Claudia K. Brayman, Esq.

Date: 7/14/22

**For Further Information:**

Contact Person: Kim Sullivan

Address: 2 Park St. Fonda NY 12068

Telephone Number: (518) 853-3031

E-mail:

**For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>



TOWN OF MOHAWK ZONING LAW - **PROPOSED REVISIONS 2022**

ARTICLE I: TITLE

SECTION 1 - This ordinance shall be known and may be cited as “Town of Mohawk Zoning Law”.

ARTICLE II: PURPOSES

SECTION 2 - This Local Law is enacted pursuant to Article 16 of the Town Law of the State of New York, Chapter 62 of the Consolidated Laws, to promote public health, safety, and general welfare, specifically including the following additional purposes.

1. To lessen congestion in the streets;
2. To secure safety from fire, flood, panic and other dangers;
3. To promote health and general welfare;
4. To provide adequate light and air;
5. To prevent the overcrowding of lands;
6. To avoid undue concentration of population;
7. To facilitate the adequate provision of transportation, water, sewage, schools, park and other public requirements;
8. To conserve the value of buildings;
9. To encourage the most appropriate use of land throughout the Town;
10. To avoid pollution of air and water.

ARTICLE III: DEFINITIONS

SECTION 3 - General.

For the purpose of this law certain words or terms used herein shall be interpreted as follows:

Words used in the present tense shall include the future. The singular number includes the plural, and the plural the singular. The word “person” includes a corporation as well as an individual. The word "building" includes the word “plot” or “parcel”.



The word “used” or “occupied” as applied to any land or building shall be construed to include the words “built, arranged, or designed, to be used or occupied”.

#### SECTION 4 - Definitions.

**ACCESSORY BUILDINGS:** A building subordinate to the main building on a lot and used for purposes customarily incidental to those of the main building.

**ACCESSORY USE:** A use customarily incidental and subordinate to the principal use of building and located on the same lot with such principal use or building.

**ALLEY:** A service way which affords a secondary public means of vehicular access to abutting property.

**ANTENNA:** A device used in communications which converts radio frequency electrical energy to radiated electromagnetic energy and vice versa in a transmitting station, an antenna is the device from which radio waves are emitted.

**AREA, BUILDING:** The total ground area of a principal building and accessory buildings, exclusive of uncovered porches, parapets, steps and terraces.

**BASEMENT:** A space of full story height partly below street grade and having at least half of its clear floor-to-ceiling height above the average street grade, and which is not designed or used primarily for year-round living accommodations.

**BOARDING OR ROOMING HOUSE:** Any dwelling in which more than three persons either individually or as families are housed or lodged, except those engaged in farm work, for hire with or without meals.

**BUILDING:** Any roofed structure intended for the shelter, housing or enclosure of persons, animals, or property. When a building is divided into separate parts extending from the ground up, each part so divided is deemed a separate building.



**BUILDING FRONTAGE:** That side of a building or structure, which may or may not be facing a road, considered to be the primary entrance-way for pedestrian traffic entering or exiting the building or a store within the building.

**BUILDING LINE:** A line established by law or by agreement, usually parallel with a property line, beyond which a structure may not extend.

**BUILDING, FLOOR AREA:** The sum of the gross horizontal area of the several floors of a building and its accessory buildings on the same lot including basement areas devoted to residential use and the area of bays, dormers, roofed porches, and roofed terraces. All dimensions shall be measured between exterior faces of walls.

**BUILDING, HEIGHT OF:** Vertical distance measured from curb or street grade to the highest level of a flat or mansard roof, or to the average height of a pitched, gables, hip or gambrel roof, excluding bulkheads, penthouses and similar constructions enclosing equipment or stairs, providing they are less than 12 feet in height and do not occupy more than 30 percent of the area of the roof upon which they are located.

**CELLAR:** That space of a building which has more than half of its height, measured from floor to ceiling, below the average street grade.

**CO-LOCATION:** the mounting of Personal Wireless Service Facilities shared by two or more persons, firms or corporations on the same equipment mounting structure.

**COMMERCIAL GREENHOUSE:** A structure in which plants, vegetables, flowers and similar materials are grown for sale to the general public.

**DAY CARE:** Daytime care or instruction of three (3) or more children away from their own homes for more than three (3), but less than twenty-four (24) hours per day by an individual, association, corporation, institution or agency, whether or not for compensation or regard.

**DUMP:** A plot of land used primarily for the disposal of abandonment, dumping, burial, burning or any other means or for whatever purpose, or garbage, sewage, trash, refuse, junk, discharged machinery, vehicles or parts thereof, or waste material of any kind. This would not include the



small private dumps where owner or occupant disposes onto a segment of the plot refuse generated on his premises.

**DWELLING, ONE-FAMILY:** A detached building, containing one dwelling unit, not including a mobile home, designed for year-round occupancy by one family.

**DWELLING, TWO-FAMILY:** A detached building, other than a trailer or other temporary structure, designed for exclusive year-round occupancy by two families living independently of each -other.

**DWELLING, MULTIPLE-FAMILY:** A building or group of buildings, designed for year-round occupancy by more than two families, including apartment houses and group houses, but excluding hotels and rooming houses.

**DWELLING UNIT:** One or more rooms with provision for living, sanitary and sleeping facilities arranged for the use of one family.

**ENVIRONMENTAL ASSESSMENT FORM (EAF):** a form used to determine whether a project will have significant environmental impacts.

**FACTORY MANUFACTURED HOME:** A factory manufactured home incorporates structures or components designed for residential occupancy, constructed by a method or system of construction whereby the structure or component is wholly or substantial part manufactured in a manufacturing facility and is intended for permanent installation on a building site. For the purposes of this Zoning Law, it falls under the category of one family dwelling.

**FAMILY:** Any number of persons of recognized relationship maintaining a common household, including domestic help.

**FARM:** "Farm or Farm operation" means the land and on-farm buildings, equipment, manure processing and handling facilities and practices which contribute to the production, preparation and marketing of crops, livestock and livestock products as a commercial or private enterprise, including a "commercial horse boarding operation".



**FARM STAND:** A structure used for the sale of agricultural products that are produced on the premises.

**GARAGE, PRIVATE:** A roofed space for the storage of one or more motor vehicles, provided that no business, occupation or service is conducted for profit therein nor space therein for more than one car is leased to a non-resident of the premises.

**GARAGE, PUBLIC:** A building or part thereof used for the storage, hiring, selling, greasing, washing, service or repair of motor driven vehicles, operated for gain.

**GASOLINE STATION:** Any area of land, including structures thereon, that is used or designed to be used for the sale of gasoline or oil or other motor vehicle fuel and which may include facilities for lubricating, washing, cleaning or otherwise servicing motor vehicles, but not including the painting or major repair thereof. The term "Gasoline Station" shall be deemed to include filling station and service station.

**GREEN SPACE** — land that is partly or completely covered with grass, trees, shrubs, or other vegetation.

**HOME OCCUPATION:** An occupation or profession which is customarily carried on in a dwelling unit or in a building or other structure accessory to a dwelling unit, and is carried on by a member of the family residing in the dwelling unit, and is clearly incidental and secondary to the use of the dwelling unit for residential purposes, and which conforms to the following conditions.

1. No more than 25% of the total floor area or 500 square feet, whichever is lesser, may be used for such purposes.
2. The use shall be carried on wholly within the enclosed walls of the dwelling unit or accessory building. Such accessory building shall be no greater than 500 square feet.
3. There shall be no exterior display, or storage of stock, merchandise, nor any exterior sign (except nameplate), no exterior storage of materials and no other exterior indication of the home occupation or variation from the residential character of the principal building.
4. No external structural alterations, which are not customary to a residential building shall be allowed.



5. Not more than one profession, occupation or business shall be allowed per dwelling unit.
6. Any form of business whose primary functions is the wholesale or retail sale of goods or articles such as a small grocery store, auto repair shop, and small engine repair shop shall not be deemed a home occupation.
7. The use shall not result in or cause vehicular traffic that would create a nuisance to adjoining parcels or is detrimental to the residential character of the neighborhood.
8. Not more than one (1) person outside of the household shall be employed in the home occupation.
9. No offensive noise, vibration smoke, dust, odors, heat or glare shall be produced.
10. Such use shall also be subject to such conditions as the Zoning board of Appeals deems necessary to meet the intent of these requirements.
11. A home occupation includes, but is not limited to art studio, dressmaking, salon, professional office of a physician, dentist, lawyer, engineer, architect, real estate agency, property management and accountant.

**HOSPITAL:** A building or structure for the diagnosis and medical or surgical care of human sickness or injuries.

**HOSPITAL, ANIMAL:** A building or structure for the diagnosis and medical or surgical care of sick or injured animals.

**HOTEL:** A building or group of buildings where transient guest are lodged for hire including motels, but excluding rooming houses.

**JUNKYARD:** A lot, land or structure, or part thereof, used for the collecting storage, and sale of waste paper, rags, scrap metal or discarded material; or for the collecting, dismantling, storage and salvaging of machinery or vehicles, and for the sale of parts thereof, or for the storing or abandonment of one or more unlicensed or unregistered motor vehicles for six (6) months or more.

**JUNKYARD, AUTOMOBILE:** Automobile junk yard shall mean any place of storage or deposit, whether in connection with another business or not, where one or more unregistered, old, or secondhand motor vehicles, no longer intended or in condition for legal use on the public highways, are held, whether for the purpose of resale of used parts therefrom, for the purpose of



reclaiming for use some or all of the materials therein, whether metal, glass, fabric or otherwise, for the purpose disposing of the same or for any other purposes. Such term shall include any place of storage or deposit for any such purposes of used parts or waste materials from motor vehicles which, taken together, equal in bulk two or more such vehicles; provided, however, the term junk yard shall not be construed to mean an establishment having facilities for processing iron, steel or nonferrous scrap whose principal produce is scrap, and whose principal produce is scrap, iron, steel or nonferrous scrap for the sale for re-melting purposes only. For the purposes of definition, motor vehicle shall \*mean, all vehicles propelled or drawn, originally intended for use on public highways or in agricultural activities.

**JUNK MOTOR VEHICLE:** Any inoperative motorized vehicle allowed to remain unattended, uncovered, unused and/or stored outside of any building for a period of more than six (6) months and/or not capable of passing New York State Motor Vehicle inspection.

**KENNEL:** Premises used for the harboring for hire or breeding of four (4) or more dogs or cats, more than six months old.

**LAUNDERETTE:** A business premises equipped with individual clothes washing or cleaning machines for use by retail customers, exclusive of laundry facilities provided in an apartment, fraternity, sorority, residential hotel or club.

**LOT:** A parcel of land considered as a unit, occupied or capable of being occupied by a building or use and accessory buildings or uses, or by a group of buildings united by a common use or interest; and including such open spaces as are required by this law, and having its principal frontage on a public street or an official approved place.

**LOT, AREA:** The total horizontal area included within lot lines. No part of the area within a public right-of-way may be included in the computation of lot area.

**LOT, CORNER:** A lot located at the intersection of and fronting on two or more intersecting streets, and having an interior angle at the corner of intersection of less than 135 degrees.

**LOT, INTERIOR:** A lot other than a corner lot.



LOT, THROUGH: A lot or parcel of land having frontage on two non-adjacent roadways (public or private) that extends from one roadway to the other.

LOT, WIDTH: The distance between side lot lines measured parallel to the front lot line at a distance from the front lot line equal to the front yard specified for the district.

MOBILE HOME: A movable single dwelling unit equipped with a chassis designed for and providing housekeeping facilities for year round occupancy including plumbing, heating, electrical, cooking and refrigeration systems and equipment.

MOBILE HOME COURT: A parcel of land which has been planned and improved for the placement of two or more mobile homes for non-transient use.

MOTEL: A building or group of buildings, whether detached or connected units, used as individual sleeping units designed primarily for transient automobile travelers and providing for accessory off-street parking facilities.

MOTOCROSS TRACK: A defined path or course, with or without one or more obstacles, including dirt mounds, jumps, or berms, constructed, installed or arranged for use by recreational vehicles. This definition includes private, public or commercial motocross tracks. A motocross track is prohibited unless permitted pursuant to the text of this Zoning Law and Schedule A.

NON-CONFORMING USE: A structure or land lawfully occupied by a use that does not conform to the regulations of the district in which it is located.

NURSING OR CONVALESCENT HOME OR HOME FOR THE AGED: A building used for the accommodation and care of persons with, or recuperating from, illness or incapacity, where nursing services are furnished, or for the accommodation and care of persons of advanced age,

PARKING SPACE: The area required for parking one automobile which in this law is held to be an area at least nine feet wide and 20 feet long, exclusive of passageways and driveways thereto.

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**PERSONAL WIRELESS SERVICE:** commercial mobile services, wireless telecommunication services using duly authorized devices which do not require individual licenses (excluding the provision of direct-to-home satellite services), and common carrier wireless exchanges including cellular radiotelephone, specialized mobile radio system and personal communication services.

**PERSONAL WIRELESS SERVICES FACILITY:** a facility for the provision of Personal Wireless Services. A Personal Wireless Service Facility includes but is not limited to, an Antenna Equipment Mounting Structure and accessory buildings and equipment. For the purposes of the Zoning Law, a Personal Wireless Service Facility shall not be included within the definition of a "Public Utility" Station or structure as specified in the Zoning Law, since even though Personal Wireless Service Facilities, ~~although they~~ are facilities operated by public utilities with certain rights under the laws of the United States and the State of New York.

**PHYSICIAN:** dentist, lawyer, engineer, architect, accountant; or musical instruction.

**PRIVATE GREENHOUSE:** A building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of plants, vegetables, flowers and similar materials for personal enjoyment.

**PUBLIC UTILITY STATION OR STRUCTURE:** A facility other than a Personal Wireless Service Facility for the provision of public utility services, including facilities constructed, altered or maintained by utility corporations, either public or privately owned, or government agencies, necessary for the provision of electricity, gas, steam, heat, communication, water, sewage, collection of other such services to the general public. Such facilities shall include poles, wires, mains, drains, sewers, pipes, conduits, cables, alarms and call boxes and other similar equipment, but shall not include offices or administration buildings.

**RECREATION AREA, HIGH-IMPACT:** A parcel of land that has been planned and constructed or improved for the private, public, or commercial use of high-impact outdoor activities such as riding recreational vehicles, and including but not limited to the construction or improvement of land for motocross tracks.

**RECREATION AREA, LOW-IMPACT:** A parcel of land that has been planned and constructed or improved for the private, public, or commercial use of low-impact outdoor activities such as walking and bicycling, and including but not limited to the construction or improvement of land for parks and playgrounds.



RECREATIONAL VEHICLE: A vehicle or portable structure, whether or not self propelled, licensed or unlicensed, which is generally used for recreational purposes, including but not limited to snowmobiles, all-terrain vehicles, motorcycles, dirt bikes, ~~jet~~ dunebuggy and boats.

SHOPPING CENTER: A group of at least three (3) or more non-residential businesses planned, developed, owned-or managed as a unit, whether there are common walls between the various businesses or not, with off-street parking provided on the center's site.

SITE PLAN: a rendering, drawing, or sketch prepared to specifications and containing necessary elements, as set forth in the applicable zoning ordinance or local law, which shows the arrangement, layout and design of the proposed use of a single parcel of land as shown on said plan.

SIGN: Any advertising medium, structure or device which advertises, directs, or calls attention to any business, article, substance or service, and includes residential name plates and numbers. A sign may be painted, printed, pasted, posted, or affixed to any building, billboard, wall fence, railing, vehicle, natural object, or structure of any kind, on real property or-upon the ground itself.

This definition encompasses flags, banners, neon tubes, fluorescent tubes, or other artificial lights or strings of lights, outlining or hung on any part of a structure, building or lot for the purposes mentioned heretofore, but does not include the flag or insignia of any governmental, civic, professional, religious or other similar organization.

SIGN-BILLBOARD: An advertising sign, structure, or symbol, erected and maintained by an entity, who may or may not be engaged in the sale or rental for profit of space to clientele of manufacturing service, or commercial enterprises upon which space there is displayed, by means of painting, posting, or other method, a business, commodity, or service not necessarily made, produced, assembled, stored or sold from the lot or premises upon which the advertisement is displayed.

SIGN-BUSINESS: Any sign which directs attention exclusively to a permitted business, profession, or industry conducted upon the premises on which the sign is located, or to a primary



product, commodity, or service sold by such business or industry, and shall be deemed an integral part of such business or industry.

**SIGN-DIRECTIONAL:** A sign limited to providing information on the location of an activity, business or event.

**SIGN-DIRECTORY:** A listing of two or more business enterprises, consisting of a matrix and sign components.

**SIGN-FLASHING:** An illuminated sign on which the artificial lighting is not maintained stationary or constant in intensity or color at all times while in use.

**SIGN-ILLUMINATED:** Any sign illuminated by electricity, gas or other artificial light, either from the interior or exterior of the sign, which includes reflective and phosphorescent light, paint or tape.

**SIGN-PROJECTING:** Any sign which is attached to a building or structure, and extends beyond the line of said building or structure, or beyond the surface of that portion of the building or structure to which the sign is attached, and not parallel to the face of the building.

**SIGN-PORTABLE:** A sign, whether on its own trailer, wheels, or otherwise, designed to be movable, and not structurally attached to the ground, a building, a structure or another sign.

**SIGN-REPRESENTATION:** A three dimensional sign built so as to physically represent the object advertised.

**SIGN-ROOF:** Any sign erected, constructed and maintained wholly upon or above the roof line of any building with the principal support on the roof or eaves structure.

**SIGN-SURFACE AREA:** The entire area within a perimeter composed of not more than two rectangles, circles, ovals or block of letters or extreme limits of the message or announcement of which forms the outside shape (including any frame) or forms an integral part of the display. The structure is designed in a way to form an integral background for the display.



**SIGN-TEMPORARY:** A sign related to a single activity or having a duration of not more than thirty (30) days.

**SIGN-WALL:** A sign which is painted on or attached to the outside wall of a building with the face of the sign in the plane parallel to such wall. Individual letters painted on or attached to the wall are considered wall signs.

**SIGN-WINDOW:** A sign visible from a sidewalk, street or other public place, painted or affixed on glass or other window material, or located inside, within four (4) feet of the window, but not including graphics in Connection with customary window display of products.

**STABLE, PRIVATE:** An accessory building in which horses are kept for private use and not for hire or sale.

**STABLE, PUBLIC:** A principal or accessory building in which horses are kept for remuneration, hire or sale.

**STORAGE FACILITY:**

**PERSONAL:**

Any object constructed, installed, or placed on the ground or foundation and intended for the shelter, housing, storage of personal property.

Regardless of modifications, any vehicle or parts of vehicles propelled or drawn (i.e.: car, bus, house trailer, motor home, camper), originally intended for use on public highways shall not be included in the definition of a storage facility.

In all districts, a special permit or building permit will be required for all permanent or temporary storage units.

**B: COMMERCIAL:**



Any object constructed, installed, or placed on the ground or foundation and intended for the shelter, housing, storage of personal property in exchange for a daily, weekly, monthly or yearly fee.

Regardless of modifications, any vehicle or parts of vehicles propelled or drawn (i.e.: car, bus, house trailer, motor home, camper), originally intended for use on public highways shall not be included in the definition of a storage facility.

In all districts, a special permit or building permit will be required for all permanent or temporary storage units.

**STORY:** That portion of a building included between the surface or any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it.

**STORY, HALF:** That part of a building between a pitched roof and the uppermost full story, and having a floor area at least half as large as the floor below. Space with less than five feet clear headroom shall not be considered as a floor area.

**STREET:** A public or private way which affords the principal means of access to abutting property.

**STRUCTURE:** Anything constructed or erected the use of which requires location on the ground or attachment to something having location on the ground.

**STRUCTURAL ALTERATION:** Any change in the supporting members of a building.

**THEATER, OUTDOOR:** Any open lot or part thereof, with its appurtenant structures and facilities devoted primarily to the showing of motion pictures or theatrical productions on a paid basis.

**TOURIST HOME:** An owner occupied dwelling where transient guests are lodged for hire with a maximum of three rooms to be available to let at any one time.



TRAILER: A mobile unit designed for camping, recreational travel, or vacation use which is equipped with a chassis and provides partial housekeeping facilities such as plumbing, heating, electrical, cooking or refrigeration systems or equipment.

TRAILER CAMP: An area occupied or designed for occupancy by two or more travel trailers or motor homes. Travel trailers are not to be considered a permanent dwelling unit and may only be used for residency in a Trailer Camp for up to 180 days during a calendar year.

YARD, FRONT: An open, unoccupied space on the same lot with a main building, extending the full width of the lot and situated between the street center line and the front line of the main building projected to the side lines of the lot.

YARD, REAR: A space on the same lot with a main building, open and unoccupied except for accessory buildings, extending the full width of the lot and situated between the rear line of the main building projected to the side lines of the lot and the rear line of the lot.

YARD, SIDE: An open unoccupied space on the same lot with a main building, situated between the side line of the main building and the adjacent side line of the lot and extending from the front yard to the rear yard.

#### ARTICLE IV: DISTRICTS AND BOUNDARIES

##### SECTION 5- Establishment of Districts

For the purpose of this law, the Town of Mohawk is divided into the following types or classes of districts:

A	Agricultural	B-2	Retail Business
R-1	Residential	M-1	Manufacturing
		<u>M-2</u>	<u>Manufacturing</u>



R-2 Residential  
N-P Natural Products

B-1 Business Offices  
R-M Mobil Home Residential  
B-3 Neighborhood Business

Said districts are bounded and defined as shown on a map entitled "Zoning Map of the Town of Mohawk", hereinafter called the Zoning Map, adopted by the Town Board and certified by the Town Clerk, which accompanies and which, with all explanatory matter thereon, is hereby made a part of this law.

#### SECTION 6- Interpretation of District Boundaries

Where uncertainty exists with respect to the boundaries of any of the aforesaid districts as shown on the zoning map, the following rules shall apply:

- A. Where district boundaries are indicated as approximately following the center lines of streets or highways, street lines, or highway right-of-way lines such center lines, street lines, or highway right-of-way lines shall be construed to be such boundaries,
- B. Where district boundaries are so indicated that they approximately follow the lot lines, such lot shall be construed to be said boundaries.
- C. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located midway between the main tracks of said railroad line.
- D. Where the boundary of a district follows a stream, or other body of water, said boundary line shall be deemed to be the center line of stream or body of water unless otherwise indicated.
- E. Where the district boundary lines are indicated to be approximately parallel to a street or highway they will be considered to be two hundred and fifty (250) feet from the nearest street or highway line and parallel to it, or along the back line of properties of record fronting on said street or highway whichever line is closer to the street at the time this law becomes effective, unless otherwise noted.



## ARTICLE V: USE REGULATIONS

### SECTION 7- A-Agricultural District.

In the A-Agricultural District no building or premises shall be used and no building shall be erected or altered except for one or more of the following uses:

(A) Uses Permitted:

1. Farm, nursery, truck garden, greenhouse, customary agricultural operation.
2. One family dwelling
3. Two family dwelling
4. ~~Public park, playground~~ Low-Impact Recreation Area
5. Public building or public school
6. Church, parish house, convent
7. Customary accessory use or building
8. Mobile home as part of a farm operation

(B) Uses Permitted as a special exception by the Board of Appeals:

1. Picnic grove, fish or game club
2. Veterinary, animal hospital, kennel
3. Golf course or country club
4. Public utility station or structure
5. ~~Commercial-High-Impact R~~ recreation Area
6. Mobile home court
7. Mobile home in court
8. Nursing, convalescent or home for aged
9. General aviation airport
10. Multiple dwelling
11. Private school
12. Tourist Home
13. Trailer Camp
14. Agricultural machinery, repair shop and agricultural machinery, sales store
15. Home occupation
16. Day care



## SECTION 8- R-1 Residential District.

In the R-1 Residential District, no building or premises shall be used and no building shall be erected or altered except for one or more of the following uses:

### (A) Uses Permitted:

1. One or two family dwelling
2. Church, parish house, convent, religious museum
3. ~~Public park or playground~~ Low-Impact Recreation Area
4. Public building or public school
5. Customary Accessory use or building
6. Mobile home as part of a farm operation

### (B) Uses Permitted as a special exception by the Board of Appeals:

1. Golf course or country club
2. Nursing, convalescent or home for aged
3. Public utility station or structure
4. General aviation airport
5. Multiple dwelling
6. Tourist Home
7. Farm, nursery, truck garden, greenhouse, customary agricultural operation.
8. Sawmill
9. Home occupation

## SECTION 9- R-2 Residential District

In the R-2 Residential District, no building or premises shall be used and no building shall be erected or altered except for one of the following uses:

### (A) Uses Permitted:

1. One family dwelling
2. ~~Public park, playground~~ Low-Impact Recreation Area
3. ~~2~~ Public building or public school
4. ~~3~~ Tourist Home



- ~~5.4~~ Farm, nursery, truck garden, greenhouse, customary agricultural operation
- ~~6.5~~ Home occupation

(B) Uses Permitted as a special exception by the Board of Appeals:

1. Golf course or country club
2. Public utility station structure

#### SECTION 10 - B-1 Business District

In the B-1 Business District, no building or premises shall be used and no building shall be erected or altered except for one or more of the following uses:

(A) Uses Permitted:

1. Municipal, county, state or federal offices
2. Professional or business offices
3. Educational, ~~eleemosynary~~, religious or philanthropic institutions
4. Existing dwellings

(B) Uses Permitted as a special exception by the Board of Appeals

1. Day care

#### SECTION 11 - B-2 Retail Business District

In the B-2 Retail Business District, no building or premises shall be used and no building shall be erected or altered except for one or more of the following uses:

(A) Uses Permitted:

1. Existing dwellings
2. Retail store and shop
3. Personal service shop
4. Launderette
5. Bank, office, studio



6. Museum
7. Restaurant, cafe
8. Motel, Hotel
9. Bowling Alley
10. Undertaking establishment
11. Utility Substation
12. Printing plant
13. Storehouse or warehouse
14. Laundry or dry cleaning plant
15. Automobile, boat, farm implement, mobile home or trailer sales and repair and auto body repair shop
16. Public garage with outdoor storage restricted
17. Fuel, feed, lumber, seed, fertilizer, building materials, sales and storage
18. Cabinet, electrical, heating, plumbing, or air conditioning shop

(B) Uses Permitted as a special exception by the Board of Appeals:

1. Storage of hazardous materials
2. Storage of liquid or gaseous fertilizer
3. Gas station
4. Day care
5. Storage Facility
6. Microbrewery, winery, distillery, cidery, and meadery
- 4-7. Water bottling

## SECTION 12 - B-3 Neighborhood Business District

The Neighborhood Business district (B-3) is primarily for the accommodation of neighborhood businesses and related structure uses. No building or premises shall be used and no building shall be erected or altered except for one or more of the following uses:

(A) Uses Permitted

1. Existing dwellings
2. Beauty salon
3. Church or other place of worship
4. Emergency services center (firehouse or ambulance facilities)
5. Financial services (insurance, accountant etc.)
6. Municipal building (town, county, state or federal)
7. Decorator or interior design shop



8. Fraternal Organization
9. Laundromat
10. Medical services (including supplies)
11. Museum
12. Retail stores & shops
13. Shoe repair
14. Undertaking establishment

(B) Other uses as a special exception by the Board of Appeals

1. Animal Care Facilities
2. Bed & Breakfast
3. Café
4. Daycare Center
5. Florist/ Greenhouse
6. ~~Outdoor~~ Storage Facility

## SECTION 13 - M-1 Manufacturing District

In the M-1 Manufacturing District, no building or premises shall be used and no building shall be erected or altered except for one or more of the following uses:

(A) Uses Permitted:

1. B-2 Business Uses
2. Manufacturing of textile or leather goods
3. Manufacturing and processing of dairy or other food products
4. Cold storage plant
5. Light manufacturing or assembly plants
6. Manufacturing or assembly of electronic devises, appliances or instruments.
7. Manufacturing of plastic, paint, fiber, wood, metal, stone or concrete products
8. Tool, die, pattern, or machine shop
9. Welding, metal shop or auto body shop
10. Lumber or building materials sales or storage
11. Truck terminal
12. Customary accessory buildings or uses

(B) Uses Permitted as a special exception by the Board of Appeals:

1. Storage of hazardous materials



2. Concrete mixing

#### SECTION 14 – M-2 Manufacturing District

In the M-2 Manufacturing District, no building or premises shall be used and no building shall be

erected or altered except for one or more of the following uses:

(A) Uses Permitted:

1. All B-2 Business Uses
2. Manufacturing of textile or leather goods
3. Manufacturing and processing of dairy or other food products
4. Cold storage plant
5. Light manufacturing or assembly plants
6. Manufacturing or assembly of electronic devices, appliances or instruments
7. Manufacturing of plastic, paint, fiber, wood metal, stone or concrete products
8. Tool, die pattern, or machine shop
9. Welding, metal shop or auto body shop
10. Lumber or building materials sales or storage
11. Customary accessory buildings or uses

(B) Uses Permitted as a special exception by the Board of Appeals

1. Storage of hazardous materials
2. Concrete mixing

#### SECTION 15 - N-P Natural Products District

In the N-P Natural Products District, no building or premises shall be used and no building shall be erected or altered except for one or more of the following uses:

(A) Uses Permitted:

1. Earth, sand, gravel, mineral excavation
2. Rock quarry operation



3. Accessory uses

## SECTION 16 - R-M Mobile Home Residential District

### (A) Uses Permitted:

1. One Family Dwelling
- ~~1.2. Two Family Dwelling~~
- ~~2.3. Mobile Home~~
- ~~3.4. Accessory Use of Building~~
5. Community Park or Playground Low-Impact Recreation Area
6. Mobile Home Park
- ~~4.7. Trailer Camp~~

### (B) Uses Permitted as a special exception by the Board of Appeals:

1. Laundrette
2. Retail Store
- ~~3. Mobile Home Park~~
- ~~4. Multiple Family Dwelling~~
- ~~5.3. Bed and Breakfast Establishment~~
- ~~6.4. Farm and Accessory Buildings or Uses~~
- ~~7.5. Two Family Dwelling~~

## SECTION 17 A-1- PERSONAL WIRELESS SERVICE FACILITIES OVERLAY DISTRICT

A. The purpose of these regulations is to promote the health, safety and general welfare of the residents of the Town of Mohawk.

B. The purpose of the Personal Wireless Service Facilities Overlay District is to provide a suitable choice of locations for the establishment, construction and maintenance of Personal Wireless Services Facilities, while protecting the integrity of the established neighborhoods of the Town of Mohawk.



C. To provide standards for the safe provision of Wireless Telecommunications Facilities consistent with applicable Federal and State regulations, and to protect the natural features and aesthetic character of the Town of Mohawk.

D. To accommodate the need for Wireless Telecommunications Facilities while regulating their location and number in the Town of Mohawk.

E. To minimize the adverse visual effects of Wireless Telecommunications Facilities support structures through proper design, siting and vegetative screening.

F. To avoid potential damage to adjacent properties from Wireless Telecommunications Facilities support structure failure and falling ice through engineering and proper siting of such towers.

G. To encourage the joint use of any new Wireless Telecommunications Facilities thereby reducing the number of towers needed in the future.

#### SECTION 17 A-2- PERMITTED USES

All new Personal Wireless Service Facilities shall be allowed by Special Use Permit granted by the Town of Mohawk Zoning Board of Appeals. All new Personal Wireless Service Facilities, and all additions and/or modifications to currently existing Personal Wireless Service Facilities, shall be allowed only in the Personal Wireless Service Facilities Overlay District. The Personal Wireless Service Facilities Overlay District shall apply to all property within the following zoning districts: Agricultural (A), Business (B1), Retail Business (B2), Manufacturing (M1), and Natural Products (NB). The Personal Wireless Service Facility Overlay District is excluded from Residential districts (RI, R2) and for one thousand (1000) feet beyond any R-1 and R-2 Residential boundary line. In no event shall any Personal Wireless Services Facility be allowed within any zoning district without completing the procedural and other requirements of the Personal Wireless Service Facilities Overlay District.



## SECTION 17 A-3- CONDITIONAL USES

A. All new Personal Wireless Service Facilities shall be allowed by Special Use Permit granted by the Town of Mohawk Zoning Board Of Appeals, after a public Hearing.

B. Data Requirements: Applications for Site Plan Approval shall file with the Zoning Board of Appeals, ten (10) copies of the following documents:

1) Site Plan - An applicant shall be required to submit a site plan which will show all existing and proposed Wireless Telecommunications Facilities structures (plan and elevation of the facility) and improvements including roads, buildings, tower, guy wire anchors, parking and landscaping and will include grading plans for new facilities and roads.

2) Supporting Documentation - An applicant shall be required to submit documentation on the intent and capacity of use as well as justification for the height of any tower or antenna and justification for any clearing required.

3) Environmental Assessment Form - A Full Environmental Assessment Form (EAF), including the Visual EAF Addendum.

4) Structural Engineering Report - A report prepared by a New York State licensed professional engineer specializing in structural engineering as to the structural integrity of the Personal Wireless Service Facility. In the case of a tower or monopole, the Structural Engineering Report shall describe the structure's height and design including a cross section of the structure, demonstrates the structure's compliance with applicable structural standards and describes the structure's capacity, including the number of antennas it can accommodate and the precise point at which the antenna shall be mounted. In the case of an antenna mounted on an existing structure, the Structural Engineering Report shall indicate the ability of the existing structure to accept the antenna, the proposed method of affixing the antenna to the structure, and the precise point at which the antenna shall be mounted.

5) Engineering Analysis of Radio Emissions - An engineering analysis of the radio emissions, and a propagation map for the proposed Personal Wireless Service Facilities. The analysis shall be prepared and signed by a New York State licensed professional engineer specializing in electrical engineering with expertise in radio-communication facilities. The results from the analysis must clearly show that the power density levels of the electromagnetic energy generated



from the proposed Facility are within the allowable limits established by the FCC which are in effect at the time of the application. If the proposed Personal Wireless Service Facilities would be co-located with an existing Facility, the cumulative effects of the Facilities must also be analyzed. The power density analysis shall be based on the assumption that all antennas mounted on the proposed Facility are simultaneously transmitting radio energy at a power level equal to the maximum antenna power rating specified by the antenna manufacturer.

6) Map of Proposed Coverage and Existing Facilities - A map showing the area of coverage of the proposed Facility and listing all existing Personal Wireless Service Facilities in the town and bordering municipalities containing Personal Wireless Service Facilities used by the applicant, and a detailed report indicating why the proposed Personal Wireless by the applicant, and a detailed report indicating why the proposed Personal Wireless Service Facilities is required to provide service to locations which the applicant is not able to serve with existing Facilities which are located within and outside the Town by co-location and otherwise.

7) Shared use of Existing Towers - At all times, shared use of existing towers shall be preferred to the construction of new towers. An applicant shall be required to present an adequate report including an inventory of existing structure within reasonable distance of the proposed site and outlining opportunities for shared use of existing facilities as an alternative to a proposed new tower.

#### SECTION 17 A-4- STANDARDS

A. Commercial communications Towers - No commercial communications tower shall hereafter be used, erected, moved, reconstructed, changed or altered unless in conformity with these regulations. No existing structure shall be modified to serve as a commercial communications tower unless in conformity with these regulations.

B. Siting and Visual Impact - All antenna and accessory facilities shall be sited to have the least practical adverse visual effect on the community. Applicant shall be required to perform a visual impact test at the proposed site and notify the Town of Mohawk ten (10) days in advance of visual test.



C. Maintenance of Facility - (Annual Inspections)

1. Unless otherwise preempted by Federal or State Law, Personal Wireless Service

Facilities, including towers, monopoles and antennas, shall be inspected annually at the applicants expense for structural integrity, and a copy of the inspection report shall be promptly transmitted to the Building Inspector. The structural inspection shall be performed by a New York State licensed professional engineer specializing in structural engineering. The structural inspection report shall describe the structural integrity of the Personal Wireless Service Facility, maintenance issues and repairs need or made, if any. In the event that the structural inspection indicates structural deficiencies, then the deficiencies must be remedied within the time reasonable set by the Building Inspector.

2. Unless otherwise preempted by Federal or State Law, Personal Wireless Service

Facilities, including towers, monopoles and antennas, shall be inspected monthly at the applicant's expense for radio emissions, and a copy of the inspection report shall be promptly transmitted to the Building Inspector. Radio emission inspection shall be performed by a New York State licensed professional engineer specializing in electrical engineering with expertise in radiocommunication facilities. The radio emission inspection shall describe the power density levels of the electromagnetic energy generated from the Facility, including the cumulative effects of co-located antennas. In the event that the radio emission inspection indicates that the electromagnetic energy generated from the Facility are above the allowable limits stated within applicable FCC and ANSI standards or other applicable state or federal guidelines in effect at the time of the inspection, the applicant shall cease all use of the Facility until such time as it proves to the satisfaction of the Building Inspector that the power density levels of the electromagnetic energy to be generated at the Facility are below the applicable standards.

D. Location - The applicant shall demonstrate, using technological evidence, that the antenna must be placed where it is proposed, in order to satisfy its function in the company's grid system.

E. Co-location - if the applicant proposes to build a tower as opposed to mounting the antenna on a existing structure, the Town may require the applicant to demonstrate that it contacted the owners of tall structures within not less than a mile radius of the site proposed, asked for permission to install the antenna on those structures, and was denied for reasons other than economic ones.



F. Antenna Height - the applicant shall demonstrate that the antenna is the minimum height required to function satisfactory. No antenna that is taller than this minimum height shall be approved.

G. Minimum Lot Size - The minimum lot size for a Wireless Telecommunication Facility Antenna shall be equal to the square of twice the tower or monopole height or the minimum lot size required by the underlying zoning district, whichever is greater.

H. Setbacks from Base of Antenna Support Structure - If a new antenna support structure is constructed as opposed to mounting the antenna on an existing structure, the minimum distance between the base of the support structure and the property lines shall be 10% greater than the height of the antenna. All Personal Wireless Service Facilities shall be separated from all residential dwellings by a distance of no less than one thousand (1000) feet, and by no less than one thousand (1000) feet from the road right-of-way. All guy wire anchors and accessory facilities shall be set back a minimum of thirty (30) feet from the property line.

I. Antenna Support Structure Safety - The applicant shall demonstrate that the proposed antenna and support structure are safe and the surrounding areas will not be negatively affected by support structure failure, falling ice or other debris, electromagnetic fields, or radio frequency interference. All support structures shall be fitted with anti-climbing devices, as approved by manufacturers.

J. Fencing - Fencing will be required around the antenna support structure and other equipment including each guy anchor. The fence shall be a minimum of eight (8) feet in height. Barbed wire shall be used along the top of the fence to preclude unauthorized access to the tower.

K. Landscaping - Existing vegetation shall be maintained to the greatest extent possible and building materials, colors and textures of accessory facilities shall blend with the natural surroundings to the greatest extent possible.

L. Other uses - In order to reduce the number of antenna support structures needed in the community in the future, the proposed support structure shall be required to accommodate other users, including other cellular phone companies, and local fire, police and ambulance companies.

M. Licenses - The applicant must demonstrate that it has obtained the required licenses from the Federal Communications Commission, the State of New York and other necessary agencies.



N. Access and Parking - A road and parking area shall be constructed to provide adequate emergency and service access. The road shall be constructed to Town Standards, the parking shall be constructed to the number of required parking spaces needed to accommodate all of the people needed to maintain this facility under normal circumstances.

O. Lighting and Color - No antenna support structure shall be artificially lighted except when required by the Federal Aviation Administration (FAA). In order to reduce the visual impact, color will be discussed when a site has been approved. The Town will have right to remove and claim cost against bond company for failure to remove.

P. Performance bond or other security - Prior to Site Plan Approval, a performance bond or other security sufficient to cover the full cost of the removal and disposal of the Personal Wireless Service Facility upon abandonment of said facility shall be provided by the owner/operator. This cost shall be determined by an estimate of the town-designated engineer. Any such security must be provided pursuant to a written security agreement with the Town, approved by the Town Board and also approved by the town attorney as to form, sufficiency and manner of execution. The form of security shall be limited to those permissible under NYS Town Law.

Q. Abandonment - The applicant shall annually file a declaration with the Town of Mohawk as to the continuing operation of every facility installed to these standards. A communication tower and appurtenances shall be removed within 120 days of the date that such tower ceases to be used for communication. Failure to file the yearly report will constitute non-use.

#### SECTION 18 A- Use Regulations Governing All Districts

Uses that are not permitted in this text and in the zoning Schedule A are prohibited. All Uses Permitted are indicated in this text and in zoning Schedule A. Uses Permitted, except the construction of one family and two family dwellings and mobile homes, require site plan review by the Planning Board pursuant to the Site Plan Review Law (Local Law #5 of 2021). Uses permitted as a special exception (i.e., Special Use Permit) by the Board of Appeals ~~is~~ are indicated in this text and in zoning Schedule A. In addition, the following three uses may be permitted to any district by the Board of Appeals by special permit:

1. Cemetery
2. Lumbering operation
3. Commercial greenhouse



The following applies to all districts not designated as a farm or farm operation. Animal density is to be no less than 1.5 acres of land for every 1,000 pounds of live animal weight for livestock, such as cows, horses and llamas.

The following applies to all districts not designated as a farm or farm operation. Poultry, (i.e.: chickens, turkeys, ducks, geese and other fowl animals) must be cooped, penned or confined to an enclosed area, may not be allowed to free range to neighboring property and roosters are not permitted.

A special permit must be applied for and granted by the Town Code Enforcement Officer for adherence and exception to the above mentioned regulations and for animals, excluding dogs and cats, not mentioned above. No property owner is grandfathered into this regulation.

The following applies to all districts not designated as a farm or farm operation. All exterior lighting must not interfere with personal enjoyment. All trash containers must be caged and out of sight of neighboring properties

## ARTICLE VI - AREA AND HEIGHT REGULATIONS

Lots, Yards and Buildings

### SECTION 19 - Regulations in Schedule A

Regulations governing lot area and lot width, front, side and rear yards; building coverage and building height are specified in Schedule A and in the additional regulations of Article VI, and supplementary regulations of Article VIII. Schedule A accompanies and is hereby made a part of this law.



## SECTION 20 - Area Regulations

### A. Lots of less than required dimensions:

1. Any lot with an area or a width less than that required in the district in which said lot is located may be used for any permitted principal use in the district, provided that all other regulations prescribed for the district shall be complied with and further provided that said lot was held under separate ownership at the time of the adoption of this law and the owner thereof owned no adjoining land that could be combined with said lot to meet the dimension requirements.

2. In the event that compliance with the yard and coverage requirements of the district would result in a residential structure of less width than 24 feet, the Board of Appeals shall determine and fix yard and coverage requirements for said lot to permit its reasonable utilization for a permitted use.

B. Reduction of Lot Area. The minimum yards and open spaces, including lot area per family, required by this law shall not be encroached upon or considered as yard or open space requirements for any other building, nor shall any lot be reduced below the district requirements of this law. Two permanent dwellings on one lot, other than group housing, shall be prohibited unless lot area and yard requirements of the district are met for each dwelling, including required street frontage.

C. Corner Lot. On a corner lot in any district where a front yard is required, a yard shall be provided on each street equal in depth to the required front yard on each such street. One rear yard shall be provided on each corner lot and the owner shall designate the rear yard on his application for a permit. The Boards of Appeals shall determine the yards and building width of a corner lot facing an intersecting street, and of record at the time of the passage of this law, if the yard requirements would result in a residential structure less than twenty-four (24) feet wide.

D. Visibility at Street Corners. On a corner lot in any district where a front yard is required, no fence, hedge, wall or other structure or planting more than three feet in height shall be erected, placed or maintained so as to obstruct visibility of vehicular traffic within the triangular area formed by the intersecting street right-of-way lines and a straight line joining said lines at points 20 feet distant from the point of intersection, measured along said lines.



E. Front Yard Exceptions. The minimum front yard of all principal buildings and structures hereafter constructed within a Residential District shall conform to Schedule A; and in addition shall not be less than the average front of all principal buildings in the block for a distance of 300 feet on each side of the building. A vacant lot within the 300-foot distance shall be considered as having the minimum front yard required in the district for the purpose of computing such average front yard.

F. Transition Yard Requirements.

1. Where two districts abut on the same street between two intersecting streets, and the front yard requirements of one district are less than those of the other district, there shall be provided for buildings hereafter constructed or structurally altered within a distance of 50 feet from the district boundary line in the less restricted district a front yard equal in depth to the average of the required depth in the two districts.

2. Where the side or rear yard of a lot in a Residential District abuts a side or rear yard of a lot in a Commercial District, there shall be provided along such abutting line or lines in the Commercial District a side or rear yard equal in depth to that required in the more restricted district; and in addition, a screen at least Eight (8) feet wide may be required by the Town of Mohawk Zoning Board of Appeals in an easement in any Commercial District.

G. Projecting Architectural Features, Terraces, Porches, Fire Escapes:

1. The space in any required yard shall be open and unobstructed except for the ordinary projections of window sills, belt courses, cornices, eaves and other architectural features, provided, however, that such features shall not project more than two feet into any required yard.
2. A paved terrace shall not be considered as part of a building in the determination of yard sizes or lot coverage, provided that such terrace is unroofed and without walls, parapets, or other form of enclosure exceeding six feet in height.
3. In determining the percentage of building coverage or the size of yards for the purpose of this law, enclosed porches, or porches open at the side but roofed, shall be considered a part of the building.
4. An open fire escape may extend into any required yard not more than four feet six inches, provided such fire escape shall not be closer than four feet at any point to any lot line.
5. Unenclosed entrance steps or stairways providing access to the first story of a building may extend into any required yard a distance not to exceed six feet.



H. Walls, Fences and Hedges. The yard requirements of this law shall not prohibit any necessary retaining wall nor any fence, wall or hedge permitted by the Town law, provided that in any Residence District such fence, wall or hedge shall be no closer to any front lot line than thirty (30) inches, and shall comply with visibility at street corners as provided in this article.

1. All fences to be erected within the Town of Mohawk will require a building permit except those listed below. No fence can be more than seven (7) feet in height and all fences must be set back from ones property line a minimum of thirty (30) inches from the property line. If a party so desires to place a fence less than thirty (30) inches from the property line, the applicant must provide the Code Enforcement Officer with a type-written, signed and notarized statement of mutual consent between all the involved property owners. This statement is to be placed on file at the Town Clerk's Office.

2. Fences constructed in an agricultural zone strictly for agricultural purposes do not require a building permit unless the fence is to be erected on a shared property line.

#### SECTION 21 - Height Regulations

A. Chimneys, Spires, etc. The height limitations of this law shall not apply to belfries, church spires, cupolas, penthouses and domes which are not used for human occupancy; not to chimneys, ventilators, skylights, water tanks and necessary mechanical appurtenances usually carried above the roof level; not to flag poles, monuments, transmission towers and cables, radio and television antennas or towers and similar structures. Such features, however, shall be erected only to such height as is necessary to accomplish the purpose for which they are intended. No advertising device of any kind whatsoever shall be inscribed upon or attached to that part of any chimney, tower, tank or other structure which extends above the roof limitations. In addition, any height limitations, sittings and/or features must be approved by the Town of Mohawk Zoning Board of Appeals.

B. On Through Lots. On through lots 120 feet or less in depth, the height of a building may be measured from the grade of either street. On through lots more than 120 feet deep, the height regulations and basis of height measurement for the street permitting the greater height shall apply to a depth of not more than 120 feet from that street.



## ARTICLE VII - MOBILE HOMES OUTSIDE MOBILE HOME PARKS/PERMIT

### SECTION 22 - MOBILE HOMES OUTSIDE MOBILE HOME COURTS:

- A. Mobile homes outside mobile home court are permitted by right in areas appropriately zoned within the Town of Mohawk, subject to the following additional conditions and requirements.
- i. No mobile home will be allowed in an R-2 Residential District.
  - ii. Travel trailers are not to be considered a permanent dwelling unit. The Zoning Board of Appeals may grant a temporary certificate of occupancy to live in a travel trailer or motor home, outside of a mobile home court or Trailer Camp, for a period longer than thirty (30) days, after inspection and report of the Town Code Enforcement Officer and a public hearing.
- B. Application Procedure:
- i. Each application for a permit to establish a mobile home outside a mobile home park shall be filed with the Town of Mohawk Code Enforcement Officer.
  - ii. Application Data: Each mobile home permit application shall be in writing and signed by the applicant. All applications shall contain the following information:
    1. The name and address of the applicant.
    2. The location and description of the land.
    3. Evidence that the water and sewage systems have been approved by the Town of Mohawk Code Enforcement Officer.
    4. A plan drawn to scale of not small than one inch equals twenty feet (1" = 20'). This plan must show the following:
      1. Boundaries
      2. Lot dimensions
      3. Location of mobile home on lot
      4. Setbacks
      5. Location of all other structures on premises
      6. The location of and plan for the proposed water supply and sewage disposal system
      7. Location of structures and wells on adjacent properties if within fifty (50) feet of the property line
    5. Description of the foundation
- C. Mobile Home Requirements – All single mobile homes shall meet the following requirements:
- i. General Requirements
    1. All mobile homes installed in the Town of Mohawk must have been manufactured under the authority of 42 USC Section 5401,



the National Manufactured Home Construction and Safety Standards Act (also known as HUD Code) which became effective in 1976.

2. Any mobile home parked or placed outside a mobile home park shall have an adequate supply of pure water for drinking and domestic purposes, and a sewage disposal system. Both systems shall satisfy the requirements of the New York State Department of Health.
- ii. Foundation Construction - Each mobile home shall be set upon a foundation constructed as follows:
1. Material: Masonry eight (8) inches in width.
  2. Type of Construction: Perimeter foundation; or lateral runners; or longitudinal runners; or pillars.
  3. Manner of Construction:
    - (a) Foundation shall extend twenty-four inches (24') below ground level.
    - (b) Foundation shall contact and support mobile home structural frame in a sufficient number of places of adequately support said mobile home.
    - (c) Alternative Method of Construction - the foundation may consist of a four inch (4") floating slab and a six (6) to (8) inch perimeter foundation.
    - (d) The structural frame of said mobile home shall be attached to the foundation in not less than four (4) places, located in accordance with good engineering practice. Each attaching device shall be capable of withstanding a tension force of at least twenty-eight hundred pounds.
    - (e) The mobile home foundation shall not exceed forty-eight (48) inches in height above ground level at any point.
- iii. Foundation and Closure - The mobile home foundation shall be enclosed by a skirt securely fastened and extending from the outside wall of the mobile home to ground level around the entire perimeter of the mobile home. The skirt shall be constructed of sturdy wood, plastic, masonry or metal material capable of withstanding extreme weather conditions over extended periods of time. No skirt shall be required where a perimeter foundation fully encloses the area between the unit and the ground level. The tongue should be removed or fully enclosed by the skirt.



#### D. PROCEDURE FOR REMOVAL

- i. Any travel trailer or motor home as defined herein, and or parts therefrom, may be removed from the premises on which the same is located by the Town of Mohawk in the manner herein provided.
- ii. The enforcement officer upon detecting a violation of this section and/or parts therefrom shall serve written notice, either by registered carrier or in person, on the person owning the premises on which the same are located and any other person known to be lessee thereof or otherwise in occupancy or possession thereof ordering such persons to remove the same or Cause the same to be removed therefrom within twenty (20) days of the date of such service. Such notice shall also contain a description of the premises and said travel trailer or motor home, a statement as to the location thereon of such travel trailer or motor home and/or parts therefrom, reference to this law and to the fact that location of such travel trailer or motor home and/or used parts therefrom on such premises is in violation of this law. If such premises are owned by more than one person, personal service on any one of such owners shall suffice; however, as to the owner not personally served with such notice, or if no owner can be located upon whom to make personal service, the enforcement officer shall mail such notice to owners not personally served, or to the owner and to all the owners, if no owner was personally served, by registered mail, to their last known address as shown on the latest Town assessment roll. Notice in similar manner shall be given to all known lessees and persons otherwise in occupancy or in possession of the premises.
- iii. At the expiration of twenty (20) days after the service or mailing of such notice of such travel trailer or motor home in violation of this law, and/or used parts therefrom have not been removed, the enforcement officer shall report such fact to the Town of Mohawk Town Board in writing. Such report shall recite the violation, the notice given as required herein and the failure to comply therewith, and may include or refer to photographs of such travel trailer or motor home and/or used parts therefrom and of the premises upon which they are located. Such report and any such photographs shall be filed in the Town Clerk's Office. The enforcement officer shall then lodge a complaint with the Town Justice of the Town of Mohawk charging any person in violation of this law with an offense against this Ordinance.

#### E. PENALTIES

- i. Every person convicted of violating this law shall for a first conviction thereof be punished by a fine of not more than two hundred fifty (250) dollars or by imprisonment for not more than twenty (20) days or both such fine and imprisonment; for a second conviction within eighteen (18) months thereafter such person shall be punished by a fine of not more than



five hundred (500) dollars or by imprisonment for not more than sixty (60) days or by both imprisonment and such fine; upon a third or subsequent conviction within eighteen months after the first conviction, such person shall be punished by a fine of not more than one thousand (1000) dollars or by imprisonment of not more than ninety (90) days or by both such fine and imprisonment,

- ii. In addition to the above penalties, or in place of them, the Town Justice may order the removal of such travel trailer or motor home and/or Used parts therefrom. Any expense to the Town of Mohawk in accomplishing such removal, including but not limited to towing, storage, etc., may be assessed on the real property from which such travel trailer or motor home and/or used parts therefrom were removed and the expense so assessed shall constitute a lien and charge on the real property on which it is levied until paid or otherwise satisfied or discharged as other town charges. Any violation of this law may also be enjoined pursuant to law.

#### ARTICLE VIII - SUPPLEMENTARY REGULATIONS

##### SECTION 23 - Access to Improved Street

In any district, a lot to be used for building purposes shall have direct frontage on an improved street, or highway, or on a street in a subdivision plot approved by the Planning Board. If the permit for construction does not have the required road frontage on a public road as required by this law, the Zoning Board of Appeals may approve a variance to allow construction provided the applicant can show proof of a minimum fifty (50) feet right-of-way that is owned by the applicant in order to allow access to the proposed building site.

##### SECTION 24 - Lots in Two Districts

Where a district boundary line divided a lot in one ownership at the time of adoption of said district line, the regulations for the less restricted portion of such lot shall extend a minimum of 30 feet into the more restricted portion provided the lot has frontage on a street in the less restricted district.



## SECTION 25 - Drive-In Food Services

Any drive-in food service building shall be located 60 feet or more from any public right-of-way.

Such businesses, where persons are served in automobiles, shall not be closer than 200 feet to a Residential District. Arrangements of ingress and egress of vehicles, lights, fences and screening shall be approved by the Board of Appeals in such a way as not to interfere with uses in the Residential District.

## SECTION 26 - Accessory Building: Number, Height and Location.

A. Number. On any lot intended or used primarily for residential purposes an accessory building such as private garage for use in connection with the principal dwelling, is permitted.

A maximum of four (4) accessory buildings are permitted on any one lot in an R-1 or R-2 Zone. This number is subject to compliance's with guidelines regarding maximum percentage of lot to be occupied as set forth in Schedule A.

B. Height. Maximum height of accessory buildings shall be one story or 15 feet, except that there shall be no height limitation on barns, silos or other farm structures.

C. Location. Accessory private garage buildings in Residential Districts, which are not attached to a principal building, may be erected within the rear yard in accordance with the following requirements:

1. Rear Yard - Five feet from side or rear of property line, except when abutting an alley, then 10 feet.

2. Side Yard, street side of corner lot - same as for principal building.

3. Not closer to a principal or accessory building than 10 feet.

4. In any district, accessory buildings other than private garages shall comply with front and side yard requirements for the principal building to which they are accessory and shall not be closer to any rear property line than 10 feet.



D. Attached Accessory Building in Residence District. When an accessory building is attached to the principal building, it shall comply in all respects with the requirements of this law applicable to the principal building.

E. Swimming pools. An outdoor swimming pool shall be permitted as an accessory use, provided that yard requirements are met; An outdoor swimming pool is not to be located in the front yard; fencing is erected to assure use only by approved persons; said swimming pool is constructed and located so as not to be a hazard; and that there is adequate screening for the public right-of-way and adjoining uses so as to prevent being a nuisance with regard to lighting or other appurtenances. All fences around a swimming pool must be a minimum of four (4) feet in height above ground level and conform to the New York State Building and Fire codes.

#### SECTION 27- Commercial Excavation.

STATEMENT OF INTENT. The Town Board recognizes that sand, gravel, rock and mineral resources within its area are necessary and beneficial to the economy of the Town and welfare of its citizens. To provide utilization of these resources in a manner compatible with nearby residential areas and to insure restoration of commercial excavation areas the following regulations are hereby established:

Except when incidental to the construction of a building on the same lot, the excavation, processing sand, gravel, clay or other natural mineral deposits, or the quarrying of any kind of rock formation hereafter is subject to the following conditions:

A. The applicant shall prepare a written application, which shall include, but not be limited to the following:

1. The applicant's plan of operation
2. An environmental impact statement
3. A plan for restoration and rehabilitation of the excavated area
4. Any other information requested by the Town of Mohawk Zoning Board of Appeals or the Town of Mohawk Town Board.

B. The application shall be submitted to the Town of Mohawk Zoning Board of Appeals. The Zoning Board of Appeals shall conduct a public hearing and forward a written recommendation to the Town of Mohawk Town Board within thirty days. This report will not be binding on the Town Board, but will be advisory in nature.



C. The Town of Mohawk Town Board upon receipt of the recommendations of the Zoning Board of Appeals shall conduct a public hearing. Before issuing a permit for such use, the Town Board must find that such excavation or quarrying will not endanger the stability of adjacent land or structures nor constitute a detriment to the public health and welfare, convenience or safety by reason of excessive noise, dust, traffic or other condition.

D. The Town Board upon approval of a permit, may specify any reasonable requirements to safeguard the public health, safety and welfare, including the following conditions:

1. The slope of material in such topsoil, sand, gravel, clay earth shall not exceed the normal angle of repose of such
2. The top and the base of such slope shall not be nearer than 100 feet of any property line or right-of-way of any street or highway.
3. The requirement of a performance bond to assure the rehabilitation of a commercial excavation sites.

#### SECTION 28 - Dumps and Junkyards.

A. No dump shall be established hereafter and no garbage, rubbish, refuse or other waste material shall be dumped or deposited in any area within 200 feet from any highway, lake, stream or property line or to 500 feet from any existing dwellings. A permit for any dump shall be obtained from the Town of Mohawk Town Board, subject to any additional regulations the Board may prescribe and to any conditions that the Board may impose in connection with a particular permit.

B. No junkyard shall be established or maintained within 200 feet from any highway or property line. A permit for any junkyard shall be obtained from the Town of Mohawk Town Board subject to any additional regulations the Board may prescribe and to any conditions that the Board may impose in connection with a particular permit. Any of the uses referred to in this Section shall be subject to the requirement that such dumping or junkyard will not be objectionable by reason of dust, fumes, odors, smoke, vermin or otherwise detrimental to the public health or safety and will not interfere with drainage so as to be injurious to adjacent land or buildings.



C. The storage or abandonment of one or more unregistered motor vehicles not in operational condition for six months, shall be deemed a junkyard, which would require a permit. A recreational vehicle stored on ones property, is included in this regulation but only if the recreational vehicle is unregistered and/or non-operational for a period of more than twelve months.

#### D. REMOVAL PROCEDURE

1. Any junk motor vehicle as defined herein, and or parts therefrom, may be removed from the premises on which same is located by the Town of Mohawk in the manner herein provided.

2. The enforcement officer upon detecting a junk motor vehicle and/or parts therefrom shall serve written notice, either by registered carrier or in person, on the person owning the premise on which the same are located and any other person known to be lessee thereof or otherwise in occupancy or possession thereof ordering such persons to remove the same or cause the same to be removed therefrom within twenty (20) days of the date of such service. Such notice shall also contain a description of the premises and said junk vehicle, a statement as to the location thereon of a junk motor vehicle and/or parts therefrom, reference to this ordinance and to the fact that the location of such junk motor vehicle and/or used parts therefrom on such premises is in violation of this ordinance. If such premises are owned by more than one person, personal service on any one of such owners shall suffice; however, as to the owner not personally served with such notice, or if no owner can be located upon whom to make personal service, the enforcement officer shall mail such notice to owners not personally served or to the owner, if no owner was personally served, by registered mail to their last known address as shown on the latest Town assessment roll. Notice in similar manner shall be given to all known lessees and persons otherwise in occupancy or in possession of the premises.

3. At the expiration of twenty (20) days aner the service or mailing of such notice if such junk motor vehicle and/or used parts therefrom have not been removed, the enforcement officer shall report such fact to the Town of Mohawk Town Board in writing. Such report shall recite the violation, the notice given as required herein and the failure. to comply therewith, and may include or refer to photographs of such junk motor vehicle and/or used parts therefrom and of the premises upon which they are located. Such report and any such photographs shall be filed in the Town Clerk's Office. The enforcement officer shall then lodge a complaint with the Town Justice of the Town of Mohawk charging any person in violation of this law with an offense against this Ordinance.



## E. PENALTIES

1. Every person convicted of violating this law shall for a first conviction thereof be punished by a fine of not more than two hundred fifty (\$250.00) dollars or by imprisonment for not more than twenty (20) days or both such fine and imprisonment; for a second conviction within eighteen (18) months thereafter such person shall be punished by a fine of not more than five hundred (\$500.00) dollars or by imprisonment for not more than sixty (60) days or by both imprisonment and such fine; upon a third or subsequent conviction within eighteen months after the first conviction, such person shall be punished by a fine of not more than one thousand (\$1,000.00) dollars or by imprisonment of not more than ninety (90) days or by both such fine and imprisonment.

2. In addition to the above penalties, or in place of them, the Town Justice may order the removal of such junk motor vehicle and/or used parts therefrom. Any expense to the Town of Mohawk in accomplishing such removal, including but not limited to towing, storage, etc., may be assessed on the real property from which such travel trailer or motor home and/or used parts therefrom were removed and the expense so assessed shall constitute a lien and charge on the real property on which it is levied until paid or otherwise satisfied or discharged as other town charges. Any violation of this law may also be enjoined pursuant to law.

## ARTICLE IX- OFF-STREET PARKING AND LOADING

### SECTION 29- Automobile Parking Facilities.

Where one or more motor or other vehicle recurrently parks by reason of the use and occupancy of any premises, there shall be provided on or in convenient connection therewith adequate garage or vehicular parking spaces for the number and in proportion to the size of the vehicles which so park, the minimum to be not less than one hundred eighty square feet per automobile, in addition to driveway and backing and turning space. The recurrent parking of any such vehicle on the right-of-way of a highway or the impeding of traffic or creating of traffic hazards by the parking of any such vehicle shall be prima facie evidence of the failure to provide adequate and suitable garage or parking space on or in convenient connection with such premises. Other than in a business or industrial district, provision shall be made for adequate parking space back of the required front yard.



Parking requirements for certain uses are specified in Schedule B. For uses not specified, the Board of Appeals shall establish parking requirements, after recommendation of the Planning Board.

For any building having more than one use, parking shall be required for each use.

#### SECTION 30 - Off-Street Loading.

Off-street loading facilities shall be provided for each commercial or industrial establishment hereafter erected or substantially altered and shall be so arranged as not to interfere with pedestrian or motor traffic on the public street or highway.

### SCHEDULE B

#### OFF-STREET PARKING

Use	Spaces Required
Dwellings	1 space for each dwelling unit
Rooming house, tourist home, hotel, motel	1 space for each guest room
Administrative professional, governmental or utility office	1 space for each 400 sq.ft. of floor space
Funeral home	10 spaces, plus space for all employee and resident personnel
Church	1 space for each 8 seating spaces in main assembly room
Elementary <u>and middle</u> school	2 spaces for each classroom
High school	4 spaces for each classroom
Theater or other place of assembly	1 space for each five seating spaces
Hospital	1 space for each two beds
Nursing or convalescent home	1 space for each four beds
Retail store or bank	1 space for each 250 sq.ft. of floor Space, devoted to customer use
Shopping center	3sq.ft. for each sq.ft. of retail area
Clubs and restaurants	1 space for each three customer seats
Bowling alley	5 spaces for each alley
Wholesale, storage, freight terminal or utility use	1 space for each 1,000 sq.ft. of gross floor space



Industrial or manufacturing use	1 space for each two employees on the maximum working shift
Home occupation	1 space for each client or patient at any one time

## ARTICLE X: NON-CONFORMING USES

### SECTION 31 – Continuation of Use

The lawful use of any land or building existing at the time of adoption of this law may be continued although such use does not conform to the provisions of this law. Any such building may be reconstructed or structurally altered and the non-conforming use thereby changed, provided the following conditions prevail.

### SECTION 32 - Non-conforming Use of Buildings

A. Reconstruction or Alteration. A non-conforming building may not be reconstructed or altered during its life to exceed fifty (50) percent of its fair value, unless such building is changed from a non-conforming to a conforming use as defined by this law.

B. Restoration. A building, non-conforming as to use, which has been damaged by fire or other causes to the extent of seventy-five (75) percent of its fair value shall not be repaired or reconstructed except in conformance with the regulations of the District in which such building is located.

C. Discontinuance. When a non-conforming use has been discontinued for a period of eighteen (18) months, any future use of such building, shall conform to the regulation for the District in which it is located.

D. Changes. A non-conforming use may not be changed to another non-conforming use under the provisions of this Section.



E. Completion of Building. Any building lawfully under construction at the time of enactment of this law may be completed.

F. Exception. A non-conforming mobile manufactured home in an R-2 zone may be replaced with a mobile manufactured home in two sections or more to be placed on approximately the same site on the plot. A permanent masonry perimeter foundation will be required to fully enclose the area between the unit and ground level.

#### SECTION 33- Non-conforming Use of Land

The non-conforming use of land shall not be enlarged or extended beyond the area of land occupied by such use at the time of adoption of this law. A non-conforming use of land may not be moved in whole or in part to any other portion of the lot or parcel of land occupied by such non-conforming use at the time of adoption of this law. A non-conforming use of land shall not be changed to another nonconforming use. If a non-conforming use of land is discontinued for a period of eighteen (18) consecutive months, it shall not be renewed, and any subsequent use of the land shall conform to the regulations of the district in which the land is located.

### ARTICLE XI: SANITARY REGULATIONS

#### SECTION 34 – WASTE DISPOSAL REQUIREMENTS

A. A separate and independent waste disposal system shall be provided for in new construction for individual household systems. No septic tank, absorption field, seepage pit, chemical toilet, privy, pipe or other means for the disposal or discharge of sewage or sink wastes shall be installed anywhere in the Town of Mohawk except as herein provided.

B. In addition to the individual aspects of the sewage treatment systems discussed in this law, the design and construction of all individual sewage treatment systems shall conform with New York State Department of Health standards as filed with the New York State Secretary of State, 9 NYCRR Appendix 75-A, and any amendments or revisions thereto, more commonly known as



"Waste Treatment Handbook, Individual Household Systems" (Waste Treatment Handbook, hereinafter referred to as the "Handbook"), a copy of which is on file at the Town Clerk's Office.

SECTION 35 - General Standards:

- A. Only sewage may be discharged into the onsite sewage disposal system. Surface and subsurface water including, roof, cellar, foundation, and storm drainage shall be excluded from such Systems and shall be disposed of so they will in no way affect the septic system.
- B. No leaching facilities shall be located under driveways, roads, parking areas, or areas subject to heavy loading unless approved by the Code Enforcement Officer.
- C. No leaching facility will be permitted within two hundred (200) feet of the shoreline of a lake, pond or active stream if the percolation rate is less than three (3) minutes per inch or less.
- D. Any alternative system must be designed in accordance with approved standards by a licensed professional engineer and a specific variance must be obtained from the Zoning Board of Appeals.
- E. The design capacity of the sewage systems shall be calculated as provided for in the "Waste Treatment Handbook" with the following exception to septic tank capacity:
- F. All septic tank capacities will be based on the number of household bedrooms, including an expansion attic, which is to be, considered as an individual bedroom, and percolation test results. The minimum size of an approved septic tank for the Town of Mohawk for any zone shall be 1000 gallons of working capacity. Homes with more than three (3) bedrooms shall be guided by the following table. Based on percolation test results, the Enforcement Officer shall have the authority to require a larger septic tank than reference in the table below, and he may also require a leaching field be installed with larger dimensions than planned.

NUMBER OF BEDROOMS	MINIMUM CAPACITY (in gallons)
1,2, or 3	1,000
4	1,200
5 or more	1,250



G. All building sites constructing new sanitary septic systems and existing sites considering rehabilitation of the septic tank, leach field, etc. (restoring the existing septic system to its original state, condition or proper function) must have a percolation test performed at the site as described in the "Handbook". A permit is not required to make minor repairs to the septic system that does not directly disturb the septic tank and/or the leaching areas (i.e. replacing or repairing the drain line from the house to the septic tank, having the septic tank pumped by authorized service). The time for the stabilization rate of percolation is the basis for determining the absorption or leaching area required for the proposed sewage system. The results of the percolation test can then be applied to the "Required Absorption Area" tables in the "Handbook" to determine the necessary size of the leaching area. An investigation of subsoil conditions and a percolation test shall be made in conformance with the procedures described in the New York State Department of Health's "Waste Treatment handbook" or in an amended and revised edition of the Handbook".

#### SECTION 36 - Sewage Flows

A. The design capacity of sewage systems shall be calculated as provided for in the "Handbook" as long as the minimum septic tank requirements as set forth in the above table have been met. Discharge into the sewage system shall be limited to wastes from plumbing fixtures. As required by the "Handbook", salt wastes from water softeners and surface and subsurface water shall be excluded from the sewage disposal system.

All other aspects of the sewage system, including but not limited to the distribution devices, tile field, seepage pits, maintenance, installation shall conform to the "Handbook's" requirements.

#### SECTION 37- Application Procedure

A. No installation, alteration or extension of any septic tank, absorption field, seepage pits, chemical toilet, privy, pipe or other discharge of sewage or sink wastes shall be begun on new installations, or rehabilitation or reconstruction of existing installation, nor shall construction or erection of any structure or the placement of any mobile or modular home intended for human occupancy be commenced until an application is filed with and approved by the Town Code Enforcement Officer. All applications for disposal system must be made only by the owner or lessee of the lot, which the system is proposed, or by his duly authorized agent or assign.

B . A permit is needed for any modifications, alterations, extensions of, or repairs to, an existing on-site sewage disposal system.



C. This law has application to single and two family dwellings only and does not apply to community, public, industrial, multiple family (more than two) dwellings, subdivisions or other sewage disposal systems.

D. All applications shall be submitted to the Code Enforcement Officer and include such information as the Town Board and/or Code Enforcement Officer shall require including the following:

1. The name and address of the applicant.
2. A copy of the tax map section with the specific location of the property on which the construction, alteration, repair or extension is proposed.
3. A plan of the proposed disposal system with substantiating data indicating that the minimum standards set forth in this law would be complied with.
4. A sketch of the property showing the location of the proposed disposal system construction, alteration, repair, or extension and including delineation of the property lines and sources of water supply for the property and adjoining properties.
5. Evidence to demonstrate to the satisfaction of the Code Enforcement Officer that there is no public sewer available into which the sewage can be discharged from plumbing facilities in the proposed site, or that it is impracticable to discharge sewage from on-site plumbing facilities into a public sewer system.
6. A percolation test is required for the site of a proposed leaching facility. The percolation rate shall be determined by the methods described in the New York State Department of Health's "Waste Treatment Handbook-Individual Household Systems", a copy of which is on file at the Town Clerk's Office.
7. Site data which might affect, or be affected by, the proposed system include but are not limited to specifications regarding soil types, topography, depth to seasonal high groundwater, depth to impervious material, depth to bedrock and distance to surface bodies of water. The



determination of depth to seasonal high groundwater shall be made in the months of March, April, May or June, within six (6) weeks of the time that the frost leaves the ground. All determinations shall be accompanied by a statement of the testing methods used as well as the basis for the determination.

8. It shall be the duty of the applicant to notify the Enforcement Officer when the installation of the disposal system is ready for inspection.

#### NO SUCH INSTALLATION SHALL BE COVERED UNTIL IT HAS BEEN APPROVED

E. The Code Enforcement Officer may verify any and/or all results of such tests and require supporting information from the applicant necessary for his review and approval. When his discretion warrants, the Enforcement Officer shall request an individual designated by the Town Board to conduct any and all tests he deems necessary to complete his review. When this case is necessary, all charges will be assumed by the applicant.

F. The Code Enforcement Officer shall determine whether or not an application is complete. The Code Enforcement Officer shall have the authority to require certification or re-testing to verify information submitted as part of the application.

G. The Code Enforcement Officer may conduct such investigations, examinations, tests and site evaluations as he deems necessary to verify information contained in an application for a disposal system building permit, and the applicant or owner of the land on which the system is proposed shall grant the Enforcement Officer or his agents permission to enter on his land for these purposes.

H. The Code Enforcement Officer shall not issue an approval for a disposal system unless all pertinent site data has been submitted, verified and certified as required by this law; all permit fees have been paid, and the Enforcement Officer has determined that the alteration, repair or construction as proposed in the application complies with all specifications contained in this law.

I. The Code Enforcement Officer may, by written notice, order all further work stopped on any individual sewage disposal system which is being constructed or installed in violation of this law.



## ARTICLE XII: SIGN REGULATIONS

SECTION 39 - Procedures for sign Permits: No person shall erect, or enlarge or structurally alter any sign, or sign structure, except those exempt under this law (Section ~~41.IV-A~~), without first obtaining a permit therefor from the Enforcement Officer. Application for the permit shall be made according to the following regulations.

A. Applications for sign permits shall be obtained from the Town Clerk, by the owner, lessee or erector and be accompanied by a drawing showing dimensions, proposed design, the legend, colors, lighting, materials, structural details, and a tape or plot location map delineating the location of buildings, parking areas, other signs on the same property, frontage of each unit, and or any fences or other obstructions in relation to the designated location of the proposed sign. Lessee or erector applicants shall evidence approval of owner for such erections.

B. It shall be the duty of the Enforcement Officer upon filing of an application for a permit to examine such plans, specifications and if necessary, the building or premises upon which the sign is proposed to be erected. If it shall appear that the proposed sign is in compliance with all the requirements of this law and all other laws, the Enforcement Officer shall issue a permit for the proposed sign.

C. No permit issued under the terms under this section shall be transferable to any person prior to the installation of the sign.

D. A sign permit shall become null and void if the work for which the permit was issued has not been started within a period of six (6) months after the date of issue of the permit and/or is not completed within eight (8) months.



## SECTION 40 - General Provisions

The following regulations shall apply to all signs:

A. All signs shall be properly maintained. Such signs together with their supports shall be kept in good repair. The display surfaces shall be kept neatly painted at all times. The Town Board may order the removal of any sign that is not maintained in accordance with the provisions of this code.

B. No sign, or any portion thereof, shall be permitted which rotates, flutters or moves. This section is not meant to prohibit vehicular signage such as a sign attached to a bus or a lettered vehicle.

C. The height of a sign and its structure may not exceed twenty (20) feet, except for roof sign, which may not exceed eight (8) feet in height, measured from the bottom of the sign to the highest point on the top. EXCEPTIONS TO THIS ARE BILLBOARD AND DIRECTORY SIGNS.

D. All signs shall have sufficient horizontal and vertical clearance so as to provide clear and unobstructed visibility for vehicles entering and leaving the highway.

E. All signs shall be securely attached to a building or to other structures which are judged to be structurally sound by the enforcement officer.

F. Permitted signs may be located anywhere on the premises except as restricted herein.

G. Illuminated signs or lighted devices may be permitted provided that such signs employ lighting of constant intensity. No sign shall be illuminated by, or contain, flashing, intermittent, rotating or moving lights except to show time and temperature.

H. In no event shall an illuminated sign or lighting device be so placed or directed so as to permit beams and illumination therefrom to be directed or beamed upon a public street, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic



hazard or nuisance to adjoining premises. No illuminated sign located on a lot adjacent to or across the street from any residential district shall be illuminated between the hours of 11 p.m. and 7:00 a.m., unless the use to which the sign pertains is open for business during those hours.

I. No sign shall be erected in such a manner as to confuse or obstruct the view of any traffic sign, signal or device, or obstruct the visibility for vehicles entering or exiting highways or bear words such as "warning", "stop", "go slow" or similar words.

J. No sign of any size or description, except traffic signs placed by public agencies, may be erected, placed, maintained or extended into the right of way of any street or highway.

K. No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape. Nor shall any sign be attached to any fire escape.

L. No sign shall obstruct the view of any other sign from the roadway.

M. No sign shall be placed on any curb, sidewalk, post, pole, hydrant, tree or other surface located on public property.

N. No sign shall bear or contain statements, words or pictures of any obscene or pornographic nature.

O. No sign shall emit sounds or odors.

P. Banners, pennants and sandwich board signs shall be permitted at the opening of a new business in Business and Manufacturing districts only for a total of thirty (30) days, after which time they shall be removed.



## SECTION 41 - Specific Sign Regulations

### A. Permit Exempt Signs.

The following types of signs may be erected and maintained without permits and fees, providing signs comply with the general requirements or the sign regulations and additional regulations listed below.

1. Historical markers, tablets and statues, memorial signs and plaques, names of buildings and dates of erection, when cut into masonry surface or when constructed of bronze, stainless steel, or similar materials; and emblems installed by government agencies, religious or nonprofit organizations; not exceeding thirty-two (32) square feet.
2. Flags and insignia of any government except when displayed in connection with a commercial promotion.
3. Directional signs for the convenience of the general public, identifying public parking areas, fire zones, entrances and exits and similar signs, internally illuminated or non-illuminated, not exceeding six (6) square feet per face.
4. Non-illuminating warning, private drive, posted or no trespassing signs, not to exceed two (2) square feet per face.
5. Number and nameplates identifying residents, mounted on a house, apartment or mailbox, not exceeding two (2) square feet in area.
6. Lawn signs identifying residents, not exceeding six (6) square feet per side. Such signs are to be non-illuminated except by a light which is an integral part of a lamp post if used as a support with no advertising message thereon.
7. Private-owner merchandise sale signs for garage sales and actions, not exceeding fourteen (14) days. No such sign shall exceed six (6) square feet.



8. Temporary non-illuminated "for sale", "for rent", real estate signs and signs of similar nature, concerning the premises upon which the sign is located. In a residential zoning district, one sign not exceeding six (6) square feet per side. In a business or commercial district, one sign not exceeding thirty-two (32) square feet, set back at least fifteen (15) feet from all property lines and streets. All such signs shall be moved within ten (10) days after such sale, lease or rental of the premises. No more than two (2) such signs may be placed upon the property.

9. One temporary sign for a roadside stand selling agricultural produce grown on the premises in season, provided that such sign not exceed sixteen (16) square feet in each side and be set back at least fifteen (15) feet from the public right-of-way.

10. Directional signs for meetings, conventions, and other assemblies, not to exceed six (6) square feet.

11. One non-illuminated sign, not exceeding sixteen (16) square feet in the residential districts nor thirty-two (32) square feet in the non-residential districts, listing the architect, engineer, contractor, and/or owner on premises where construction, renovation, or repair is in progress. Such signs shall be removed within ten (10) days upon completion of the work.

12. Political posters, banners, promotional devices and similar signs not exceeding thirty-two (32) square feet providing:

(a) Placement shall not exceed forty-five (45) days prior to an election or 10 days after an election.

(b) The names of the person(s) responsible for the removal of the sign shall be identified on the sign.

13. Temporary signs advertising a special event for a school, charitable, or civic organization provided that such signs not exceed thirty-two (32) square feet and are removed within two (2) days after the event.



14. Temporary, non-illuminated signs, banners or other promotional devices advertising a special price or promotion for a product. Such signs shall not be displayed longer than twenty-eight (28) days.

15. Any sign advertising the price of fuel placed above a fuel pump at a gasoline or service station. Such sign shall not exceed four (4) square feet.

16. Any temporary sign(s) advertising a certain type of crop located upon an agricultural operation. Such temporary sign(s) shall be removed after the crop has been harvested, and such sign shall not be greater than sixteen (16) square feet.

17. Changing the advertising copy or message of an existing approved (permitted) painted or printed sign, changeable copy sign or similar approved sign.

18. Painting, repainting, cleaning or normal maintenance and repair of a sign not involving structural changes. Replacement of the plastic face, provided that it is due to a change caused by breakage and/or deterioration of the face, but not for the substitution of a new different advertisement.

#### B. Wall Signs.

Wall signs shall not extend beyond the ends or over the top of the walls to which attached.

2. Wall signs shall not extend more than twelve (12) inches from the face of the building to which attached.

3. Wall signs shall have a total surface area not exceeding thirty (30) percent of the total area of the wall to which the signs are attached.

4. The total area of individual letters printed on or attached to the wall, spelling out individual words or sentences shall be the entire area within a perimeter composed of not more than two (2) squares, rectangles, circles, ovals or other geometrical shapes, which enclose each block of letters.



C. Projecting Signs.

1. No projecting sign may be higher than the roofline.
2. The exterior edge of a projecting sign shall, extend not more than eight (8) feet from the building face.
3. Any part of a sign extending over pedestrian traffic areas shall have a minimum clearance of seven (7) feet, six (6) inches.
4. No part of a projecting sign shall extend onto vehicular traffic areas, and any part extending over pedestrian areas shall have a minimum clearance of seven (7) feet, six (6) inches.
5. No projecting sign may be larger than sixty-four (64) square feet.
6. No projecting sign shall be closer than fifteen (15) feet from the corner of a building located at a street intersection.
7. No projecting sign may be closer than twenty (20) feet to any other projecting sign.
8. In determining the total area of a projecting sign only the width and length of one side of the sign is used.

D. Free-Standing Signs.

1. No free standing sign structure shall be located closer than twenty-five (25) feet from any side property line.
2. If for any reason the property line is changed at some future date, any free standing sign made non-conforming thereby must be relocated within ninety (90) days to conform to the minimum setback requirements.



3. No free-standing sign shall be more than twenty (20) feet in height above road level or finished grade, whichever is greater. Such height shall be measured vertically from the established average grade directly below the sign, to the highest point of the sign, including supporting structures.

4. No free-standing sign shall extend over or into the public right-of-way.

5. Free-standing signs under which pedestrian walkway or driveway passes must have a ten (10) foot vertical clearance.

6. The surface area of a free-standing sign shall not exceed one-hundred thirty (130) square feet, on either side of the sign.

7. No free-standing sign shall be located closer than, fifty (50) feet of another free-standing sign.

8. In determining the total area of a free-standing sign, only the length and width of one side of the sign is used.

#### E. Portable Signs.

Portable signs are not allowed except where a new business, or a business in a new location awaiting installation of a permanent sign, may utilize a portable sign for a period of not more than sixty (60) days or until installation of a permanent sign, whichever comes first. Such a portable sign must be of solid construction and may not be larger than thirty-two (32) square feet,

#### F. Roof Signs.

1. Each business establishment or commercial use shall be permitted one (1) roof sign.

2. Such sign shall be securely attached to the roof or eaves of the structure.



3. Such sign shall have a total surface area not exceeding one (1) square foot in area for each linear foot of frontage of the building establishment on the principal street on which the building fronts.
4. No roof sign shall be larger than one-hundred (100) square feet in area.
5. No roof sign shall exceed eight (8) feet in height or extend more than four (4) feet above the roof line.
6. In determining the total area of a roof sign, only the width and length of one side of the sign is used.

#### G. Billboards.

1. No billboards may be erected within the Town limits.

#### H. Miscellaneous Types

##### 1. V-Type

All signs may be single faced or double faced. On double-faced and/or V-type signs the angle of the vertex of the sign shall not exceed five (5) degrees.

##### 2. Free Standing Letters or Numerals

Signs, consisting of free standing letters, numerals, or other representations shall be considered wall or roof signs whichever being applicable. Sign area shall be measured as the area in square feet of the smallest geometric figure that would enclose the free standing letters, numerals or other representation and any intervening spaces.

#### SECTION 42 - Districts and their uses.

- A. Signs permitted in Residential and Agricultural Districts (R-1, R-2, A) are as follows:



1. Those signs listed under Section IV, A (exempt signs which require no permit), and the following signs which do require a permit:
2. Where home occupation is permitted by the Zoning law, nameplate or professional signs may be used to identify the home occupation. Such sign shall not exceed six (6) square feet in area and may be building mounted or ground mounted.
3. Signs or bulletin boards customarily incident to places of worship, libraries, museum, social clubs or societies, may be erected on the premises of such institutions. One (1) such sign or bulletin board not to exceed thirty-two (32) square feet may be erected for each entrance on a different street or highway.
4. For multiple dwellings or apartment developments, signs advertising availability of several dwelling units, not exceeding sixteen (16) square feet. One (1) such sign shall be permitted for each entrance on a different street or highway.
5. Signs for recreational areas, day camps, golf clubs, ski areas, and other similar facilities permitted by the zoning law shall be permitted, not to exceed thirty-two (32) feet. One (1) such sign shall be permitted for each entrance on a different street or highway.
6. Signs necessary for the identification, operation or production of a public utility, not exceeding thirty-two (32) square feet, may be erected on the premises of such public utility.
7. A sign stating the name of an agricultural operation or the owners of the same, located upon the premises. Such sign shall not exceed sixteen (16) square feet.
8. For multiple dwellings or apartment developments, signs stating the name of the dwelling or development not to exceed thirty-two (32) square feet, one (1) sign shall be permitted for each entrance on a different street or highway.
9. A sign necessary for identification of a nonconforming business located in a residential district. Such sign may not exceed thirty-two (32) square feet in area.



10. A group sign stating the name of local religious, social or civic organization not exceeding thirty-two (32) square feet in size.

B. Signs permitted in Business, Manufacturing and Natural Products Districts (B-1, B-2, M-1, N-P) are as follows:

1. All applicable signs allowed in residential and agricultural districts are permitted in business, commercial and manufacturing districts.

## 2. Business Signs

Business sign(s) shall be located on the same premises as the business or profession to which they refer (as defined in Section II), and shall not be located closer than the street right, of way.

(a) The total cumulative area of all signs permitted in a single business or commercial lot shall be no more than three (3) square feet of sign area per lineal foot of building frontage but in no case shall exceed three hundred (300) square feet, whichever is less.

(b) A minimum total cumulative sign area of thirty two (32) square feet shall be permitted regardless of building frontage for a single lot.

(c) A business located on a single lot may erect or install any type of sign allowed under these regulations (ex. wall sign, roof sign, -free standing sign, projecting sign) provided that the individual regulations for those signs as stated under section IV are met.

## SECTION 43 - Construction Standards

All signs shall meet the appropriate standards of the New York State Uniform Fire Prevention Building Code (9 NYCRR 1200).



## SECTION 44 - Design Guidelines

### A. General Provisions.

1. Signs should be designed to be compatible with the surroundings and appropriate to the architectural character of the buildings on which they are placed. Sign panels and graphics should relate with and not cover architectural features and should be in proportion to them.
2. Signs should be appropriate to the types of activities they represent.
3. Layout should be orderly and graphics should be of simple shapes such as rectangle, circle or oval.
4. The number of colors used should be the minimum consistent with design.
5. Illumination should be appropriate to the character of the sign and surroundings.
6. Groups of related signs should express uniformity and create a sense of harmonious appearance.
7. Sign panels and graphics should be tasteful and conform to generally accepted standards of the community. If the Zoning Enforcement Officer determines that a proposed or existing sign fails to meet these design guidelines he/she may request the Zoning Board of Appeals (ZBA) to review it. The ZBA may instruct the Enforcement Officer not to issue the permit or they may instruct the Enforcement Officer that the proposed or existing sign is in violation of the above criteria.

## SECTION 45 - Nonconforming Signs

Any nonconforming sign needing major repair requires that a new permit be obtained and must be reconstructed and brought into conformance with this law.

## SECTION 46 - Removal of Signs

Any sign, existing on or after the effective date of this law, which no longer advertises an existing business or product, shall be removed.



A. If the Enforcement Officer shall find that any sign regulated in this law is not used, is abandoned, unsafe or insecure, or is a menace to the public, the inspector shall give written notice to the named owner of the land upon which it is located, who shall remove or repair the sign within thirty (30) days from the date of notice. If the sign is not removed or repaired within said time period, the enforcement officer shall revoke the permit issued for such sign. The Town Board may order the removal of the sign and assess the landowner for all costs incurred for such service.

B. The Town Board may cause any sign which is a source of immediate peril to persons or property to be removed immediately and without notice.

### ARTICLE XIII: ADMINISTRATION

#### SECTION 47 - Enforcement

This law shall be enforced by the Enforcement Officer designated by the Town Board. The Enforcement Officer shall in no case grant any building permit where the proposed erection, alteration, relocation, or use would be in violation of any provision of this law. The Enforcement Officer shall make inspections of buildings or premises necessary to carry out his/her duties. No permit or certificate of occupancy required hereunder shall be issued by the Enforcement Officer except in compliance with the provisions of this law, or as except in compliance with the provisions of this law, or as directed by the Board of Appeals under the provisions of Article XIII.

#### SECTION 48 - Building Permit.

A. No building except accessory farm buildings shall hereafter be erected, relocated or altered as to outside dimensions or so as to permit a change in its use and no excavation for any building shall be begun unless and until a permit thereof has been issued by the Enforcement Officer or by the Board of Appeals wherever it is provided in this law that the approval of the Board of Appeals is required.

B. No such permit shall be issued until there has been filed with the Enforcement Officer a sketch or plot plan showing the actual dimensions and angles of the lot to be built upon, the exact size and location of the building or accessory buildings to be erected, relocated or altered and such other information as may be necessary to determine and provide for the enforcement of



this law. Each application shall state the purpose for which the structure of land is to be used and a general description of the type of construction.

C. The Enforcement Officer shall act upon all applications for building permits within a reasonable time. S/he shall issue or refuse to issue such permits. Notice of refusal to issue any permit shall be given to the owner or to his/her authorized representative in writing, and shall state the reasons for said refusal. The fee for any such permit shall be as-determined by the Town Board from time to time.

D. The building permit must be displayed in the front yard of the premises.

E. Expiration: Every building permit issued shall become void after the expiration of one calendar year immediately following the date of issuance, and any further work on any premises after the expiration date or extension period of such building permit has passed shall constitute a violation of this law. Prior to such expiration date, the applicant may either apply to the Enforcement Officer for a new building permit or for an extension of the expiration date of the original building permit.

#### SECTION 49 - Certificate of Occupancy

No land shall be used or occupied and no building hereafter erected, altered or extended, shall be used or changed in use until a certificate of occupancy shall have been issued by the Enforcement Officer. Under such rules as may be established by the Board of Appeals, a temporary certificate of occupancy for not more than 30 days for a part of a building may be issued by the Enforcement Officer. For previously existing construction, the Enforcement Officer may, on request, issue such a certificate if he determines that the use of the building in question meets the requirements of the law.

A certificate of occupancy shall be issued only if the proposed use of the building or land conforms to the provisions of this law and to the plot plan, purpose and description for which the permit was issued. The Enforcement Officer shall make or cause to have made an inspection of each building or lot for which a certificate of occupancy has been applied before issuing such certificate. Such inspection shall be made within ten (10) days from the date of application, Saturdays, Sundays, and legal holidays excepted.



## SECTION 50 - Violations (Amended)

Violations of this law shall be subject to the provisions of applicable law. Upon determination by the Enforcement Officer that a violation of this law exists, s/he shall send by first class mail or deliver in person written notice to the last known owner of record of the property, as determined by the assessment records, informing said owner of the violation of specific provisions of this law and stating that action is to be taken by said owner to remove such violation in twenty (20) days; or proceedings to compel compliance with the law will be instituted. Any violation of this law may be enjoined pursuant to law.

**PENALTIES:** Every person convicted of violating this Local Law shall, for a first conviction thereof, be punished by a fine of not more than two Hundred Fifty (\$250. 00) Dollars, and for a second conviction within eighteen (18) months thereafter such person shall be punished by a fine of not more than Five Hundred (\$500.00) Dollars and upon a third or subsequent conviction, such person shall be punished by a fine of not more than One Thousand (\$ 1000.00) Dollars.

## ARTICLE XIV: BOARD OF APPEALS

### SECTION 51 - Creation, Appointment and Organization

A Board of Appeals is hereby created. Said Board shall consist of five members appointed by the Town Board. The Town Board shall also designate the Chair of said Board. The Board of Appeals shall prescribe rules for the conduct of its affairs.

### SECTION 52 - Powers and Duties

The Board of Appeals shall have all the powers and duties prescribed by law and by this law, which are more particularly specified as follows:

A. Interpretation. Upon appeal from a decision of the Enforcement Officer to decide any question involving the interpretation of any provision of this law, including determination of the exact location of any district boundary if there is uncertainty with respect thereto.



B. Special Use Permits. To issue special permits for any of the uses for which this law requires the obtaining of such permits from the Board of Appeals.

No ~~Special Use Permit~~ (or “special exception” permit) shall be granted by the Board of Appeals unless it finds that the use for which such ~~pen-rit-permit~~ is sought will not, in the circumstances of the particular case and under any conditions that the Board considers to be necessary or desirable, be injurious to the neighborhood or otherwise detrimental to the public welfare. The Board of Appeals shall find that:

1. ~~The proposed use is in harmony with and will promote the general purposes and intent of the Zoning Law and the health, welfare and safety of the Town and its residents. It is reasonable necessary for the public health or general interest or welfare determined by the assessment records, informing said owner of the violation of specific provisions of this law and stating that action is to be taken by said owner to remove such violation in twenty (20) days; or proceedings to compel compliance with the law will be instituted. Any violation of this law may also be enjoined pursuant to law.~~

2. ~~The proposed use~~ It is appropriately located with respect to transportation facilities, water supply, fire and police protection, waste disposal and similar public facilities and services.

3. The off-street parking spaces required are adequate to handle expected use.

4. ~~The proposed use will be compatible with the character of the n~~Neighborhood, the area, the zoning district, ~~character and~~ surrounding property values and environmental and natural resources of the area (onsite and offsite) are reasonable safeguarded, and the proposed use will not unduly prohibit or discourage future planned growth in the area.

5. ~~Use thereof~~The proposed use will not cause undue traffic congestion or create a traffic hazard and the proposed location has adequate access for pedestrians and vehicles.

C. Variances:

1. Use Variances: The Zoning Board of Appeals, on appeal from the decision or determination of the administrative official charged with the enforcement this local law, shall have the power to



grant use variances as defined herein. A use variance is defined as: The authorization by the Zoning Board of Appeals for the use of land for a purpose which is otherwise not allowed or is prohibited by the applicable zoning regulations.

No such variance shall be granted by a board from the decision or determination without a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship the applicant shall demonstrate to the board of appeals that for each and every permitted use under the zoning regulations for the particular district where the property is located (1) the applicant cannot realize a reasonable return provided that lack of return is substantial as demonstrated by competent financial evidence; (2) that the alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district or neighborhood; (3) that the requested use variance, if granted, will not alter the essential character of the neighborhood; and (4) that the alleged hardship has not be self-created.

The Zoning Board of Appeals, in granting of use variances, shall grant the minimum variance that is shall deem necessary and adequate to address the unnecessary hardship proven by the applicant and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

2. Area Variances: The Zoning Board of Appeals shall have the power, upon an appeal from a decision of determination of the administrative official charged with enforcement of this local law, to grant are variances as defined herein. An area variance is defined as: The authorization by the Zoning Board of Appeals for the use of land in a manner which is not allowed by the dimensional or physical requirements of the applicable zoning regulations.

In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health safety and welfare of the neighborhood or community by such grant. In making such determination the board shall also consider: (1) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions of the neighborhood or district; and (5) whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the are variance.



The Zoning Board of Appeals, in the granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and health, safety and welfare of the community.

D. Imposition of Conditions: The Zoning Board of Appeals shall, in granting of both use and area variances, have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of this local law and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the neighborhood or community.

#### SECTION 53 - Procedure

A. All applications for variances shall be in writing on forms established by the Zoning Board of Appeals. They are available from the Town Clerk.

B. Every application shall refer to the specific provision of the law involved and establish the details of why the variance should be granted.

C. Upon receipt of the completed application, the Zoning Board of Appeals shall

1. Schedule a public hearing within 62 days;
2. Arrange publication of notice of public hearing in the Town's official newspaper so that notice is published at least five days prior to the date of the public hearing;
3. Notify the applicant of the date of the public hearing at least 15 days in advance of such hearing;
4. Refer application to the County Planning Board as required by General Municipal Law Section 239-m if required, and notify them at least five days in advance of the public hearing;
5. Complete SEQR Process

D. The applicant shall notify by certified mail, return receipt required, all landowners within 500 feet of the applicant's parcel.



E. Within 62 days of the close of the Public Hearing, the Zoning Board of Appeals shall render a decision. If the matter was referred to the County Planning Board, a copy of the Zoning Board of Appeals' findings and decision must be sent to the County Planning Board.

F. Every decision of the Zoning Board of Appeals shall be by resolution, each of which will contain a full record of the findings of the Board in the particular case. Each such resolution shall be filed in the office of the Town Clerk by case number under one or another of the following headings: Interpretations, Use Variances and Area Variances; together with all documents pertaining thereto. The Zoning Board of Appeals shall notify the Town Board of each variance granted under the provisions of this law.

## ARTICLE XV: AMENDMENTS

### SECTION 54 - Amendments, How Initiated.

The Town Board may, from time to time, on its own motion, amend, supplement, repeal or change the regulations or district boundaries established by this law.

Whenever the owners of fifty (50) percent or more of the frontage in any district or part thereof included in such change shall present a petition duly signed and acknowledged to the Town Board requesting an amendment, supplement or change of the regulations prescribed for such district or part thereof, it shall be the duty of the Town Board to vote upon said petition within ninety (90) days after the filing of the same by the petitioners with the Town Clerk.

The Planning Board may, by resolution, propose an amendment to the Town Board suggesting a change or repeal of specific portions of the regulations. Within ninety (90) days from the time such resolution is filed with the Town Clerk it shall be the duty of the Town Board to vote on such proposed amendment.

### SECTION 55 - Referral of Amendments to Town and County Planning Boards.

All proposed amendments, supplements or changes originating by petition, or by motion of the Town Board, shall be referred to the Town Planning Board for a report and recommendation



thereon. The Town Planning Board shall submit its report within thirty (30) days after receiving such referral. Failure of the Planning Board to report within the required time may be deemed to be approval of the proposed amendment. Referrals shall be made to the Montgomery County Planning Board in accordance with Article 12B of the General Municipal Law.

#### SECTION 56 - Hearing on Proposed Amendments.

Before any amendment, supplement or change in the regulations or district boundaries, there shall be a public notice and hearing thereon as provided by law. The notice of hearing shall be published in the official newspaper at least ten (10) days prior to the hearing. Such hearing may be held by the Town Board, by a committee of the Board, or by the Planning Board on request of the Town Board.

#### SECTION 57 - Adoption of Amendment.

After the public hearing, and referral to and report by the Planning Board, a majority vote of the members of the Town Board shall be required to amend the Zoning law except as described in Section 50 Protest Petition.

#### SECTION 58 - Protest Petition.

If a protest against a proposed amendment, supplement or change is presented to the Town Board, duly signed and acknowledged by the owners of the twenty (20) percent or more of the area of the land included in such proposed change, or by the owners of twenty (20) percent or more of the land immediately adjacent extending one hundred (100) feet therefrom, or by the owners of twenty (20) percent or more of the land directly opposite thereto extending one hundred (100) feet or more from the street frontage of such opposite land, such amendment shall not be passed except by the favorable vote of three-fourths of the Town Board.



## ARTICLE XVI: MISCELLANEOUS

### SECTION 59 - Periodic Review of Zoning Law.

From time to time, at intervals of not more than five (5) years, the Planning Board shall re-examine the provisions of this law and the location of district boundary lines and shall submit a report to the Town Board, recommending such changes or amendments, if any, which may be desirable in the interest of public safety, health, convenience, necessity or the general welfare.

### SECTION 60 - Validity.

The validity of any section or provision of this law shall not invalidate any other section or provision thereof.

### SECTION 61 - Interpretation

In their interpretation and application, the provisions of this law shall be held to be minimum requirements, adopted for the promotion of the public health, morals, safety or the general welfare. Whenever the requirements of this law are at variance with the requirements of any other lawfully adopted rules, regulations or ordinances, the more restrictive, or that imposing the higher standard shall govern.

### SECTION 62 - When Effective.

This law shall take effect upon filing with the Secretary of State.



[illegible]



[illegible]



		gaseous fertilizer												
B-3	Existing dwellings													
Neighborhood	Beauty Salon													
Business	Church, parish house, convent													
	Emergency services center (firehouse or ambulance)													
	Financial services (insurance accountant, etc.)													
	Municipal, county, state or federal offices													
	Decorator or interior design shop													
	Fraternal Organization													
	Laundromat													
	Medical services (including supplies)													
	Museum													
	Retail stores and shops													
	Shoe repair													
	Undertaking establishment													
	Utility substation													
		Animal care facilities	80,000	300	35		2 1/2	35	60	75	20	50	50	
		Bed & breakfast establishment												
		Café												
		Daycare												
		Florist/greenhouse												
		Outdoor Storage facility												
M-1	B-2 Business Uses													
Manufacturing	Manufacturing of textile or leather goods				40					80	95	25	50	50
	Manufacturing and processing of dairy or other food products				40					80	95	25	50	50
	Cold storage plant				40					80	95	25	50	50
	Light manufacturing or assembly plants				40					80	95	25	50	50
	Manufacturing or assembly of electronic devices, appliances or instruments				40					80	95	25	50	50
	Manufacturing of plastic, paint, fibre, wood, metal, stone or concrete products				40					80	95	25	50	50
	Tool, die, pattern or machine shop				40					80	95	25	50	50
	Welding, metal shop, or auto body shop				40					80	95	25	50	50
	Lumber or building materials sales or storage				40					80	95	25	50	50
	Truck terminal				40					80	95	25	50	50
	Customary accessory use or building				40					80	95	25	50	50
			Storage of hazardous materials											
			Concrete mixing											
M-2	B-2 Business Uses													
	Manufacturing of textile or leather goods				40					80	95	25	50	50
	Manufacturing and processing of dairy or other food products				40					80	95	25	50	50
	Cold storage plant				40					80	95	25	50	50
	Light manufacturing or assembly plants				40					80	95	25	50	50
	Manufacturing or assembly of electronic devices, appliances or instruments				40					80	95	25	50	50
	Manufacturing of plastic, paint, fibre, wood, metal, stone or concrete products				40					80	95	25	50	50
	Tool, die, pattern or machine shop				40					80	95	25	50	50
	Welding, metal shop, or auto body shop				40					80	95	25	50	50
	Lumber or building materials sales or storage				40					80	95	25	50	50
	Customary accessory use or building				40					80	95	25	50	50
		Storage of hazardous materials												
		Concrete mixing												
N-P	Earth, sand, gravel, mineral excavation													
Natural Products	Rock quarry operation					5 acres				130	145	100	200	100
	Accessory uses									130	145	100	200	100
R-M	One-Family dwelling													
Mobile Home														
Residence	Two-Family dwelling													
	Mobile Home													
	Customary accessory use or building													
	Public park or playground													
	Low-Impact Recreation													



Mobile Home Park

Trailer Camp

- Launderette
- Retail store
- Mobile manufactured home park
- Multiple Family dwelling
- Bed & breakfast establishment
- Farm & accessory buildings or uses
- Two Family dwelling

All Districts

Cemetary and lumbering o| Subject to state law and Board of Appeals restrictions

Notes: du = Dwelling Unit  
mh = Mobile Home

Front Yards: Dimension from the center of all road pavements except State Highways.  
Dimension from the center of all State Highway pavements.  
Notwithstanding, a structure shall be set back a minimum of thirty feet from the front lot line.



# REFERRAL FORM

## MONTGOMERY COUNTY PLANNING BOARD

Referral Number \_\_\_\_\_

assigned by the MCPB upon  
acceptance of referral for review

This Referral must be received **SEVEN CALENDAR DAYS** prior to the MCPB meeting date in order for it to be placed on the agenda.

**TO:** Montgomery County Planning Board,  
Old County Courthouse,  
PO Box 1500, Fonda, New York 12068  
Phone: 518-853-8334  
Fax: 518-853-8336

**FROM:** Municipal Board: Town of Amsterdam  
Planning Board  
Referring Officer: secretary  
Mail original resolution to: Town of Amsterdam  
283 Manny's Road  
Amsterdam N.Y. 12010

1. **Applicant:** Alcourt Realty LLC 2. **Site Address:** 5052 NYS Route 30
3. **Tax Map Number(s):** 39.12-2-12.1 39.12-12-2-11 4. **Acres:** 3.3
5. **Is the site currently serviced by public water?** ☒ Yes ☐ No
6. **On-site waste water treatment is currently provided by:** ☒ Public Sewer or ☐ Septic System
7. **Current Zoning:** B-1 8. **Current Land Use:** Hillcrest Springs Assisted Living Facility
9. **Project Description:** Relocate the existing facility entrance and replace the current entrance entrance with landscaped green space.

### 10. MCPB Jurisdiction:

- ☒ **Text Adoption or Amendment** ☐ **Site is located within 500' of:** \_\_\_\_\_
- ☐ a municipal boundary.
- ☒ a State or County thruway/highway/roadway
- ☐ an existing or proposed State or County park/recreation area
- ☐ an existing or proposed County-owned stream or drainage channel
- ☐ a State or County-owned parcel on which a public building or institution is situated
- ☐ a farm operation within an Agricultural District (Incl. Ag data Statement) (does not apply to area variances)

11. **PUBLIC HEARING:** Date: set yet no date Time: \_\_\_\_\_ Location: \_\_\_\_\_

### Referred Action(s)

If referring multiple, related actions, please identify the referring municipal board if different from above.

12. ☐ **Text Adoption or** ☐ **Amendment** **Referring Board:**

☐ Comprehensive Plan ☐ Local Law ☐ Zoning Ordinance ☐ Other \_\_\_\_\_

13. ☐ **Zone Change** **Referring Board:**

Proposed Zone District: \_\_\_\_\_ Number of Acres: \_\_\_\_\_

Purpose of the Zone Change: \_\_\_\_\_

14. ☒ **Site Plan** ☐ **Project Site Review** **Referring Board:** Planning Board

Proposed Improvements: relocate driveway add greenspace landscaped area

Proposed Use: greenspaced landscaped area for facility resident's use

Will the proposed project require a variance? ☐ Yes ☒ No Type: ☐ Area ☐ Use

Specify: \_\_\_\_\_

Is a State of County DOT work permit needed? If Yes : ☐ State or ☐ County ☒ No

Specify: \_\_\_\_\_



15. ☐ Special Permit

Referring Board: \_\_\_\_\_

Section of local zoning code that requires a special permit for this use: \_\_\_\_\_

Will the proposed project require a variance? ☐ Yes ☐ No Type: ☐ Area ☐ Use

16. Variance

Referring Board: \_\_\_\_\_

☐ Area ☐ Use

Section(s) of local zoning code to which the variance is being sought: \_\_\_\_\_

Describe how the proposed project varies from the above code section: \_\_\_\_\_

SEQR Determination

Action:

Finding:

☐ Type I

☐ Positive Declaration -- Draft EIS

☐ Type II

☐ Conditional Negative Declaration

☒ Unlisted Action

☐ Negative Declaration

☐ Exempt

☐ No Finding (Type II Only)

SEQR determination made by (Lead Agency): not determined yet Date: \_\_\_\_\_

REQUIRED MATERIAL

Send 3 copies of a "Full Statement of the Proposed Action" which includes:

All materials required by and submitted to the referring body as an application

- If submitting site plans, please submit only 1 large set of plans, and 12 11x17 packets.
- All material may be submitted digitally as well at <http://www.mcbdc.org/planning-services/montgomery-county-planning-board-referrals/>

This referral, as required by GML §239 1 and m, includes complete information, and supporting materials to assist the Montgomery County Planning Board (MCPB) in its review. Recommendations by MCPB shall be made to the Referring Body within thirty days of receipt of the Full Statement.

Carlene Philbrook  
Name, Title & Phone Number of Person Completing this Form

7/27/2022  
Transmittal Date

Planning Board Secretary

518-842-1217



This side to be completed by Montgomery County Planning.

**REFERRAL FORM**  
**MONTGOMERY COUNTY PLANNING BOARD**

TO: \_\_\_\_\_

Receipt of 239-m referral is acknowledged on \_\_\_\_\_. Please be advised that the Montgomery County Planning Board has reviewed the proposal stated on the opposite side of this form on \_\_\_\_\_ and makes the following recommendation.

☐ Approves

☐ Approves (with Modification)

☐ Disapproves:

☐ No significant County-wide or inter-community input

☐ Not subject to Planning Board review

☐ Took no action

Section 239-m of the General Municipal Law requires that within thirty days after final action by the municipality is taken; a report of the final action shall be filed with the County Planning Board.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kenneth F. Rose, Director  
Montgomery County Dept. of Economic  
Development and Planning



# C.T. MALE ASSOCIATES

Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C.

50 Century Hill Drive, Latham, NY 12110  
518.786.7400 FAX 518.786.7299 www.ctmale.com



June 22, 2022

Chairperson

Town of Amsterdam Planning Board

283 Manny's Cors. Rd.

Amsterdam, New York 12010

*RE: Hillcrest Spring Assisted Living Facility  
Planning Board Site Plan Application Submittal  
C.T. Male Project No: 20.0204*

Dear Chairperson:

On behalf of the Applicant, Alcourt Realty, LLC., we are providing the following materials for review and consideration:

- ***Application for Zoning/Use Permit***
- ***Short Environmental Assessment Form (SEAF)***
- ***Site Plan Set***
- ***Heloscaping Renderings***

In 2020 the Hillcrest Spring Assisted Living Facility was seeking approval from the board for an addition to the existing building. Due to unforeseen circumstances resulting from the Covid-19 pandemic the original proposal was postponed for a substantial period and subsequently abandoned.

The applicant has since chosen to pursue a revised site plan that will include the relocation of the existing facility entrance off New York State Route 30 to allow for the development of a greenspace landscaped area for facility resident's use. The enclosed site plan details the proposed entrance modifications and landscaping area. Renderings of the landscaping area have been provided by Heloscaping and are included within this submission.

The applicant wishes to pursue a site plan approval from the Town of Amsterdam Planning Board pursuant to the New York State Department of Transportation PERM 33-Commercial entrance requirements.



## C.T. MALE ASSOCIATES

Should you have any questions relative to the project or require additional copies, please contact me at 518-947-9722.

Respectfully submitted,

**C.T. MALE ASSOCIATES**

Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C.

A handwritten signature in black ink, appearing to read 'Martin Schmidt', with a long, sweeping horizontal line extending to the right.

Martin Schmidt

Civil Designer

[m.schmidt@ctmale.com](mailto:m.schmidt@ctmale.com)

cc: Paul Wolfe (with copies via email)



# *Short Environmental Assessment Form*

## *Part 1 - Project Information*

### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:			Telephone:	
			E-Mail:	
Address:				
City/PO:			State:	
			Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO	YES
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.			<input type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO	YES
If Yes, list agency(s) name and permit or approval:			<input type="checkbox"/>	<input type="checkbox"/>
3.   a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned _____ acres or controlled by the applicant or project sponsor?				
4. Check all land uses that occur on, are adjoining or near the proposed action: 5.     Urban       Rural (non-agriculture)       Industrial       Commercial       Residential (suburban) <input type="checkbox"/> Forest     Agriculture                   Aquatic       Other(Specify): <input type="checkbox"/> Parkland				

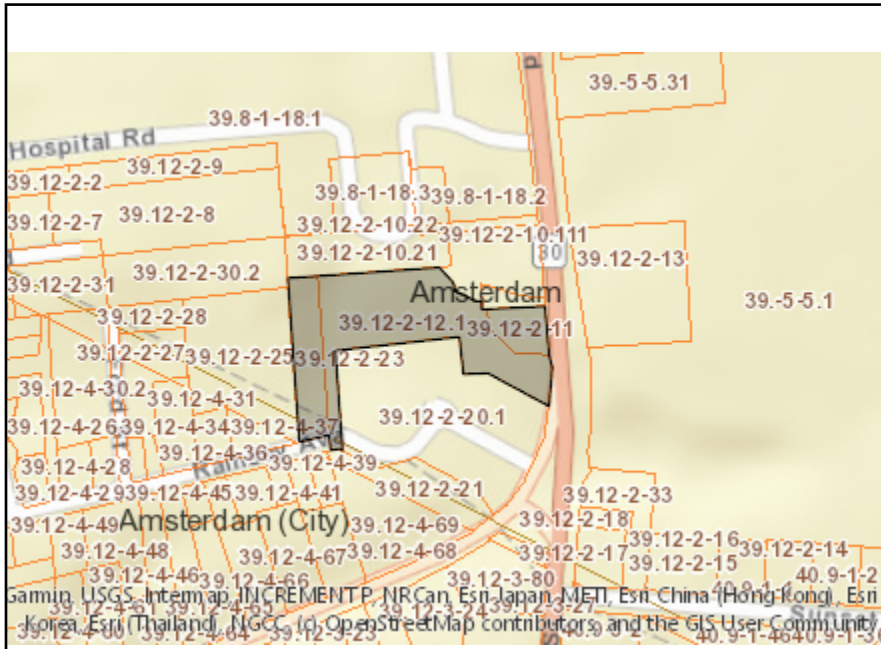


5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO  <input type="checkbox"/>  <input type="checkbox"/>	YES  <input type="checkbox"/>  <input type="checkbox"/>	N/A  <input type="checkbox"/>  <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO  <input type="checkbox"/>	YES  <input 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 type="checkbox"/>	YES  <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO  <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	YES  <input 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: _____ _____	NO  <input type="checkbox"/>	YES  <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO  <input 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 type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO  <input type="checkbox"/>  <input type="checkbox"/>	YES  <input 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? 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 type="checkbox"/>	YES  <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 type="checkbox"/> Forest    Agricultural/grasslands    Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban    Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input type="checkbox"/>	YES <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? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
49. 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 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 type="checkbox"/>	YES <input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: _____ Date: _____ Signature: <u>      <i>And</i>      </u> Title: _____		





**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

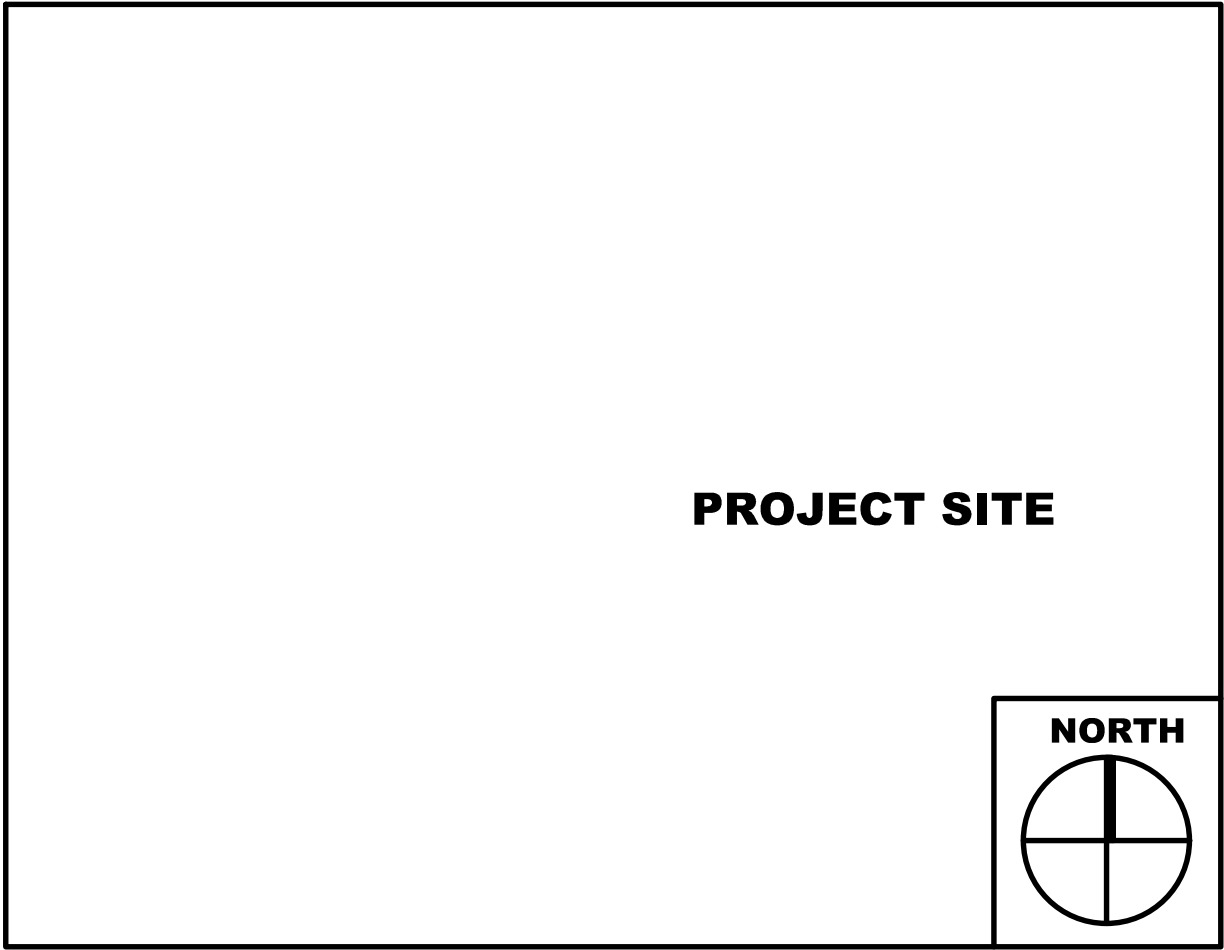
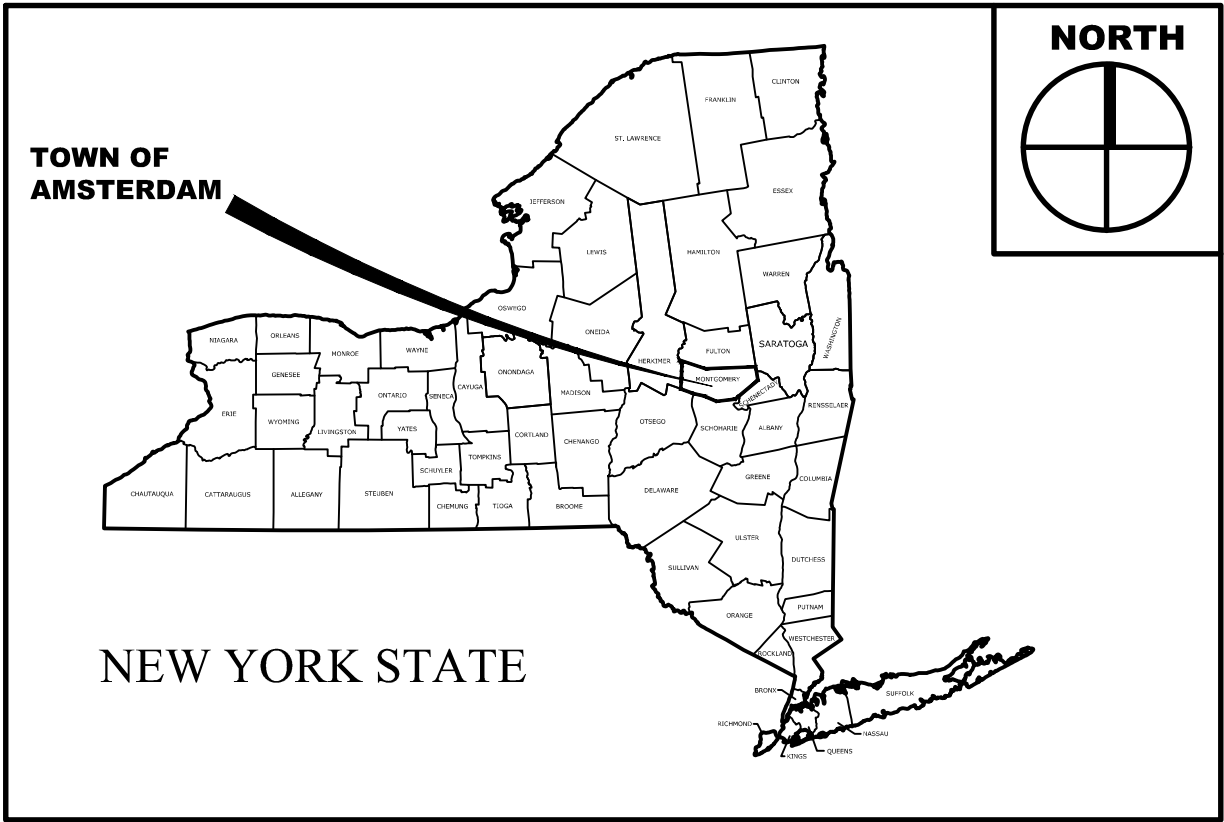


Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No



# HILLCREST SPRING ASSISTED LIVING FACILITY SITE PLAN

5044 & 5052 NEW YORK STATE ROUTE 20  
JUNE, 2022



SITE LOCATION MAP

DRAWING LIST		
SHEET ID	SHEET TITLE	SHEET NUMBER
G-001	COVER SHEET	01
C-101	EXISTING CONDITIONS	02
C-102	OVERALL SITE PLAN	03
C-103	LANDSCAPING PLAN	04
C-104	ENTRANCE PLAN	05
C-501	SITE DETAILS AND NOTES	06
C-701	TRAFFIC AND MAINTENANCE CONTROL DETAILS	07
C-702	TRAFFIC AND MAINTENANCE CONTROL DETAILS	08
C-703	TRAFFIC AND MAINTENANCE CONTROL DETAILS	09

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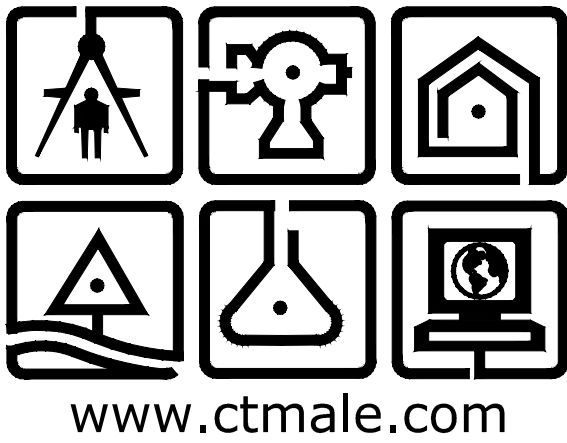
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WARNING: IT IS A VIOLATION OF THIS LAW FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR, TO ALTER AN ITEM IN ANY WAY. IF AN ITEM BEARING THE SEAL OF AN ENGINEER OR LAND SURVEYOR IS ALTERED, THE ALTERING ENGINEER OR LAND SURVEYOR SHALL AFFIX TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION. PROFESSIONAL ENGINEERING AND LAND SURVEYING - ART. 145, SECTION. 7205

**C.T. MALE ASSOCIATES**  
Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C.

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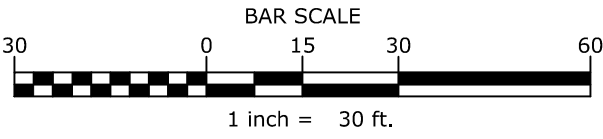
PROJECT NO. 20.0204  
DRAWING NO. 22-0469

**G-001**  
SHEET 01 OF 13



MAP NOTES:

1. Boundary and topographic information shown hereon was compiled from an actual field survey conducted from March 30, 2020 to April 2, 2020. Updated topographic information May 2, 2022.
2. North orientation and bearings are Grid North based on the New York State Plane Coordinate System, East Zone, NAD 83/2011 epoch 2010.00 as obtained from GPS observations.
3. Vertical datum shown hereon is NAVD 88 (Geoid 12B) and was obtained from RTK GPS observations using the Fultonville CORS as a base station.
4. Objects shown on this drawing with a distance indicating how far that object is from a particular line, lie on the same side of the line that the offset distance is written.
5. The location of underground improvements or encroachments, if any exist, or as shown hereon, are not certified. There may be underground utilities, the existence of which are not known to the undersigned. Size and location of all underground utilities and structures must be verified by the appropriate authorities. Dig Safely New York must be notified prior to conducting test borings, excavation and construction.
6. Surveyed parcel is together with a ten foot wide easement and right of way for ingress and egress as described in Book 1734 of Deeds at Page 245. The easement parcel is plotted and shown hereon.
7. Surveyed parcel is together with a 5 foot wide easement for the maintenance of water and sewer lines as described in Book 1734 of Deeds at Page 245. The easement description is not plottable.
8. Surveyed parcel is subject to an easement for a septic tank and leach field reserved by Herbert Van Voast, Jr. as stated in Book 1734 of Deeds at Page 245.
9. 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 any statement of fact that such documents may disclose.
10. Underground utility markout by K.C.I. Engineering of N.Y., P.C. during March 2020.

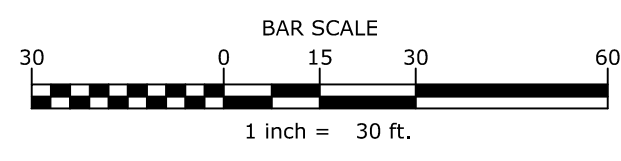
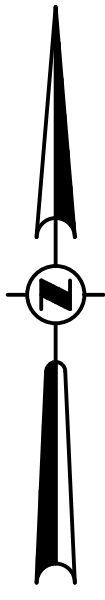
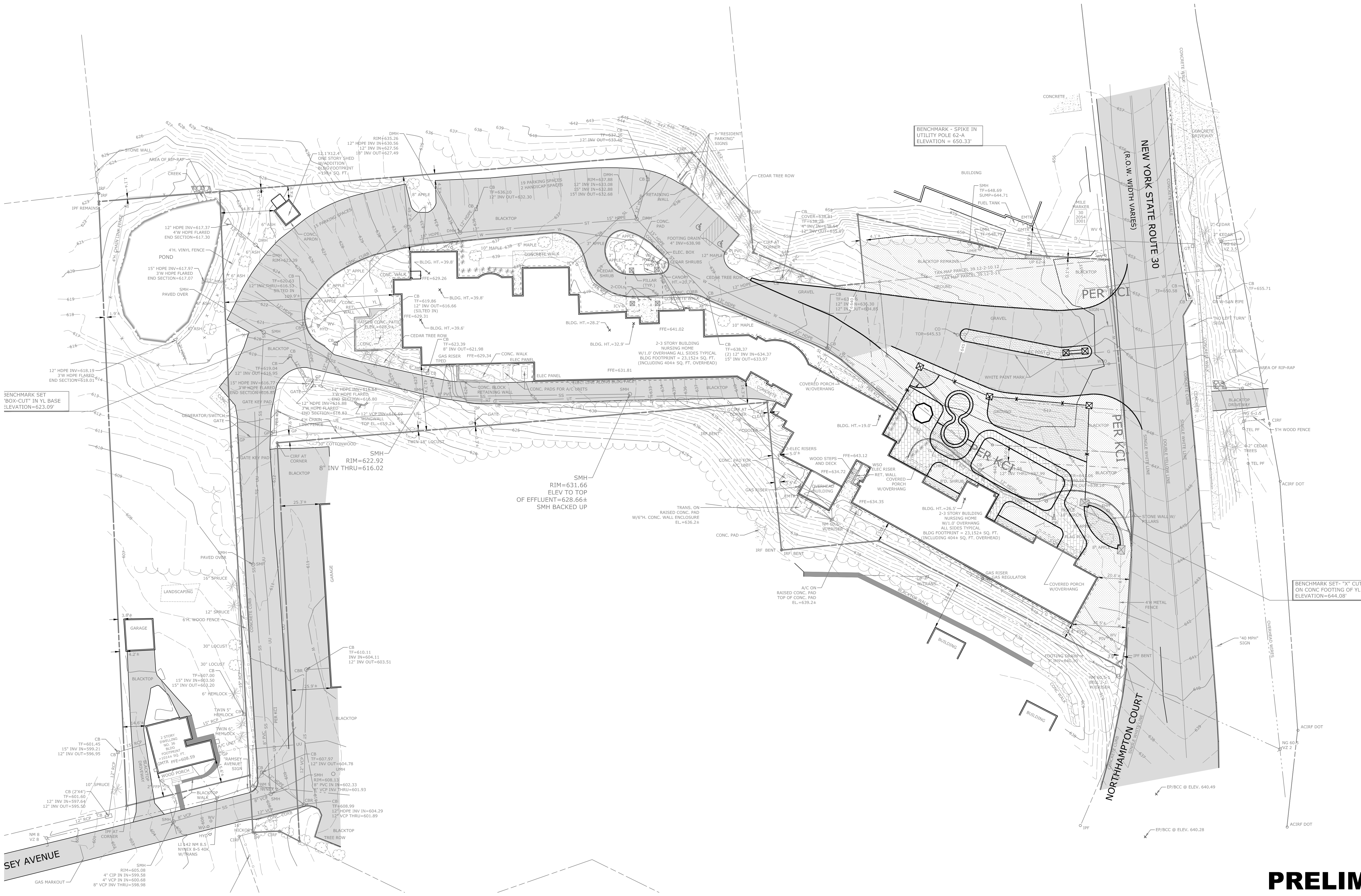


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		△						HILLCREST SPRING ASSISTED LIVING FACILITY 5044 & 5052 NEW YORK STATE ROUTE 30	
		△						TOWN OF AMSTERDAM MONTGOMERY COUNTY, NEW YORK	
		△						C.T. MALE ASSOCIATES Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C. 50 CENTURY HILL DRIVE, LATHAM, NY 12110 PH 518.786.7400 COBLESKILL, NY • GLENS FALLS, NY • POUGHKEEPSIE, NY JOHNSTOWN, NY • RED HOOK, NY • SYRACUSE, NY	
		△						C-101	
		△						SHEET 2 OF 9 DWG. NO: 22-0469	



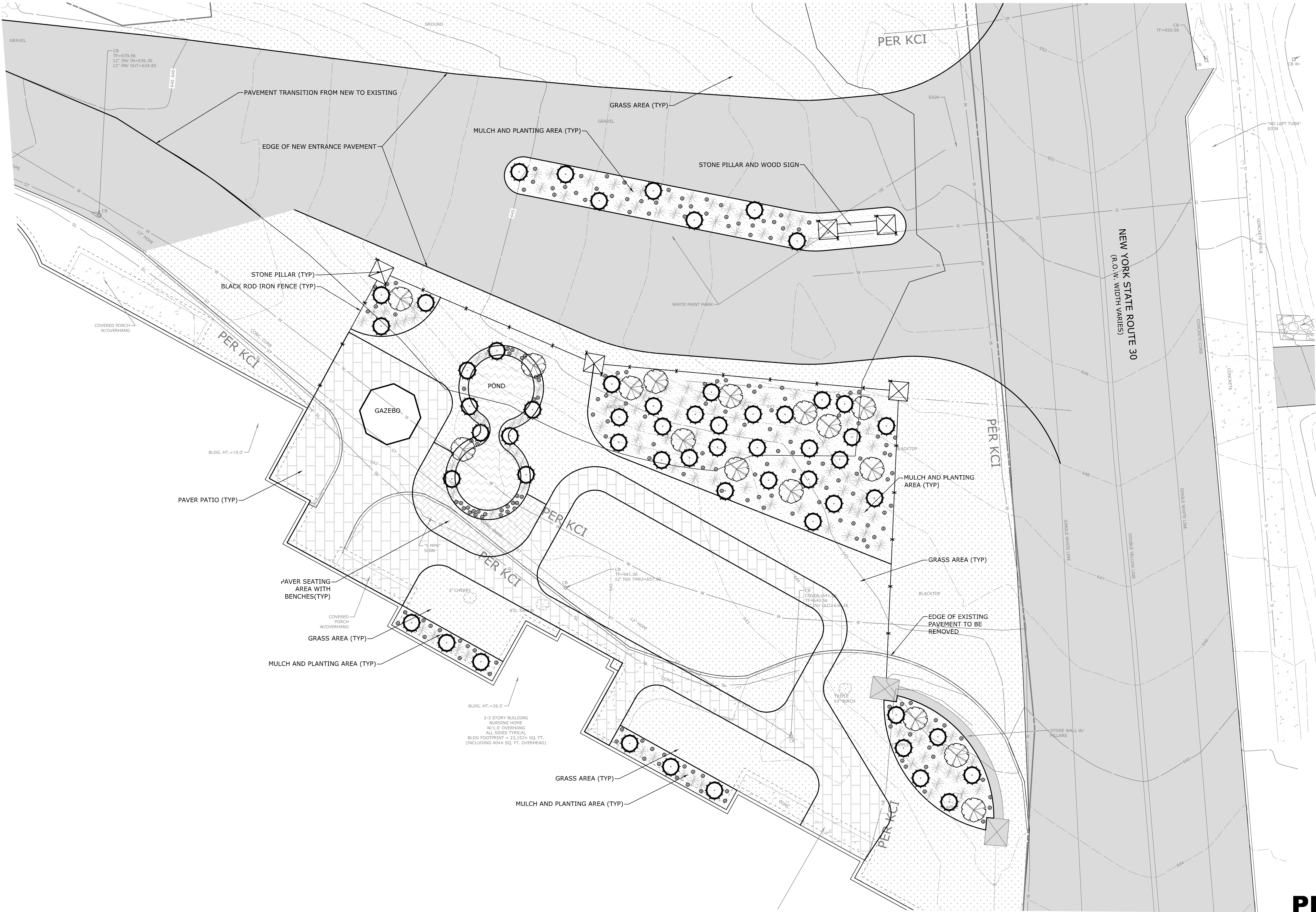


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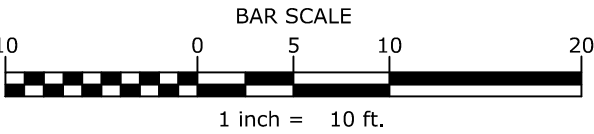
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							HILLCREST SPRING ASSISTED LIVING FACILITY 5044 & 5052 NEW YORK STATE ROUTE 30	
							TOWN OF AMSTERDAM MONTGOMERY COUNTY, NEW YORK	
							C.T. MALE ASSOCIATES Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C. 50 CENTURY HILL DRIVE, LATHAM, NY 12110 PH 518.786.7400 COBLESKILL, NY • GLENS FALLS, NY • POUGHKEEPSIE, NY JOHNSTOWN, NY • RED HOOK, NY • SYRACUSE, NY	
							C-102	
							SHEET 3 OF 9 DWG. NO: 22-0469	





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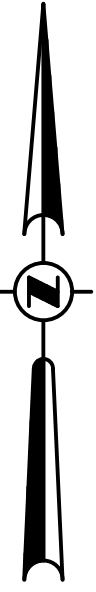
## LANDSCAPING PLAN

**HILLCREST SPRING ASSISTED LIVING FACILITY**  
**5044 & 5052 NEW YORK STATE ROUTE 30**  
TOWN OF AMSTERDAM  
MONTGOMERY COUNTY, NEW YORK

**C.T. MALE ASSOCIATES**  
Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C.  
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**C-103**  
SHEET 4 OF 9  
DWG. NO: 22-0469





## ENTRANCE PLAN

TOWN OF AMSTERDAM MONTGOMERY COUNTY, NEW YORK



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SHEET 5 OF 9

WG. NO: 22-0469

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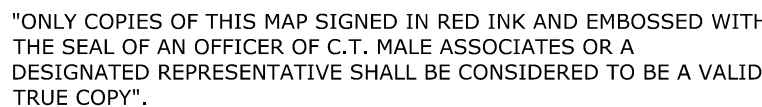
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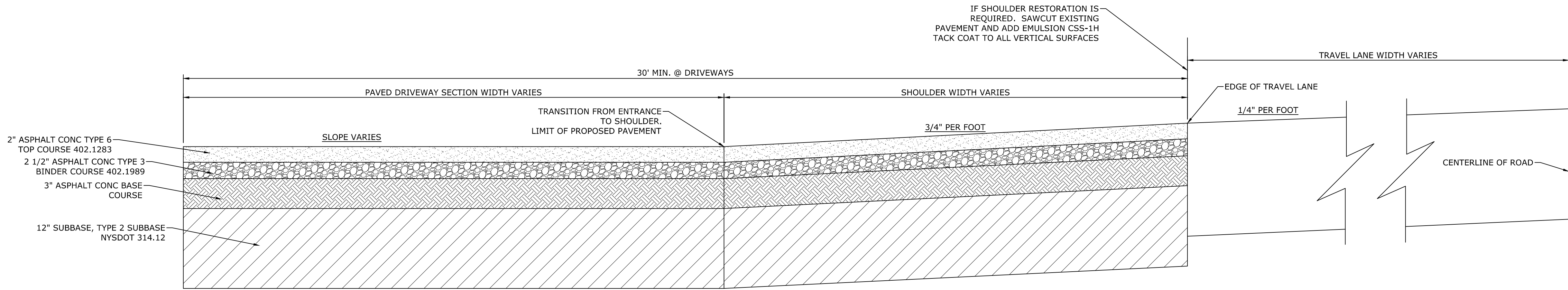
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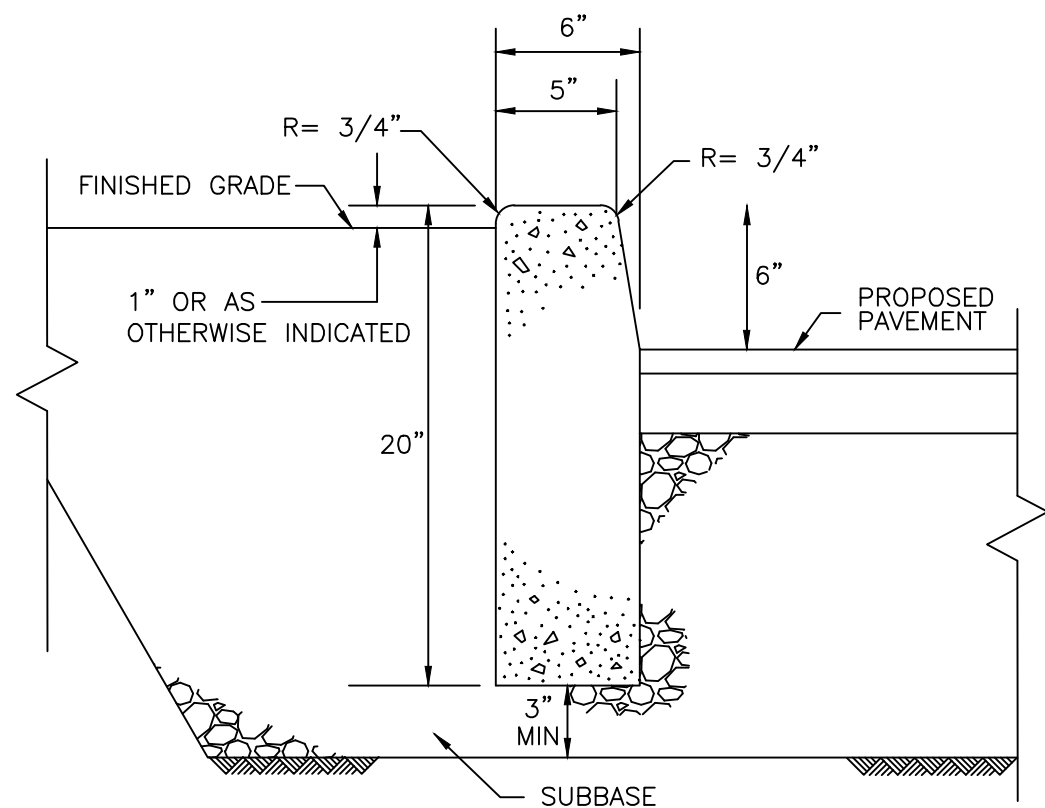
DATE : JUNF 20, 2022





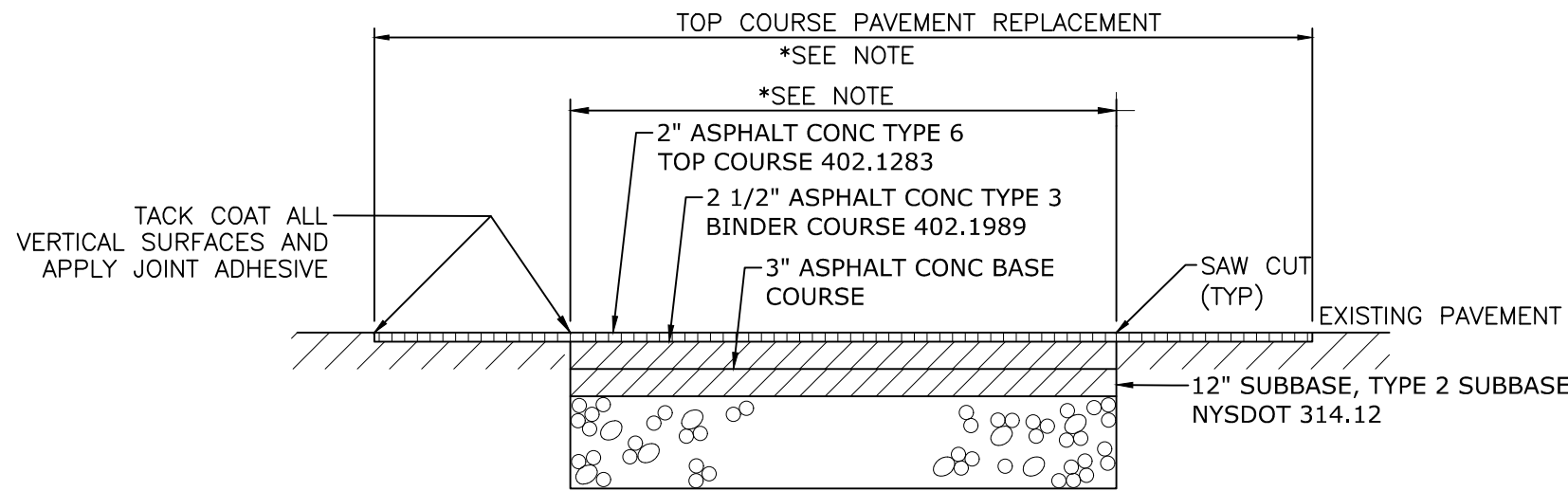


**1**  
**C-501** **SHOULDER RECONSTRUCTION**  
SCALE: NONE  
CROSS REFERENCE: NONE



NOTE:  
CONCRETE SHALL HAVE A 28-DAY COMPRESSIVE STRENGTH (f'c) OF 4,000 PSI AND HAVE BETWEEN 5% AND 8% ENTRAINED AIR.

**2**  
**C-501** **CONCRETE CURB DETAIL**  
SCALE: NONE  
CROSS REFERENCE: NONE



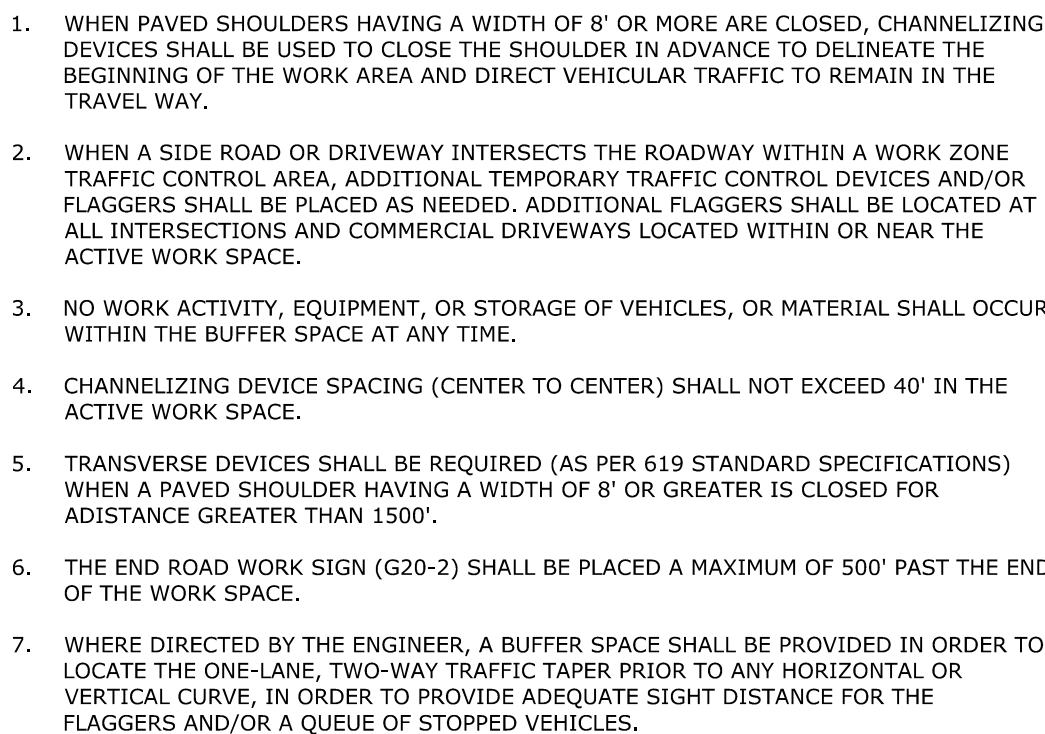
NOTE:  
1. PAYMENT LIMIT AS NOTED ON PLAN SHEETS.

**3**  
**C-501** **ENTRANCE PAVEMENT DETAIL**  
SCALE: NONE  
CROSS REFERENCE: NONE

**PRELIMINARY**

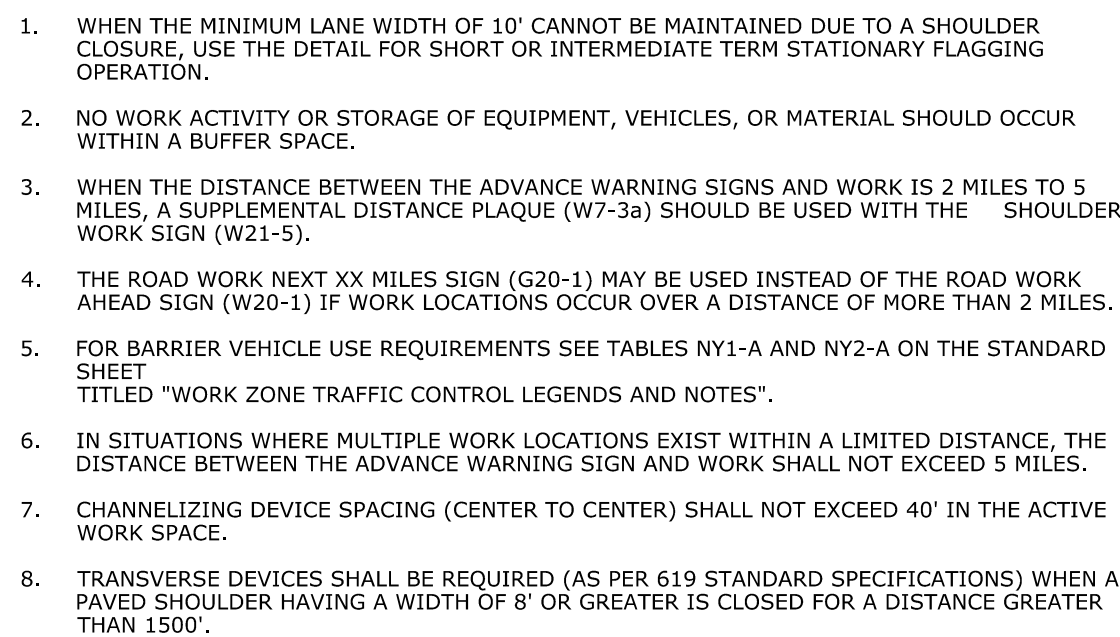
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								<b>HILLCREST SPRING ASSISTED LIVING FACILITY</b> <b>5044 &amp; 5052 NEW YORK STATE ROUTE 30</b>	
								TOWN OF AMSTERDAM	
								MONTGOMERY COUNTY, NEW YORK	
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								<b>C-501</b>	
								SHEET 6 OF 9	
								DWG. NO: 22-0469	





8. THE FLAG TREE SHALL BE LOCATED ON THE SHOULDER, AT APPROXIMATELY  $\frac{1}{2}$  THE DISTANCE BETWEEN THE FLAGGER SIGN (W20-7a) AND THE FLAGGER.
9. FLAGGER SIGN (W20-7a) AND ONE LANE ROAD AHEAD SIGN (W20-4) SHALL BE REMOVED, COVERED OR TURNED AWAY FROM ROAD USERS WHEN FLAGGING OPERATIONS ARE NOT OCCURRING.
10. FLAGGER AND FLAG TREE SHALL BE ILLUMINATED TO LEVEL II ILLUMINATION DURING NIGHT-TIME OPERATIONS.
11. ALL FLAGGERS SHALL USE 24" (MIN.) OCTAGON SHAPED STOP/SLOW PADDLES HAVING 6" STAFF.
12. CENTERLINE CHANNELIZING DEVICES ARE OPTIONAL AND MAY BE ELIMINATED WHERE SPACE CONSTRAINTS EXIST.

SCALE: NONE  
CROSS REFERENCE: NONE



SCALE: NONE  
CROSS REFERENCE: NONE

SHEET 7 OF 9  
DWG. NO: 22-046










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							DATE : JUNE 20, 2022



TABLE NY1-A BARRIER VEHICLE USE REQUIREMENTS (LONG TERM, INTERMEDIATE TERM, AND SHORT TERM STATIONARY CLOSURES)					
CLOSURE TYPE	EXPOSURE CONDITION <sup>1</sup>	USE REQUIREMENTS <sup>4,5</sup>			
		FREEWAY	NON-FREEWAY (PRECONSTRUCTION POSTED SPEED LIMIT)		
			≥ 45 MPH	35-40 MPH	≤ 30 MPH
LANE CLOSURE	WORKERS ON FOOT OR IN VEHICLES EXPOSED TO TRAFFIC	REQUIRED <sup>3</sup>	REQUIRED <sup>3</sup>	REQUIRED <sup>3</sup>	OPTIONAL <sup>2</sup>
	NON-TRAVERSABLE HAZARD (IE. EQUIPMENT, MATERIALS, EXCAVATION) ONLY NO WORKERS EXPOSED	REQUIRED <sup>3</sup>	REQUIRED <sup>3</sup>	OPTIONAL <sup>2</sup>	OPTIONAL <sup>2</sup>
SHOULDER CLOSURE	WORKERS ON FOOT OR IN VEHICLES EXPOSED TO TRAFFIC	REQUIRED <sup>3</sup>	REQUIRED <sup>3</sup>	OPTIONAL <sup>2</sup>	OPTIONAL <sup>2</sup>
	NON-TRAVERSABLE HAZARD (IE. EQUIPMENT, MATERIALS, EXCAVATION) ONLY NO WORKERS EXPOSED	REQUIRED <sup>3</sup>	OPTIONAL <sup>2</sup>	OPTIONAL <sup>2</sup>	OPTIONAL <sup>2</sup>

- THE EXPOSURE CONDITIONS DESCRIBED IN TABLE NY1-A ASSUMES THERE IS NO POSITIVE PROTECTION (TEMPORARY TRAFFIC BARRIER) PRESENT. WHERE WORKERS OR HAZARDS ARE PROTECTED BY A TEMPORARY TRAFFIC BARRIER, BARRIER VEHICLES ARE NOT REQUIRED.
- WHERE THE REQUIREMENT IS "OPTIONAL", EITHER A BARRIER VEHICLE OR THE STANDARD LONGITUDINAL BUFFER SPACE (TABLE 6C-2) SHALL BE PROVIDED.
- REQUIREMENTS SHALL INCLUDE PROVIDING A SEPARATE BARRIER VEHICLE FOR EACH CLOSED LANE AND EACH CLOSED PAVED SHOULDER 8' OR GREATER IN WIDTH. IF THE WORK SPACE MOVES WITHIN THE STATIONARY CLOSURE, THE BARRIER VEHICLE SHALL BE REPOSITIONED ACCORDINGLY. BARRIER VEHICLES PROTECTING NON-TRANSVERSABLE HAZARDS SHALL REMAIN IN PLACE DURING BOTH WORKING AND NON-WORKING HOURS UNTIL THE HAZARD NO LONGER EXISTS. EXCEPTIONS TO THESE REQUIREMENTS MAY BE MADE, AS APPROVED BY THE COUNTY COMMISSIONER OF PUBLIC WORKS OR HIS/HER DESIGNEE WHERE BARRIER VEHICLE PLACEMENT WOULD BE INEFFECTIVE OR WOULD INTERFERE WITH THE SAFE OPERATION OF TRAFFIC.
- BARRIER VEHICLES ARE NOT REQUIRED FOR MILLING AND/OR PAVING OPERATIONS, BUT THE STANDARD LONGITUDINAL BUFFER SPACE (TABLE 6C-2) SHALL BE PROVIDED.
- BARRIER VEHICLES ARE NOT REQUIRED FOR FLAGGING OPERATIONS, BUT THE STANDARD LONGITUDINAL BUFFER SPACE (TABLE 6C-2) SHALL BE PROVIDED.

TABLE NY1-B SHADOW VEHICLE USE REQUIREMENTS (MOBILE CLOSURES)					
CLOSURE TYPE	EXPOSURE CONDITION	USE REQUIREMENTS <sup>4,5</sup>			
		FREEWAY	NON-FREEWAY (PRECONSTRUCTION POSTED SPEED LIMIT)		
			≥ 45 MPH	35-40 MPH	≤ 30 MPH
LANE CLOSURE	WHEN ANY WORKER, VEHICLE, OR OTHER HAZARD IS EXPOSED TO TRAFFIC	REQUIRED <sup>2,4</sup>	REQUIRED <sup>2,4</sup>	REQUIRED <sup>2,4</sup>	REQUIRED <sup>2,4</sup>
SHOULDER CLOSURE	WHEN ANY WORKER, VEHICLE, OR OTHER HAZARD IS EXPOSED TO TRAFFIC	REQUIRED <sup>2,4</sup>	REQUIRED <sup>2,4</sup>	REQUIRED <sup>2,4</sup>	REQUIRED <sup>2,4</sup>

- A MOBILE CLOSURE SHALL BE USED FOR ANY WORK ACTIVITY THAT MOVES CONTINUOUSLY OR INTERMITTENTLY ALONG THE TRAVELED WAY OR SHOULDER SLOWER THAN THE PREVAILING SPEED OF TRAFFIC. CHANNELIZING DEVICES ARE NOT USED FOR MOBILE CLOSURES.
- SHADOW VEHICLES SHALL BE EQUIPPED WITH AN APPROVED REAR MOUNTED ATTENUATOR (TRUCK MOUNTED OR TRAILER MOUNTED) FOR THE FOLLOWING MOBILE CLOSURES: LANE CLOSURES ON FREEWAYS, LANE CLOSURES ON NON-FREEWAY ROADWAYS HAVING A PRE-CONSTRUCTION POSTED SPEED LIMIT OF 35 MPH OR MORE, SHOULDER CLOSURES ON FREEWAYS, AND SHOULDER CLOSURES ON NON-FREEWAY ROADWAYS HAVING A PRE-CONSTRUCTION SPEED LIMIT OF 45 MPH OR MORE.
- FOR MOBILE LANE CLOSURES ON NON-FREEWAY ROADWAYS HAVING A PRE-CONSTRUCTION POSTED SPEED LIMIT OF 30 MPH OR LESS AND MOBILE SHOULDER CLOSURES ON NON-FREEWAY ROADWAYS HAVING A PRE-CONSTRUCTION SPEED LIMIT OF 40 MPH OR LESS, SHADOW VEHICLES ARE NOT REQUIRED TO BE EQUIPPED WITH A REAR MOUNTED ATTENUATOR.
- A SHADOW VEHICLE IS USED TO PROTECT EXPOSED WORKERS (ON FOOT OR IN A VEHICLE) AND SHALL BE REQUIRED FOR ALL MOBILE CLOSURES. SHADOW VEHICLE REQUIREMENTS SHALL INCLUDE PROVIDING A SEPARATE SHADOW VEHICLE FOR EACH CLOSED LANE AND EACH CLOSED PAVED SHOULDER 8' OR GREATER IN WIDTH. ADDITIONAL SHADOW VEHICLES MAY BE REQUIRED TO PROMOTE THE SAFE OPERATION OF TRAFFIC AND THE INCREASED PROTECTION OF EXPOSED WORKERS, AS DIRECTED BY THE COUNTY COMMISSIONER OF PUBLIC WORKS OR HIS/HER DESIGNEE.

TEMPORARY LANE/SHOULDER CLOSURE RESTRICTIONS FOR HOLIDAYS 2022		
HOLIDAY	FALLS ON	TEMPORARY LAND CLOSURES ARE NOT ALLOWED FROM
NEW YEAR'S DAY	SATURDAY JANUARY 1	BEGINNING 6 AM THURSDAY DECEMBER 30, 2021, AND ENDING 6 AM MONDAY JANUARY 3, 2022
MEMORIAL DAY	MONDAY MAY 30	BEGINNING 6 AM FRIDAY MAY 27, 2022, AND ENDING 6 AM TUESDAY MAY 31, 2022
INDEPENDENCE DAY	MONDAY JULY 4	BEGINNING 6 AM FRIDAY JULY 1, 2022, AND ENDING 6 AM TUESDAY JULY 5, 2022
LABOR DAY	MONDAY SEPTEMBER 5	BEGINNING 6 AM FRIDAY SEPTEMBER 2, 2022, AND ENDING 6 AM TUESDAY SEPTEMBER 6, 2022
THANKSGIVING DAY	THURSDAY NOVEMBER 24	BEGINNING 6 AM WEDNESDAY NOVEMBER 24, 2022, AND ENDING 6 AM MONDAY NOVEMBER 28, 2022
CHRISTMAS DAY	SUNDAY DECEMBER 25	BEGINNING 6 AM FRIDAY DECEMBER 23, 2022, AND ENDING 6 AM TUESDAY DECEMBER 27, 2022

TABLE 6H-4 FORMULAS FOR DETERMINING TAPER LENGTHS										
SPEED LIMIT (S) (MPH)		TAPER LENGTH (L) (FT.)		L = TAPER LENGTH W = WIDTH OF OFFSET (FT.) S = PRECONSTRUCTION POSTED SPEED LIMIT (MPH)						
(40 MPH) OR LESS		$L = WS^2 / 60$								
(45 MPH) OR MORE		L = WS								
STANDARD TAPER LENGTHS										
LATERAL SHIFT OF TRAFFIC FLOW PATH	TEMPORARY TRAFFIC CONTROL ZONE POSTED SPEED LIMIT									
	(25 MPH)	(30 MPH)	(35 MPH)	(40 MPH)	(45 MPH)	(50 MPH)	(55 MPH)	(60 MPH)	(65 MPH)	(70 MPH)
4	45	60	85	110	180	200	220	240	260	280
5	55	75	105	135	225	250	275	300	325	350
6	65	90	125	160	270	300	330	360	390	420
7	75	105	145	190	315	350	385	420	455	490
8	85	120	165	215	360	400	440	480	520	560
9	95	135	185	240	405	450	495	540	585	630
10	105	150	205	270	450	500	550	600	650	700
11	115	165	225	295	495	550	605	660	715	770
12	125	180	245	320	540	600	660	720	780	840

TABLE 6C-2 LONGITUDINAL BUFFER SPACE	
PRECONSTRUCTION POSTED SPEED LIMIT (MPH)	DISTANCE
25	155 FT.
30	200 FT.
35	250 FT.
40	305 FT.
45	360 FT.
50	425 FT.
55	495 FT.
60	570 FT.
65	645 FT.

TABLE NY2-A PLACEMENT DISTANCE FOR BARRIER VEHICLES				
PRECONSTRUCTION POSTED SPEED LIMIT (MPH)	PLACEMENT DISTANCE (FT.)			
	BARRIER VEHICLES*			
	(18000 LBS.)		(24000 LBS.)	
	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM
> 55	100 FT.	200 FT.	100 FT.	200 FT.
45 - 55	100 FT.	200 FT.	85 FT.	165 FT.
< 45	85 FT.	165 FT.	50 FT.	100 FT.

\* AS DEFINED IN NYSDOT STANDARD SPECIFICATION 619:  
BARRIER VEHICLE - VEHICLE USED FOR STATIONARY SHOULDER CLOSURES, LANE CLOSURES, AND OTHER STATIONARY WORK ZONES.  
MINIMUM DISTANCE SHOWN REFLECTS THE ACTUAL ROLL AHEAD DISTANCE FROM MANUFACTURER.

TABLE NY2-B PLACEMENT DISTANCE FOR SHADOW VEHICLES				
PRECONSTRUCTION POSTED SPEED LIMIT (MPH)	PLACEMENT DISTANCE (FT.)			
	SHADOW VEHICLES**			
	(18000 LBS.)		(24000 LBS.)	
	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM
> 55	230 FT.	330 FT.	180 FT.	280 FT.
45 - 55	180 FT.	280 FT.	150 FT.	250 FT.
< 45	100 FT.	200 FT.	100 FT.	200 FT.

\* AS DEFINED IN NYSDOT STANDARD SPECIFICATION 619:  
SHADOW VEHICLE - VEHICLE USED FOR MOBILE OR SHORT DURATION WORK OPERATIONS.  
MINIMUM DISTANCE SHOWN REFLECTS THE ACTUAL ROLL AHEAD DISTANCE FROM MANUFACTURER.

TABLE 6C-3 TAPER LENGTH FOR TEMPORARY TRAFFIC CONTROL ZONES	
TYPE OF TAPER	TAPER LENGTH (L)
MERGING TAPER	L
SHIFTING TAPER	L/2
SHOULDER TAPER	L/3
ONE-LANE, TWO-WAY TRAFFIC TAPER	100 FT. MAXIMUM
DOWNSTREAM TAPER	100 FT. PER LANE

TABLE 619-4 FLARE RATES FOR POSITIVE BARRIER					
TYPE OF POSITIVE BARRIER	POSTED SPEED LIMIT				
	30 MPH	40 MPH	50 MPH	55 MPH	65 MPH
TEMPORARY CONCRETE BARRIER	8:1	11:1	14:1	16:1	20:1
BOX BEAM OR HEAVY POST CORRUGATED BEAM	7:1	9:1	11:1	12:1	15:1

TABLE NY6H-3 ADVANCE WARNING SIGN SPACING					
ROAD TYPE	DISTANCE BETWEEN SIGNS			SIGN LEGEND	
	A (FT.)	B (FT.)	C (FT.)	XX	YY
URBAN (≤ 30 MPH*)	100	100	100	AHEAD	AHEAD
URBAN (35-40 MPH*)	200	200	200	AHEAD	AHEAD
URBAN (≥ 45 MPH*)	350	350	350	1000 FT.	AHEAD
RURAL	500	500	500	1500 FT.	1000 FT.
EXPRESSWAY / FREEWAY	1000	1500	2640	1 MILE	½ MILE

\* PRECONSTRUCTION POSTED SPEED LIMIT

URBAN: (MEETS MORE THAN 1 OF THE FOLLOWING CRITERIA)  
SIDEWALKS, BICYCLE USAGE, CURBING, CLOSED DRAINAGE SYSTEMS,  
DRIVEWAY DENSITIES GREATER THAN 24 DRIVEWAYS PER MILE, MINOR  
COMMERCIAL DRIVEWAY DENSITIES OF 10 DRIVEWAYS PER MILE OR  
GREATER, MAJOR COMMERCIAL DRIVEWAYS, NUMEROUS RIGHT OF WAY  
CONSTRAINTS, HIGH DENSITY OF CROSS STREETS, 85TH PERCENTILE  
SPEEDS OF 45 MPH OR LESS.

RURAL: ANY AREA NOT EXHIBITING MORE THAN ONE OF THE ABOVE  
CHARACTERISTICS.

EXPRESSWAY: DIVIDED HIGHWAYS FOR TRAFFIC WITH FULL OR PARTIAL  
CONTROL OF ACCESS AND GENERALLY WITH GRADE SEPARATIONS  
AT MAJOR CROSSROADS.

FREEWAYS/INTERSTATE: LOCAL OR INTER REGIONAL HIGH-SPEED, DIVIDED,  
HIGH-VOLUME FACILITIES WITH FULL OR PARTIAL CONTROL OF ACCESS.

WORK DURATION DEFINITIONS
LONG-TERM STATIONARY IS WORK THAT OCCUPIES A LOCATION MORE THAN 3 CONSECUTIVE DAYS.
INTERMEDIATE-TERM STATIONARY IS WORK THAT OCCUPIES A LOCATION MORE THAN ONE DAYLIGHT PERIOD UP TO 3 CONSECUTIVE DAYS, OR NIGHTTIME WORK LASTING MORE THAN 1 HOUR.
SHORT-TERM STATIONARY IS DAYTIME WORK THAT OCCUPIES A LOCATION FOR MORE THAN 1 HOUR WITHIN A SINGLE DAYLIGHT PERIOD.
SHORT DURATION IS WORK THAT OCCUPIES A LOCATION UP TO 1 HOUR.
MOBILE IS WORK THAT MOVES INTERMITTENTLY OR CONTINUOUSLY.

WORK ZONE TRAFFIC CONTROL LEGEND	
SYMBOL	DESCRIPTION
	ARROW PANEL
	ARROW PANEL, CAUTION MODE
	ARROW PANEL TRAILER OR SUPPORT
	CHANGEABLE MESSAGE SIGN (PVMS)
	CHANNELIZING DEVICE
	CRASH CUSHION/TEMPORARY IMPACT ATTENUATOR
	DIRECTION OF TEMPORARY TRAFFIC DETOUR
	DIRECTION OF TRAFFIC
	FLAGGER
	FLAG TREE
	LUMINAIRE
	PAVEMENT MARKINGS THAT SHALL BE REMOVED FOR A LONG TERM PROJECT
	SIGN, TEMPORARY
	TEMPORARY BARRIER
	TEMPORARY BARRIER WITH WARNING LIGHTS
	TRAFFIC OR PEDESTRIAN SIGNAL
	TYPE III BARRICADE
	WARNING LIGHTS
	WORK SPACE
	WORK VEHICLE
	WORK VEHICLE WITH TRUCK MOUNTED ATTENUATOR

CHARLES R. KORTZ P.E. NO. 081516	DATE	REVISIONS RECORD/DESCRIPTION	DRAFTER	CHECK	APPR.	UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW.  © 2022 C.T. MALE ASSOCIATES  DESIGNED: MLS  DRAFTED : MLS  CHECKED : CRK  PROJ. NO : 20.0204  SCALE : AS NOTED  DATE : JUNE 20, 2022	TRAFFIC AND MAINTENANCE CONTROLS				
											HILLCREST SPRING ASSISTED LIVING FACILITY 5044 & 5052 NEW YORK STATE ROUTE 30
								TOWN OF AMSTERDAM	MONTGOMERY COUNTY, NEW YORK		
								<div>C.T. MALE ASSOCIATES</div> <div>Engineering, Surveying, Architecture, Landscape Architecture &amp; Geology, D.P.C.</div> <div>50 CENTURY HILL DRIVE, LATHAM, NY 12110 PH 518.786.7400</div> <div>COBLESKILL, NY • GLENS FALLS, NY • POUGHKEEPSIE, NY</div> <div>JOHNSTOWN, NY • RED HOOK, NY • SYRACUSE, NY</div>			
											<div>C-702</div> <div>SHEET 8 OF 9</div> <div>DWG. NO: 22-0469</div>
							www.ctmale.com				



WORK ZONE TRAFFIC CONTROL SIGN TABLE					
SIGN	M.U.T.C.D. CODE	COLOR CODE	CONVENTIONAL ROAD*	EXPRESSWAY	FREEWAY
	G20-1	A	36"x18"	42"x24"	42"x24"
	G20-2	A	36"x18"	42"x24"	42"x24"
	NYR9-11	B	24"x42"	48"x84"	48"x84"
	W20-7a	A	36"x36"	48"x48"	48"x48"
	W21-1a	A	36"x36"	48"x48"	48"x48"
	W21-5	A	30"x30"	48"x48"	48"x48"
	W20-1	A	36"x36"	48"x48"	48"x48"
	W20-4	A	36"x36"	48"x48"	48"x48"
	W7-3a	A	24"x18"	24"x18"	24"x18"
	W20-5	A	36"x36"	48"x48"	48"x48"
	W21-5bL W21-5bR	A	36"x36"	48"x48"	48"x48"

WORK ZONE TRAFFIC CONTROL SIGN TABLE					
SIGN	M.U.T.C.D. CODE	COLOR CODE	CONVENTIONAL ROAD*	EXPRESSWAY	FREEWAY
	W13-1	A	24"x24"	24"x24"	24"x24"
	W1-6L	A	48"x24"	48"x24"	48"x24"
	W1-6R	A			
	W1-8L	A	36"x48"	36"x48"	36"x48"
	W1-8R	A			

GENERAL NOTES:

1. GENERAL:

ALL SIGN, CONES, BARRELS, BARRICADES AND CONC BARRIERS SHALL BE FABRICATED AND ERECTED IN ACCORDANCE WITH THE CONTRACT PLANS AND SPECIFICATIONS OR AS DIRECTED BY THE NEW YORK STATE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES

2. SIGN SUPPORT:

THE CONTRACTOR SHALL SUPPLY ADEQUATE SUPPORTS SO THAT THE SIGNS ARE IN PROPER POSITION AND ALIGNMENT AS SHOWN IN THE NEW YORK STATE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES. ALL SUPPORTS SHALL BE PAINTED WITH TWO(2) COATS OF WHITE PAINT.

3. SIGN PANELS:

THE SIGN PANELS MAY BE MADE OF ALUMINUM, STEEL, OR PLYWOOD THE BACKS OF ALL WOOD SIGN PANELS SHALL RECEIVE TWO(2) COATS OF WHITE PAINT.

4. SIGN FACE:

COLOR - THE COLOR OF THE BACKGROUND AND THE LEGEND OF ALL SIGNS SHALL BE IN ACCORDANCE WITH THE NEW YORK STATE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES. THE MARGIN SHALL BE OF THE SAME COLOR AS SPECIFIED FOR THE BACKGROUND. THE BORDER SHALL BE OF THE SAME COLOR AS THE LEGEND.  
SHAPE - THE SHAPE OF ALL SIGNS SHALL BE AS SHOWN ON THIS SHEET. CORNERS OF SIGNS SHALL HAVE ROUNDED CORNERS.  
REFLECTORIZATION - ALL SIGNS SHALL BE REFLECTORIZED USING HIGH INTENSITY REFLECTORIZED TAPE OR PAINT. ALL SIGNS SHALL BE CLEANED AND MAINTAINED REGULARLY. ALL SIGNS SHALL BE REVIEWED AT NIGHT AFTER ERECTION. ANY SIGNS NOT MEETING PROPER REFLECTION REQUIREMENTS WILL BE REPLACED.  
LETTERING AND BORDERS - SIGN LETTERING, BORDERS AND MARGINS SHALL BE IN ACCORDANCE WITH THE NEW YORK STATE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.

5. SIGN LOCATION:

SIGNS SHALL BE GENERALLY LOCATED ON THE RIGHT SIDE OF THE HIGHWAY FACING APPROACHING TRAFFIC. THE NEAR EDGE OF THE SIGN SHALL BE BETWEEN 6 AND 12 FEET FROM NEAREST EDGE OF THE TRAVELED ROADWAY OR BETWEEN 2 AND 12 FEET FROM THE FACE OF THE VERTICAL CURB. SIGNS SHOULD GENERALLY BE PLACED AT RIGHT ANGLES TO TRAFFIC. ROADSIDE SIGNS SHOULD BE MOUNTED SO THAT THE BOTTOM OF THE SIGN IS APPROXIMATELY 5 FEET ABOVE THE EDGE OF PAVEMENT. SIGNS MOUNTED ON BARRICADES OR TEMPORARY SIGNS IN THE ROADWAY MAY BE AT LOWER HEIGHTS. ALL SIGNS SHALL BE LOCATED SO AS TO BE PLAINLY VISIBLE TO TRAFFIC.

6. MAINTENANCE:

THE CONTRACTOR SHALL KEEP SIGNS CLEANED AND CLEARED AT ALL TIMES. ALL SIGNS SHALL BE THE PROPERTY OF THE CONTRACTOR AND SHALL BE MAINTAINED IN GOOD CONDITION FOR THE DURATION OF THE CONTRACT. ALL SIGNS SHALL BE REMOVED FROM THE WORK SITE WHEN THE CONTRACT WORK IS ACCEPTED.

7. GENERAL:

COLOR CODE LEGEND	
CODE	DESCRIPTION
A	BLACK LEGEND AND BORDER ON A ORANGE BACKGROUND
B	BLACK LEGEND AND BORDER ON A WHITE BACKGROUND
C	WHITE LEGEND AND BORDER ON A GREEN BACKGROUND
D	WHITE LEGEND AND BORDER ON A RED BACKGROUND
E	RED LEGEND AND BORDER ON A WHITE BACKGROUND
F	BLACK LEGEND AND BORDER ON A FLORESCENT YELLOW GREEN BACKGROUND

PRELIMINARY

\*ONLY COPIES OF THIS MAP SIGNED IN RED INK AND EMBOSSED WITH THE SEAL OF AN OFFICER OF C.T. MALE ASSOCIATES OR A DESIGNATED REPRESENTATIVE SHALL BE CONSIDERED TO BE A VALID TRUE COPY\*.

CHARLES R. KORTZ P.E. NO. 081516	DATE	REVISIONS RECORD/DESCRIPTION			DRAFTER	CHECK	APPR.	UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW.  © 2022 C.T. MALE ASSOCIATES DESIGNED: MLS DRAFTED : MLS CHECKED : CRK PROJ. NO : 20.0204 SCALE : AS NOTED DATE : JUNE 20, 2022
<b>TRAFFIC AND MAINTENANCE CONTROLS</b>								
<b>HILLCREST SPRING ASSISTED LIVING FACILITY 5044 &amp; 5052 NEW YORK STATE ROUTE 30</b>								
TOWN OF AMSTERDAMMONTGOMERY COUNTY, NEW YORK								
<b>C.T. MALE ASSOCIATES</b> Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C. 50 CENTURY HILL DRIVE, LATHAM, NY 12110 PH 518.786.7400 COBLESKILL, NY • GLENS FALLS, NY • POUGHKEEPSIE, NY JOHNSTOWN, NY • RED HOOK, NY • SYRACUSE, NY								
<b>C-703</b>								
SHEET 9 OF 9 DWG. NO: 22-0469								



2/10/2011

Application #: \_\_\_\_\_

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

**Town of Amsterdam  
Planning Board  
Application to the Planning Board**

A completed Application must be filed at least fourteen (14) days prior to the meeting at which it is to be considered by the Planning Board, including all applicable attached information.

Applicant: Alcourt Realty, LLC  
(must be property owner)

Address: 5052 State Route 30  
Amsterdam, New York 12010

Phone: (518) 843-3770

Professional Advisor: C.T. Male Associates  
(i.e. Engineer, Architect, Surveyor, etc.)

Address: 50 Century Hill Road  
Latham, New York 12110

Phone: (518) 947-9722

Applicant's Representative: C.T. Male Associates  
(if applicable)

Address: 50 Century Hill Road  
Latham, New York 12110

Phone: (518) 947-9722

Other : \_\_\_\_\_  
(if appropriate, please specify)

Address: \_\_\_\_\_

Phone: (   ) \_\_\_\_\_

**Property Location**

Address: Alcourt Realty, LLC

General Location: 5052 State Route 30, Amsterdam, New York 12010

Zoning District: B1

Tax Parcel ID # (SBL) 39.12-2-12.1, 39.12-2-11, 39.12-2-10.12 and 39.12-2-2

Type of Application (please check appropriate box(s)):

☐ Subdivision

☒ Site Plan

☐ Special Use Permit

☐ Planned Unit Development Review (formal action required by Town Board)

Attached please find Appendix A-SEQR compliance, and Appendix B-Ag. Data Statement compliance. Compliance with these items is required under the applicable NYS Laws, a brief explanation is included in the appendices to assist the applicant. For specifics on submission/application requirements, procedures, time frames, etc., the applicant should refer to the applicable Town regulations (Zoning, Subdivision, etc.) and/or NYS law (SEQR, Ag. & Markets, General Municipal, etc.).

Applicant

Date

Applicant's Representative

Date

6/23/2022



Application #: \_\_\_\_\_

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

### For Office Use Only

Application Fee: \$ \_\_\_\_\_

Engineering Fees: \$ \_\_\_\_\_ Description: \_\_\_\_\_

Other Fees: \$ \_\_\_\_\_ Description: \_\_\_\_\_

Total Amount Received: \$ \_\_\_\_\_

Check # (s)/Date: \_\_\_\_\_

Received By: \_\_\_\_\_

Total Amount Returned (engineering fees): \$ \_\_\_\_\_ Description: \_\_\_\_\_

\*\*\*\*\*

### For Planning Board Use Only

The Planning Board held a Public Hearing on \_\_\_\_\_ (day) of \_\_\_\_\_ (date),  
\_\_\_\_\_ (year) in consideration of this application.

The application is hereby:

- ☐ approved
- ☐ approved with modifications
- ☐ disapproved

Modifications and comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Chairman, Town of Amsterdam Planning Board

\_\_\_\_\_  
Date



**TOWN OF AMSTERDAM**  
**BUILDING PERMIT/ZONING APPLICATION**

1. Building Permit Application, and/or Zoning Application, as applicable, must be completed and returned to the Town Clerk.
2. The application must be accompanied by two (2) sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of work to be performed, the material and equipment to be used.
3. Site plan showing boundaries, proposed or existing location of septic, dry well, leach fields, accessory structure(s), and project location. Show side, rear, and front setbacks from project to property line.
4. Current copy of Liability and Worker's Compensation Insurance certificates for contractors must be provided.
5. All work must conform to Building Code of New York State.
6. All septic systems require an Engineer approved set of plans with application.
7. Application fees are due at time of application.
8. Separate permit required from Montgomery County DPW (518-853-3814) for driveway installation or any work on a County Highway Right-of-Way.

Zoning Application Fee \$25 (Additional inspection fees apply)

Pool Fee \$100

Septic Fee \$50

Subdivision Fee \$150 per lot

Site Plan Fee \$350 plus escrow fee to be determined

Special Use Permit \$350

Planned Unit Development \$500

Zoning Board of Appeals Fee \$75

One Day Event \$100 per day

Tent Sale \$100 per week

Any questions, please contact: Thomas DiCaprio, Zoning Officer

283 Manny's Corners Road

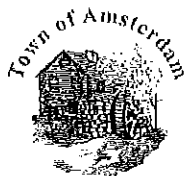
Amsterdam, NY 12010

518-842-7961 Ext. 108 – Phone      518-843-6136 - Fax

Progressive and Final Inspections (as required on permit) will be performed by Thomas DiCaprio. Please note: Inspections must be scheduled 24 hours in advance.

Important Notes: A certificate of Occupancy or Certificate of Compliance is required prior to use of use of pool or occupancy of any building.





## TOWN OF AMSTERDAM

283 Manny's Corner Road

Amsterdam, NY 12010

Phone: 518-842-7961 • Fax: 518-843-6136

www.townofamsterdam.org

# APPLICATION FOR ZONING/USE PERMIT

APPLICATION DATE: 6 / 23 / 2022

ZONE: B1

APPLICATION #: \_\_\_\_\_ FEE PD: \_\_\_\_\_ TAX MAP NO: 39.12-2-12.1, 39.12-2-11,  
39.12-2-10.12, 39.12-2-23

1.) PROPERTY/BUILDING LOCATION: 5052 State Route 30

2.) PROPERTY OWNER'S NAME: Alcourt Realty, LLC TELEPHONE: 518-843-3770

ADDRESS: 5052 State Route 30  
Amsterdam, NY 12010

3.) APPLICATION IS HEREBY MADE FOR: (Check ALL that are applicable),

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> NEW CONSTRUCTION                   | <input type="checkbox"/> MOBILE HOME INSTALLATION   | <input type="checkbox"/> PLANNED UNIT DEVELOPMENT            |
| <input type="checkbox"/> RESIDENTIAL                        | <input type="checkbox"/> MODULAR HOME INSTALLATION  | <input type="checkbox"/> KENNEL/STABLES                      |
| <input type="checkbox"/> 1 FAMILY                           | <input type="checkbox"/> GARAGE <input type="checkbox"/> ATTACHED GARAGE  | <input type="checkbox"/> HOME OCCUPATION                     |
| <input type="checkbox"/> 2 FAMILY                           | <input type="checkbox"/> ACCESSORY BUILDING/STORAGE SHED  | <input type="checkbox"/> OUTDOOR FURNACES                    |
| <input type="checkbox"/> MULTIPLE                           | <input type="checkbox"/> CHIMNEY CONSTRUCTION   | <input type="checkbox"/> SOLAR COLLECTORS +<br>INSTALLATIONS |
| <input type="checkbox"/> COMMERCIAL                         | <input type="checkbox"/> SOLID FUEL BURNING DEVICE  | <input type="checkbox"/> WIND ENERGY FACILITIES              |
|   | <input type="checkbox"/> STOVE INSERT   |  |
| <input type="checkbox"/> RENOVATION, ALTERATION, CONVERSION | <input type="checkbox"/> POOL <input type="checkbox"/> IN GROUND <input type="checkbox"/> ABOVE GROUND                                |  |
| <input type="checkbox"/> RESIDENTIAL                        | <input type="checkbox"/> SEPTIC SYSTEM <input type="checkbox"/> WELL  |  |
| <input type="checkbox"/> COMMERCIAL                         | <input checked="" type="checkbox"/> OTHER: <u>Commercial Facility Site Plan with</u><br><u>Landscaping and Entrance Modifications</u> |  |

☐ COMMERCIAL OCCUPANCY (WITH NO RENOVATIONS) INSPECTION ONLY.

☐ DEMOLITION

☐ COMMERCIAL OR ☐ RESIDENTIAL (CHECK ONE)

METHOD OF DEMOLITION: \_\_\_\_\_

PLACE OF DEBRIS DISPOSAL: \_\_\_\_\_

DISCONNECTION DATE OF UTILITIES: \_\_\_\_\_

4.) THE FOLLOWING DESCRIPTION OF THE USE FOR THIS PROPERTY, FOR WHICH APPLICATION IS MADE HERewith, IS SUBMITTED: Senior Assisted Living Facility

5.) SITE INFORMATION (THE FOLLOWING INFORMATION MUST BE PROVIDED ALONG WITH DETAILED PLOT PLAN)

A.) DIMENSIONS OF LOT: FRONTAGE 1528 REAR 393 RIGHT SIDE \_\_\_\_\_ LEFT SIDE \_\_\_\_\_  
ACREAGE 3.3+/-

B.) IS THIS A CORNER LOT? ☐ YES OR ☒ NO

C.) WILL THE GRADE OF THIS LOT BE CHANGED AS A RESULT OF THIS CONSTRUCTION? ☒ YES OR ☐ NO

IF "YES", DESCRIBE AND SHOW ON PLOT PLAN

D.) ☒ PUBLIC WATER OR ☐ PRIVATE WELL

E.) ☒ SEWER OR ☐ PRIVATE SEPTIC

\*\*\* SEPERATE PERMITS ARE REQUIRED FOR PUBLIC WATER AND SANITARY SEWER

F.) DISTANCE FROM LOT LINES: FRONT \_\_\_\_\_ REAR \_\_\_\_\_ RIGHT SIDE \_\_\_\_\_ LEFT SIDE \_\_\_\_\_



6.) TYPE OF CONSTRUCTION: (CHECK ALL THAT APPLY)

STYLE: ☐ RANCH ☐ RAISED RANCH ☐ SPLIT LEVEL ☐ CAPE COD ☐ COLONIAL ☐ DUPLEX  
☒ OTHER: Site Modification of Landscaping and Entrance

BASEMENT (CHECK ONE): ☐ FULL ☐ CRAWL ☐ SLAB

GARAGE: ☐ 1 STALL ☐ 2 STALL ☐ 3 STALL ☐ PRIVATE ☐ PUBLIC

THE ACCESSORY BUILDING WILL BE AS FOLLOWS: ☐ DESCRIPTION: \_\_\_\_\_

☐ DIMENSIONS: FRONT WIDTH: \_\_\_\_\_ SIDE LENGTH: \_\_\_\_\_ HEIGHT: \_\_\_\_\_

7.) CONTRACTOR'S NAME: TBD DAY PHONE: (\_\_\_\_) \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

( ALL CONTRACTORS MUST PROVIDE PROOF OF WORKERS COMPENSATION AND LIABILITY INSURANCE )

8.) ESTIMATED VALUE OF ALL WORK (LABOR & MATERIALS): \$ TBD

9.) SIGNATURE OF PROPERTY OWNER: \_\_\_\_\_

I CERTIFY THAT THE CONSTRUCTION PLANS AND ALL OTHER INFORMATION SUBMITTED AS PART OF THIS APPLICATION ARE ACCURATE.

10.) FOR OFFICE USE ONLY:

DATE APPROVED: \_\_\_\_\_

DATE DENIED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

(ZONING OFFICER)

PERMIT EXPIRES: \_\_\_\_\_

☐ DENIED AND REFERRED TO PLANNING BOARD

☐ DENIED AND REFERRED TO ZONING BOARD OF APPEALS

NOTES OR COMMENTS: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## **Electrical Inspectors**

### **The Inspector, LLC**

**Local Contact – Dave Irwin  
(518) 797-3520**

### **Middle Department Inspection Agency Inc.**

**Local Contact – Bob Wheatley  
(518) 273-0861  
Call between 7:00 a.m. – 8:30 a.m.**

### **New York Atlantic-Inland, Inc.**

**Contact Ernie Savage – Has Local Inspectors  
(315) 895-7560**



# REFERRAL FORM

## MONTGOMERY COUNTY PLANNING BOARD

Referral Number \_\_\_\_\_  
assigned by the MCPB upon  
acceptance of referral for review

This Referral must be received **SEVEN CALENDAR DAYS** prior to the MCPB meeting date in order for it to be placed on the agenda.

**TO:** Montgomery County Planning Board,  
Old County Courthouse,  
PO Box 1500, Fonda, New York 12068  
Phone: 518-853-8334  
Fax: 518-853-8336

**FROM:** Municipal Board: Town of Florida Planning Board  
Referring Officer: Planning Board Secretary  
Mail original resolution to: Emily Staley  
214 Fort Hunter Road  
Amsterdam, NY 12010

1. **Applicant:** Hutchison Harvest 2. **Site Address:** 124 Leahy Road

3. **Tax Map Number(s):** 88.-1-3.2 4. **Acres:** 7.13

5. **Is the site currently serviced by public water?** ☐ Yes ☒ No

6. **On-site waste water treatment is currently provided by:** ☐ Public Sewer or ☐ Septic System N/A

7. **Current Zoning:** Agriculture 8. **Current Land Use:** Farm

9. **Project Description:** New construction of a USDA certified slaughter house including a butcher shop and retail store.  
70'x70' building with a 20' canopy overhand at rear of building with loading zone. Construction of a new septic system,  
driveway, storm-water & waste water control on approximately 7.13 acres of vacant farmland.

### 10. MCPB Jurisdiction:

- ☐ **Text Adoption or Amendment** ☒ **Site is located within 500' of:** Bullshead Road  
(Specify by Name)
- Check All That Apply
- ☐ a municipal boundary.
- ☒ a State or County thruway/highway/roadway
- ☐ an existing or proposed State or County park/recreation area
- ☐ an existing or proposed County-owned stream or drainage channel
- ☐ a State or County-owned parcel on which a public building or institution is situated
- ☒ a farm operation within an Agricultural District (Incl. Ag data Statement) (does not apply to area variances)

11. **PUBLIC HEARING:** Date: 08/01/2022 Time: 6:45pm Location: 167 Fort Hunter Road

### Referred Action(s)

If referring multiple, related actions, please identify the referring municipal board if different from above.

12. ☐ **Text Adoption or** ☐ **Amendment** **Referring Board:**

☐ Comprehensive Plan ☐ Local Law ☐ Zoning Ordinance ☐ Other \_\_\_\_\_

13. ☐ **Zone Change** **Referring Board:**

Proposed Zone District: \_\_\_\_\_ Number of Acres: \_\_\_\_\_

Purpose of the Zone Change: \_\_\_\_\_

14. ☒ **Site Plan** ☒ **Project Site Review** **Referring Board:**

Proposed Improvements: Slaughterhouse, butchershop & retail store

Proposed Use: same as above

Will the proposed project require a variance? ☐ Yes ☒ No Type: ☐ Area ☐ Use

Specify: \_\_\_\_\_

Is a State or County DOT work permit needed? If Yes : ☐ State or ☐ County ☒ No

Specify: \_\_\_\_\_



**15. ☒ Special Permit****Referring Board:**

Section of local zoning code that requires a special permit for this use: Farm products business is allowed with a special permitted uses in the schedule of uses in the Town's Zoning Ordinance

Will the proposed project require a variance? ☐ Yes ☒ No Type: ☐ Area ☐ Use

**16. Variance****Referring Board:**

☐ Area ☐ Use

Section(s) of local zoning code to which the variance is being sought: \_\_\_\_\_

Describe how the proposed project varies from the above code section: \_\_\_\_\_

**SEQR Determination****Action:****Finding:**

- Check One
- ☐ Type I
  - ☐ Type II
  - ☒ Unlisted Action
  - ☐ Exempt

- ☐ Positive Declaration – Draft EIS
- ☐ Conditional Negative Declaration
- ☒ Negative Declaration
- ☐ No Finding (Type II Only)

SEQR determination made by (Lead Agency): Town of Florida Planning Board Date: 08/01/2022

**REQUIRED MATERIAL****Send 13 copies of a "Full Statement of the Proposed Action" which includes:**

All materials required by and submitted to the referring body as an application

- If submitting site plans, please submit only 1 large set of plans, and 12 11x17 packets.
- All material may be submitted digitally as well at <http://www.mcfdc.org/planning-services/montgomery-county-planning-board-referrals/>

This referral, as required by GML §239 1 and m, includes complete information, and supporting materials to assist the Montgomery County Planning Board (MCPB) in its review. Recommendations by MCPB shall be made to the Referring Body within thirty days of receipt of the Full Statement.

Emily Staley - Town Clerk/Secretary 518-843-6372 x1  
Name, Title & Phone Number of Person Completing this Form

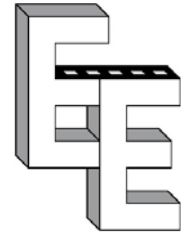
Emily Staley

08/02/2022

Transmittal Date



# EMPIRE ENGINEERING, PLLC



March 21, 2022

Town of Florida  
Planning Board  
214 Fort Hunter Rd.  
Amsterdam, NY 12010

Attn: Michael Taylor, Chairman

## Project Narrative

The subject project identified as **Hutchison Harvest**, is located along **Leahey Road** in the Town of Florida. The applicant is Hutchison Harvest, Inc., the owner of the site. The owner's address is 124 Leahey Road, Amsterdam, NY 12010. The owner's contacts are Krystle, Katelynn and Emily.

## Project Description & Purpose

The proposed project is the construction of a slaughterhouse with retail butcher shop. The facility will accept livestock for butchering, slaughter and store within freezers for distribution and sale within the on-site retail store. The subject property is zoned Agricultural (A). The total parcel is approximately 7.13± Acres. The site currently exists as a cultivated field. There is a drainage ditch which generally delineates the subject parcel from the adjoining property to the north.

The site development includes a 70'x70' building, exterior canopy for holding pens and equipment, customer driveway, truck exit, customer parking lot, employee parking, loading zone, septic system, on-site well and on-site storm water management system. The process water and general wastewater will be separate systems with the process water holding tanks being routinely pumped for disposal off-site. A well is proposed on-site with a 200' wellhead separation distance provided from any sanitary/septic facility. The site includes approximately 2.4 Acres of disturbance and will incorporate drainage and stormwater design including a Stormwater Pollution Prevention Plan (SWPPP). Any chemicals used on-site will be stored indoors or within the covered canopy. Disposal will be in accordance with any manufactures recommendations.

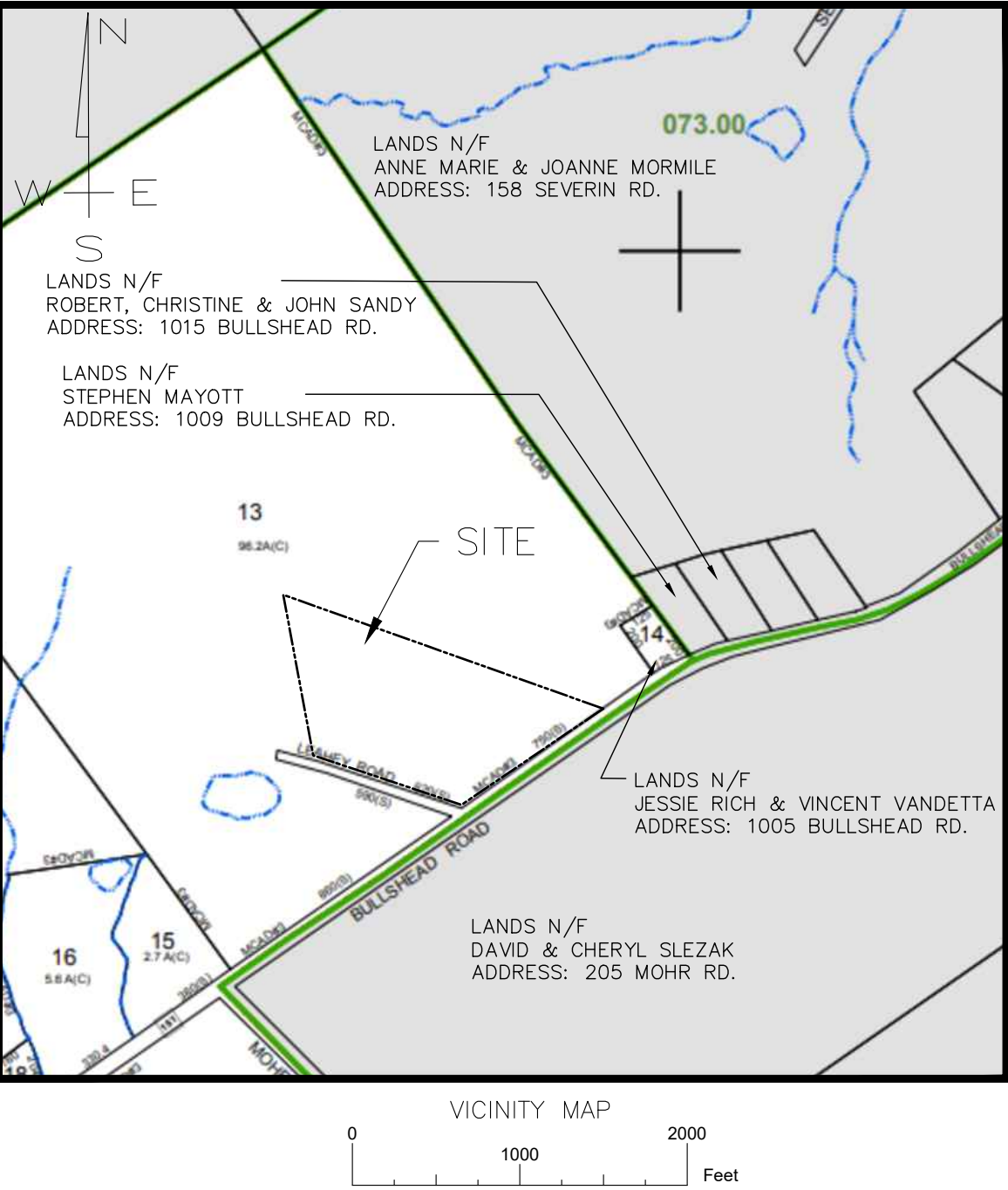
This business will typically have 5-7 employees on-site daily. Hours of operation will typically 6 days a week for retail, generally 7 am to 6 pm. The initial production capacity anticipation is one truck load of livestock per week for processing. The facility will also have several general freight deliveries per week including frozen products for distribution.



The proposed project is not anticipated to have an impact on any Town services any greater than the various existing uses. Water and sewer will be private on-site systems, traffic will be minimal on adequately maintained roads, and fire & police services will be similar to any allowed use. The project is not anticipated to generate any undesirable impact related to noise, visual, or drainage to any adjoining properties.

The proposed building is approximately 4,900 sf. Within the building is approximately 500 sf of retail, 1,100 sf of office/storage and 3,300 sf of processing floor & freezer. There are 13 proposed parking spaces for customers and 7 employee parking spaces. The land use code does not prescribe any requirements for the proposed 'Farm Products Plant' use related to site coverage percentages. All required setbacks have been maintained and no variances are being requested.

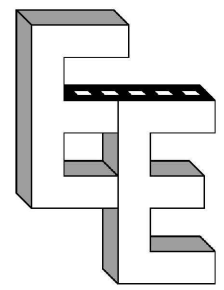


[illegible]

PRIOR TO ANY EARTH  
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SHALL CALL IN A TICKET TO  
DIG SAFE NY AND OBTAIN A  
CLEAR TO DIG

IT IS A VIOLATION OF SECTION 7209 OF THE NYS EDUCATION LAW FOR ANY PERSON TO ALTER ANY ITEM ON THIS PLAN IN ANY WAY UNLESS HE/SHE IS ACTING UNDER THE DIRECT SUPERVISION OF A PROFESSIONAL ENGINEER.

CHRISTOPHER D. LONGO, PE  
N.Y.S. LIC. # 095840



EMPIRE ENGINEERING, PLLC  
1900 DUANESBURG ROAD  
DUANESBURG, NY 12056  
PH: (518) 858-4117  
EMAIL: CLONGO@EMPIREENG.NET

PROJECT  
HUTCHISON HARVEST INC.  
124 LEAHEY ROAD  
TOWN OF FLORIDA  
AMSTERDAM, NY 12010

Title SITE LAYOUT PLAN	
Date 03/16/2022	Sheet  C101
Scale 1" = 40'	
Job# 22006	

PROJECT INFORMATION:

OWNER/APPLICANT:  
HUTCHISON HARVEST INC..  
190 HUTCHISON ROAD  
AMSTERDAM, NY 12010

PROPERTY TAX MAP NUMBER  
88.-1-13

PARCEL AREA:  
7.13± AC  
310,476± SF

MUNICIPALITY:  
TOWN OF FLORIDA  
MONTGOMERY COUNTY

SCHOOL DISTRICT:  
AMSTERDAM

FIRE DISTRICT:  
FLORIDA FIRE PROTECTION

ZONING:  
AGRICULTURE

APPLICABLE ALLOWED USES:  
FARM PRODUCTS PLANT (BY SPECIAL USE  
PERMIT)

PROPOSED DEVELOPMENT:  
CONSTRUCTION ONE (1) STRUCTURE  
UNIT STRUCTURES TOTAL GSF = 5,250  
WITH ASSOCIATED STORMWATER MANAGEMENT  
SYSTEM AND SEPTIC.

PROPOSED:  
WIDTH: 70 FT  
LENGTH: 75 FT  
HEIGHT: 25± FT

RETAIL OPERATION: 462± SF  
OFFICE/STORAGE: 1,077± SF  
PROCESSING/FREEZER: 3,711± SF  
ANTICIPATED NO. EMPLOYEES: 7

PARKING REQUIREMENTS:  
RETAIL SPACE PROPOSED: 462 SF  
REQUIRED: 3/250SF OF RETAIL = 6 SPACES  
PROPOSED: 13 SPACES (INCL. 1 H.C.)

OFF-STREET LOADING: 5,250 SF GROSS FLOOR AREA  
1/5,000SF OF GROSS AREA = 1 SPACE

EMPLOYEE PARKING: 7 SPACES

LOT SETBACK:  
FRONT REQUIRED: 100 FT  
PROPOSED: 140 FT

REAR REQUIRED: 100 FT  
PROPOSED: 436 FT

SIDE REQUIRED: ONE - 100 FT  
BOTH - 200 FT  
PROPOSED: 136± FT, 182± FT

DEED REFERENCE:

HUTCHISON FAMILY IRREVOCABLE TRUST BY DEED DATED DECEMBER 30, 2003 AND  
RECORDED IN THE MONTGOMERY COUNTY CLERKS OFFICE IN BOOK 1231 OF DEEDS  
AT PAGE 182.

MAP REFERENCE:

1) MAP ENTITLED "MINOR TWO LOT SUBDIVISION, LANDS NOW OR FORMERLY OF ESTHER HUTCHISON AS TRUSTEE OF THE HUTCHISON FAMILY IRREVOCABLE TRUST, PREPARED FOR HUTCHISON FARM LLC" AS PREPARED BY C.T.MALE ASSOCIATES DATED DECEMBER 28, 2021.

NOTES:

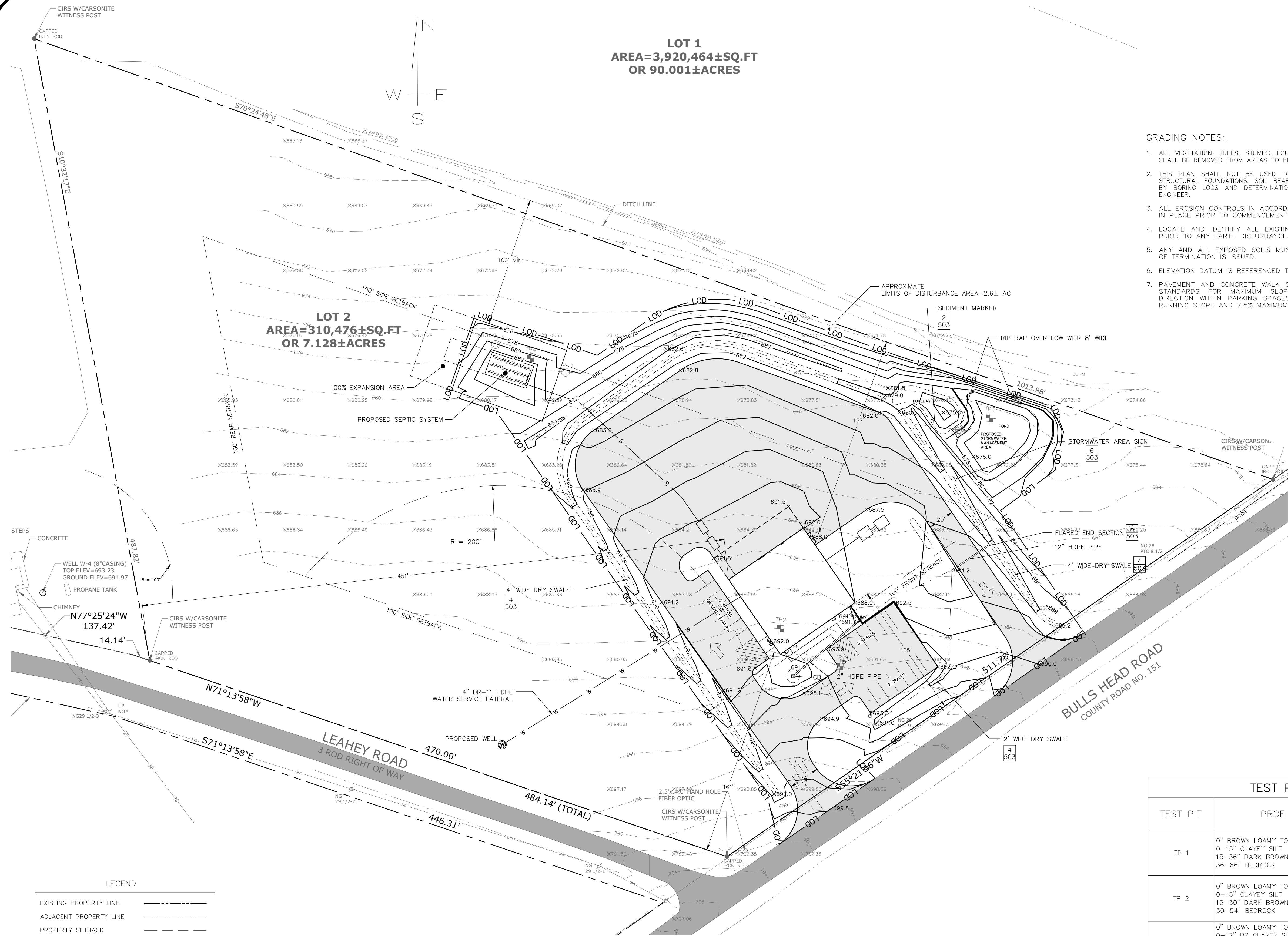
1) NORTH IS REFERENCED TO NAD 83 NEW YORK STATE PLANES EAST ZONE.  
ELEVATIONS ARE BASED UPON NAVD 88 DATUM.

2) SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS OR RESTRICTIONS;  
RECORDED OR UNRECORDED.

3) SUBJECT TO ANY STATEMENT OF FACT CONTAINED IN AN UP TO DATE ABSTRACT OF TITLE OR TITLE REPORT.

4) UNDERGROUND UTILITIES IF SHOWN HEREON ARE BASED ON VISIBLE PHYSICAL EVIDENCE. THEY SHOULD BE CONSIDERED SCHEMATIC ONLY AND ARE SHOWN TO DEPICT GENERAL UTILITY CONNECTIONS RATHER THAN EXACT UNDERGROUND LOCATIONS. GERALD R GRAY PLS MAKES NO CERTIFICATION AS TO THE ACCURACY OF THE UNDERGROUND UTILITY LOCATIONS AND OTHER UTILITIES MAY EXIST THAT ARE NOT SHOWN ON THIS MAP. CALL DIGSAFE FOR FURTHER VERIFICATION.





LEGEND	
EXISTING PROPERTY LINE	---
ADJACENT PROPERTY LINE	- - - - -
PROPERTY SETBACK	---
LIMITS OF DISTURBANCE	LOD LOD LOD
PROPOSED ASPHALT AREA	▬▬▬▬▬▬
PROPOSED GRAVEL	▨▨▨▨▨▨
PROPOSED GRASS AREA	▬▬▬▬▬▬
EXISTING CONTOUR	---
PROPOSED CONTOUR	---

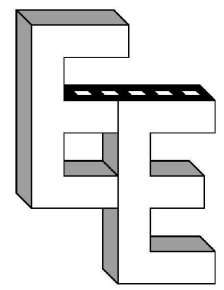
- GRADING NOTES:
- ALL VEGETATION, TREES, STUMPS, FOUNDATIONS, ORGANIC SOILS, AND DEBRIS SHALL BE REMOVED FROM AREAS TO BE CONSTRUCTED.
  - THIS PLAN SHALL NOT BE USED TO ESTABLISH BEARING CAPACITIES FOR STRUCTURAL FOUNDATIONS. SOIL BEARING CAPACITIES SHALL BE DETERMINED BY BORING LOGS AND DETERMINATION BY A PROFESSIONAL GEOTECHNICAL ENGINEER.
  - ALL EROSION CONTROLS IN ACCORDANCE WITH THIS PLAN SET SHALL BE IN PLACE PRIOR TO COMMENCEMENT OF EARTH DISTURBANCE
  - LOCATE AND IDENTIFY ALL EXISTING UTILITIES IN THE PROJECT AREA PRIOR TO ANY EARTH DISTURBANCE.
  - ANY AND ALL EXPOSED SOILS MUST BE STABILIZED BEFORE A NOTICE OF TERMINATION IS ISSUED.
  - ELEVATION DATUM IS REFERENCED TO NGVD 1988
  - PAVEMENT AND CONCRETE WALK SHALL MEET ALL ADA ACCESSIBILITY STANDARDS FOR MAXIMUM SLOPE INCLUDING 2% SLOPE IN ANY DIRECTION WITHIN PARKING SPACES, 1.5% CROSS SLOPE, 5% MAXIMUM RUNNING SLOPE AND 7.5% MAXIMUM RAMP SLOPE.

Date	Revision	Description
	No.	

PRIOR TO ANY EARTH DISTURBANCE THE CONTRACTOR SHALL CALL IN A TICKET TO DIG SAFE NY AND OBTAIN A CLEAR TO DIG

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CHRISTOPHER D. LONGO, PE  
N.Y.S. LIC. # 095840



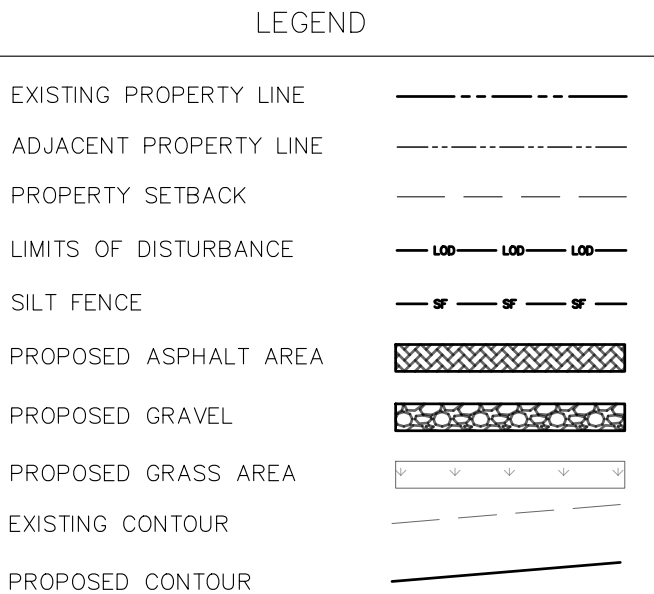
EMPIRE ENGINEERING, PLLC  
1900 DUANESBURG ROAD  
DUANESBURG, NY 12056  
PH: (518) 858-4117  
EMAIL: CLONGO@EMPIREENG.NET

PROJECT  
HUTCHISON HARVEST INC.  
124 LEAHEY ROAD  
TOWN OF FLORIDA  
AMSTERDAM, NY 12010

Title	
GRADING & DRAINAGE PLAN	
Date	Sheet
06/24/2022	C102
Scale	
1"=40'	
Job#	
22006	

TEST PIT LOG		
TEST PIT	PROFILE	STABILIZED INFILTRATION RATE
TP 1	0" BROWN LOAMY TOPSOIL 0-15" CLAYEY SILT 15-36" DARK BROWN/BLACK SILT 36-66" BEDROCK	
TP 2	0" BROWN LOAMY TOPSOIL 0-15" CLAYEY SILT 15-30" DARK BROWN/BLACK SILT 30-54" BEDROCK	
TP 3	0" BROWN LOAMY TOPSOIL 0-12" BR CLAYEY SILT W/MOTTLING 12-24" DARK BROWN/CLAYEY SILT 24-54" BEDROCK (GROUNDWATER SEEPAGE AT 24")	
TP 4	0" BROWN LOAMY TOPSOIL 0-12" BR CLAYEY SILT W/MOTTLING 12-24" DARK BROWN/CLAYEY SILT 24-54" BEDROCK (GROUNDWATER SEEPAGE AT 24")	PT 1 8:30, 11:15, 12:00 PT 2 5:30, 5:30, 6:15
TEST PITS PERFORMED ON 05/13/22 BY: C. LONGO, PE		PT PERFORMED AT 12" DEPTH



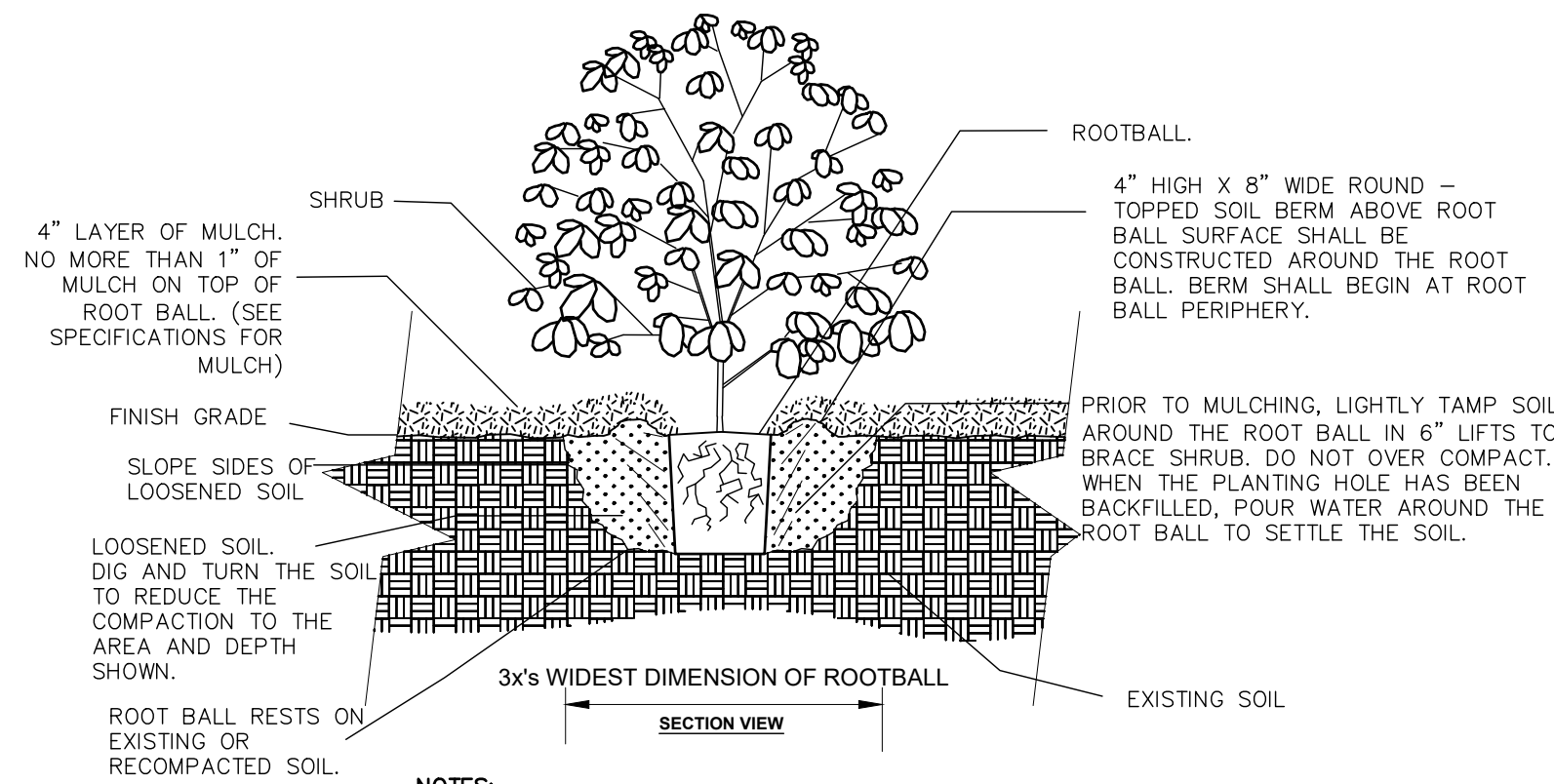


Date 06/24/2022	Sheet C10
Scale 1"=40'	
Job# 22006	



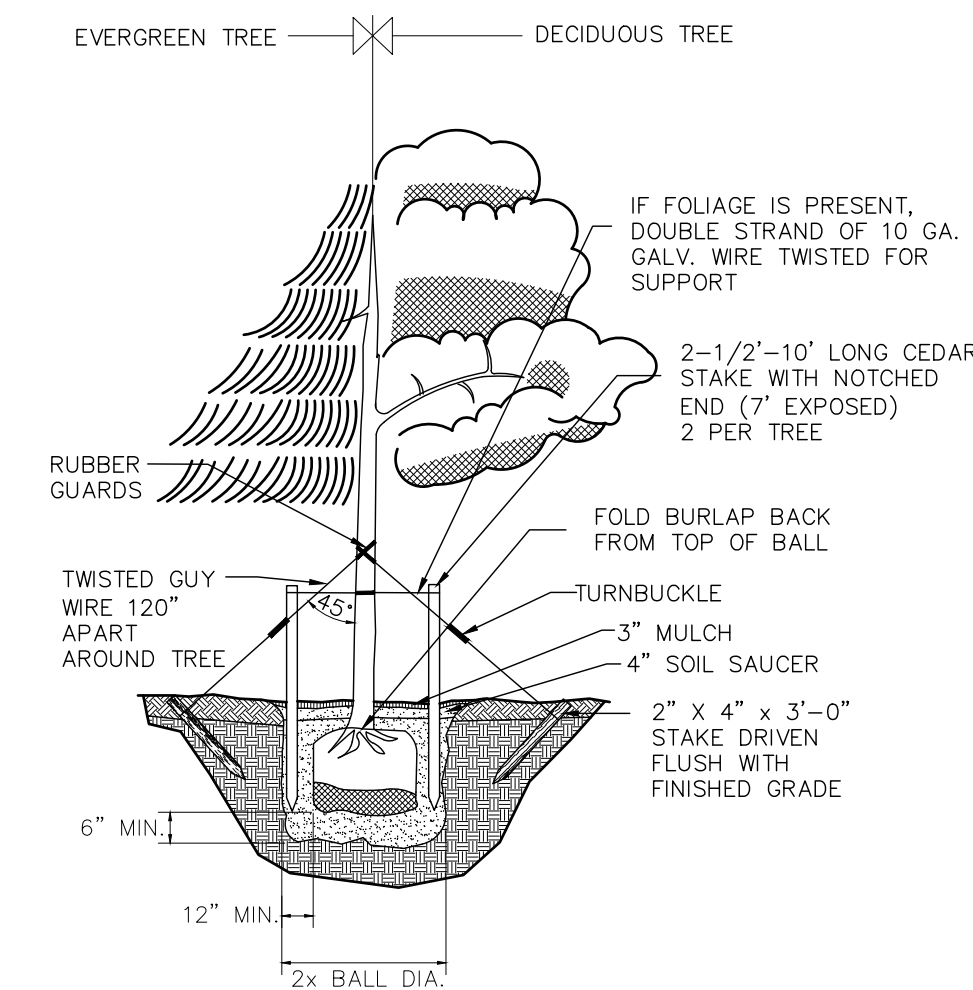
1. PROVIDE NECESSARY TOPSOIL ENHANCEMENT WITHIN PLANTING AREAS.
2. ALL PLANT MATERIAL SHALL CONFORM TO, AND SHALL BE PLANTED IN ACCORDANCE WITH THE STANDARDS RECOMMENDED BY THE AMERICAN NURSERY AND LANDSCAPE ASSOCIATION.
3. TIME OF PLANTING SHALL GENERALLY BE PRIOR TO JUNE 15 AND AFTER SEPTEMBER 1. OTHER PLANTING REQUIREMENTS SHALL BE AS REQUIRED ABOVE AS WELL AS PER NURSERY AND LANDSCAPER RECOMMENDATIONS.
4. ALL PLANT SIZES INDICATED ARE MINIMUM AT TIME OF PLANTING.
5. ALL DISTURBED AREAS TO BE TOP SOILED AND SEEDED USING ENVIRONMENTAL SEED MIX OR APPROVED EQUAL.
  - 5.1 SEEDING RATE: 20LB/ACRE (1 LB/1,000SF)
  - 5.2 SEEDING MIXTURE: PERENNIAL RYEGRASS-1/2LB/1,000SF  
KENTUCKY BLUEGRASS-1/2LB/1,000SF  
RED FESCUE-1/2LB/1,000SF  
MAXIMUM RYEGRASS-1/2LB/1,000SF  
FERTILIZER(16-32-16)-ZLB/1,000SF  
LIQUID LIME-1 GAL/800GAL  
TANK FIBER MULCH-30LB/1,000SF
6. THE LANDSCAPING SHALL BE MAINTAINED IN PERPETUITY AND DEAD OR DYING PLANTS SHALL BE REPLACED AS REQUIRED.
7. FINAL DESIGN OF LANDSCAPING AROUND SIGN AREAS SHALL BE BY THE OWNER, IT IS RECOMMENDED TO HAVE PERENNIALS PLANTED FOR MINIMUM MAINTENANCE AND FOR MAXIMUM GROWTH.
8. PERENNIAL FLOWERS MAY BE A COMBINATION OF HYDRANGEAS, CONE FLOWERS, MUMS, AND LILIES.
9. TOPSOIL-NATURAL, FERTILE, LOAMY SILT SOIL HAVING AN ORGANIC CONTENT NOT LESS THAN 3% PH RANGE BETWEEN 4.5-7.0 IT SHALL BE FREE OF DEBRIS, ROCKS LARGER THEN ONE INCH, WOOD, ROOTS, VEGETABLE MATTER AND CLAY CLODS.

1. ELECTRIC SERVICE AND TRANSFORMER PAD (IF NECESSARY) TO BE SPECIFIED BY NATIONAL GRID PLANNERS

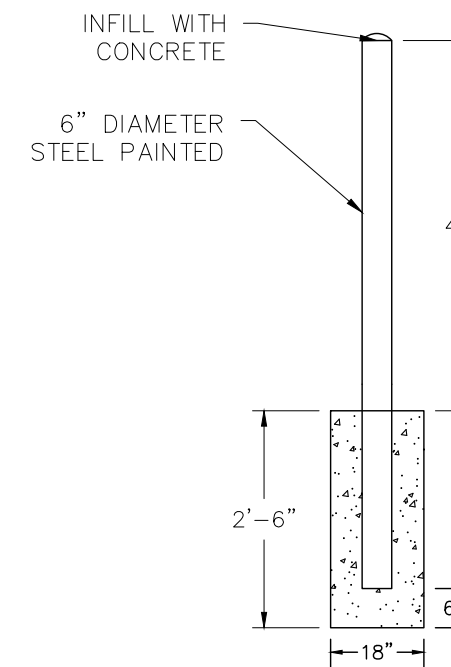


**NOTES:**  
1- SHRUBS SHALL BE OF QUALITY PRESCRIBED IN THE ROOT OBSERVATIONS DETAIL AND SPECIFICATIONS.  
2- SEE SPECIFICATIONS FOR FURTHER REQUIREMENTS RELATED TO THIS DETAIL.

1	TYPICAL SHRUB PLANTING DETAIL
501	NOT TO SCALE



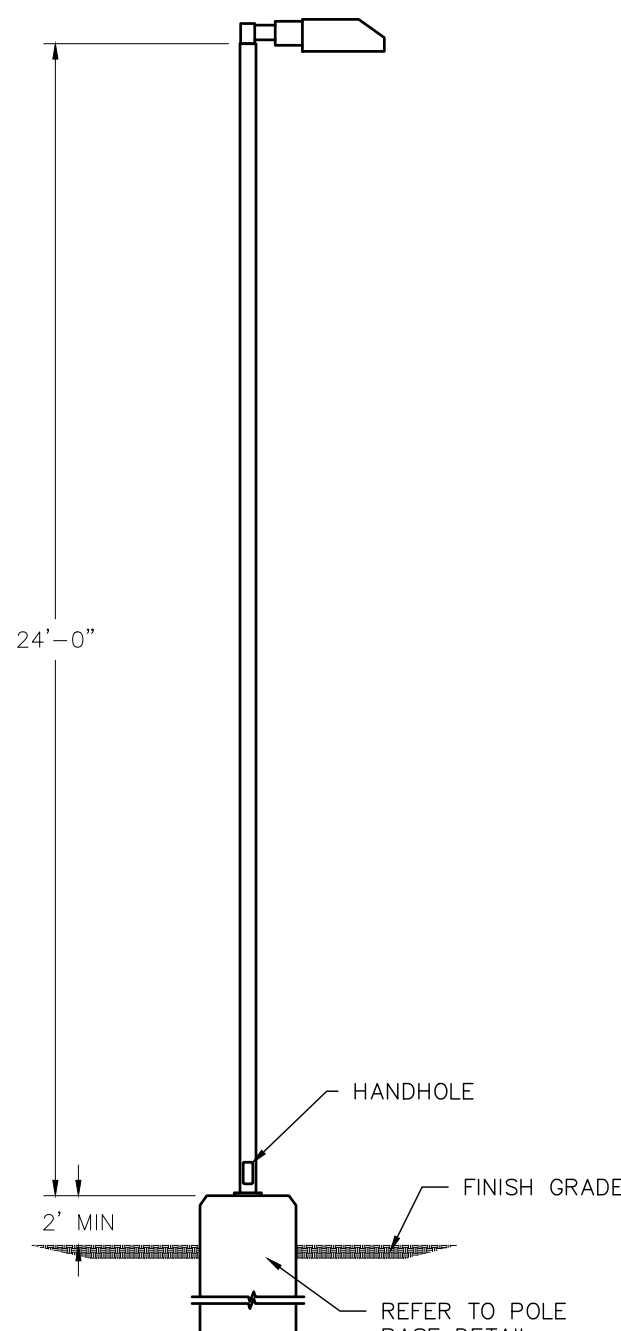
2	TYPICAL TREE PLANTING DETAIL
501	NOT TO SCALE



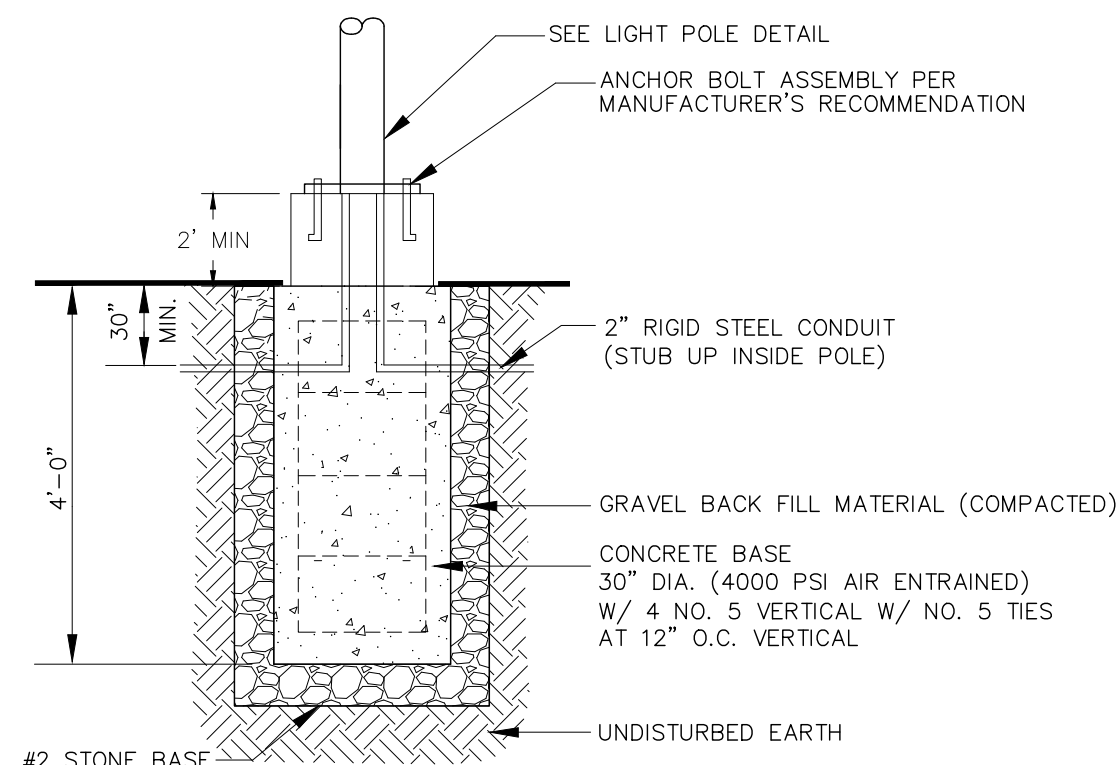
**NOTES:**

1. BOLLARDS SHALL BE PAINTED FOR HIGH VISIBILITY, AND FOR PREVENTION OF RUST.

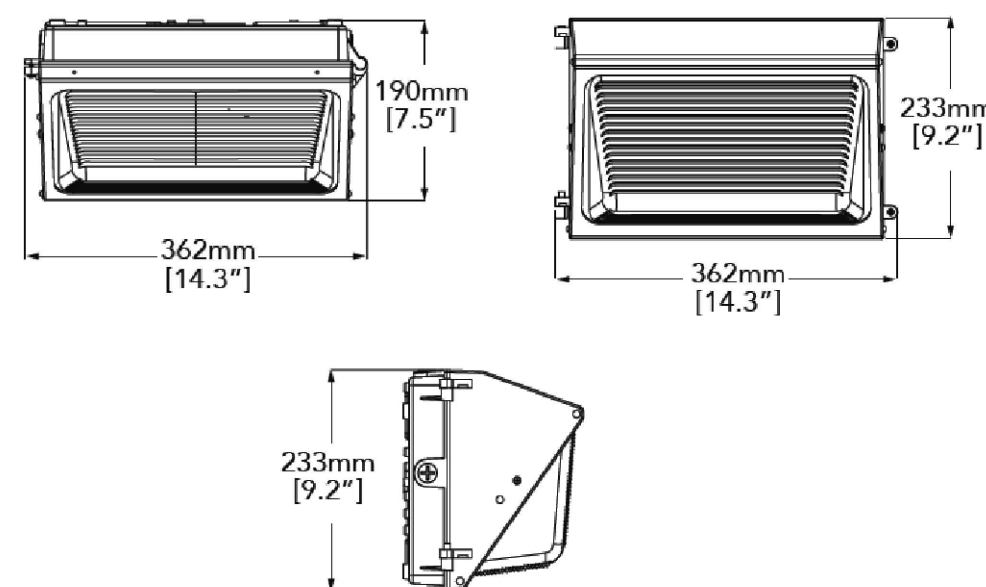
3	BOLLARD DETAIL
501	NOT TO SCALE



4	<u>LIGHT POLE</u>
501	





5  
501



**NOTES:**

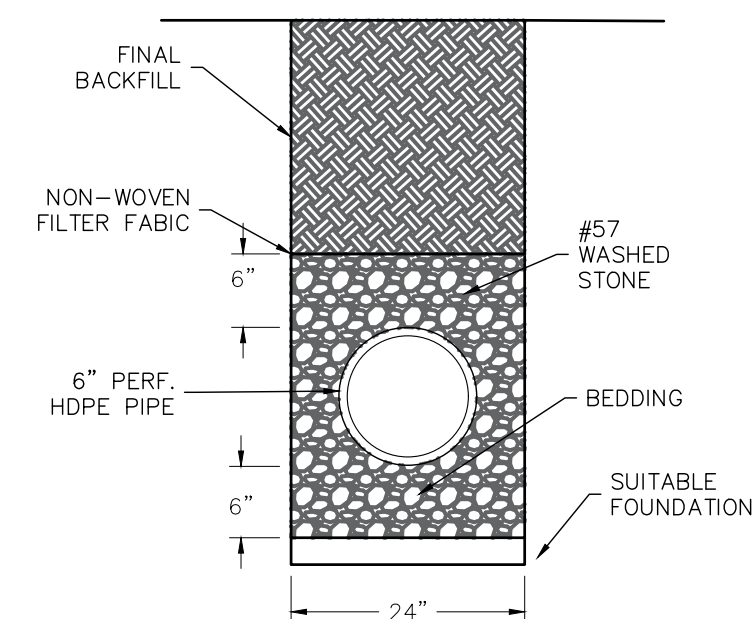
1. ALL LIGHTING SHALL BE SHIELDED AND/OR PLACED IN SUCH A MANNER AS TO PREVENT OFF-SITE ILLUMINATION.
2. FIXTURES WILL BE INSTALLED PERPENDICULAR FROM THE BUILDING FACE.

6	WALL MOUNTED LIGHTING
EQ1	

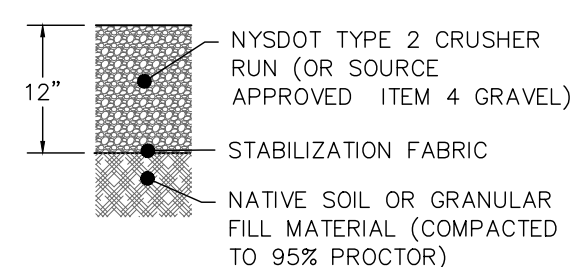
LIGHTING SCHEDULE						SYMBOL
TYPE	# OF FIXTURES	MANUF.	CATALOG #	LUMENS	NOTES	
WALL MOUNTED	5	LITHONIA LIGHTING	RSX2 LED P2 40K R3	17,202	MOUNTED ON ENDS AND SIDE WALLS	
POLE MOUNTED	1	LITHONIA LIGHTING	ESX1 LED P3 40K R3	20,658	MOUNTED ON 24' POLE	

NOTES:  
1. ALL LIGHTING SHALL BE SHIELDED AND/OR PLACED IN SUCH A MANNER AS TO PREVENT OFF-SITE ILLUMINATION.

## 7 LIGHTING SCHEDULE



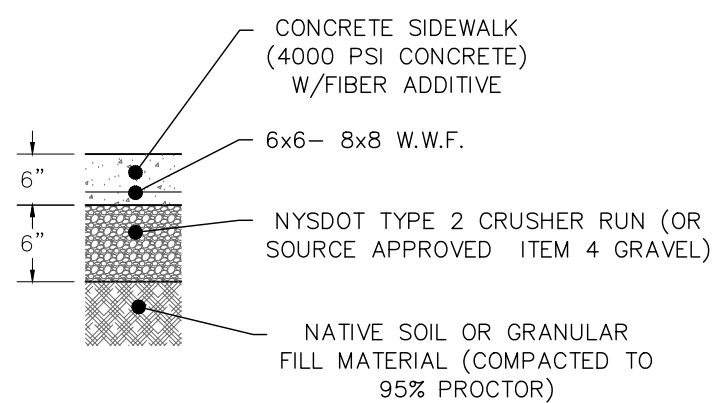
8 UNDERDRAIN DETAIL  
501 NOT TO SCALE



**NOTES:**

1. ITEM 4 GRAVEL MAY BE USED IN-LIEU OF TYPE 2 CRUSHER RUN ONLY A.O.B.E.
2. ALL IMPORTED MATERIAL SHALL BE COMPACTED TO 95% PROCTOR.

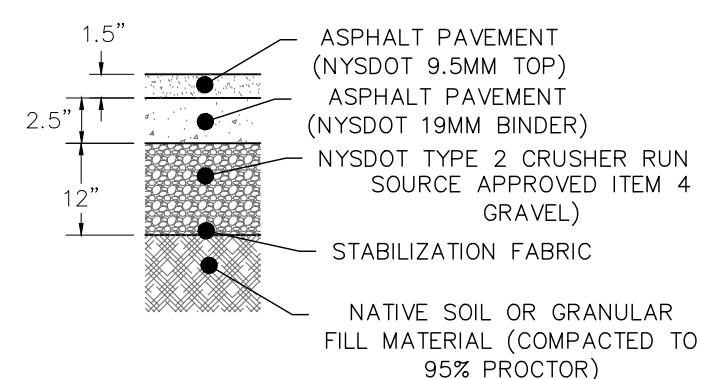
9	GRAVEL AREA DETAIL
501	



**NOTES:**

1. 5' TYPICAL WIDTH
2. BROOM FINISH
3. PROVIDE A TOOLED JOINT EVERY 5'
4. SAWCUT CONTROL JOINTS EVERY 20'

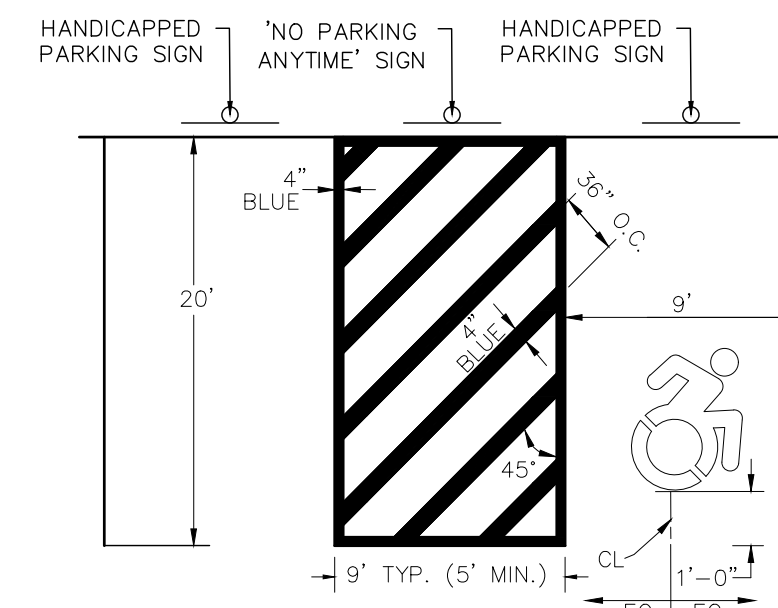
10  
E01



**NOTES:**

1. ITEM 4 GRAVEL MAY BE USED IN-LEU OF TYPE 2 CRUSHER RUN ONLY A.O.B.E.
2. ALL IMPORTED MATERIAL SHALL BE COMPACTED TO 95% PROCTOR.





11	ASPHALT PAVEMENT DETAIL
501	NOT TO SCALE



**NOTES:**

1. ALL DIMENSIONS SHALL BE IN ACCORDANCE WITH ADA STANDARDS AND CURRENT ZONING AND SITE REGULATIONS.
2. PAINTED HANDICAP SYMBOL TO BE IN ACCORDANCE WITH ADA STANDARDS
3. SLOPE OF PAVEMENT SURFACE IN HANDICAP PARKING SHALL NOT EXCEED 2% IN ANY DIRECTION.
4. SEE PLAN FOR ACTUAL LOCATION OF SIGNAGE.

12 TYPICAL HANDICAPPED SPACE DETAIL  
501 NOT TO SCALE

				
MUTCD	R7-8	R7-1	R7-8P	R1-1
SIZE	18"x9"	24"x30"	18"x9"	30"x30"
HT.	7'	7'	7'	7'

**NOTES:**

1. ALL SIGNS SHALL BE INSTALLED USING A TYPE 'A' SIGN POST.
2. ALL SIGNS SHALL CONFORM TO THE FHWA MUTCD STANDARDS AND THE NYS SUPPLEMENT
3. H.C. SIGN POST SHALL BE SET IN BOLLARD PRIOR TO FILLING WITH CONCRETE

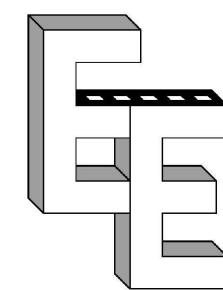
13	SIGN TABLE
501	NOT TO SCALE

[illegible]

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CHRISTOPHER D. LONGO, PE  
N.Y.S. LIC. # 095840



EMPIRE ENGINEERING, PLLC  
1900 DUANESBURG ROAD  
DUANESBURG, NY 12056  
PH: (518) 858-4117  
EMAIL: CLONGO@EMPIREENG.NET

PROJECT  
HUTCHISON HARVEST INC.  
124 LEAHEY ROAD  
TOWN OF FLORIDA  
AMSTERDAM, NY 12010

Title		SITE DETAILS	
Date	06/24/2022	Sheet	C501
Scale	N.T.S.		
Job#	22006		



1. THIS PLAN SHALL BE USED AS A SUPPLEMENT TO THE NYS DOB APPENDIX 75A TO THE PUBLIC HEALTH LAW. ALL DESIGN, CONSTRUCTION, MATERIAL STANDARDS, MINIMUM SEPARATION DISTANCES, AND INSPECTION REQUIREMENTS OF THIS INTENDING AGENCY TO THIS PROJECT. ANY INFORMATION IS FOUND TO BE CONTRADICTORY TO THE NYS DOB CODE SHALL HOLD PRECEDENT.
2. A LICENSED ENGINEER/ARCHITECT SHALL SUPERVISE CONSTRUCTION IN ACCORDANCE WITH THE APPROVED PLAN AND SUPPLEMENTAL DATA.
3. THERE SHALL BE NO CHANGES ON THESE PLANS WITHOUT PRIOR APPROVAL OF THE ENGINEER.
4. THE OWNER/CONTRACTOR SHALL VERIFY ELEVATIONS OF SOIL PIPE AT THE BUILDINGS AND CONVEYANCE PIPE ELEVATIONS PRIOR TO CONSTRUCTION OF THE SYSTEM.
5. ANY ROOF, FOOTING, FLOOR, BACKWASH DRAINS ETC. SHALL NOT BE CONNECTED TO THE SEPTIC SYSTEM. THE PROPOSED SYSTEM IS NOT DESIGNED TO ACCOMMODATE WASTEWATER FROM FOOD SERVICE FACILITIES UNLESS EXPLICITLY SPECIFIED.
6. NO VEHICLE PARKING SHALL BE ALLOWED ON ANY PORTION OF THE SEPTIC SYSTEM.
7. ABSORPTION TRENCHES SHALL BE APPROXIMATELY 18"-24" DEEP MEASURED FROM THE FINISH GRADE TO BOTTOM OF TRENCH.
8. THE AREA IMMEDIATELY UP-SLOPE OF THE SYSTEM SHALL BE GRADED SO AS TO DIRECT ANY SURFACE RUNOFF AROUND THE SYSTEM.
9. THE SUBJECT PROJECT IS NOT WITHIN 100 YEAR FLOOD PLAIN.
10. THE SEPTIC SYSTEM HAS NOT BEEN DESIGNED FOR WATER USAGE FROM FOOD PREPARATION. SINCE THERE IS NO FOOD PREPARATION INTENDED ON SITE, A GREASE TRAP HAS NOT BEEN SPECIFIED.

PIPE DATA:  
BUILDING TO SEPTIC TANK: 4" SCHEDULE 40 PVC WITH TIGHT JOINTS, MINIMUM 2.0% SLOPE  
SEPTIC TANK TO D-BOX: 4" SDR 35 SOLID PVC WITH TIGHT JOINTS, MINIMUM 1.0% SLOPE.  
D-BOX TO LATERALS: 4" SDR 35 SOLID PVC WITH TIGHT JOINTS, MINIMUM 1.0% SLOPE  
DISTRIBUTION LATERALS: 4" SDR 35 PERFORATED PVC WITH TIGHT JOINTS MIN 0.5% SLOPE.

1. ROPE OFF THE SITE TO PREVENT DAMAGE TO THE AREA DURING OTHER CONSTRUCTION ACTIVITY ON THE LOT. VEHICULAR TRAFFIC OVER THE AREA SHOULD BE PROHIBITED TO AVOID SOIL COMPACTION.
2. STAKE OUT THE SYSTEM PERIMETER AND BED IN THE PROPER ORIENTATION.
3. CUT AND REMOVE ANY EXCESS VEGETATION. TREES SHOULD BE CUT AT THE GROUND SURFACE AND STUMPS LEFT IN PLACE.

1. PLACEMENT AND COMPACTION OF FILL MATERIAL SHALL BE WITNESSED BY THE ENGINEER.
2. PLACE THE GRANULAR FILL MATERIAL ON THE UPSLOPE EDGES OF THE PLOWED AREA. KEEP TRUCKS OFF THE PAVED SURFACE.
3. MOVE THE FILL MATERIAL INTO PLACE USING A SMALL TRACK-TYPE TRACTOR WITH A BLADE. ALWAYS KEEP A MINIMUM OF 6 IN. OF MATERIAL BENEATH THE TRACKS OF THE TRACTOR TO MINIMIZE COMPACTION OF THE UNDERLYING SUBGRADE.
4. THE ENGINEER SHALL DETERMINE THE MINIMUM NUMBER OF PASSES. THERE SHALL BE TWELVE (12) INCHES (LOOSE) FOLLOWED BY FOUR (4) TO SIX (6) INCH (LOOSE) LIFTS UP TO THE REQUIRED FILL HEIGHT.
4. FINAL FILL SLOPES SHALL BE 1 VERTICAL, 3 HORIZONTAL OR FLATTER IN ALL DIRECTIONS.
5. THE ENGINEER SHALL PERFORM PERCOLATION TESTS IN THE COMPACTED FILL MATERIAL TO VERIFY CONFORMANCE WITH THE SPECIFICATION. STABILIZED FILL SHALL HAVE PERCOLATION OF 5-10 MIN/IN.

1. PLACE 6 IN. OF GOOD QUALITY TOPSOIL OVER THE ENTIRE SYSTEM.
2. PLANT GRASS OVER THE ENTIRE SYSTEM USING GRASSES ADAPTED TO THE AREA. SHRUBS CAN BE PLANTED AROUND THE EDGE OF THE SYSTEM. PLANTINGS ON TOP OF THE SYSTEM SHOULD BE DROUGHT TOLERANT, AS THE UPPER PORTION OF THE SYSTEM CAN BECOME DRY DURING THE SUMMER. ALL PLANTS SHOULD BE SHALLOW ROOTED.

1. AFTER INITIAL DISTURBANCE AND ROPING OFF OF THE SYSTEM AREA
2. AFTER PLACEMENT OF PIPING, TANKS, DOSING CHAMBER AND PUMP.
3. COMPLETION INCLUDING FINAL GRADING, PLACEMENT OF TOPSOIL & SEEDING

IT IS THE OWNERS RESPONSIBILITY TO CONTACT THE ENGINEER FOR THE INSPECTIONS NOTED AS WELL AS ANY OTHER REQUESTED INSPECTION. IF WORK COMMENCES WITHOUT INSPECTION, THE ENGINEER WILL NOT BE ABLE TO CERTIFY THE SYSTEM AS BUILT PER PLAN.

USAGE:  
2 BATHROOMS AT 400 GALLONS/DAY/BATHROOM  
+ 7 EMPLOYEES AT 15 GALLONS/DAY/EMPLOYEE  
= 105 GALLONS PER DAY.

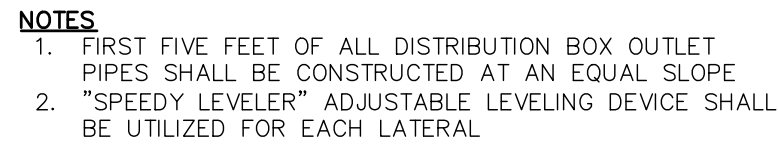
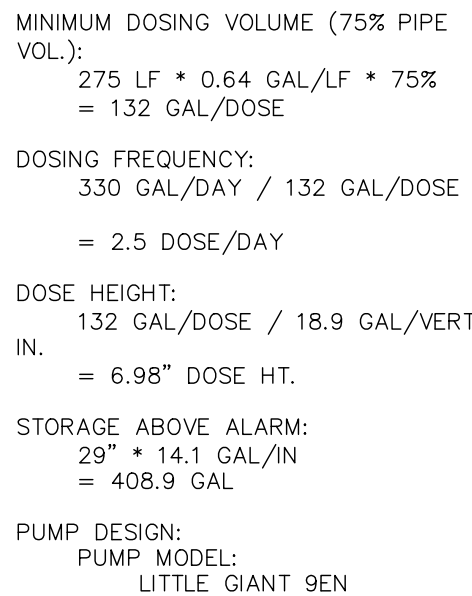
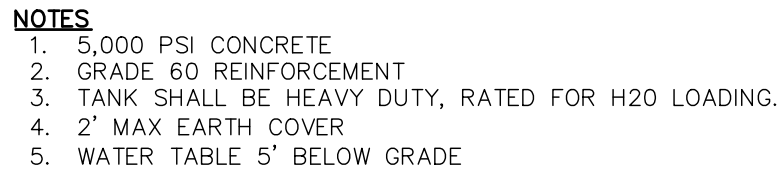
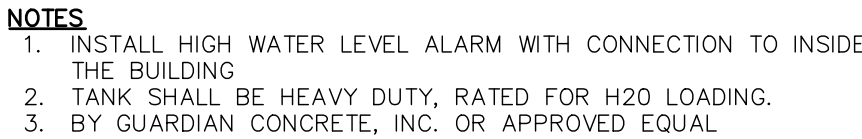
$$\begin{aligned} & (105 \text{ GPD}) / (0.6 \text{ GPD/SF})(1 \text{ LF}/2\text{SF}) \\ & = 87.5 \text{ LF.} \\ & \text{USE (3) 30' LATERALS} = 90 \text{ LF.} \end{aligned}$$

SOIL: BROWN SILTY GRAVEL  
NO GROUNDWATER ENCOUNTERED WITHIN TEST DEPTH.

MINIMUM HORIZONTAL SEPARATION DISTANCE (IN FEET)			
EXISTING FEATURE	WATERTIGHT SEPTIC TANK	SEWER LINE	ABSORPTION FIELD FOR UNLINED SAND FILTER (INCLUDING REPLACEMENT AREA)
RECOMMENDED MINIMUM HORIZONTAL SEPARATION DIST. PER PUBLIC HEALTH LAW			
DRILLED WELL-PRIVATE WATER SYSTEM <sup>1</sup>	50	50	100
WATER LINE (PRESSURE)	10	10	10
RECOMMENDED MINIMUM HORIZONTAL SEPARATION DISTANCES			
DUG WELL/ SPRING <sup>1</sup>	75	50	150
SURFACE WATER	50	25	100
STORMWATER INFILTRATION MANAGEMENT PRACTICE	25	25	50 <sup>2</sup>
CULVERT (TIGHT PIPE)	25	10	35
CULVERT OPENING	25	25	50
CATCH BASIN	25	N/A	50
FOUNDATION	10	N/A	20
PROPERTY LINE	10	10	10
WETLAND (NYSDEC)	100	100	100

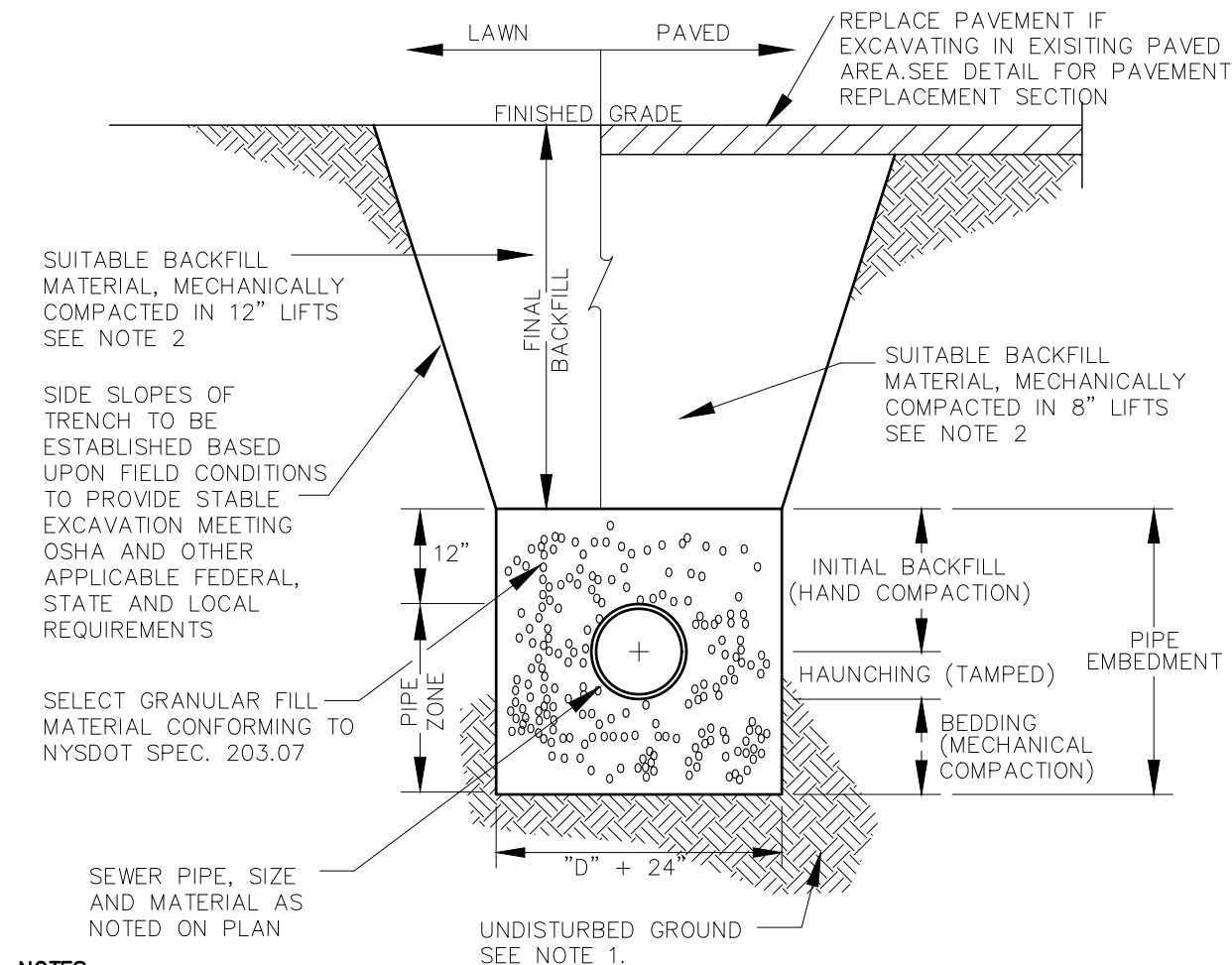
REFERENCE: TABLE B-2 OF THE NYS DESIGN STDS. FOR INTERMEDIATE SIZED WASTEWATER TREATMENT SYSTEMS

1. WHEN WASTEWATER TREATMENT SYSTEMS ARE LOCATED UP-GRADIENT AND DOWN-GRADIENT TO SURFACE RUNOFF TO A WELL, THE CLOSEST PART OF THE TREATMENT SYSTEM SHOULD BE AT LEAST 200' AWAY FROM THE WELL.
2. SEPARATION DISTANCE MAY BE REDUCED TO 35' IF THE BOTTOM OF THE DRAIN IS ABOVE THE FINISHED GRADE OF THE SUBSURFACE SOIL TREATMENT SYSTEM, KEEPING THE DRAIN WATER AND WASTEWATER SEPARATE.



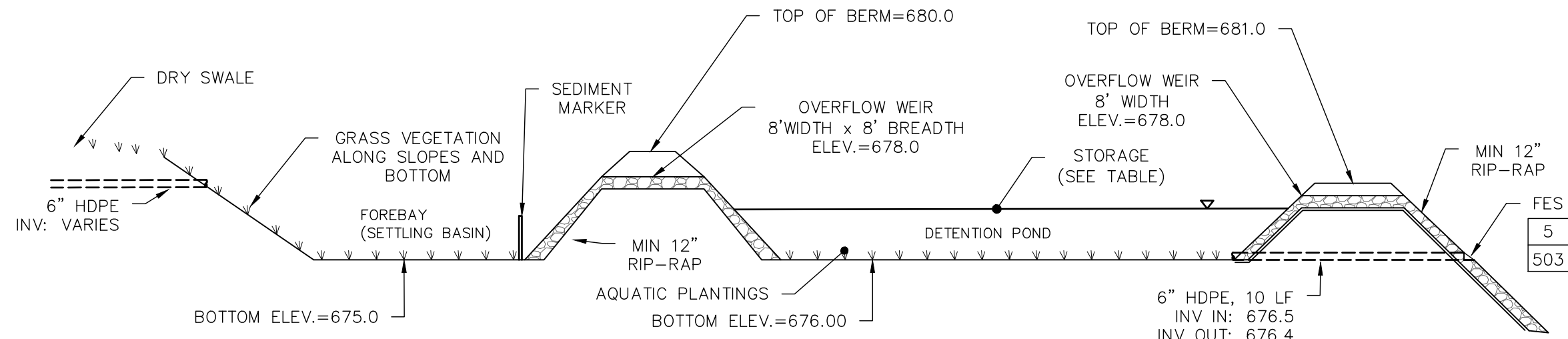
Title UTILITY DETAILS	
Date 06/24/2022	Sheet
Scale N.T.S.	C502
Job# 22006	





- NOTES:**
1. UNSUITABLE OR OTHERWISE UNSUITABLE SUBGRADE MATERIAL SHALL BE UNDERCUT A.O.B.E. AND REPLACED WITH SELECT FILL MATERIAL
  2. ALL BACKFILL MATERIAL SHALL CONFORM TO NYSDOT ITEM 203.06 COMPACTED TO 90% STD. PROCTOR MAX. DENSITY

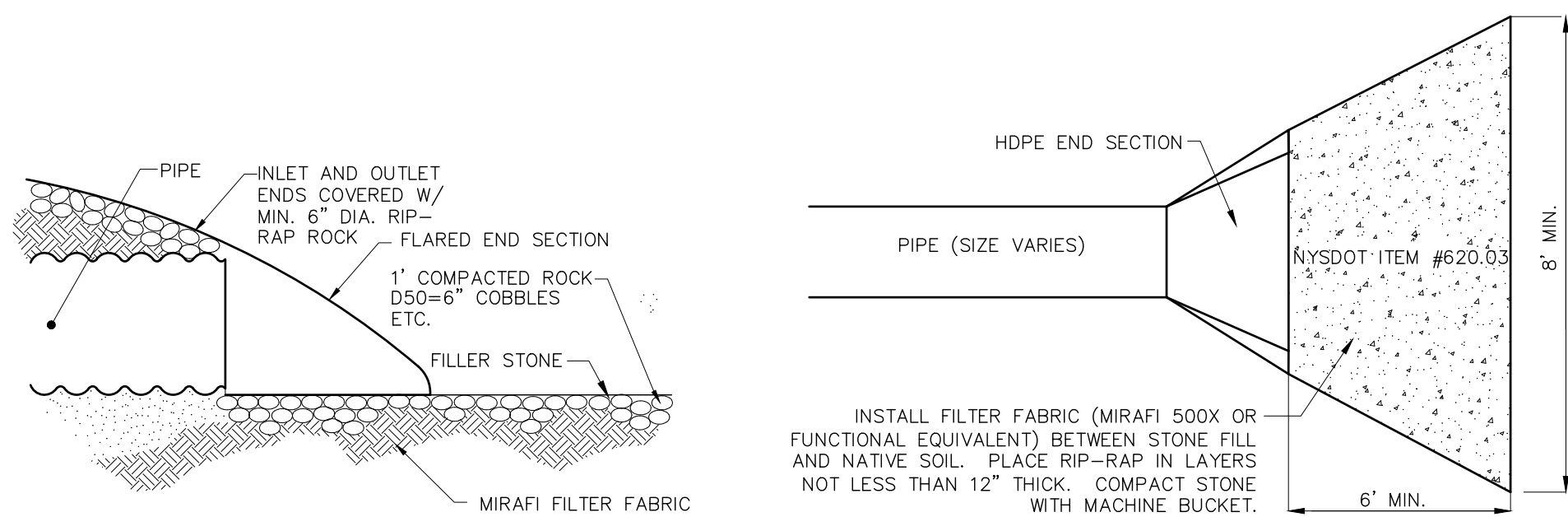
**1**  
**503** TYPICAL TRENCH DETAIL  
NOT TO SCALE



ELEVATION TABLE:	
1-YR:	677.43
10-YR:	678.21
100-YR:	678.72

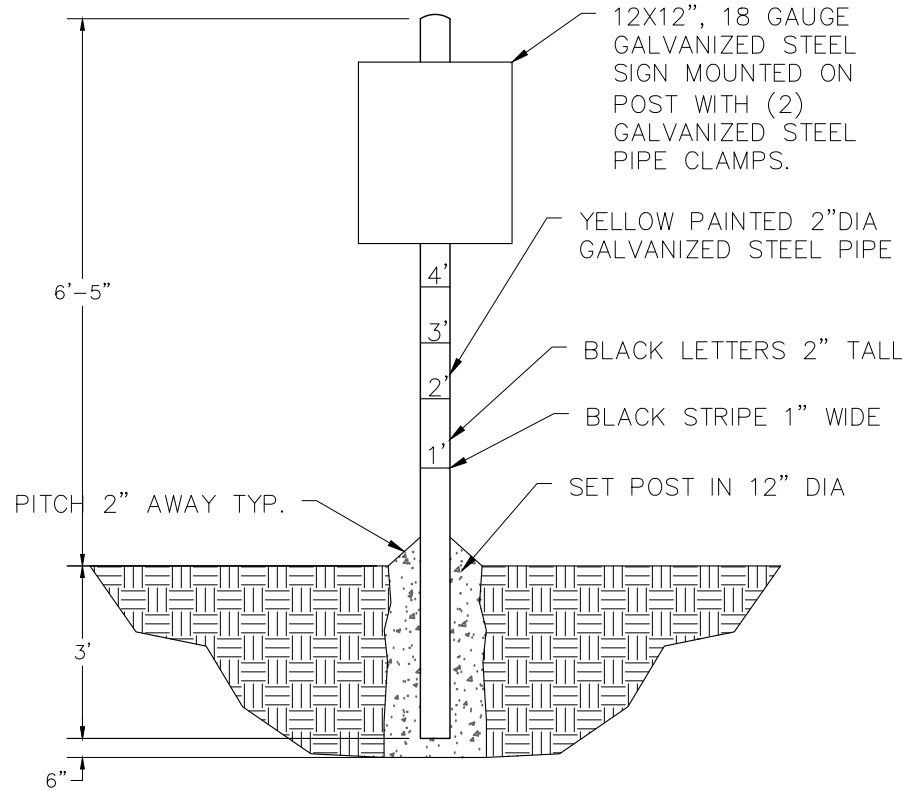
- NOTES:**
1. A MINIMUM 6" THICK CLAY LINER SHALL BE INSTALLED WITHIN THE MICROPOL AND FOREBAY. MATERIAL SHALL BE FROM A SOURCE APPROVED BY THE ENGINEER AND BE GREATER THAN 50% PASSING THE #200 SIEVE.
  2. OVERFLOW WEIR SHALL BE CONSTRUCTED WITH A MIN OF 12" D50=6" RIP RAP LAID OVER GEOTEXTILE FABRIC.
  3. SEDIMENT MARKER SHALL BE A MINIMUM 2" SCHEDULE 40 PVC PIPE BURIED A MIN 4 FT AND 2 FT ABOVE PERMANENT POOL ELEVATION. A SOLID MARK SHALL BE PLACED AT A POINT 2FT ABOVE THE FOREBAY BOTTOM.
  4. SIDE SLOPES SHALL BE 4H:1V FOR FOREBAY, 3H:1V ABOVE THE AQUATIC BENCH AND 2H:1V BELOW THE AQUATIC BENCH
  5. EMERGENT PLANTINGS WITHIN THE AQUATIC BENCH SHALL BE HYDROLOGIC ZONE 2, CAPABLE OF WITHSTANDING CONSTANT INUNDATION. PLANTINGS SHALL BE RANDOMLY SPACED 5-10' O.C. AND SHALL BE SELECTED FROM THE LIST ON TABLE H.5 OF THE NYSDOT STORMWATER DESIGN MANUAL. A LARGE DEEP HOLE SHOULD BE DUG AROUND EACH PLANTING SITE AND NATIVE SOIL REPLACED WITH UNCOMPACTED TOPSOIL.

**3**  
**503** DRY SWALE / FOREBAY PROFILE /MICROPOL  
EXTENDED DETENTION POND #1 (P-1)  
NOT TO SCALE



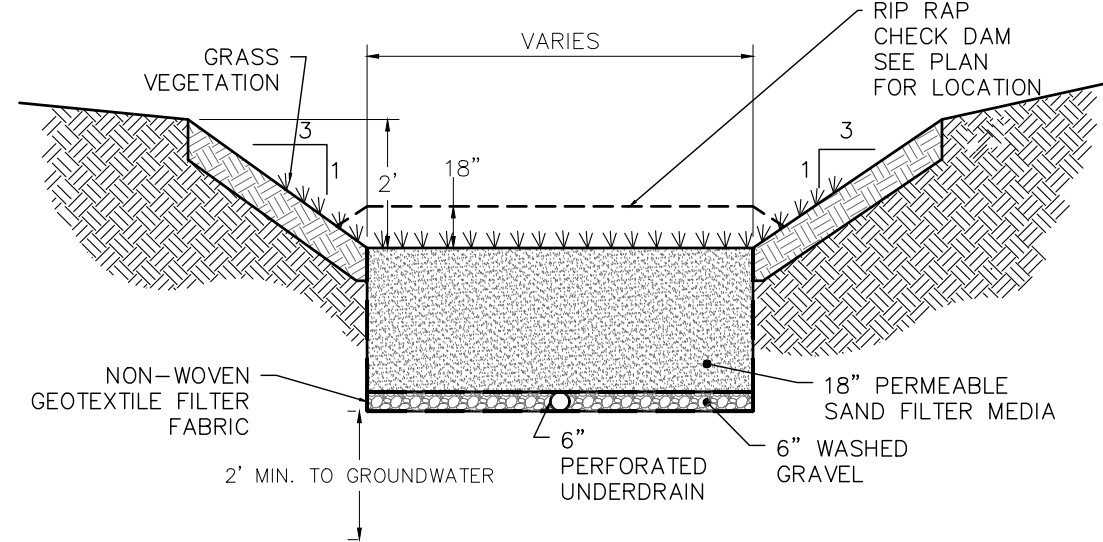
- NOTES:**
1. REFERENCE PAGE 3.39 OF NYS STANDARDS & SPECIFICATIONS FOR EROSION & SEDIMENT CONTROL 'BLUE BOOK'.
  2. DISCHARGE FLOW IS MINIMUM TAILWATER CONDITION FOR ALL PIPING EXCEPT AS NOTED BELOW, MAXIMUM Q = 3 CFS
  3. ALL END SECTIONS: LENGTH OF APRON (L<sub>a</sub>) = 6 FT  
WIDTH OF APRON = 8 FT
  4. D<sub>50</sub> = 6" RIP-RAP. SIZE EQUIVALENT TO NYS DOT LIGHT STONE FILL

**5**  
**503** PIPE FLARED END SECTION DETAIL



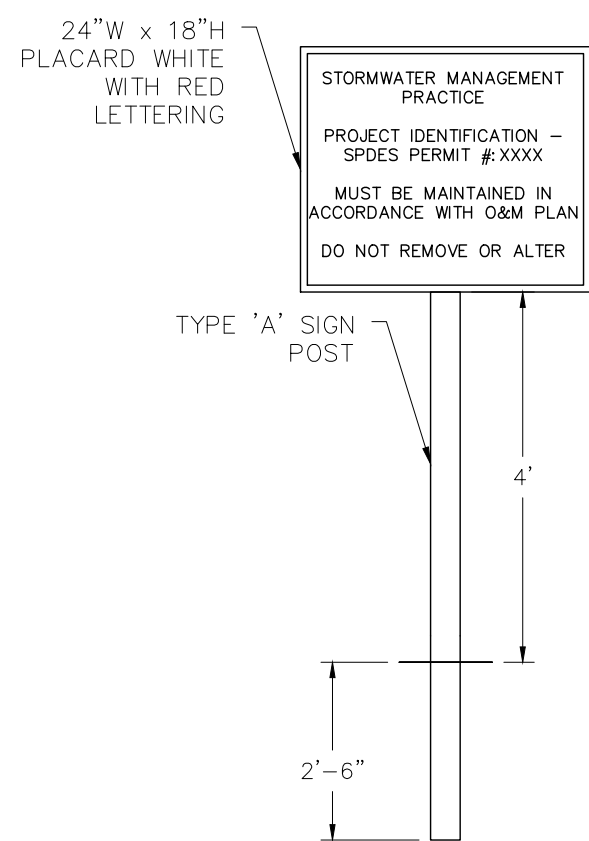
- NOTES:**
1. SIGN SHALL READ "THIS MARKER IS PART OF AN ON-SITE STORM WATER MANAGEMENT FACILITY".
  2. SEDIMENT SHALL BE REMOVED FROM THE SEDIMENTATION BASIN WHEN IT IS 50% FULL (AT THE 2-FOOT MARK)
  3. SIGN SHALL HAVE WHITE BACKGROUND, WITH 1" TALL BLACK LETTERS.

**2**  
**503** SEDIMENT MARKER DETAIL  
NOT TO SCALE



- NOTES:**
1. DISTURBED AREAS SHALL BE PLANTED WITH ENVIRONMENTAL SEED MIX.
  2. VEGETATION SHALL BE MAINTAINED AT 6" HEIGHT.
  3. ALL TREES, BRUSH, STUMPS AND OTHER OBSTRUCTIONS SHALL BE REMOVED AND DISPOSED OF SO AS NOT TO INTERFERE WITH THE PROPER FUNCTION OF THE SWALE
  4. THE SWALE SHALL BE EXCAVATED OR SHAPED TO MEET THE CROSS SECTION SHOWN ABOVE AND SHALL BE FREE OF BANK PROJECTIONS OR OTHER IRREGULARITIES THAT MAY IMPEDE FLOW.
  5. NON-WOVEN GEOTEXTILE FABRIC SHALL BE INSTALLED ON THE BOTTOM AND SIDES OF THE TRENCH AS WELL AS BETWEEN THE STONE AND SAND LAYERS.

**4**  
**503** DRY SWALE DETAIL



- NOTES:**
1. ALL SIGNS SHALL BE INSTALLED USING A TYPE 'A' SIGN POST.

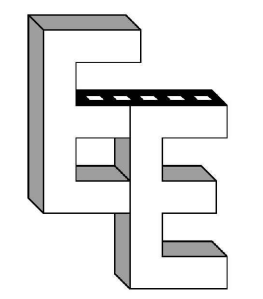
**6**  
**503** STORMWATER AREA SIGN  
NOT TO SCALE

Date	Revision Description
No.	

PRIOR TO ANY EARTH DISTURBANCE THE CONTRACTOR SHALL CALL IN A TICKET TO DIG SAFE NY AND OBTAIN A CLEAR TO DIG

IT IS A VIOLATION OF SECTION 7209 OF THE NYS EDUCATION LAW FOR ANY PERSON TO ALTER ANY ITEM ON THIS PLAN IN ANY WAY UNLESS HE/SHE IS ACTING UNDER THE DIRECT SUPERVISION OF A PROFESSIONAL ENGINEER.

CHRISTOPHER D. LONGO, PE  
N.Y.S. LIC. # 095840

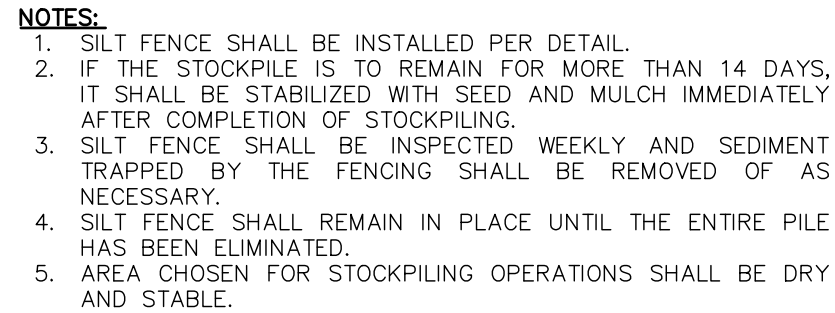
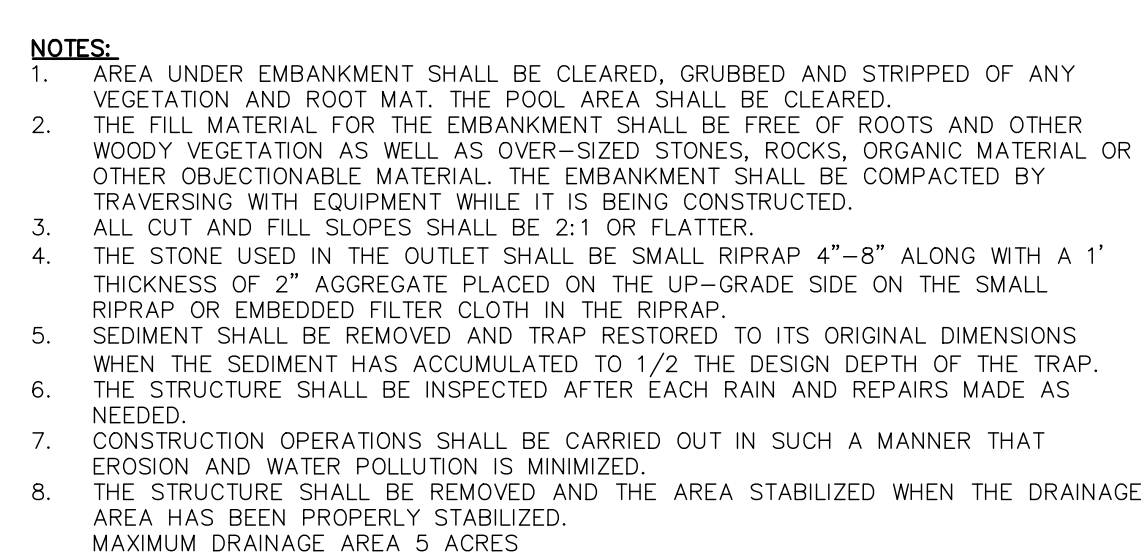
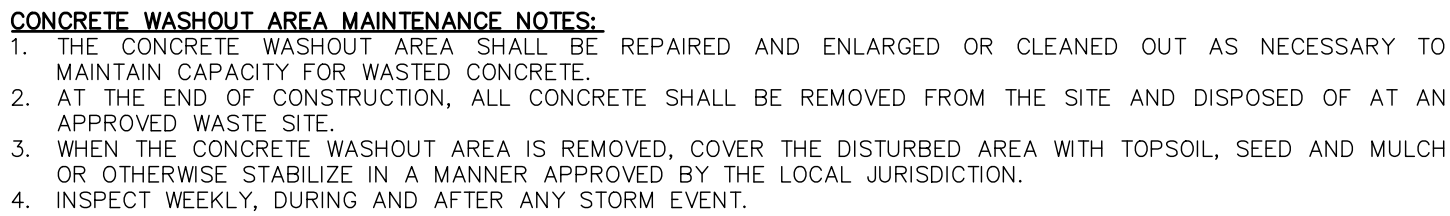
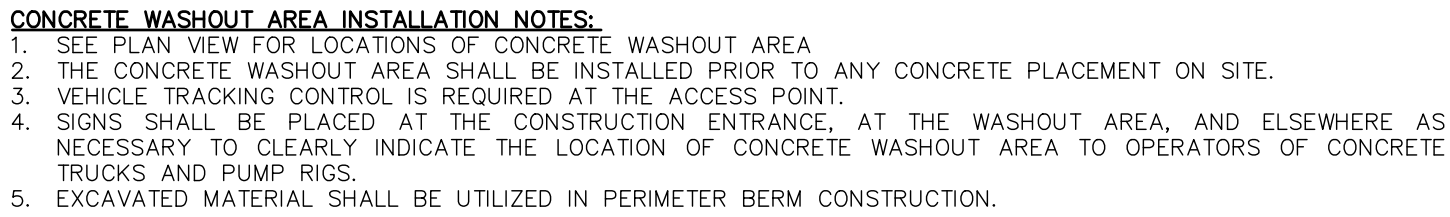
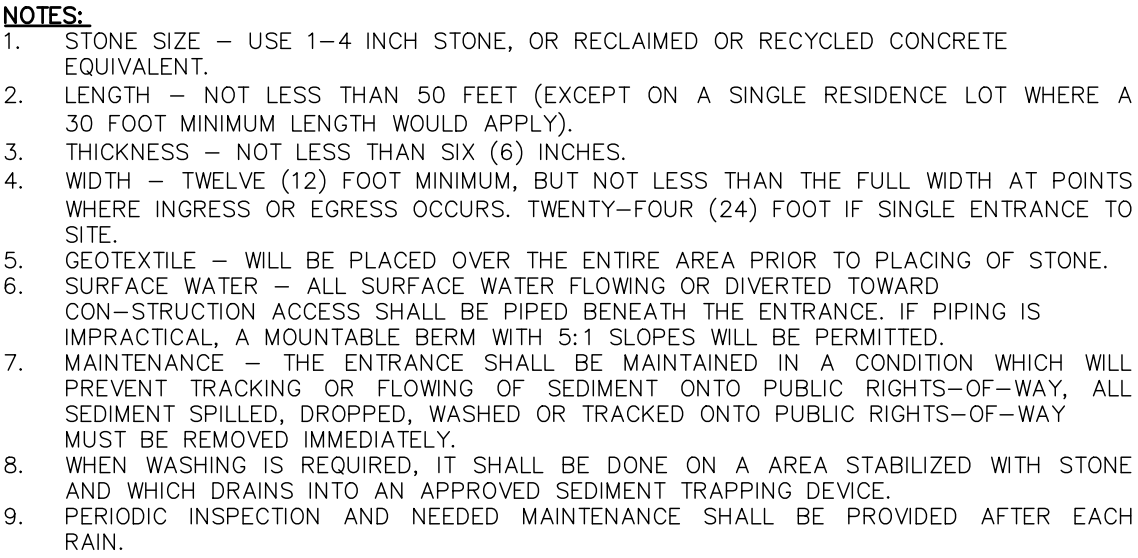


EMPIRE ENGINEERING, PLLC  
1900 DUANESBURG ROAD  
DUANESBURG, NY 12056  
PH: (518) 858-4117  
EMAIL: CLONGO@EMPIREENG.NET

PROJECT  
HUTCHISON HARVEST INC.  
124 LEAHEY ROAD  
TOWN OF FLORIDA  
AMSTERDAM, NY 12010

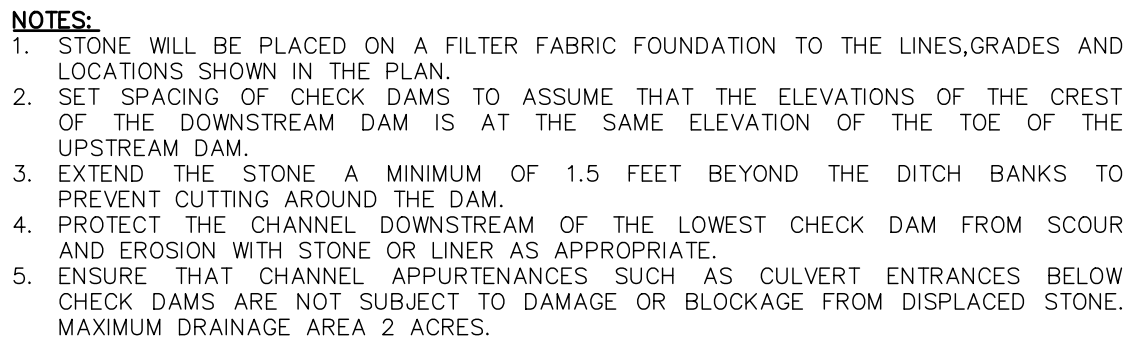
Title	
STORM WATER DETAILS	
Date	06/24/2022
Scale	N.T.S.
Job#	22006
Sheet	C503





## 2 CONCRETE WASHOUT DETAIL

4 TEMPORARY TOPSOIL STOCKPILE DETAIL  
504 NOT TO SCALE



**NOTES:**

1. WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES. POSTS SHALL BE STEEL EITHER "T" OR "U" TYPE OR HARDWOOD.
2. FILTER CLOTH TO BE TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES OR STAPLES EVERY 24" AT TOP AND MID SECTION. FENCE SHALL BE WOVEN WIRE, 6" MAXIMUM MESH OPENING.
3. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED. FILTER CLOTH SHALL BE EITHER FILTER X, MIRAFI 100X, STABILINA T140N, OR APPROVED EQUIVALENT.
4. PRECIPITATED UNFILL SHALL BE GEOTAF, ENVIRONMENT, OR APPROVED EQUIVALENT.
5. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.

**NOTES:**

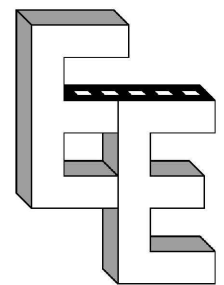
1. CLEAR THE AREA OF ALL DEBRIS THAT WILL HINDER EXCAVATION.
2. GRADE APPROACH TO THE INLET UNIFORMLY AROUND THE BASIN.
3. WEEP HOLES SHALL BE PROTECTED BY GRAVEL.
4. UPON STABILIZATION OF CONTRIBUTING DRAINAGE AREA, SEAL WEEP HOLES, FILL EXCAVATION WITH STABLE SOIL TO FINAL GRADE, COMPACT IT PROPERLY AND STABILIZE WITH PERMANENT SEEDING. MAXIMUM DRAINAGE AREA 1 ACRE

[illegible]

PRIOR TO ANY EARTH  
DISTURBANCE THE CONTRACTOR  
SHALL CALL IN A TICKET TO  
DIG SAFE NY AND OBTAIN A  
CLEAR TO DIG

IT IS A VIOLATION OF SECTION 7209 OF THE NYS EDUCATION LAW FOR ANY PERSON TO ALTER ANY ITEM ON THIS PLAN IN ANY WAY UNLESS HE/SHE IS ACTING UNDER THE DIRECT SUPERVISION OF A PROFESSIONAL ENGINEER.

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PROJECT  
HUTCHISON HARVEST INC.  
124 LEAHEY ROAD  
TOWN OF FLORIDA  
AMSTERDAM, NY 12010

Title  
EROSION & SEDIMENT  
CONTROL DETAILS

Date \_\_\_\_\_

06/24/2022

Scale  
N.T.S.

lobil
-------

C504

J



# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

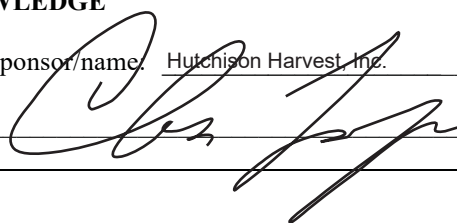
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Construction of a Farm Products Plant			
Name of Action or Project: Hutchison Harvest Inc.			
Project Location (describe, and attach a location map): 124 Leahey Road, Town of Florida, Amsterdam NY 12010			
Brief Description of Proposed Action: Proposed new construction of a slaughter house including butcher shop retail store. The development includes a 70' x 70' structure with a 20' canopy overhang at the rear of building, loading zone, construction of a septic system, driveway, storm-water and waste-water control on approximately 7.13 acres of vacant land.			
Name of Applicant or Sponsor: Hutchison Harvest Inc.		Telephone: 518-775-0321	
		E-Mail:	
Address: 124 Leahey Road			
City/PO: Amsterdam		State: NY	Zip Code: 12010
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: NYSDEC - Stormwater General Permit		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		7.13 acres	
b. Total acreage to be physically disturbed?		2.37 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		482.7 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)			
<input 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,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ New on-site well _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ On-site septic system _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ Riverine located on parcels to the North and West of subject site and flows generally northeast to tributary of Mohawk River. A freshwater pond is located on the parcel to the West and approximately 750' from the subject site. _____			



14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input 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?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____ Roof top drainage and parking lot run-off.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
Stormwater Management Practice	<input type="checkbox"/>	<input checked="" 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"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: <u>Hutchison Harvest, Inc.</u> Date: <u>3/21/22</u>  Signature:  Title: <u>Engineer for Applicant</u>		





**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.





Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No



## Site Photo Log

Project	Hutchison Harvest	Date	March 11, 2022
Location	125 Leahey Road, Town of Florida	Owner	Hutchison Harvest, Inc.

Description	Photo	View Facing:
View of the property frontage.		South
View of the property frontage.		North



<b>View of the property.</b>		<b>Southwest</b>
<b>View of the property.</b>		<b>West</b>



**View of the  
property.**



**Northwest**



Application #: \_\_\_\_\_

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

Project Name: \_\_\_\_\_

**Town of Florida  
Planning Board  
Application to the Planning Board**

A completed Application must be filed at least ten (10) days prior to the meeting at which it is to be considered by the Planning Board, including all applicable attached information.

Applicant: \_\_\_\_\_

Property Owner: \_\_\_\_\_

( if different)

Address: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: (    ) \_\_\_\_\_

Phone: (    ) \_\_\_\_\_

Professional  
Advisor: \_\_\_\_\_

Other: \_\_\_\_\_

( if appropriate, please specify)

Address: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: (    ) \_\_\_\_\_

Phone: (    ) \_\_\_\_\_

**1) Property Location:**

Address: \_\_\_\_\_

General Location: \_\_\_\_\_

Zoning Districts: \_\_\_\_\_

Tax Parcel ID# (SBL): \_\_\_\_\_

**2) Type of Application (please check appropriate box(s)):**

Major Subdivision

Minor Subdivision

Site Plan

Special Permit

**3) Project Description:** \_\_\_\_\_

For each type of application a checklist detailing the required information has been attached. These checklists are only intended to be a guide to the applicant, for specifics on submission requirements, procedures, timeliness, ect., the applicant should refer to the applicable Town Ordinance ( Zoning, Subdivision, ect.), and or State Law ( SEQR, Ag & Markets, ect. ).

Applicant Signature:  \_\_\_\_\_

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

Property Owner's Signature:  \_\_\_\_\_

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



Application #: \_\_\_\_\_  
Date: \_\_\_\_\_  
Project Name: \_\_\_\_\_

### For Office Use Only

Application Fee: \$ \_\_\_\_\_

Other Fees: \$ \_\_\_\_\_ Description: \_\_\_\_\_  
\$ \_\_\_\_\_ Description: \_\_\_\_\_

Total Amount Received: \$ \_\_\_\_\_

Check # (s)/Date: \_\_\_\_\_

Received By: \_\_\_\_\_

\*\*\*\*\*

**Zoning Enforcement Officer's certification that application is complete and in conformance with Zoning Regulations.**

\_\_\_\_\_  
(Zoning Enforcement Officer)

\*\*\*\*\*

### For Planning Board Use Only

The Planning Board held a Public Hearing on \_\_\_\_\_ (day) of \_\_\_\_\_ (date),  
\_\_\_\_\_ (year) in consideration of this application.

The application is hereby:

approved  
approved with modifications  
disapproved

Modifications and comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Chairman, Town of Florida Planning Board

\_\_\_\_\_  
Date



## Town of Florida Site Plan Submission Requirement Checklist

Site Plan shall be prepared by a surveyor, registered professional engineer, architect, or landscape architect at a scale of one inch (1") equals twenty feet (20') or less, on standard 24"x 36" sheets.

- \_\_\_\_\_ 1) A completed and signed application to the Planning Board (including this checklist and all information required hereon).
- \_\_\_\_\_ 2) If the property is a farm operation within a NYS Agricultural District or with boundaries within 500 feet of a farm operation located in a NYS Agricultural District, the applicant must complete and submit ( with this application) an Agricultural Data Statement (NYS Ag. & Markets) (see attached Appendix A).
- \_\_\_\_\_ 3) A completed part 1 of an Environmental Assessment Form (either short or full form, depending upon the nature of the proposal and in conformance with the New York State Environmental Quality Review Act SEQR ( 6 NYCRR 617 ), (see attached forms in Appendix B).

### In addition each submitted site plan shall include:

- \_\_\_\_\_ 4) Name of the project, boundaries, location maps showing site's location in the town, date, north arrow and scale of the plan.
- \_\_\_\_\_ 5) Name and address of the owner of record, developer, and seal of the engineer, architect, surveyor or landscape architect.
- \_\_\_\_\_ 6) Name and address of all owners of record of abutting parcels and those within five hundred feet (500') of the property line.
- \_\_\_\_\_ 7) All existing lot lines, easements, and right-of-ways. Include areas in acres or square feet, abutting land uses, and the location and size of structures within five hundred feet (500') of the site.
- \_\_\_\_\_ 8) The location and use of all existing and proposed buildings and structures within the development. Include all dimensions of height and floor area, and showing all exterior entrances, and all anticipated future additions and alterations.
- \_\_\_\_\_ 9) The location of all present and proposed public and private ways, parking areas, driveways, sidewalks, ramps, curbs, fences, paths, landscaping and walls. Location, type and screening details for all waste disposal containers shall also be shown.
- \_\_\_\_\_ 10) The location, height, intensity and bulk type (ie. Fluorescent, sodium incandescent) of all external lighting fixtures. The direction of illumination and methods to eliminate glare onto adjoining properties must be shown.
- \_\_\_\_\_ 11) The location, height, size, materials and design of all proposed signage.
- \_\_\_\_\_ 12) The location of all present and proposed utility systems including:



- a. Sewage or septic systems
- b. Water supply systems
- c. Telephone, cable and electrical systems
- d. Storm drainage systems including existing and proposed drainage lines, culverts, catch basins, headwalls, end walls, hydrants, manholes, and drainage swales

The planning board may also require soil logs, soil profile analysis (deep hole test pits), percolation tests and storm water run-off calculations for large developments or developments in environmentally sensitive areas

- \_\_\_\_\_ 13) Plans to prevent the pollution of surface or groundwater, erosion of soil both during and after construction, excessive runoff, excessive raising or lowering of the water table, and flooding of other properties, as applicable. There shall be pre and post drainage calculations for the site done by a certified engineer. From this the engineer must show how there will be no increase in runoff from the site. The use of ponds, dry wells, ect. Shall be used, but all sites shall have zero increase in runoff so as not to disturb neighboring properties
- \_\_\_\_\_ 14) Existing and proposed topography at five foot (5') contour intervals. All elevations shall refer to the nearest US Coastal and Geodetic Bench Mark. If any portion of the parcel is within the 100-year floodplain, the area will be shown, and base flood elevation given. Indicate areas within site where ground removal or filling is required, and give its approximate volume in cubic yards.
- \_\_\_\_\_ 15) A landscape plan showing all existing natural land features, trees, forest cover and water sources, and all proposed changes to these features, including size and type of plant material, and erosion control measure. Water sources will include ponds, lakes, brooks, streams, wetlands, floodplains, and drainage retention areas.
- \_\_\_\_\_ 16) Traffic flow patterns within the site, entrances and exits, loading and unloading areas, curb cuts on the site and within two hundred feet (200') of the site.

The planning board may require a detailed traffic study for large developments or for those in heavy traffic areas to include:

- a. The projected number of motor vehicle trips to enter or leave the site, estimated for daily and peak hour traffic level;
  - b. The projected traffic flow pattern including vehicular movements at all major intersections likely to be affected by the proposed use of the site;
  - c. The impact of this traffic upon existing abutting public and private ways in relation to existing road capacities. Existing and proposed daily and peak hour traffic levels as well as road capacity levels shall also be given.
- \_\_\_\_\_ 17) For new construction or alterations to any existing building, a table containing the following information must be included:
    - a. Area of building to be used for a particular use such as retail operation, office storage, ect.;
    - b. Maximum number of employees;
    - c. Maximum seating capacity, where applicable;
    - d. Number of parking spaces existing and required for the intended use
  - \_\_\_\_\_ 18) Elevation plans at a scale of  $\frac{1}{4}''=1'$  for all exterior facades of the proposed structure(s) and/or existing facades, plus addition(s) showing design features and indicating the type and color of materials to be used.



Application #: \_\_\_\_\_  
Date: \_\_\_\_\_  
Project Name: \_\_\_\_\_

**Town of Florida  
Site Plan Approval Checklist**

**Applicant:** \_\_\_\_\_ **Date Completed** \_\_\_\_\_

1. Pre-Submission Conference is held between the Code Enforcement Officer and the Applicant \_\_\_\_\_

2. Nine (9) copies of the Site Plan and Application are submitted to the Code Enforcement Officer accompanied by the required fee \_\_\_\_\_

Code Enforcement Officer: \_\_\_\_\_  
(signature)

3. Within ten (10) days of submission by the applicant, the Code Enforcement Officer certifies whether or not the application is complete and is in conformance with the Town's Zoning Ordinance \_\_\_\_\_

The Code Enforcement Officer forwards the complete application to the Planning Board Chairman no later than twenty (20) days prior to its meeting \_\_\_\_\_

4. Planning Board reviews Site Plan Application and declares intent to be Lead Agency (SEQR); sets public hearing date and notifies applicant \_\_\_\_\_

5. Planning Board refers Site Plan to County Planning Board (if applicable) \_\_\_\_\_

6. Hold Public Hearing \_\_\_\_\_

Planning Board completes SEQR process, and files all documents as required by law \_\_\_\_\_

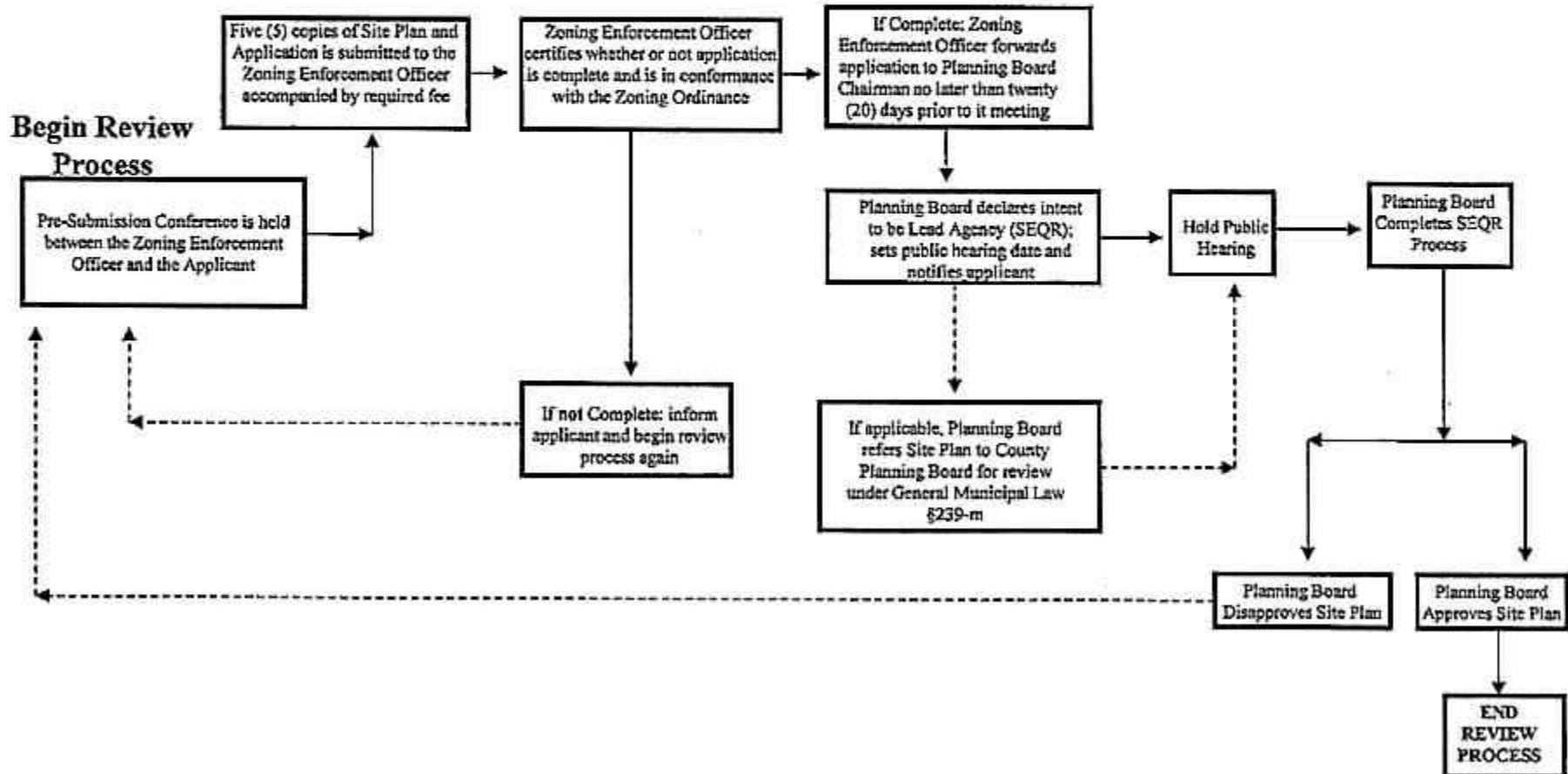
7. Planning Board approves, conditionally approves, disapproves Site Plan \_\_\_\_\_

8. Planning Board files all documents as necessary \_\_\_\_\_



# Town of Florida

## Site Plan Approval Flow Chart





# State Environmental Quality Review Act (SEQR) Forms

## All Downloadable SEQR Forms are PDF Files

The Environmental Assessment Forms (Appendices A and B) should be used (as of October 7, 2013) for applications to be submitted to reviewing, funding or approving agencies. **If you are new to filling out the EAFs or using the EAF Mapper, or have questions about how to use them, we recommend that you begin with the [Environmental Assessment Form \(EAF\) Workbooks](http://www.dec.ny.gov/permits/90125.html) at <http://www.dec.ny.gov/permits/90125.html>.** You may also want to view [The New EAFs - EAFs for the 21st Century \(PDF\)](http://www.dec.ny.gov/docs/permits_ej_operations_pdf/eafwebinar.pdf) at [http://www.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/eafwebinar.pdf](http://www.dec.ny.gov/docs/permits_ej_operations_pdf/eafwebinar.pdf), which is a training program on using the new (2013) Environmental Assessment Forms, Workbooks and EAF Mapper. EAF forms can be filled out and saved with Acrobat Reader.

- [EAF Mapper Application](http://www.dec.ny.gov/eafmapper/) at <http://www.dec.ny.gov/eafmapper/>, (will generate partially filled-in EAFs) The EAF Mapper Application is an Internet-based Geographic Information System (GIS) specifically designed to facilitate the NY State Environmental Quality Review (SEQR) process by answering geographic or place-based questions on the Short and Full Environmental Assessment Forms (EAFs). The EAF Mapper will provide its results by directly filling out many place-based questions in Part 1 of an electronically fillable SEAF or FEAF form and returning the partially completed form to the applicant or sponsor to finish. If you are using the EAF Mapper, do not complete any part of a PDF for either the SEAF or FEAF first. Rather, start with the EAF Mapper and wait for the program to fill in the various answers, then save the document to your computer and continue completing the forms from there. If you start a PDF before running the EAF Mapper, any information entered will be lost when the program applies its GIS data. [Help in using the EAF Mapper application](http://www.dec.ny.gov/EAFHelp/) at <http://www.dec.ny.gov/EAFHelp/>, is located on the EAF Mapper Application's main page next to "feedback". Additional guidance can be found in the [EAF Workbook](http://www.dec.ny.gov/permits/90201.html) at <http://www.dec.ny.gov/permits/90201.html>, under the subsection "Using the EAF Mapper".
- **Short Environmental Assessment Form (SEAF) (Appendix B to 6 NYCRR 617.20)**
  - [SEAF Part 1 \(PDF\)](http://www.dec.ny.gov/docs/permits_ej_operations_pdf/seafpartone.pdf) at [http://www.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/seafpartone.pdf](http://www.dec.ny.gov/docs/permits_ej_operations_pdf/seafpartone.pdf)
  - [SEAF Part 2 & 3 \(PDF\)](http://www.dec.ny.gov/docs/permits_ej_operations_pdf/seafparttwo.pdf) at [http://www.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/seafparttwo.pdf](http://www.dec.ny.gov/docs/permits_ej_operations_pdf/seafparttwo.pdf)
- **Full Environmental Assessment Form (FEAF) (Appendix A to 6 NYCRR 617.20)**
  - [FEAF Part 1 \(PDF\)](http://www.dec.ny.gov/docs/permits_ej_operations_pdf/feafpart1.pdf) at [http://www.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/feafpart1.pdf](http://www.dec.ny.gov/docs/permits_ej_operations_pdf/feafpart1.pdf)
  - [FEAF Part 2 \(PDF\)](http://www.dec.ny.gov/docs/permits_ej_operations_pdf/feafpart2.pdf) at [http://www.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/feafpart2.pdf](http://www.dec.ny.gov/docs/permits_ej_operations_pdf/feafpart2.pdf)
  - [FEAF Part 3 \(PDF\)](http://www.dec.ny.gov/docs/permits_ej_operations_pdf/feafpart3.pdf) at [http://www.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/feafpart3.pdf](http://www.dec.ny.gov/docs/permits_ej_operations_pdf/feafpart3.pdf)



## TOWN OF FLORIDA PERMITS

## SCHEDULE OF FEES

APPROVED FEBRUARY 22, 2016

TYPE:	PERMITS ARE REQUIRED FOR ALL BUILDINGS AND SITE DRAWINGS AS REQUIRED BY BLDG. INSPECTOR	FEE:	INSPECTION REQUIRED: (Arranged by Inspector) *Additional Engineering may be required at Applicant's Expense
<b>GENERAL:</b>			
Storage of: lumber, scrap, etc. from the property to be kept under roof and in screened fences		\$50	Building Inspector *
Storage Yards - Auto Salvage - etc.		\$25 per year	Building Inspector *
Demolition - Non Commercial (Permit required)		\$25 per structure	Building Inspector *
Demolition - Commercial (Permit required)		\$100 per structure	Building Inspector *
Refuse - requires Dump Permit		\$50 1st car/ \$25 2nd car	None
Solid Fuel and Chimney		None (State Regulated)	Town Fire Marshall/ Building Inspector *
Septic Systems - Designed by NYS Professional Engineer		\$100	Building Inspector and Responsible Professional Engineer *
<b>HOMES:</b>			
Living Space - up to & including 1,000 + 2,000 sq. ft.		\$150	Building Inspector *
Living Space - over 2,000 and including 2,500 sq. ft.		\$175	Building Inspector *
Living Space - over 2,500 sq. ft.		\$250	Building Inspector *
<b>NON-LIVING SPACE:</b>			
No Floor Outbuildings or No Floor Garage or Enclosed Porch - under 100 sq. ft.		None	Building Inspector - Electrical Inspection if Required *
No Floor - Shed up to 12' x 12'		\$50	Building Inspector - Electrical Inspection if Required *
No Floor - Garage or Enclosed Porch including 100 sq. ft. and over		\$50	Building Inspector - Electrical Inspection if Required *
No Floor Outbuildings - Including 100 sq. ft. and over		\$75	Building Inspector - Electrical Inspection if Required *
With Floor Outbuildings or With Floor Garage or Enclosed Porch - under 100 sq. ft.		None	Building Inspector - Electrical Inspection if Required *
With Floor - Shed up to 12' x 12'		\$75	Building Inspector - Electrical Inspection if Required *
With Floor - Garage or Enclosed Porch including 100 sq. ft. and over		\$75	Building Inspector - Electrical Inspection if Required *
With Floor Outbuildings - Including 100 sq. ft. and over		\$100	Building Inspector - Electrical Inspection if Required *
Decks or Porches - up to 100 sq. ft.		\$50	Building Inspector *
Decks or Porches - Including 100 sq. ft. and over		\$75	Building Inspector *
Non-Commercial Improvements - w/ Structural Changes up to and including \$10,000		\$50	Building Inspector *
Non-Commercial Improvements - w/ Structural Changes over \$10,000		\$100	Building Inspector *
Non-Commercial Improvements - up to and including \$10,000 NOT requiring a Structural Change (siding, roofing, windows, doors, etc.)		\$25	Building Inspector *
Non-Commercial Improvements - over \$10,000 NOT requiring a Structural Change (siding, roofing, windows, doors, etc.)		\$50	Building Inspector *
Swimming Pools - In ground		\$100	Building Inspector *
Swimming Pools - Above ground		\$25	Building Inspector *
Wood Burning Heater		Regulated by NY State	Town Fire Marshall/ Building Inspector *



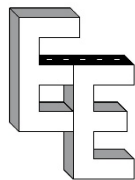
<b>COMMERCIAL BUILDINGS:</b>		
Agricultural Buildings	50% of Commercial Rates/ Maximum = \$150	Building Inspector *
Communication Facilities - New	\$1,500	Building Inspector *
Communication Facilities - Repairs/Upgrades	\$250	Building Inspector *
Places of Assembly	\$250	Building Inspector *
Public Utilities - New	\$1,500	Building Inspector *
Public Utilities - Repairs/Upgrades	\$250	Building Inspector *
Retail/Office - NEW, ADDITIONS, IMPROVEMENTS (Store, Motel, Medical Offices, Restaurant, Service Center)	\$200 minimum or \$0.025 sq. ft.	Building Inspector *
Warehouse - Temperature Controlled - New (Distribution/Light Manufacturing)	\$300 minimum or \$0.025 sq. ft.	Building Inspector *
<b>MISCELLANEOUS FEES:</b>		
Billboard - Annual Fee	\$25	Building Inspector *
Billboards - Off Premises - Annual Fee	\$35	Building Inspector *
Enclosed Portable Storage (Pods, etc.) - up to 180 days	\$45	Building Inspector *
Open Storage - No building (Boat/RV, any Fenced Storage)	\$50	Building Inspector *
Sign - Application Fee	\$25	Building Inspector *
Signs - Off Premises - Annual Fee	\$25	Building Inspector *
Solar/Wind under and including 30,000 Watts	\$100	Building Inspector and Professional Engineer *
Solar/Wind over 30,000 Watts and including 500,000 Watts	\$250	Building Inspector and Professional Engineer *
Solar/Wind greater than 500,000 Watts (each additional or part of 500,000)	\$250	Building Inspector and Professional Engineer *
Subdivision/Site Plan - Major	\$500	Procedures on Individual Basis *
Subdivision/Site Plan - Minor	\$100	Procedures on Individual Basis *
Zoning Board of Appeals	\$50	Procedures on Individual Basis *
Inspection Revisit Fee	\$25 each extra visit	Abnormal Number of Inspection/Visits will incur extra charge



# Stormwater Pollution Prevention Plan

For  
Farm Products Plant  
At  
124 Leahey Road  
Amsterdam, NY 12010

Prepared For:  
**Hutchison Harvest Inc.**  
124 Leahey Road  
Amsterdam, NY 12010



Prepared By:  
**Empire Engineering, PLLC**  
1900 Duanesburg Road  
Duanesburg, NY 12056

**June 20, 2022**



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Notice of Intent

Appendix B

OPRHP Correspondence

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T&E Correspondence

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Appendix E

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Existing Drainage Map & Analysis

Appendix H

Proposed Drainage Map & Analysis

Appendix I

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Appendix J

Project Plan Sheets



## 1.0 Site Information & Evaluation

### 1.1 Project/Site Information

The subject project is the construction of a Farm Products Plant (Slaughter House) comprising one (1) structure, loading dock, driveway, and associated parking. The subject site is located at 124 Leahey Road in the Town of Florida, NY. and approximately 7.13± acres. The property is identified by Tax Map # 88.00-1-13.

Anticipated Construction Start Date:      October 2022

Anticipated Completion Date:                September 2023

### 1.2 Contact Information

**Owner/Operator:**

Hutchison Harvest Inc.  
124 Leahey Road  
Amsterdam, NY 12010  
Contact: Katelynn Myers (518) 775-0321

**Engineer:**

Empire Engineering, PLLC  
1900 Duanesburg Road  
Duanesburg, NY 12056  
Contact: Christopher Longo, PE

**Contractor:**

Owner/Operator

### 1.3 Drainage Patterns & Topography

The site is vacant land predominantly a cultivated field, existing runoff is directed to the Northeast to a drainage ditch which conveys runoff collection to the Northwest to a tributary of the Mohawk River. The topography of the site can be generally described as flat to slightly sloped.

Soils on the site are silt loam as identified by the USDA Natural Resource Conservation Service web soil survey and an on-site soils investigation. The on-site soils investigation confirmed the soils to be silt loam over bedrock. Infiltration tests were performed in the intermediate layer indicating permeability at a rate of 5 minutes per inch. All test pit logs and infiltration results are indicated on the site plan.

Mapped Soils (Per USDA NRCS Mapping)				
Symbol	Soil Name	Soil Description	Percentage of Site	Hydrologic Soil Group
ApB	Appleton	Silt loam, 3-8% slope	100%	B/D



#### 1.4 Potential Sources of Pollution

The primary sources of pollution from an active construction site are erosion, siltation, debris transport, accidental spills or leakage of oils from equipment.

#### 1.5 Implementation Schedule

The construction sequence outlined below should be followed or amended as necessary to minimize the susceptibility of the site to erosion and sediment transport during construction. Proper construction of the following Erosion & Sediment Controls is detailed on Sheet C504, E&SC Detail.

- a. Establish perimeter protections and stabilized construction entrances within work area.
- b. Construct temporary sediment traps in the location of permanent stormwater controls.
- c. Once all erosion and sediment control measures are constructed and functional, disturbance may begin within that subject area.
- d. Rough grade the project area, establish any swales and/or temporary check dams to divert runoff to storage areas.
- e. Stabilize cut/fill slopes and stabilize internal roadway areas with subbase course as necessary.
- f. If the project is occurring in multiple phases repeat steps a-d in any new drainage area.
- g. Upon completion of grading, final seeding and full vegetative cover shall be established.
- h. Prior to finalizing connection to the storm sewer system, all catch basins and drainage lines shall be cleaned of all silt and sediment.
- i. Once final stabilization is achieved remove all temporary erosion and sediment control measures including silt fence, storm structure protections and temporary sediment basin components.

#### 1.6 Notice of Intent

The owner shall submit a Notice of Intent (NOI) to the New York State Department of Environmental Conservation and obtain authorization of construction activities before commencing work. A copy of this NOI is included within Appendix A.

#### 1.7 Historic Preservation

The Office of Parks, Recreation & Historic Preservation database was reviewed for potential Historic or Cultural significant data at or near the project site. The OPRHP database revealed that the project site, nor any portion of it is in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office archaeological site inventory. Based upon the negative results of the survey, the proposed development will have no adverse impact to any historic properties in the vicinity.



## 1.8 Endangered Species

The NYSDEC Environmental Resource Mapper was reviewed for potential records of state or federally listed threatened or endangered species. The site does lie within nor adjacent to any area designated as a “significant natural community” for the Northern Long Eared Bat endangered species. This project is not expected to have any potential impact to any federally listed threatened or endangered species as forested areas are not being affected as part of the project. The database results are included within Appendix C.

## 1.9 Maps & Figures

Additional Maps indicating the site are included within Appendix D such as:

General Location Map

USDA Soils Map

## 2.0 Best Management Practices

### 2.1 Objectives

The primary objective of the Stormwater Pollution Prevention Plan is protecting adjacent areas from erosion and sediment transport and ensuring the quality of discharge water is acceptable. This is done by minimizing disturbed areas, protecting natural features and soil, phasing construction, stabilizing soils, and protecting storm inlets.

### 2.2 Phasing

Construction of the subject site is intended to be conducted in a single phase. Within the phase, attention should be paid to the required sequencing to ensure minimal sediment transport.

### 2.3 Good Housekeeping

The owner/operator shall implement the following for the duration of construction:

- a. All stored materials shall be in a neat, orderly manner and under cover.
- b. Products shall be kept in original containers with a legible original manufacturer's label.
- c. Substances shall not be mixed with one another unless recommended by the manufacturer.
- d. Original labels and safety data sheets (SDS) shall be procured and used for each material.
- e. Whenever possible, the entire product shall be used up before disposing of a container.
- f. If surplus product must be disposed of, manufacturers or local/state/federal recommended methods for proper disposal shall be followed.
- g. Manufacturer's recommendations for proper use and disposal shall be followed.
- h. The job site superintendent shall be responsible for daily inspections to ensure proper use and disposal of materials.

### 2.4 Spill Prevention Controls

The following spill prevention controls shall be implemented for the duration of construction:



- a. The job site superintendent shall be the spill prevention and cleanup coordinator. He/she shall designate the individuals who will receive spill prevention and cleanup training. These individuals shall each become responsible for a phase of prevention and cleanup. The names of these personnel shall be posted in the material storage area and in the office trailer onsite.
- b. Manufacturer's recommended methods for spill cleanup shall be clearly posted and site personnel shall be trained regarding these procedures as well as the location of the information and cleanup supplies.
- c. Materials and equipment necessary for spill cleanup shall be kept in the material storage area onsite in spill control and containment kit (containing, for example, absorbent such as kitty litter or sawdust, acid neutralizing powder, brooms, dust pans, mops, rags, gloves, goggles, plastic and metal trash containers, etc.).
- d. All spills shall be cleaned up immediately after discovery.
- e. The spill area shall be kept well ventilated, and personnel shall wear appropriate protective clothing to prevent injury from contact with the hazardous substances.
- f. Spills of toxic or hazardous materials shall be reported to the appropriate federal, state, and/or local government agency, regardless of the size of the spill. Spills of amounts that exceed Reportable Quantities of certain substances specifically mentioned in federal regulations (40 CFR 302 list and oil) shall be immediately reported to:
  - o EPA National Response Center, telephone 1-800-424-8802
  - o N.Y.S.D.E.C. 24-hour Spill Hotline, telephone 1-800-457-7362

## 2.5 Temporary Erosion & Sediment Controls

Temporary stormwater control measures shall be installed prior to active construction within each tributary area. Such temporary controls include but are not limited to:

### 2.51 Control:

- a. Silt fencing.
- b. Stabilized construction entrances.
- c. Dust shall be controlled with water on site and adjacent roadways.
- d. Designate a protected area to stockpile topsoil or other material stripped during excavation.
- e. Any refuse storage onsite shall be only in designated areas where runoff will not directly discharge through.
- f. See Sheet C504 - E&SC Detail for further detail on installation and implementation of control practices

### 2.52 Maintenance:

- a. Once no longer active, disturbed areas shall be mulched to prevent sediment transport. Areas that are at or near finish grade shall be finally stabilized.
- b. Stockpiles of soil materials shall be stabilized with geotextile or seeding and be surrounded by silt fencing or berms.
- c. No area shall be left un-stabilized more than 14 days after completion of construction activities within that area.
- d. Erosion control devices should be cleaned and repaired as necessary.



- e. Litter and construction debris shall be collected daily by the contractor, and properly disposed of.

## 2.6 Winter Shutdown

The site may be considered within 'winter shutdown' if the following conditions are met. During winter shutdown, the site inspection frequency may be reduced to once per 30-days. All disturbed areas shall be temporarily stabilized, and sediment basins shall be cleaned of silt and debris. During shutdown, access road shall be kept clear of snow and snow shall not be stockpiled in a location which inhibits runoff to sediment basin areas.

## 2.7 Final Stabilization

Prior to the site being operational the following measures shall be implemented:

- a. All disturbed areas other than structures or pavement shall receive final seeding and vegetative growth.
- b. Ponds and swales shall be finally shaped in accordance with the sizing details and shall be vegetated accordingly.
- c. Maintenance of ponds, swales and vegetative areas shall continue into operation of the site.
- d. All disturbed areas which will be vegetated shall be de-compacted, aerated and 6" of topsoil applied prior to vegetating. Additional soil restoration may be required for heavy trafficked areas. Additional restoration shall be conducted in accordance with the NYSDEC Stormwater Design Manual Table 5.3.
- e. Upon achieving greater than 80% vegetative growth on the disturbed site, temporary erosion and sediment controls may be removed.

## 2.8 Ownership & Maintenance

The proposed stormwater management facilities indicated on the site are intended to be privately owned and maintained. The owner/operator shall adhere to the Ownership and Maintenance Manual within Appendix E. In accordance with the Notice of Termination requirements, a deed covenant shall be filed identifying the long-term maintenance responsibility of the Owner to ensure long term operation and maintenance of the post-construction stormwater management facilities.

## 3.0 Inspections & Recordkeeping

### 3.1 Inspection Requirements

- a. The owner/operation shall perform routine inspections and either correct or direct the contractor to correct deficiencies as they arise in a timely manner. The contractor shall familiarize themselves with this document and its required components prior to commencing work. Each day that the contractor is performing work on-site there shall be a 'trained individual' who is responsible for implementation of the SWPPP components.
- b. The owner shall have a qualified inspector conduct a site inspection at least one per seven calendar days while disturbance activities are on-going. The inspector shall at a minimum, inspect erosion & sediment control practices and pollution prevention measures to ensure integrity and effectiveness, all post-construction stormwater



management practices under construction to ensure that they are constructed in conformance with the SWPPP, all areas of disturbance that have not achieved final stabilization, all points of discharge to natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the construction site, and all points of discharge from the construction site.

- c. The qualified inspector shall prepare an inspection report in accordance with the General Permit and distribute to the owner and appropriate contractor within 24 hours.

### 3.2 Certifications

The SWPPP preparer, owner and contractor shall sign the applicable certification forms included within Appendix F.

### 3.3 Documents Required On-Site

The owner or operator shall maintain a copy of the current General Permit, NOI, NOI Acknowledgment Letter, SWPPP, inspection reports, and all documentation necessary to demonstrate eligibility with this permit at the construction site until all disturbed areas have achieved final stabilization and the NOT has been submitted to the Department. The documents must be maintained in a secure location, such as a job trailer, on-site construction office, or mailbox with lock. The secure location must be accessible during normal business hours to an individual performing a compliance inspection.



## 4.0 Drainage Analysis

### 4.1 Existing Runoff Condition

The existing site drainage characteristics include existing runoff that is directed to the North and South with a central ridge running East to West down the middle of the subject site. Stormwater runoff from the site was analyzed utilizing software applying the TR-55 hydrologic analysis method. The channel protection volume was determined utilizing the peak discharge from the TR-55 method and the Hydrologic Analysis tolls in Appendix B of the New York State Stormwater Management Design Manual. A summary of these peak flow rates is included below as well as the full drainage map & analysis within Appendix G.

Channel Protection Volume (acre-feet)	
	1-Year (Cpv)
Analysis Point A	0.131
<b>Total</b>	<b>0.131</b>

Peak Flow Rates (CFS)		
	10-Year Storm (Qp)	100-Year Storm (Qf)
Analysis Point A	6.28	13.43
<b>Total</b>	<b>6.28</b>	<b>13.43</b>

### 4.2 Proposed Development Condition

The proposed site drainage characteristics were analyzed in relation to the existing baseline to determine required storage volumes for the site. Changes in impervious cover, sub-catchment area and times of concentration were all considered in conducting the analysis. A summary of these peak flow rates is included below as well as the full drainage map & analysis within Appendix H.

Channel Protection Volume (acre-feet)		
	EX 1-Year Storm (Cpv)	PR 1-Year Storm (Cpv)
Analysis Point A	0.131	0.178
<b>Total</b>	<b>0.131</b>	<b>0.178</b>

In addition to the channel protection volume indicated above, the proposed conditions provide 24-hour extended detention of the 1-year, 24-hour storm event in accordance with the NYS DEC General Permit 0-20-001 Section I.C.2.a.ii. This is indicated on the hydrograph storage plot provided in Appendix H.

Peak Flow Rates (CFS)				
	EX 10-Year Storm (Qp)	PR 10-Year Storm (Qp)	EX 100-Year Storm (Qf)	PR 100-Year Storm (Qf)
Analysis Point A	6.28	1.74	13.43	7.32
<b>Total</b>	<b>6.28</b>	<b>1.74</b>	<b>13.43</b>	<b>7.32</b>



## 5.0 Water Quality & Quantity Controls

### 5.1 Selecting Post-Construction Practices

Post-construction stormwater management practices were carefully selected considering the matrices provided by the NYS DEC Stormwater Management Design Manual. Screening factors included 1. Land Use 2. Physical Feasibility 3. Watershed/Regional Factors 4. Stormwater Management Capability 5. Community & Environmental Factors.

Part of the consideration in selecting stormwater practices was the runoff reduction capacity of the practice. In accordance with the NYSDEC General Permit and Stormwater Design Manual each site must meet the minimum runoff reduction requirement through a combination of Green Infrastructure Practices and SMP's with runoff reduction capacity.

As part of the post construction practice selection, green infrastructure techniques were considered and either applied or not utilized. Appendix I includes a table of the planning and practice selection process in accordance with the NYSDEC Stormwater Design Manual Sections 5.2 & 5.3. Many of the planning techniques are intrinsically apparent within the development of the Concept Site Plan. The following Green Infrastructure practices suggested by NYSDEC in Section 5.3 of the SWMDM have not been applied:

Conservation of Natural Areas – Not a large enough area for conservation

Disconnection of Rooftops – All rooftops treated by other runoff reduction means

Stream Daylighting – No streams available to daylight

Rain Gardens – All impervious treated by other runoff reduction means

Green Roofs – All rooftops treated by other runoff reduction means

Stormwater Planters – All rooftops treated by other runoff reduction means

Rain Barrels – All rooftops treated by other runoff reduction means

Porous Pavement – All impervious treated by other runoff reduction means

### 5.2 Water Quality

Practices selected for treatment of water quality include:

Dry Swale (O-1)

Micropool Extended Detention Pond (P-1)

All water quality practices have been designed to treat the calculated water quality volume as well as safely convey the 10-year storm event. Worksheets showing sizing criteria and calculations for each practice are included within Appendix I.

### 5.3 Water Quantity

Stormwater controls for water quantity include:

Micropool Extended Detention Pond (P-1)



Water quantity practices have been designed to attenuate flows from both the Overbank Flood (10-year) and the Extreme Flood (100-year) storm events. The proposed stormwater detention areas do not meet the requirements for consideration as a “dam” as prescribed by NYSDEC. It can be assumed that in the unlikely event for a failure or misoperation losses would be limited to the owner’s property. Pond storage elevation and sizing information is included in the post development drainage calculations within Appendix H.

## 6.0 Conclusion

The subject activity is listed within Appendix B Table 2 of the NYSDEC General Permit 0-20-001 for stormwater discharges from construction activities. This project type requires preparation of a SWPPP that includes Erosion & Sediment Control measures as well as post-construction stormwater management practices. This Stormwater Pollution Prevention Plan has been developed in accordance with the NYSDEC General Permit 0-20-001 as well as the 2015 NYS DEC Stormwater Design Manual. It is not anticipated that the drainage from the subject property will have any adverse effect on adjacent downstream properties.



Appendix A

Notice of Intent



# NOI for coverage under Stormwater General Permit for Construction Activity

version 1.35

(Submission #: HPJ-FRB8-4ZMBR, version 1)

## Details

---

**Originally Started By** William Benosky  
**Alternate Identifier** Hutchison Harvest Inc.  
**Submission ID** HPJ-FRB8-4ZMBR  
**Submission Reason** New  
**Status** Draft

## Form Input

---

### Owner/Operator Information

**Owner/Operator Name (Company/Private Owner/Municipality/Agency/Institution, etc.)**

Hutchison Harvest Inc.

**Owner/Operator Contact Person Last Name (NOT CONSULTANT)**

Button

**Owner/Operator Contact Person First Name**

Krystle

**Owner/Operator Mailing Address**

124 Leahey Road

**City**

Amsterdam

**State**

New York



**Zip**

12010

**Phone**

518-775-0321

**Email**

kb.hutchisonfarm@gmail.com

**Federal Tax ID**

NONE PROVIDED

**Project Location****Project/Site Name**

Hutchison Harvest Inc.

**Street Address (Not P.O. Box)**

124 Leahey Road

**Side of Street**

North

**City/Town/Village (THAT ISSUES BUILDING PERMIT)**

Florida

**State**

NY

**Zip**

12010

**DEC Region**

4

**County**

MONTGOMERY

**Name of Nearest Cross Street**

Mohr Road

**Distance to Nearest Cross Street (Feet)**

1000

**Project In Relation to Cross Street**

East

**Tax Map Numbers Section-Block-Parcel**

88.-1-13



**Tax Map Numbers**

NONE PROVIDED

**1. Coordinates**

---

Provide the Geographic Coordinates for the project site. The two methods are:

- Navigate to the project location on the map (below) and click to place a marker and obtain the XY coordinates.
- The "Find Me" button will provide the lat/long for the person filling out this form. Then pan the map to the correct location and click the map to place a marker and obtain the XY coordinates.

**Navigate to your location and click on the map to get the X,Y coordinates**

42.89360870288756,-74.14145121099291

**Project Details****2. What is the nature of this project?**

New Construction

**3. Select the predominant land use for both pre and post development conditions.****Pre-Development Existing Landuse**

Pasture/Open Land

**Post-Development Future Land Use**

Commercial

**3a. If Single Family Subdivision was selected in question 3, enter the number of subdivision lots.**

NONE PROVIDED

---

4. In accordance with the larger common plan of development or sale, enter the total project site acreage, the acreage to be disturbed and the future impervious area (acreage)within the disturbed area.

\*\*\* ROUND TO THE NEAREST TENTH OF AN ACRE. \*\*\*

**Total Site Area (acres)**

7.1

**Total Area to be Disturbed (acres)**

2.6

**Existing Impervious Area to be Disturbed (acres)**

2.6



**Future Impervious Area Within Disturbed Area (acres)**

1.2

**5. Do you plan to disturb more than 5 acres of soil at any one time?**

No

---

6. Indicate the percentage (%) of each Hydrologic Soil Group(HSG) at the site.

**A (%)**

0

**B (%)**

0

**C (%)**

0

**D (%)**

100

**7. Is this a phased project?**

No

**8. Enter the planned start and end dates of the disturbance activities.****Start Date**

10/1/2022

**End Date**

9/30/2023

**9. Identify the nearest surface waterbody(ies) to which construction site runoff will discharge.**

Unnamed stream

**9a. Type of waterbody identified in question 9?**

Stream/Creek Off Site

**Other Waterbody Type Off Site Description**

NONE PROVIDED

**9b. If "wetland" was selected in 9A, how was the wetland identified?**

NONE PROVIDED

**10. Has the surface waterbody(ies) in question 9 been identified as a 303(d) segment in Appendix E of GP-0-20-001?**

No



**11. Is this project located in one of the Watersheds identified in Appendix C of GP-0-20-001?**

No

**12. Is the project located in one of the watershed areas associated with AA and AA-S classified waters?**

No

**If No, skip question 13.**

**13. Does this construction activity disturb land with no existing impervious cover and where the Soil Slope Phase is identified as D (provided the map unit name is inclusive of slopes greater than 25%), E or F on the USDA Soil Survey?**

NONE PROVIDED

**If Yes, what is the acreage to be disturbed?**

NONE PROVIDED

**14. Will the project disturb soils within a State regulated wetland or the protected 100 foot adjacent area?**

No

**15. Does the site runoff enter a separate storm sewer system (including roadside drains, swales, ditches, culverts, etc)?**

No

**16. What is the name of the municipality/entity that owns the separate storm sewer system?**

NONE PROVIDED

**17. Does any runoff from the site enter a sewer classified as a Combined Sewer?**

No

**18. Will future use of this site be an agricultural property as defined by the NYS Agriculture and Markets Law?**

No

**19. Is this property owned by a state authority, state agency, federal government or local government?**

No

**20. Is this a remediation project being done under a Department approved work plan? (i.e. CERCLA, RCRA, Voluntary Cleanup Agreement, etc.)**

No

## **Required SWPPP Components**



**21. Has the required Erosion and Sediment Control component of the SWPPP been developed in conformance with the current NYS Standards and Specifications for Erosion and Sediment Control (aka Blue Book)?**

Yes

**22. Does this construction activity require the development of a SWPPP that includes the post-construction stormwater management practice component (i.e. Runoff Reduction, Water Quality and Quantity Control practices/techniques)?**

Yes

**If you answered No in question 22, skip question 23 and the Post-construction Criteria and Post-construction SMP Identification sections.**

**23. Has the post-construction stormwater management practice component of the SWPPP been developed in conformance with the current NYS Stormwater Management Design Manual?**

Yes

**24. The Stormwater Pollution Prevention Plan (SWPPP) was prepared by:**  
Professional Engineer (P.E.)

**SWPPP Preparer**

Empire Engineering, PLLC

**Contact Name (Last, Space, First)**

Longo, Christopher

**Mailing Address**

1900 Duaneburg Road

**City**

Duaneburg

**State**

NY

**Zip**

12056

**Phone**

518-858-4117

**Email**

clongo@empireeng.net

**Download SWPPP Preparer Certification Form**

Please take the following steps to prepare and upload your preparer certification form:

- 1) Click on the link below to download a blank certification form
- 2) The certified SWPPP preparer should sign this form



3) Scan the signed form

4) Upload the scanned document

[Download SWPPP Preparer Certification Form](#)

**Please upload the SWPPP Preparer Certification**

SWPPP Preparer Certification Form - Signed.pdf - 06/20/2022 03:52 PM

**Comment**

NONE PROVIDED

## **Erosion & Sediment Control Criteria**

**25. Has a construction sequence schedule for the planned management practices been prepared?**

Yes

**26. Select all of the erosion and sediment control practices that will be employed on the project site:**

**Temporary Structural**

Check Dams

Sediment Traps

Silt Fence

Stabilized Construction Entrance

Construction Road Stabilization

**Biotechnical**

None

**Vegetative Measures**

Mulching

Seeding

Temporary Swale

Topsoiling

**Permanent Structural**

Rock Outlet Protection

**Other**

NONE PROVIDED

## **Post-Construction Criteria**

**\* IMPORTANT: Completion of Questions 27-39 is not required if response to Question 22 is No.**



**27. Identify all site planning practices that were used to prepare the final site plan/layout for the project.**

Preservation of Undisturbed Area  
Preservation of Buffers  
Reduction of Clearing and Grading  
Locating Development in Less Sensitive Areas  
Roadway Reduction  
Driveway Reduction  
Building Footprint Reduction  
Parking Reduction

**27a. Indicate which of the following soil restoration criteria was used to address the requirements in Section 5.1.6("Soil Restoration") of the Design Manual (2010 version).**

All disturbed areas will be restored in accordance with the Soil Restoration requirements in Table 5.3 of the Design Manual (see page 5-22).

**28. Provide the total Water Quality Volume (WQv) required for this project (based on final site plan/layout). (Acre-feet)**

0.111

**29. Post-construction SMP Identification**

Use the Post-construction SMP Identification section to identify the RR techniques (Area Reduction), RR techniques(Volume Reduction) and Standard SMPs with RRv Capacity that were used to reduce the Total WQv Required (#28).

Identify the SMPs to be used by providing the total impervious area that contributes runoff to each technique/practice selected. For the Area Reduction Techniques, provide the total contributing area (includes pervious area) and, if applicable, the total impervious area that contributes runoff to the technique/practice.

Note: Redevelopment projects shall use the Post-Construction SMP Identification section to identify the SMPs used to treat and/or reduce the WQv required. If runoff reduction techniques will not be used to reduce the required WQv, skip to question 33a after identifying the SMPs.

**30. Indicate the Total RRv provided by the RR techniques (Area/Volume Reduction) and Standard SMPs with RRv capacity identified in question 29. (acre-feet)**

0.028

**31. Is the Total RRv provided (#30) greater than or equal to the total WQv required (#28)?**

No

If Yes, go to question 36. If No, go to question 32.

**32. Provide the Minimum RRv required based on HSG. [Minimum RRv Required = (P) (0.95) (Ai) / 12, Ai=(s) (Aic)] (acre-feet)**

0.021



**32a. Is the Total RRv provided (#30) greater than or equal to the Minimum RRv Required (#32)?**

Yes

**If Yes, go to question 33.**

Note: Use the space provided in question #39 to summarize the specific site limitations and justification for not reducing 100% of WQv required (#28). A detailed evaluation of the specific site limitations and justification for not reducing 100% of the WQv required (#28) must also be included in the SWPPP.

If No, sizing criteria has not been met; therefore, NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria.

**33. SMPs**

Use the Post-construction SMP Identification section to identify the Standard SMPs and, if applicable, the Alternative SMPs to be used to treat the remaining total WQv (=Total WQv Required in #28 - Total RRv Provided in #30).

Also, provide the total impervious area that contributes runoff to each practice selected.

NOTE: Use the Post-construction SMP Identification section to identify the SMPs used on Redevelopment projects.

**33a. Indicate the Total WQv provided (i.e. WQv treated) by the SMPs identified in question #33 and Standard SMPs with RRv Capacity identified in question #29. (acre-feet)**

0.083

Note: For the standard SMPs with RRv capacity, the WQv provided by each practice = the WQv calculated using the contributing drainage area to the practice - provided by the practice. (See Table 3.5 in Design Manual)

**34. Provide the sum of the Total RRv provided (#30) and the WQv provided (#33a).**

0.111

**35. Is the sum of the RRv provided (#30) and the WQv provided (#33a) greater than or equal to the total WQv required (#28)?**

Yes

If Yes, go to question 36.

If No, sizing criteria has not been met; therefore, NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria.

**36. Provide the total Channel Protection Storage Volume (CPv required and provided or select waiver (#36a), if applicable.****CPv Required (acre-feet)**

0.131



**CPv Provided (acre-feet)**

0.178

**36a. The need to provide channel protection has been waived because:**

NONE PROVIDED

**37. Provide the Overbank Flood (Qp) and Extreme Flood (Qf) control criteria or select waiver (#37a), if applicable.****Overbank Flood Control Criteria (Qp)****Pre-Development (CFS)**

6.28

**Post-Development (CFS)**

1.74

**Total Extreme Flood Control Criteria (Qf)****Pre-Development (CFS)**

13.43

**Post-Development (CFS)**

7.32

**37a. The need to meet the Qp and Qf criteria has been waived because:**

NONE PROVIDED

**38. Has a long term Operation and Maintenance Plan for the post-construction stormwater management practice(s) been developed?**

Yes

**If Yes, Identify the entity responsible for the long term Operation and Maintenance**  
Property Owner

**39. Use this space to summarize the specific site limitations and justification for not reducing 100% of WQv required (#28). (See question #32a) This space can also be used for other pertinent project information.**

High groundwater conditions and high bedrock conditions

**Post-Construction SMP Identification****Runoff Reduction (RR) Techniques, Standard Stormwater Management Practices (SMPs) and Alternative SMPs**

Identify the Post-construction SMPs to be used by providing the total impervious area that contributes runoff to each technique/practice selected. For the Area Reduction Techniques, provide the total contributing area (includes pervious area) and, if applicable, the total impervious area that contributes runoff to the technique/practice.



**RR Techniques (Area Reduction)**

---

Round to the nearest tenth

**Total Contributing Acres for Conservation of Natural Area (RR-1)**

NONE PROVIDED

**Total Contributing Impervious Acres for Conservation of Natural Area (RR-1)**

NONE PROVIDED

**Total Contributing Acres for Sheetflow to Riparian Buffers/Filter Strips (RR-2)**

NONE PROVIDED

**Total Contributing Impervious Acres for Sheetflow to Riparian Buffers/Filter Strips (RR-2)**

NONE PROVIDED

**Total Contributing Acres for Tree Planting/Tree Pit (RR-3)**

NONE PROVIDED

**Total Contributing Impervious Acres for Tree Planting/Tree Pit (RR-3)**

NONE PROVIDED

**Total Contributing Acres for Disconnection of Rooftop Runoff (RR-4)**

NONE PROVIDED

**RR Techniques (Volume Reduction)**

---

**Total Contributing Impervious Acres for Disconnection of Rooftop Runoff (RR-4)**

NONE PROVIDED

**Total Contributing Impervious Acres for Vegetated Swale (RR-5)**

NONE PROVIDED

**Total Contributing Impervious Acres for Rain Garden (RR-6)**

NONE PROVIDED

**Total Contributing Impervious Acres for Stormwater Planter (RR-7)**

NONE PROVIDED

**Total Contributing Impervious Acres for Rain Barrel/Cistern (RR-8)**

NONE PROVIDED

**Total Contributing Impervious Acres for Porous Pavement (RR-9)**

NONE PROVIDED

**Total Contributing Impervious Acres for Green Roof (RR-10)**

NONE PROVIDED

**Standard SMPs with RRv Capacity**

---



**Total Contributing Impervious Acres for Infiltration Trench (I-1)**  
NONE PROVIDED

**Total Contributing Impervious Acres for Infiltration Basin (I-2)**  
NONE PROVIDED

**Total Contributing Impervious Acres for Dry Well (I-3)**  
NONE PROVIDED

**Total Contributing Impervious Acres for Underground Infiltration System (I-4)**  
NONE PROVIDED

**Total Contributing Impervious Acres for Bioretention (F-5)**  
NONE PROVIDED

**Total Contributing Impervious Acres for Dry Swale (O-1)**  
1.2

#### **Standard SMPs**

---

**Total Contributing Impervious Acres for Micropool Extended Detention (P-1)**  
NONE PROVIDED

**Total Contributing Impervious Acres for Wet Pond (P-2)**  
NONE PROVIDED

**Total Contributing Impervious Acres for Wet Extended Detention (P-3)**  
NONE PROVIDED

**Total Contributing Impervious Acres for Multiple Pond System (P-4)**  
NONE PROVIDED

**Total Contributing Impervious Acres for Pocket Pond (P-5)**  
NONE PROVIDED

**Total Contributing Impervious Acres for Surface Sand Filter (F-1)**  
NONE PROVIDED

**Total Contributing Impervious Acres for Underground Sand Filter (F-2)**  
NONE PROVIDED

**Total Contributing Impervious Acres for Perimeter Sand Filter (F-3)**  
NONE PROVIDED

**Total Contributing Impervious Acres for Organic Filter (F-4)**  
NONE PROVIDED



**Total Contributing Impervious Acres for Shallow Wetland (W-1)**

NONE PROVIDED

**Total Contributing Impervious Acres for Extended Detention Wetland (W-2)**

NONE PROVIDED

**Total Contributing Impervious Acres for Pond/Wetland System (W-3)**

NONE PROVIDED

**Total Contributing Impervious Acres for Pocket Wetland (W-4)**

NONE PROVIDED

**Total Contributing Impervious Acres for Wet Swale (O-2)**

NONE PROVIDED

**Alternative SMPs (DO NOT INCLUDE PRACTICES BEING USED FOR PRETREATMENT ONLY)**

---

**Total Contributing Impervious Area for Hydrodynamic**

NONE PROVIDED

**Total Contributing Impervious Area for Wet Vault**

NONE PROVIDED

**Total Contributing Impervious Area for Media Filter**

NONE PROVIDED

**"Other" Alternative SMP?**

NONE PROVIDED

**Total Contributing Impervious Area for "Other"**

NONE PROVIDED

**Provide the name and manufacturer of the alternative SMPs (i.e. proprietary practice(s)) being used for WQv treatment.**

**Note: Redevelopment projects which do not use RR techniques, shall use questions 28, 29, 33 and 33a to provide SMPs used, total WQv required and total WQv provided for the project.**

**Manufacturer of Alternative SMP**

NONE PROVIDED

**Name of Alternative SMP**

NONE PROVIDED

**Other Permits**



**40. Identify other DEC permits, existing and new, that are required for this project/facility.**

None

**If SPDES Multi-Sector GP, then give permit ID**

NONE PROVIDED

**If Other, then identify**

NONE PROVIDED

**41. Does this project require a US Army Corps of Engineers Wetland Permit?**

No

**If "Yes," then indicate Size of Impact, in acres, to the nearest tenth**

NONE PROVIDED

**42. If this NOI is being submitted for the purpose of continuing or transferring coverage under a general permit for stormwater runoff from construction activities, please indicate the former SPDES number assigned.**

NONE PROVIDED

## **MS4 SWPPP Acceptance**

**43. Is this project subject to the requirements of a regulated, traditional land use control MS4?**

No

**If No, skip question 44****44. Has the "MS4 SWPPP Acceptance" form been signed by the principal executive officer or ranking elected official and submitted along with this NOI?**

NONE PROVIDED

**MS4 SWPPP Acceptance Form Download**

Download form from the link below. Complete, sign, and upload.

[MS4 SWPPP Acceptance Form](#)

**MS4 Acceptance Form Upload**

NONE PROVIDED

**Comment**

NONE PROVIDED

## **Owner/Operator Certification**

**Owner/Operator Certification Form Download**

Download the certification form by clicking the link below. Complete, sign, scan, and upload the form.



[Owner/Operator Certification Form \(PDF, 45KB\)](#)

### Upload Owner/Operator Certification Form

NONE PROVIDED

#### Comment

NONE PROVIDED

## Attachments

---

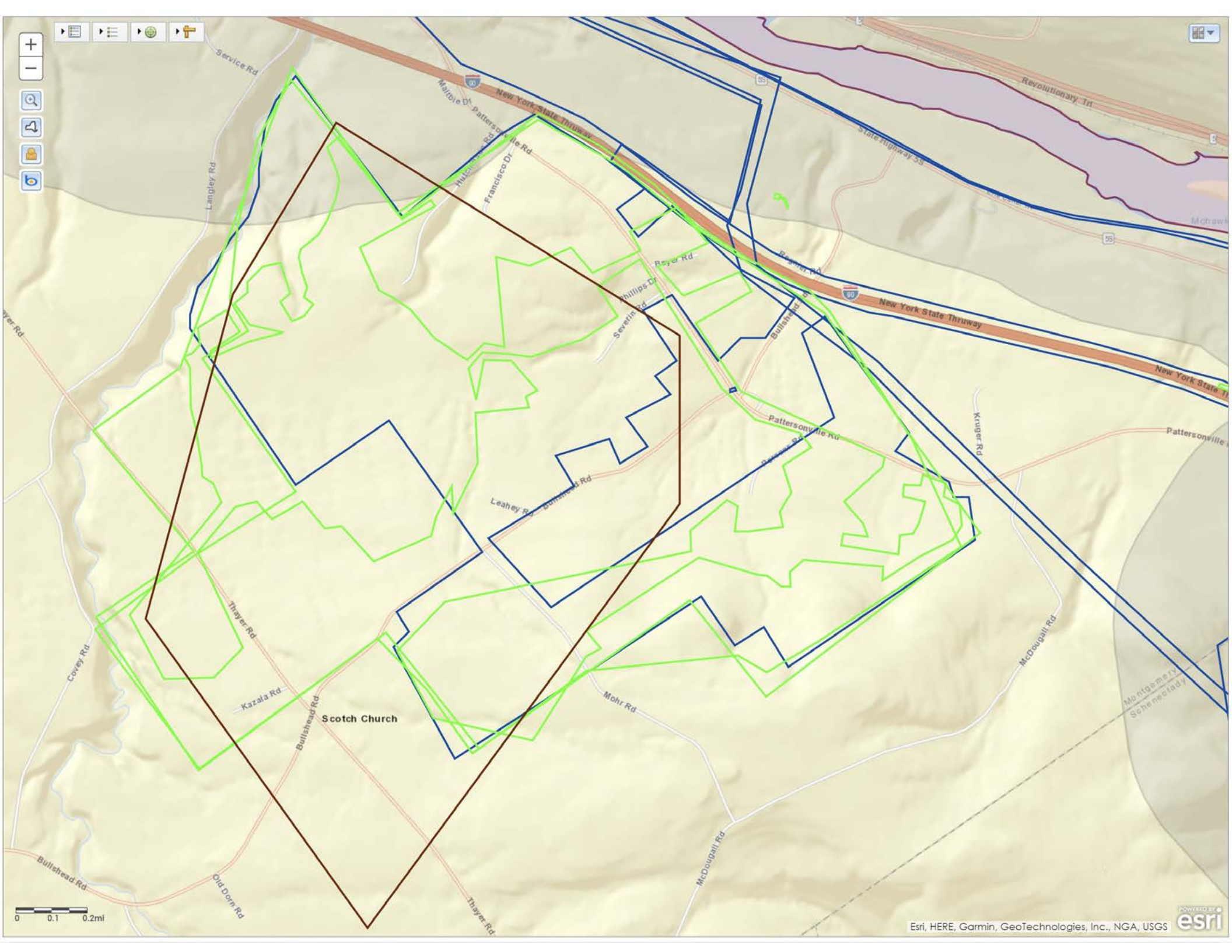
Date	Attachment Name	Context	User
6/20/2022 3:52 PM	SWPPP Preparer Certification Form - Signed.pdf	Attachment	CHRISTOPHER LONGO



## Appendix B

### OPRHP Correspondence





Map navigation controls including zoom in (+), zoom out (-), full screen, and other standard map interface elements.

0 0.1 0.2mi

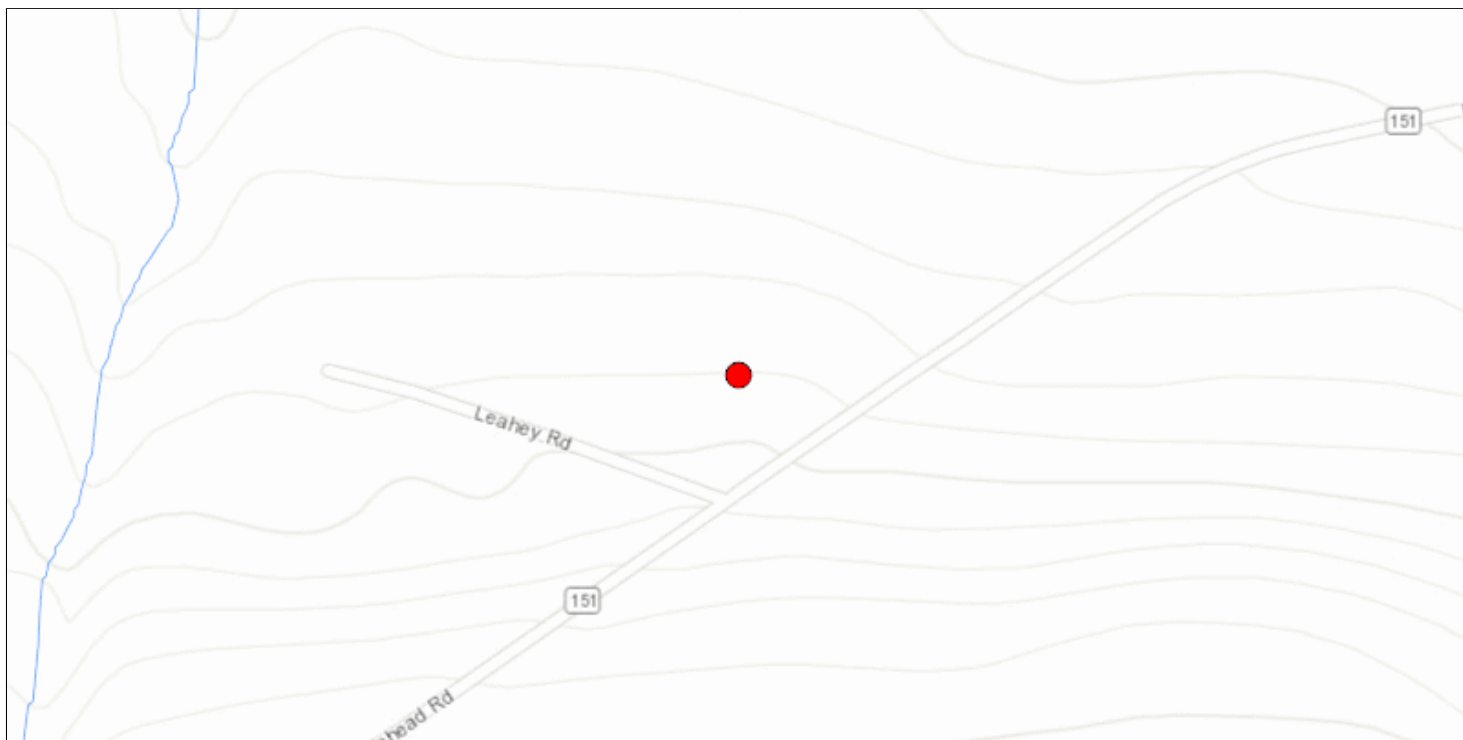


## Appendix C

### T&E Correspondence



# Environmental Resource Mapper



The coordinates of the point you clicked on are:

UTM 18	Easting:	570103.8935183244	Northing:	4749369.042330708
Longitude/Latitude	Longitude:	-74.14140021777989	Latitude:	42.89371801252464

The approximate address of the point you clicked on is:

1001-1001 Bullshead Rd, Amsterdam, New York, 12010

**County:** Montgomery

**Town:** Florida

**USGS Quad:** AMSTERDAM

If your project or action is within or near an area with a rare animal, a permit may be required if the species is listed as endangered or threatened and the department determines the action may be harmful to the species or its habitat.

If your project or action is within or near an area with rare plants and/or significant natural communities, the environmental impacts may need to be addressed.

The presence of a unique geological feature or landform near a project, unto itself, does not trigger a requirement for a NYS DEC permit. Readers are advised, however, that there is the chance that a unique feature may also show in another data layer (ie. a wetland) and thus be subject to permit jurisdiction.

Please refer to the "Need a Permit?" tab for permit information or other authorizations regarding these natural resources.

**Disclaimer:** If you are considering a project or action in, or near, a wetland or a stream, a NYS DEC permit may be required. The Environmental Resources Mapper does not show all natural resources which are regulated by NYS DEC, and for which permits from NYS DEC are required. For example, Regulated Tidal Wetlands, and Wild, Scenic, and Recreational Rivers, are currently not included on the maps.

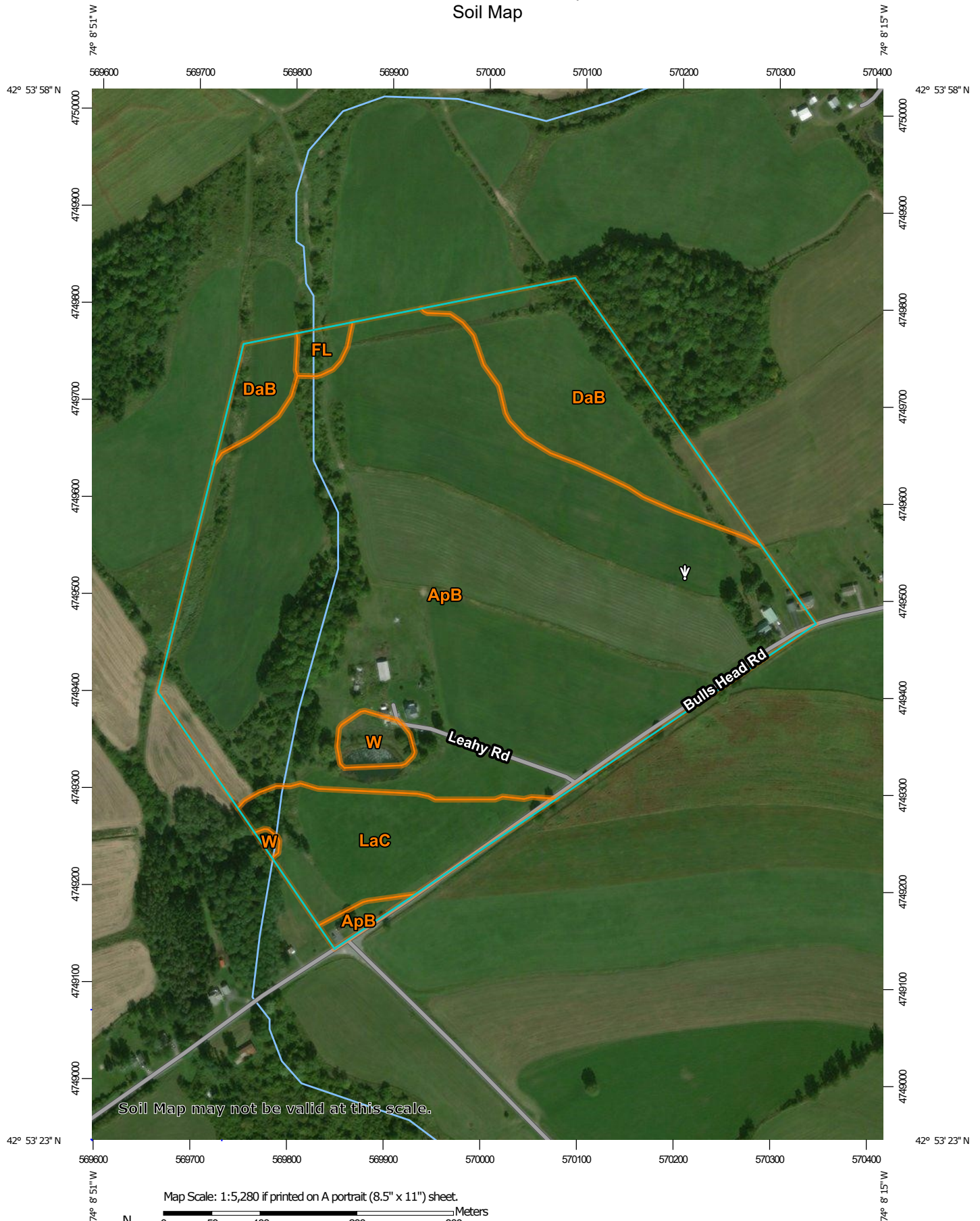


## Appendix D

### Maps & Figures



# Custom Soil Resource Report Soil Map





# Custom Soil Resource Report


## MAP LEGEND


### Area of Interest (AOI)

 Area of Interest (AOI)

### Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

### Special Point Features

 Blowout

 Borrow Pit

 Clay Spot

 Closed Depression

 Gravel Pit

 Gravelly Spot

 Landfill

 Lava Flow

 Marsh or swamp

 Mine or Quarry

 Miscellaneous Water

 Perennial Water

 Rock Outcrop


 Saline Spot

 Sandy Spot

 Severely Eroded Spot

 Sinkhole

 Slide or Slip

 Sodic Spot

 Spoil Area

 Stony Spot

 Very Stony Spot

 Wet Spot

 Other

 Special Line Features

### Water Features

 Streams and Canals

### Transportation

 Rails

 Interstate Highways

 US Routes

 Major Roads

 Local Roads

### Background

 Aerial Photography

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Montgomery County, New York  
Survey Area Data: Version 19, Aug 29, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 7, 2013—Nov 9, 2016

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.



## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
ApB	Appleton silt loam, 3 to 8 percent slopes	53.0	74.9%
DaB	Darien silt loam, 3 to 8 percent slopes	9.9	14.0%
FL	Fluvaquents, loamy	0.6	0.8%
LaC	Lansing silt loam, 8 to 15 percent slopes	6.3	8.8%
W	Water	1.0	1.4%
<b>Totals for Area of Interest</b>		<b>70.8</b>	<b>100.0%</b>

## Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.



## Custom Soil Resource Report

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.



## Montgomery County, New York

### ApB—Appleton silt loam, 3 to 8 percent slopes

#### Map Unit Setting

*National map unit symbol:* 2w5ht  
*Elevation:* 260 to 1,740 feet  
*Mean annual precipitation:* 31 to 57 inches  
*Mean annual air temperature:* 41 to 50 degrees F  
*Frost-free period:* 100 to 190 days  
*Farmland classification:* Prime farmland if drained

#### Map Unit Composition

*Appleton and similar soils:* 80 percent  
*Minor components:* 20 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Appleton

##### Setting

*Landform:* Drumlins, ridges, till plains  
*Landform position (two-dimensional):* Footslope  
*Landform position (three-dimensional):* Base slope  
*Down-slope shape:* Concave  
*Across-slope shape:* Linear  
*Parent material:* Calcareous loamy lodgment till derived from limestone, sandstone, and shale

##### Typical profile

*Ap - 0 to 8 inches:* silt loam  
*E - 8 to 16 inches:* loam  
*Bt - 16 to 30 inches:* gravelly silt loam  
*C1 - 30 to 54 inches:* gravelly loam  
*C2 - 54 to 79 inches:* gravelly loam

##### Properties and qualities

*Slope:* 3 to 8 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Somewhat poorly drained  
*Runoff class:* Very high  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to moderately high (0.01 to 1.42 in/hr)  
*Depth to water table:* About 6 to 18 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum content:* 40 percent  
*Available water supply, 0 to 60 inches:* Moderate (about 8.4 inches)

##### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 3w  
*Hydrologic Soil Group:* B/D  
*Ecological site:* F101XY013NY - Moist Till  
*Hydric soil rating:* No



## Minor Components

### Conesus

*Percent of map unit:* 7 percent  
*Landform:* Drumlins, hills, till plains  
*Landform position (two-dimensional):* Summit, shoulder  
*Landform position (three-dimensional):* Crest  
*Down-slope shape:* Linear  
*Across-slope shape:* Convex  
*Hydric soil rating:* No

### Lyons

*Percent of map unit:* 5 percent  
*Landform:* Depressions, drainageways  
*Landform position (two-dimensional):* Toeslope  
*Landform position (three-dimensional):* Base slope  
*Down-slope shape:* Concave  
*Across-slope shape:* Concave  
*Hydric soil rating:* Yes

### Darien

*Percent of map unit:* 4 percent  
*Landform:* Till plains, drainageways  
*Landform position (two-dimensional):* Footslope, summit  
*Landform position (three-dimensional):* Base slope  
*Down-slope shape:* Concave  
*Across-slope shape:* Linear  
*Hydric soil rating:* No

### Churchville

*Percent of map unit:* 4 percent  
*Landform:* Lake plains, till plains  
*Landform position (two-dimensional):* Footslope  
*Landform position (three-dimensional):* Base slope, rise, talf  
*Down-slope shape:* Concave  
*Across-slope shape:* Linear  
*Hydric soil rating:* No

## DaB—Darien silt loam, 3 to 8 percent slopes

### Map Unit Setting

*National map unit symbol:* 9tph  
*Elevation:* 300 to 1,250 feet  
*Mean annual precipitation:* 38 to 44 inches  
*Mean annual air temperature:* 45 to 48 degrees F  
*Frost-free period:* 110 to 170 days  
*Farmland classification:* Prime farmland if drained

### Map Unit Composition

*Darien and similar soils:* 75 percent



## Custom Soil Resource Report

*Minor components: 25 percent*

*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Darien

#### Setting

*Landform:* Drumlinoid ridges, hills, till plains

*Landform position (two-dimensional):* Summit, footslope

*Landform position (three-dimensional):* Base slope

*Down-slope shape:* Concave

*Across-slope shape:* Linear

*Parent material:* Loamy till derived predominantly from calcareous gray shale

#### Typical profile

*H1 - 0 to 7 inches:* silt loam

*H2 - 7 to 10 inches:* silt loam

*H3 - 10 to 31 inches:* channery silty clay loam

*H4 - 31 to 60 inches:* channery silty clay loam

#### Properties and qualities

*Slope:* 3 to 8 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Somewhat poorly drained

*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to moderately high (0.06 to 0.20 in/hr)

*Depth to water table:* About 6 to 12 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Calcium carbonate, maximum content:* 15 percent

*Available water supply, 0 to 60 inches:* Moderate (about 7.3 inches)

#### Interpretive groups

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 3w

*Hydrologic Soil Group:* C/D

*Ecological site:* F101XY013NY - Moist Till

*Hydric soil rating:* No

### Minor Components

#### Rhinebeck

*Percent of map unit:* 5 percent

*Hydric soil rating:* No

#### Churchville

*Percent of map unit:* 5 percent

*Hydric soil rating:* No

#### Ilion

*Percent of map unit:* 5 percent

*Landform:* Depressions

*Hydric soil rating:* Yes

#### Madalin

*Percent of map unit:* 5 percent

*Landform:* Depressions

*Hydric soil rating:* Yes



**Burdett**

*Percent of map unit: 5 percent*

*Hydric soil rating: No*

**FL—Fluvaquents, loamy**

**Map Unit Setting**

*National map unit symbol: 9tpl*

*Elevation: 300 to 1,800 feet*

*Mean annual precipitation: 38 to 44 inches*

*Mean annual air temperature: 45 to 48 degrees F*

*Frost-free period: 110 to 170 days*

*Farmland classification: Not prime farmland*

**Map Unit Composition**

*Fluvaquents and similar soils: 75 percent*

*Minor components: 25 percent*

*Estimates are based on observations, descriptions, and transects of the mapunit.*

**Description of Fluvaquents**

**Setting**

*Landform: Flood plains*

*Landform position (two-dimensional): Toeslope*

*Landform position (three-dimensional): Dip*

*Down-slope shape: Concave*

*Across-slope shape: Concave*

*Parent material: Alluvium with highly variable texture*

**Typical profile**

*H1 - 0 to 5 inches: gravelly silt loam*

*H2 - 5 to 70 inches: very gravelly silt loam*

**Properties and qualities**

*Slope: 0 to 2 percent*

*Depth to restrictive feature: More than 80 inches*

*Drainage class: Poorly drained*

*Capacity of the most limiting layer to transmit water (Ksat): Moderately low to very high (0.06 to 19.98 in/hr)*

*Depth to water table: About 0 to 12 inches*

*Frequency of flooding: NoneFrequent*

*Frequency of ponding: Frequent*

*Calcium carbonate, maximum content: 15 percent*

*Available water supply, 0 to 60 inches: Moderate (about 6.1 inches)*

**Interpretive groups**

*Land capability classification (irrigated): None specified*

*Land capability classification (nonirrigated): 5w*

*Hydrologic Soil Group: B/D*

*Hydric soil rating: Yes*



## Minor Components

### Wayland

*Percent of map unit:* 5 percent

*Landform:* Flood plains

*Hydric soil rating:* Yes

### Teel

*Percent of map unit:* 5 percent

*Hydric soil rating:* No

### Granby

*Percent of map unit:* 5 percent

*Landform:* Depressions

*Hydric soil rating:* Yes

### Hamlin

*Percent of map unit:* 5 percent

*Hydric soil rating:* No

### Saprists

*Percent of map unit:* 3 percent

*Landform:* Marshes, swamps

*Hydric soil rating:* Yes

### Aquents

*Percent of map unit:* 2 percent

*Landform:* Flood plains

*Hydric soil rating:* Yes

## LaC—Lansing silt loam, 8 to 15 percent slopes

### Map Unit Setting

*National map unit symbol:* 2w3mh

*Elevation:* 330 to 2,130 feet

*Mean annual precipitation:* 31 to 57 inches

*Mean annual air temperature:* 41 to 50 degrees F

*Frost-free period:* 100 to 190 days

*Farmland classification:* Farmland of statewide importance

### Map Unit Composition

*Lansing and similar soils:* 85 percent

*Minor components:* 15 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Lansing

#### Setting

*Landform:* Drumlins, hills, till plains

*Landform position (two-dimensional):* Summit, shoulder, backslope

*Landform position (three-dimensional):* Side slope, crest



## Custom Soil Resource Report

*Down-slope shape:* Convex  
*Across-slope shape:* Convex  
*Parent material:* Calcareous loamy lodgment till derived from limestone, sandstone, and shale

### Typical profile

*Ap - 0 to 8 inches:* silt loam  
*E - 8 to 13 inches:* gravelly silt loam  
*Bt/E - 13 to 21 inches:* gravelly silt loam  
*Bt1 - 21 to 28 inches:* gravelly silt loam  
*Bt2 - 28 to 39 inches:* gravelly silt loam  
*C - 39 to 79 inches:* gravelly loam

### Properties and qualities

*Slope:* 8 to 15 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Well drained  
*Runoff class:* Medium  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to moderately high (0.01 to 1.42 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum content:* 40 percent  
*Available water supply, 0 to 60 inches:* Moderate (about 8.2 inches)

### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 3e  
*Hydrologic Soil Group:* B  
*Ecological site:* F101XY012NY - Till Upland  
*Hydric soil rating:* No

### Minor Components

#### Conesus

*Percent of map unit:* 8 percent  
*Landform:* Drumlins, hills, till plains  
*Landform position (two-dimensional):* Summit, shoulder  
*Landform position (three-dimensional):* Crest  
*Down-slope shape:* Linear  
*Across-slope shape:* Convex  
*Hydric soil rating:* No

#### Kendaia

*Percent of map unit:* 3 percent  
*Landform:* Drumlins, till plains  
*Landform position (two-dimensional):* Footslope  
*Landform position (three-dimensional):* Base slope  
*Down-slope shape:* Concave  
*Across-slope shape:* Linear  
*Hydric soil rating:* No

#### Appleton

*Percent of map unit:* 2 percent  
*Landform:* Drumlins, till plains  
*Landform position (two-dimensional):* Footslope



## Custom Soil Resource Report

*Landform position (three-dimensional):* Base slope  
*Down-slope shape:* Concave  
*Across-slope shape:* Linear  
*Hydric soil rating:* No

### **Danley**

*Percent of map unit:* 1 percent  
*Landform:* Drumlinoid ridges, hills, till plains  
*Landform position (two-dimensional):* Summit  
*Landform position (three-dimensional):* Crest  
*Down-slope shape:* Convex  
*Across-slope shape:* Convex  
*Hydric soil rating:* No

### **Wassaic**

*Percent of map unit:* 1 percent  
*Landform:* Benches, ridges, till plains  
*Landform position (two-dimensional):* Summit  
*Landform position (three-dimensional):* Crest  
*Down-slope shape:* Convex  
*Across-slope shape:* Convex  
*Hydric soil rating:* No

## **W—Water**

### **Map Unit Setting**

*National map unit symbol:* 9tsc  
*Mean annual precipitation:* 38 to 44 inches  
*Mean annual air temperature:* 45 to 48 degrees F  
*Frost-free period:* 110 to 170 days  
*Farmland classification:* Not prime farmland

### **Map Unit Composition**

*Water:* 100 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*



Appendix E

O & M Manual



# Operation & Maintenance Manual

For  
Hutchison Harvest  
Stormwater Management Facilities  
At  
124 Leahey Road  
Amsterdam, NY 12010

## Site Information

The subject project is the construction of a Farm Products Plant (Slaughter House) comprising one (1) structure, loading dock, driveway, and associated parking. The subject site is located at 124 Leahey Road in the Town of Florida, NY. and approximately 7.13± acres. The property is identified by Tax Map # 88.00-1-13.

## Engineer of Record

Empire Engineering, PLLC  
1900 Duanesburg Road  
Duanesburg, NY 12056  
Contact: Christopher Longo, PE  
Phone: (518) 858-4117

## Construction Phase

### Submittals

The shop drawing design plans for all structures shall be reviewed by a NYS Licensed Professional Engineer. Specification sheets for all pipe materials and particle analyses for all aggregate to be used on site shall also be approved by the Engineer. Shop drawing and/or submittal approvals will be distributed to the owner and the contractor. No unit shall be constructed without having the Engineer's approval.

### Inspections

The Engineer shall inspect and document the installation of any structure, pipe, controlled fill and stormwater management feature. Inspections shall include documentation of the subsurface conditions and/or the soil profile including material thickness. It is the owner's responsibility to contact the engineer to witness construction. Failure to do so may result in the facility not being certified. Additional lab or field geotechnical tests may be specified by the inspecting Engineer to verify conformance with the plans. Such test would be at the owner's expense.

### Certifications

The inspecting Engineer shall issue a daily work report to the owner for each occurrence that construction is witnessed. The Engineer shall issue a letter of approval certifying stormwater components which they have witnessed and found to be in conformance with the plans, shop drawings, and any supplemental documents. If any modifications are made to the plans or stormwater facilities the Engineer shall document such in their certification.



## Operation & Maintenance

### Recordkeeping

The owner/operation shall keep and maintain all Plans, SWPPP documents, inspection reports, and certifications generated during design and construction. These plans and reports shall be readily accessible for use by any interested party.

### Inspections

The owner should check the condition of all devices after each rainfall event for the first 30 days. Issues should be identified such as blockages or obstructions within the inlet or outlet. The owner should also inspect for accumulating sediment and conditions of slopes and embankments.

A comprehensive inspection should be completed at the end of construction in accordance with the enclosed inspection form. During operation, the owner should continue to routinely inspect all stormwater devices weekly during the rainy season. Each device should be thoroughly inspected annually. A frequency of cleaning should be determined based on the inspection findings.

### Maintenance

The owner shall maintain all stormwater devices in perpetuity. Routine maintenance should be scheduled at least annually and should address any issues identified during inspection. The enclosed maintenance checklists should be utilized for each device.

### Emergency Action Plan

In the event of an emergency condition resulting from extreme weather or a structural failure, the owner shall be contacted immediately. The local Town officials and emergency response authorities should be contacted if there is immediate danger. If the failure does not pose an immediate threat to the health or welfare of the subject adjacent properties, the engineer of record should be contacted to determine potential remedies.



## Construction Inspection Checklists



## Stormwater/Wetland Pond Construction Inspection Checklist

Project:

Location:

Site Status:

Date:

Time:

Inspector:

CONSTRUCTION SEQUENCE	SATISFACTORY/ UNSATISFACTORY	COMMENTS
<b>Pre-Construction/Materials and Equipment</b>		
Pre-construction meeting		
Pipe and appurtenances on-site prior to construction and dimensions checked		
1. Material (including protective coating, if specified)		
2. Diameter		
3. Dimensions of metal riser or pre-cast concrete outlet structure		
4. Required dimensions between water control structures (orifices, weirs, etc.) are in accordance with approved plans		
5. Barrel stub for prefabricated pipe structures at proper angle for design barrel slope		
6. Number and dimensions of prefabricated anti-seep collars		
7. Watertight connectors and gaskets		
8. Outlet drain valve		
Project benchmark near pond site		
Equipment for temporary de-watering		



CONSTRUCTION SEQUENCE	SATISFACTORY/ UNSATISFACTORY	COMMENTS
<b>2. Subgrade Preparation</b>		
Area beneath embankment stripped of all vegetation, topsoil, and organic matter		
<b>3. Pipe Spillway Installation</b>		
Method of installation detailed on plans		
<b>A. Bed preparation</b>		
Installation trench excavated with specified side slopes		
Stable, uniform, dry subgrade of relatively impervious material (If subgrade is wet, contractor shall have defined steps before proceeding with installation)		
Invert at proper elevation and grade		
<b>B. Pipe placement</b>		
Metal / plastic pipe		
1. Watertight connectors and gaskets properly installed		
2. Anti-seep collars properly spaced and having watertight connections to pipe		
3. Backfill placed and tamped by hand under “haunches” of pipe		
4. Remaining backfill placed in max. 8 inch lifts using small power tamping equipment until 2 feet cover over pipe is reached		



CONSTRUCTION SEQUENCE	SATISFACTORY/ UNSATISFACTORY	COMMENTS
<b>3. Pipe Spillway Installation</b>		
Concrete pipe		
1. Pipe set on blocks or concrete slab for pouring of low cradle		
2. Pipe installed with rubber gasket joints with no spalling in gasket interface area		
3. Excavation for lower half of anti-seep collar(s) with reinforcing steel set		
4. Entire area where anti-seep collar(s) will come in contact with pipe coated with mastic or other approved waterproof sealant		
5. Low cradle and bottom half of anti-seep collar installed as monolithic pour and of an approved mix		
6. Upper half of anti-seep collar(s) formed with reinforcing steel set		
7. Concrete for collar of an approved mix and vibrated into place (protected from freezing while curing, if necessary)		
8. Forms stripped and collar inspected for honeycomb prior to backfilling. Parge if necessary.		
<b>C. Backfilling</b>		
Fill placed in maximum 8 inch lifts		
Backfill taken minimum 2 feet above top of anti-seep collar elevation before traversing with heavy equipment		



CONSTRUCTION SEQUENCE	SATISFACTORY/ UNSATISFACTORY	COMMENTS
<b>4. Riser / Outlet Structure Installation</b>		
Riser located within embankment		
<b>A. Metal riser</b>		
Riser base excavated or formed on stable subgrade to design dimensions		
Set on blocks to design elevations and plumbed		
Reinforcing bars placed at right angles and projecting into sides of riser		
Concrete poured so as to fill inside of riser to invert of barrel		
<b>B. Pre-cast concrete structure</b>		
Dry and stable subgrade		
Riser base set to design elevation		
If more than one section, no spalling in gasket interface area; gasket or approved caulking material placed securely		
Watertight and structurally sound collar or gasket joint where structure connects to pipe spillway		
<b>C. Poured concrete structure</b>		
Footing excavated or formed on stable subgrade, to design dimensions with reinforcing steel set		
Structure formed to design dimensions, with reinforcing steel set as per plan		
Concrete of an approved mix and vibrated into place (protected from freezing while curing, if necessary)		
Forms stripped & inspected for "honeycomb" prior to backfilling; parge if necessary		



CONSTRUCTION SEQUENCE	SATISFACTORY/ UNSATISFACTORY	COMMENTS
<b>5. Embankment Construction</b>		
Fill material		
Compaction		
Embankment		
1. Fill placed in specified lifts and compacted with appropriate equipment		
2. Constructed to design cross-section, side slopes and top width		
3. Constructed to design elevation plus allowance for settlement		
<b>6. Impounded Area Construction</b>		
Excavated / graded to design contours and side slopes		
Inlet pipes have adequate outfall protection		
Forebay(s)		
Pond benches		
<b>7. Earth Emergency Spillway Construction</b>		
Spillway located in cut or structurally stabilized with riprap, gabions, concrete, etc.		
Excavated to proper cross-section, side slopes and bottom width		
Entrance channel, crest, and exit channel constructed to design grades and elevations		



CONSTRUCTION SEQUENCE	SATISFACTORY / UNSATISFACTORY	COMMENTS
<b>8. Outlet Protection</b>		
A. End section		
Securely in place and properly backfilled		
B. Endwall		
Footing excavated or formed on stable subgrade, to design dimensions and reinforcing steel set, if specified		
Endwall formed to design dimensions with reinforcing steel set as per plan		
Concrete of an approved mix and vibrated into place (protected from freezing, if necessary)		
Forms stripped and structure inspected for "honeycomb" prior to backfilling; parge if necessary		
C. Riprap apron / channel		
Apron / channel excavated to design cross-section with proper transition to existing ground		
Filter fabric in place		
Stone sized as per plan and uniformly place at the thickness specified		
<b>9. Vegetative Stabilization</b>		
Approved seed mixture or sod		
Proper surface preparation and required soil amendments		
Excelsior mat or other stabilization, as per plan		



CONSTRUCTION SEQUENCE	SATISFACTORY/ UNSATISFACTORY	COMMENTS
<b>10. Miscellaneous</b>		
Drain for ponds having a permanent pool		
Trash rack / anti-vortex device secured to outlet structure		
Trash protection for low flow pipes, orifices, etc.		
Fencing (when required)		
Access road		
Set aside for clean-out maintenance		
<b>11. Stormwater Wetlands</b>		
Adequate water balance		
Variety of depth zones present		
Approved pondscaping plan in place Reinforcement budget for additional plantings		
Plants and materials ordered 6 months prior to construction		
Construction planned to allow for adequate planting and establishment of plant community (April-June planting window)		
Wetland buffer area preserved to maximum extent possible		

**Comments:**


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**Actions to be Taken:**

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## Open Channel System Construction Inspection Checklist

Project:  
 Location:  
 Site Status:

Date:

Time:

Inspector:

CONSTRUCTION SEQUENCE	SATISFACTORY / UNSATISFACTORY	COMMENTS
<b>1. Pre-Construction</b>		
Pre-construction meeting		
Runoff diverted		
Facility location staked out		
<b>2. Excavation</b>		
Size and location		
Side slope stable		
Soil permeability		
Groundwater / bedrock		
Lateral slopes completely level		
Longitudinal slopes within design range		
Excavation does not compact subsoils		
<b>3. Check dams</b>		
Dimensions		
Spacing		
Materials		



CONSTRUCTION SEQUENCE	SATISFACTORY / UNSATISFACTORY	COMMENTS
<b>4. Structural Components</b>		
Underdrain installed correctly		
Inflow installed correctly		
Pretreatment devices installed		
<b>5. Vegetation</b>		
Complies with planting specifications		
Topsoil adequate in composition and placement		
Adequate erosion control measures in place		
<b>6. Final inspection</b>		
Dimensions		
Check dams		
Proper outlet		
Effective stand of vegetation and stabilization		
Contributing watershed stabilized before flow is routed to the facility		

Comments:

[illegible]



### Actions to be Taken:

[illegible]



## Maintenance Inspection Checklists



## Stormwater Pond/Wetland Operation, Maintenance and Management Inspection Checklist

Project \_\_\_\_\_  
 Location: \_\_\_\_\_  
 Site Status: \_\_\_\_\_  
  
 Date: \_\_\_\_\_  
 Time: \_\_\_\_\_  
  
 Inspector: \_\_\_\_\_

Maintenance Item	Satisfactory/ Unsatisfactory	Comments
<b>1. Embankment and emergency spillway (Annual, After Major Storms)</b>		
1. Vegetation and ground cover adequate		
2. Embankment erosion		
3. Animal burrows		
4. Unauthorized planting		
5. Cracking, bulging, or sliding of dam		
a. Upstream face		
b. Downstream face		
c. At or beyond toe		
downstream		
upstream		
d. Emergency spillway		
6. Pond, toe & chimney drains clear and functioning		
7. Seeps/leaks on downstream face		
8. Slope protection or riprap failure		
9. Vertical/horizontal alignment of top of dam "As-Built"		



Maintenance Item	Satisfactory/ Unsatisfactory	Comments
10. Emergency spillway clear of obstructions and debris		
11. Other (specify)		
<b>2. Riser and principal spillway (Annual)</b>		
Type: Reinforced concrete _____ Corrugated pipe _____ Masonry _____		
1. Low flow orifice obstructed		
2. Low flow trash rack. a. Debris removal necessary		
b. Corrosion control		
3. Weir trash rack maintenance a. Debris removal necessary		
b. corrosion control		
4. Excessive sediment accumulation insider riser		
5. Concrete/masonry condition riser and barrels a. cracks or displacement		
b. Minor spalling (<1" )		
c. Major spalling (rebars exposed)		
d. Joint failures		
e. Water tightness		
6. Metal pipe condition		
7. Control valve a. Operational/exercised		
b. Chained and locked		
8. Pond drain valve a. Operational/exercised		
b. Chained and locked		
9. Outfall channels functioning		
10. Other (specify)		



Maintenance Item	Satisfactory/ Unsatisfactory	Comments
<b>3. Permanent Pool (Wet Ponds) (monthly)</b>		
1. Undesirable vegetative growth		
2. Floating or floatable debris removal required		
3. Visible pollution		
4. Shoreline problem		
5. Other (specify)		
<b>4. Sediment Forebays</b>		
1. Sedimentation noted		
2. Sediment cleanout when depth < 50% design depth		
<b>5. Dry Pond Areas</b>		
1. Vegetation adequate		
2. Undesirable vegetative growth		
3. Undesirable woody vegetation		
4. Low flow channels clear of obstructions		
5. Standing water or wet spots		
6. Sediment and / or trash accumulation		
7. Other (specify)		
<b>6. Condition of Outfalls (Annual , After Major Storms)</b>		
1. Riprap failures		
2. Slope erosion		
3. Storm drain pipes		
4. Endwalls / Headwalls		
5. Other (specify)		
<b>7. Other (Monthly)</b>		
1. Encroachment on pond, wetland or easement area		



Maintenance Item	Satisfactory/ Unsatisfactory	Comments
2. Complaints from residents		
3. Aesthetics		
a. Grass growing required		
b. Graffiti removal needed		
c. Other (specify)		
4. Conditions of maintenance access routes.		
5. Signs of hydrocarbon build-up		
6. Any public hazards (specify)		
<b>8. Wetland Vegetation (Annual)</b>		
1. Vegetation healthy and growing Wetland maintaining 50% surface area coverage of wetland plants after the second growing season. (If unsatisfactory, reinforcement plantings needed)		
2. Dominant wetland plants: Survival of desired wetland plant species Distribution according to landscaping plan?		
3. Evidence of invasive species		
4. Maintenance of adequate water depths for desired wetland plant species		
5. Harvesting of emergent plantings needed		
6. Have sediment accumulations reduced pool volume significantly or are plants "choked" with sediment		
7. Eutrophication level of the wetland.		
8. Other (specify)		

**Comments:**

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**Actions to be Taken:**

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## Open Channel Operation, Maintenance, and Management Inspection Checklist

Project:  
Location:  
Site Status:

Date:

Time:

Inspector:

MAINTENANCE ITEM	SATISFACTORY/ UNSATISFACTORY	COMMENTS
<b>1. Debris Cleanout (Monthly)</b>		
Contributing areas clean of debris		
<b>2. Check Dams or Energy Dissipators (Annual, After Major Storms)</b>		
No evidence of flow going around structures		
No evidence of erosion at downstream toe		
Soil permeability		
Groundwater / bedrock		
<b>3. Vegetation (Monthly)</b>		
Mowing done when needed		
Minimum mowing depth not exceeded		
No evidence of erosion		
Fertilized per specification		
<b>4. Dewatering (Monthly)</b>		
Dewaters between storms		



MAINTENANCE ITEM	SATISFACTORY/ UNSATISFACTORY	COMMENTS
5. Sediment deposition (Annual)		
Clean of sediment		
6. Outlet/Overflow Spillway (Annual)		
Good condition, no need for repairs		
No evidence of erosion		

Comments:

Actions to be Taken:



## Appendix F

### Certifications





Department of  
Environmental  
Conservation

# SWPPP Preparer Certification Form

*SPDES General Permit for Stormwater  
Discharges From Construction Activity  
(GP-0-20-001)*

## Project Site Information

### Project/Site Name

Hutchison Harvest - Farm Products Plant

## Owner/Operator Information

### Owner/Operator (Company Name/Private Owner/Municipality Name)

Hutchison Harvest Inc.

## Certification Statement – SWPPP Preparer

I hereby certify that the Stormwater Pollution Prevention Plan (SWPPP) for this project has been prepared in accordance with the terms and conditions of the GP-0-20-001. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of this permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Christopher

First name

D

MI

Longo

Last Name

A handwritten signature in black ink, appearing to read "Chris Longo".

Signature

6/20/22

Date





# **Owner/Operator Certification Form**

## **SPDES General Permit For Stormwater Discharges From Construction Activity (GP-0-20-001)**

**Project/Site Name:** \_\_\_\_\_

**eNOI Submission Number:** \_\_\_\_\_

**eNOI Submitted by:**                      **Owner/Operator**                      **SWPPP Preparer**                      **Other**

### **Certification Statement - Owner/Operator**

I have read or been advised of the permit conditions and believe that I understand them. I also understand that, under the terms of the permit, there may be reporting requirements. I hereby certify that this document and the corresponding documents were prepared under my direction or supervision. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I further understand that coverage under the general permit will be identified in the acknowledgment that I will receive as a result of submitting this NOI and can be as long as sixty (60) business days as provided for in the general permit. I also understand that, by submitting this NOI, I am acknowledging that the SWPPP has been developed and will be implemented as the first element of construction, and agreeing to comply with all the terms and conditions of the general permit for which this NOI is being submitted.

Owner/Operator First Name

M.I.      Last Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



## Appendix G

### Existing Drainage Map & Analysis



## LEGEND

EXISTING PROPERTY LINE

USDA SOIL DESIGNATION



### GENERAL NOTES

1) MAP ENTITLED "MINOR TWO LOT SUBDIVISION, LANDS NOW OR FORMERLY OF ESTHER HUTCHISON AS TRUSTEE OF THE HUTCHISON FAMILY IRREVOCABLE TRUST PREPARED FOR HUTCHISON FARM LLC" AS PREPARED BY C.T.MALE ASSOCIATES DATED DECEMBER 28, 2021.

2) NORTH IS REFERENCED TO NAD 83 NEW YORK STATE PLANES EAST ZONE  
ELEVATIONS ARE BASED UPON NAVD 88 DATUM.

3) SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS OR RESTRICTION  
RECORDED OR UNRECORDED.

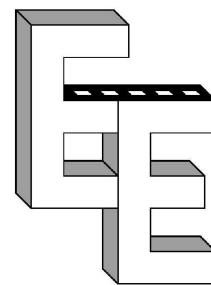
4) SUBJECT TO ANY STATEMENT OF FACT CONTAINED IN AN UP TO DATE  
ABSTRACT OF TITLE OR TITLE REPORT.

[illegible]

PRIOR TO ANY EARTH  
DISTURBANCE THE CONTRACTOR  
SHALL CALL IN A TICKET TO  
DIG SAFE NY AND OBTAIN A  
CLEAR TO DIG

IT IS A VIOLATION OF SECTION 7209 OF THE NYS EDUCATION LAW FOR ANY PERSON TO ALTER ANY ITEM ON THIS PLAN IN ANY WAY UNLESS HE/SHE IS ACTING UNDER THE DIRECT SUPERVISION OF A PROFESSIONAL ENGINEER.

CHRISTOPHER D. LONGO, PE  
N.Y.S. LIC. # 095840



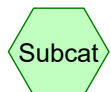
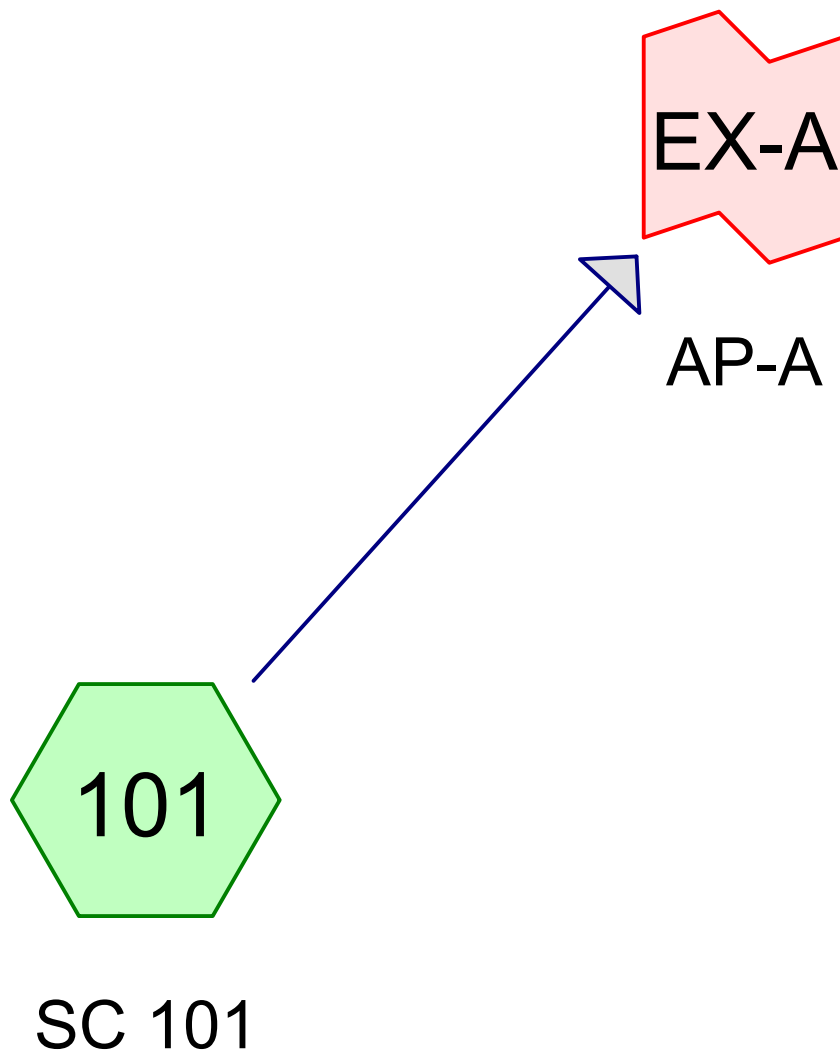
EMPIRE ENGINEERING, PLLC  
1900 DUANESBURG ROAD  
DUANESBURG, NY 12056  
PH: (518) 858-4117  
EMAIL: CLONGO@EMPIREENG.NET

## PROJECT

HUTCHISON HARVEST INC.  
124 LEAHEY ROAD  
TOWN OF FLORIDA  
AMSTERDAM, NY 12010

Title EXISTING DRAINAGE MAP	
Date 06/20/2022	Sheet
Scale 1"=50'	DR-1
Job# 22006	
1 OF 2	

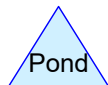




Subcat



Reach



Pond



Link

**Routing Diagram for 22006 HydroCAD EX**

Prepared by {enter your company name here}, Printed 6/20/2022  
HydroCAD® 10.00-19 s/n 09716 © 2016 HydroCAD Software Solutions LLC



## 22006 HydroCAD EX

Type II 24-hr 1-Yr Rainfall=2.18"

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Page 2

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

### Subcatchment 101: SC 101

Runoff Area=113,300 sf 0.00% Impervious Runoff Depth>0.61"

Flow Length=437' Slope=0.0690 '/' Tc=11.1 min CN=80 Runoff=2.48 cfs 0.131 af

### Link EX-A: AP-A

Inflow=2.48 cfs 0.131 af

Primary=2.48 cfs 0.131 af

**Total Runoff Area = 2.601 ac Runoff Volume = 0.131 af Average Runoff Depth = 0.61"**  
**100.00% Pervious = 2.601 ac 0.00% Impervious = 0.000 ac**



**22006 HydroCAD EX**

Type II 24-hr 1-Yr Rainfall=2.18"

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Page 3

**Summary for Subcatchment 101: SC 101**

Runoff = 2.48 cfs @ 12.04 hrs, Volume= 0.131 af, Depth&gt; 0.61"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
Type II 24-hr 1-Yr Rainfall=2.18"

Area (sf)	CN	Description
113,300	80	>75% Grass cover, Good, HSG D
113,300		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
9.8	100	0.0690	0.17		<b>Sheet Flow, Sheet Flow</b>
					Grass: Dense n= 0.240 P2= 2.50"
1.3	337	0.0690	4.23		<b>Shallow Concentrated Flow, Shallow Conc Flow</b>
					Unpaved Kv= 16.1 fps
11.1	437	Total			

**Summary for Link EX-A: AP-A**

Inflow Area = 2.601 ac, 0.00% Impervious, Inflow Depth &gt; 0.61" for 1-Yr event

Inflow = 2.48 cfs @ 12.04 hrs, Volume= 0.131 af

Primary = 2.48 cfs @ 12.04 hrs, Volume= 0.131 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs



## 22006 HydroCAD EX

Type II 24-hr 10-Yr Rainfall=3.52"

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Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

### Subcatchment 101: SC 101

Runoff Area=113,300 sf 0.00% Impervious Runoff Depth>1.51"

Flow Length=437' Slope=0.0690 '/' Tc=11.1 min CN=80 Runoff=6.28 cfs 0.328 af

### Link EX-A: AP-A

Inflow=6.28 cfs 0.328 af

Primary=6.28 cfs 0.328 af

**Total Runoff Area = 2.601 ac Runoff Volume = 0.328 af Average Runoff Depth = 1.51"**  
**100.00% Pervious = 2.601 ac 0.00% Impervious = 0.000 ac**



**22006 HydroCAD EX**

Type II 24-hr 10-Yr Rainfall=3.52"

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**Summary for Subcatchment 101: SC 101**

Runoff = 6.28 cfs @ 12.03 hrs, Volume= 0.328 af, Depth&gt; 1.51"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
Type II 24-hr 10-Yr Rainfall=3.52"

Area (sf)	CN	Description
113,300	80	>75% Grass cover, Good, HSG D
113,300		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
9.8	100	0.0690	0.17		<b>Sheet Flow, Sheet Flow</b>
					Grass: Dense n= 0.240 P2= 2.50"
1.3	337	0.0690	4.23		<b>Shallow Concentrated Flow, Shallow Conc Flow</b>
					Unpaved Kv= 16.1 fps
11.1	437	Total			

**Summary for Link EX-A: AP-A**

Inflow Area = 2.601 ac, 0.00% Impervious, Inflow Depth &gt; 1.51" for 10-Yr event

Inflow = 6.28 cfs @ 12.03 hrs, Volume= 0.328 af

Primary = 6.28 cfs @ 12.03 hrs, Volume= 0.328 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs



## 22006 HydroCAD EX

Type II 24-hr 100-Yr Rainfall=5.77"

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Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN

Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

### Subcatchment 101: SC 101

Runoff Area=113,300 sf 0.00% Impervious Runoff Depth>3.32"

Flow Length=437' Slope=0.0690 '/' Tc=11.1 min CN=80 Runoff=13.43 cfs 0.719 af

### Link EX-A: AP-A

Inflow=13.43 cfs 0.719 af

Primary=13.43 cfs 0.719 af

**Total Runoff Area = 2.601 ac Runoff Volume = 0.719 af Average Runoff Depth = 3.32"**  
**100.00% Pervious = 2.601 ac 0.00% Impervious = 0.000 ac**



**22006 HydroCAD EX**

Type II 24-hr 100-Yr Rainfall=5.77"

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Page 7

**Summary for Subcatchment 101: SC 101**

Runoff = 13.43 cfs @ 12.03 hrs, Volume= 0.719 af, Depth&gt; 3.32"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
Type II 24-hr 100-Yr Rainfall=5.77"

Area (sf)	CN	Description
113,300	80	>75% Grass cover, Good, HSG D
113,300		100.00% Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
9.8	100	0.0690	0.17		<b>Sheet Flow, Sheet Flow</b>
					Grass: Dense n= 0.240 P2= 2.50"
1.3	337	0.0690	4.23		<b>Shallow Concentrated Flow, Shallow Conc Flow</b>
					Unpaved Kv= 16.1 fps
11.1	437	Total			

**Summary for Link EX-A: AP-A**

Inflow Area = 2.601 ac, 0.00% Impervious, Inflow Depth &gt; 3.32" for 100-Yr event

Inflow = 13.43 cfs @ 12.03 hrs, Volume= 0.719 af

Primary = 13.43 cfs @ 12.03 hrs, Volume= 0.719 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs



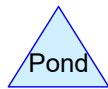
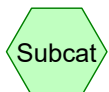
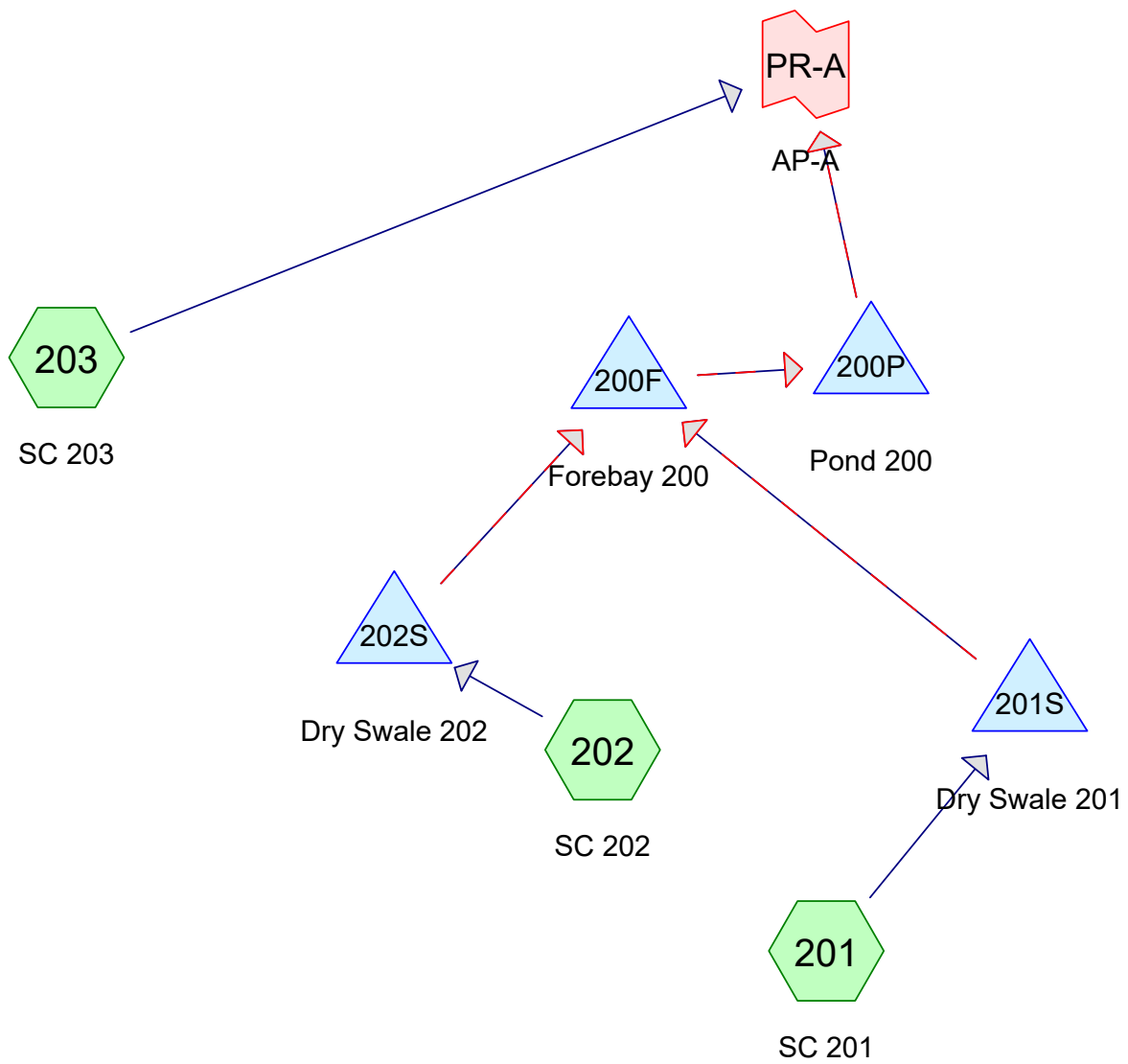
## Appendix H

### Proposed Drainage Map & Analysis



Title PROPOSED DRAINAGE PLAN	
Date 06/20/2022	Sheet
Scale 1"=50'	DR-2
Job# 22006	2 OF 2







**22006 HydroCAD PR***Type II 24-hr 1-Yr Rainfall=2.18"*

Prepared by {enter your company name here}

Printed 6/20/2022

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Page 2

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points  
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN  
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment201: SC 201**

Runoff Area=40,400 sf 41.46% Impervious Runoff Depth>0.96"  
Tc=6.0 min CN=87 Runoff=1.68 cfs 0.074 af

**Subcatchment202: SC 202**

Runoff Area=55,050 sf 65.12% Impervious Runoff Depth>1.30"  
Flow Length=200' Tc=6.0 min CN=92 Runoff=2.98 cfs 0.137 af

**Subcatchment203: SC 203**

Runoff Area=17,850 sf 0.00% Impervious Runoff Depth>0.61"  
Flow Length=400' Slope=0.0690 '/' Tc=11.0 min CN=80 Runoff=0.39 cfs 0.021 af

**Pond 200F: Forebay 200**

Peak Elev=678.34' Storage=1,185 cf Inflow=1.57 cfs 0.208 af  
Primary=1.57 cfs 0.185 af Secondary=0.00 cfs 0.000 af Outflow=1.57 cfs 0.185 af

**Pond 200P: Pond 200**

Peak Elev=677.43' Storage=2,939 cf Inflow=1.57 cfs 0.185 af  
Primary=0.61 cfs 0.157 af Secondary=0.00 cfs 0.000 af Outflow=0.61 cfs 0.157 af

**Pond 201S: Dry Swale 201**

Peak Elev=679.69' Storage=752 cf Inflow=1.68 cfs 0.074 af  
Primary=0.80 cfs 0.074 af Secondary=0.00 cfs 0.000 af Outflow=0.80 cfs 0.074 af

**Pond 202S: Dry Swale 202**

Peak Elev=679.15' Storage=2,167 cf Inflow=2.98 cfs 0.137 af  
Primary=0.78 cfs 0.134 af Secondary=0.00 cfs 0.000 af Outflow=0.78 cfs 0.134 af

**Link PR-A: AP-A**

Inflow=0.65 cfs 0.178 af  
Primary=0.65 cfs 0.178 af

**Total Runoff Area = 2.601 ac Runoff Volume = 0.232 af Average Runoff Depth = 1.07"**  
**53.57% Pervious = 1.393 ac 46.43% Impervious = 1.208 ac**



**22006 HydroCAD PR**

Type II 24-hr 1-Yr Rainfall=2.18"

Prepared by {enter your company name here}

Printed 6/20/2022

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Page 3

**Summary for Subcatchment 201: SC 201**

Runoff = 1.68 cfs @ 11.97 hrs, Volume= 0.074 af, Depth&gt; 0.96"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
Type II 24-hr 1-Yr Rainfall=2.18"

Area (sf)	CN	Description
16,750	98	Paved parking, HSG D
23,650	80	>75% Grass cover, Good, HSG D
40,400	87	Weighted Average
23,650		58.54% Pervious Area
16,750		41.46% Impervious Area

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

**Summary for Subcatchment 202: SC 202**

Runoff = 2.98 cfs @ 11.97 hrs, Volume= 0.137 af, Depth&gt; 1.30"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
Type II 24-hr 1-Yr Rainfall=2.18"

Area (sf)	CN	Description
35,850	98	Paved parking, HSG D
19,200	80	>75% Grass cover, Good, HSG D
55,050	92	Weighted Average
19,200		34.88% Pervious Area
35,850		65.12% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0	200		0.56		Direct Entry, Direct Entry

**Summary for Subcatchment 203: SC 203**

Runoff = 0.39 cfs @ 12.04 hrs, Volume= 0.021 af, Depth&gt; 0.61"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
Type II 24-hr 1-Yr Rainfall=2.18"

Area (sf)	CN	Description
17,850	80	>75% Grass cover, Good, HSG D
17,850		100.00% Pervious Area



**22006 HydroCAD PR**

Type II 24-hr 1-Yr Rainfall=2.18"

Prepared by {enter your company name here}

Printed 6/20/2022

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Page 4

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
9.8	100	0.0690	0.17		<b>Sheet Flow, Sheet Flow</b> Grass: Dense n= 0.240 P2= 2.50"
1.2	300	0.0690	4.23		<b>Shallow Concentrated Flow, Shallow Conc Flow</b> Unpaved Kv= 16.1 fps
11.0	400	Total			

**Summary for Pond 200F: Forebay 200**

Inflow Area = 2.191 ac, 55.11% Impervious, Inflow Depth > 1.14" for 1-Yr event  
 Inflow = 1.57 cfs @ 12.09 hrs, Volume= 0.208 af  
 Outflow = 1.57 cfs @ 12.12 hrs, Volume= 0.185 af, Atten= 0%, Lag= 1.7 min  
 Primary = 1.57 cfs @ 12.12 hrs, Volume= 0.185 af  
 Secondary = 0.00 cfs @ 5.00 hrs, Volume= 0.000 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
 Peak Elev= 678.34' @ 12.12 hrs Surf.Area= 701 sf Storage= 1,185 cf

Plug-Flow detention time= 52.7 min calculated for 0.185 af (89% of inflow)  
 Center-of-Mass det. time= 18.3 min ( 819.7 - 801.4 )

Volume	Invert	Avail.Storage	Storage Description
#1	675.00'	6,250 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc)
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
675.00	100	0	0
678.00	550	975	975
679.00	1,000	775	1,750
680.00	2,000	1,500	3,250
681.00	4,000	3,000	6,250

Device	Routing	Invert	Outlet Devices
#1	Primary	678.00'	<b>8.0' long x 8.0' breadth Broad-Crested Rectangular Weir X 0.40</b> Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50 5.00 5.50 Coef. (English) 2.43 2.54 2.70 2.69 2.68 2.68 2.66 2.64 2.64 2.64 2.65 2.65 2.66 2.66 2.68 2.70 2.74
#2	Secondary	679.50'	<b>8.0' long x 8.0' breadth Broad-Crested Rectangular Weir</b> Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50 5.00 5.50 Coef. (English) 2.43 2.54 2.70 2.69 2.68 2.68 2.66 2.64 2.64 2.64 2.65 2.65 2.66 2.66 2.68 2.70 2.74

**Primary OutFlow** Max=1.55 cfs @ 12.12 hrs HW=678.33' (Free Discharge)  
 ↑1=**Broad-Crested Rectangular Weir** (Weir Controls 1.55 cfs @ 0.58 fps)

**Secondary OutFlow** Max=0.00 cfs @ 5.00 hrs HW=675.00' (Free Discharge)  
 ↑2=**Broad-Crested Rectangular Weir** ( Controls 0.00 cfs)



**Summary for Pond 200P: Pond 200**

Inflow Area = 2.191 ac, 55.11% Impervious, Inflow Depth > 1.01" for 1-Yr event  
 Inflow = 1.57 cfs @ 12.12 hrs, Volume= 0.185 af  
 Outflow = 0.61 cfs @ 13.04 hrs, Volume= 0.157 af, Atten= 61%, Lag= 55.4 min  
 Primary = 0.61 cfs @ 13.04 hrs, Volume= 0.157 af  
 Secondary = 0.00 cfs @ 5.00 hrs, Volume= 0.000 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
 Peak Elev= 677.43' @ 13.04 hrs Surf.Area= 2,470 sf Storage= 2,939 cf

Plug-Flow detention time= 94.2 min calculated for 0.156 af (84% of inflow)  
 Center-of-Mass det. time= 50.7 min ( 870.4 - 819.7 )

Volume	Invert	Avail.Storage	Storage Description
#1	676.00'	17,450 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
676.00	1,650	0	0
678.00	2,800	4,450	4,450
680.00	4,300	7,100	11,550
681.00	7,500	5,900	17,450

Device	Routing	Invert	Outlet Devices
#1	Primary	676.50'	<b>6.0" Round Culvert</b> L= 10.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 676.50' / 676.40' S= 0.0100 ' S= 0.0100 ' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior, Flow Area= 0.20 sf
#2	Primary	678.00'	<b>8.0' long x 8.0' breadth Broad-Crested Rectangular Weir X 0.40</b> Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50 5.00 5.50 Coef. (English) 2.43 2.54 2.70 2.69 2.68 2.68 2.66 2.64 2.64 2.64 2.65 2.65 2.66 2.66 2.68 2.70 2.74
#3	Secondary	679.50'	<b>8.0' long x 8.0' breadth Broad-Crested Rectangular Weir</b> Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50 5.00 5.50 Coef. (English) 2.43 2.54 2.70 2.69 2.68 2.68 2.66 2.64 2.64 2.64 2.65 2.65 2.66 2.66 2.68 2.70 2.74

**Primary OutFlow** Max=0.61 cfs @ 13.04 hrs HW=677.43' (Free Discharge)

1=Culvert (Inlet Controls 0.61 cfs @ 3.13 fps)  
 2=Broad-Crested Rectangular Weir ( Controls 0.00 cfs)

**Secondary OutFlow** Max=0.00 cfs @ 5.00 hrs HW=676.00' (Free Discharge)

3=Broad-Crested Rectangular Weir ( Controls 0.00 cfs)



## Summary for Pond 201S: Dry Swale 201

Inflow Area = 0.927 ac, 41.46% Impervious, Inflow Depth > 0.96" for 1-Yr event  
 Inflow = 1.68 cfs @ 11.97 hrs, Volume= 0.074 af  
 Outflow = 0.80 cfs @ 12.07 hrs, Volume= 0.074 af, Atten= 52%, Lag= 6.1 min  
 Primary = 0.80 cfs @ 12.07 hrs, Volume= 0.074 af  
 Secondary = 0.00 cfs @ 5.00 hrs, Volume= 0.000 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
 Peak Elev= 679.69' @ 12.07 hrs Surf.Area= 1,910 sf Storage= 752 cf

Plug-Flow detention time= 14.3 min calculated for 0.073 af (99% of inflow)  
 Center-of-Mass det. time= 10.5 min ( 800.5 - 790.0 )

Volume	Invert	Avail.Storage	Storage Description
#1	678.30'	1,280 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc) 3,200 cf Overall x 40.0% Voids
#2	680.30'	14,400 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc)
		15,680 cf	Total Available Storage

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
678.30	800	0	0
680.30	2,400	3,200	3,200

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
680.30	2,400	0	0
682.30	3,600	6,000	6,000
684.30	4,800	8,400	14,400

Device	Routing	Invert	Outlet Devices
#1	Primary	678.30'	<b>6.0" Round Culvert</b> L= 10.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 678.30' / 678.20' S= 0.0100 ' S= 0.0100 ' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior, Flow Area= 0.20 sf
#2	Secondary	680.30'	<b>8.0' long x 2.0' breadth Broad-Crested Rectangular Weir X 0.40</b> Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 Coef. (English) 2.54 2.61 2.61 2.60 2.66 2.70 2.77 2.89 2.88 2.85 3.07 3.20 3.32
#3	Secondary	682.30'	<b>8.0' long x 2.0' breadth Broad-Crested Rectangular Weir</b> Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 Coef. (English) 2.54 2.61 2.61 2.60 2.66 2.70 2.77 2.89 2.88 2.85 3.07 3.20 3.32



**22006 HydroCAD PR**

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**Primary OutFlow** Max=0.79 cfs @ 12.07 hrs HW=679.67' (Free Discharge)

1=Culvert (Inlet Controls 0.79 cfs @ 4.02 fps)

**Secondary OutFlow** Max=0.00 cfs @ 5.00 hrs HW=678.30' (Free Discharge)

2=Broad-Crested Rectangular Weir (Controls 0.00 cfs)

3=Broad-Crested Rectangular Weir (Controls 0.00 cfs)

**Summary for Pond 202S: Dry Swale 202**

Inflow Area = 1.264 ac, 65.12% Impervious, Inflow Depth > 1.30" for 1-Yr event  
 Inflow = 2.98 cfs @ 11.97 hrs, Volume= 0.137 af  
 Outflow = 0.78 cfs @ 12.12 hrs, Volume= 0.134 af, Atten= 74%, Lag= 9.2 min  
 Primary = 0.78 cfs @ 12.12 hrs, Volume= 0.134 af  
 Secondary = 0.00 cfs @ 5.00 hrs, Volume= 0.000 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
 Peak Elev= 679.15' @ 12.12 hrs Surf.Area= 5,636 sf Storage= 2,167 cf

Plug-Flow detention time= 39.0 min calculated for 0.134 af (98% of inflow)  
 Center-of-Mass det. time= 30.4 min ( 801.9 - 771.5 )

Volume	Invert	Avail.Storage	Storage Description
#1	677.80'	3,840 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc) 9,600 cf Overall x 40.0% Voids
#2	679.80'	43,200 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc)
		47,040 cf	Total Available Storage

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
677.80	2,400	0	0
679.80	7,200	9,600	9,600

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
679.80	7,200	0	0
681.80	10,800	18,000	18,000
683.80	14,400	25,200	43,200

Device	Routing	Invert	Outlet Devices
#1	Primary	677.80'	<b>6.0" Round Culvert</b> L= 10.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 677.80' / 677.70' S= 0.0100 ' S= 0.0100 ' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior, Flow Area= 0.20 sf
#2	Secondary	679.80'	<b>8.0' long x 2.0' breadth Broad-Crested Rectangular Weir X 0.40</b> Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 Coef. (English) 2.54 2.61 2.61 2.60 2.66 2.70 2.77 2.89 2.88 2.85 3.07 3.20 3.32
#3	Secondary	681.80'	<b>8.0' long x 2.0' breadth Broad-Crested Rectangular Weir</b> Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50



## 22006 HydroCAD PR

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Coef. (English) 2.54 2.61 2.61 2.60 2.66 2.70 2.77 2.89 2.88  
2.85 3.07 3.20 3.32

**Primary OutFlow** Max=0.78 cfs @ 12.12 hrs HW=679.14' (Free Discharge)

└─**1=Culvert** (Inlet Controls 0.78 cfs @ 3.97 fps)

**Secondary OutFlow** Max=0.00 cfs @ 5.00 hrs HW=677.80' (Free Discharge)

└─**2=Broad-Crested Rectangular Weir** ( Controls 0.00 cfs)

└─**3=Broad-Crested Rectangular Weir** ( Controls 0.00 cfs)

### Summary for Link PR-A: AP-A

Inflow Area = 2.601 ac, 46.43% Impervious, Inflow Depth > 0.82" for 1-Yr event  
Inflow = 0.65 cfs @ 12.98 hrs, Volume= 0.178 af  
Primary = 0.65 cfs @ 12.98 hrs, Volume= 0.178 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs



**22006 HydroCAD PR***Type II 24-hr 10-Yr Rainfall=3.52"*

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Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points  
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN  
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment201: SC 201**

Runoff Area=40,400 sf 41.46% Impervious Runoff Depth>2.05"  
Tc=6.0 min CN=87 Runoff=3.45 cfs 0.158 af

**Subcatchment202: SC 202**

Runoff Area=55,050 sf 65.12% Impervious Runoff Depth>2.49"  
Flow Length=200' Tc=6.0 min CN=92 Runoff=5.46 cfs 0.262 af

**Subcatchment203: SC 203**

Runoff Area=17,850 sf 0.00% Impervious Runoff Depth>1.51"  
Flow Length=400' Slope=0.0690 '/' Tc=11.0 min CN=80 Runoff=0.99 cfs 0.052 af

**Pond 200F: Forebay 200**

Peak Elev=678.49' Storage=1,299 cf Inflow=2.90 cfs 0.415 af  
Primary=2.88 cfs 0.392 af Secondary=0.00 cfs 0.000 af Outflow=2.88 cfs 0.392 af

**Pond 200P: Pond 200**

Peak Elev=678.21' Storage=5,049 cf Inflow=2.88 cfs 0.392 af  
Primary=1.64 cfs 0.361 af Secondary=0.00 cfs 0.000 af Outflow=1.64 cfs 0.361 af

**Pond 201S: Dry Swale 201**

Peak Elev=680.51' Storage=1,791 cf Inflow=3.45 cfs 0.158 af  
Primary=1.04 cfs 0.147 af Secondary=0.77 cfs 0.010 af Outflow=1.82 cfs 0.157 af

**Pond 202S: Dry Swale 202**

Peak Elev=679.87' Storage=4,372 cf Inflow=5.46 cfs 0.262 af  
Primary=1.01 cfs 0.255 af Secondary=0.17 cfs 0.004 af Outflow=1.18 cfs 0.258 af

**Link PR-A: AP-A**

Inflow=1.74 cfs 0.413 af  
Primary=1.74 cfs 0.413 af

**Total Runoff Area = 2.601 ac Runoff Volume = 0.472 af Average Runoff Depth = 2.18"**  
**53.57% Pervious = 1.393 ac 46.43% Impervious = 1.208 ac**



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**Summary for Subcatchment 201: SC 201**

Runoff = 3.45 cfs @ 11.97 hrs, Volume= 0.158 af, Depth&gt; 2.05"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
Type II 24-hr 10-Yr Rainfall=3.52"

Area (sf)	CN	Description
16,750	98	Paved parking, HSG D
23,650	80	>75% Grass cover, Good, HSG D
40,400	87	Weighted Average
23,650		58.54% Pervious Area
16,750		41.46% Impervious Area

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

**Summary for Subcatchment 202: SC 202**

Runoff = 5.46 cfs @ 11.96 hrs, Volume= 0.262 af, Depth&gt; 2.49"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
Type II 24-hr 10-Yr Rainfall=3.52"

Area (sf)	CN	Description
35,850	98	Paved parking, HSG D
19,200	80	>75% Grass cover, Good, HSG D
55,050	92	Weighted Average
19,200		34.88% Pervious Area
35,850		65.12% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0	200		0.56		Direct Entry, Direct Entry

**Summary for Subcatchment 203: SC 203**

Runoff = 0.99 cfs @ 12.03 hrs, Volume= 0.052 af, Depth&gt; 1.51"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
Type II 24-hr 10-Yr Rainfall=3.52"

Area (sf)	CN	Description
17,850	80	>75% Grass cover, Good, HSG D
17,850		100.00% Pervious Area



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Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
9.8	100	0.0690	0.17		<b>Sheet Flow, Sheet Flow</b> Grass: Dense n= 0.240 P2= 2.50"
1.2	300	0.0690	4.23		<b>Shallow Concentrated Flow, Shallow Conc Flow</b> Unpaved Kv= 16.1 fps
11.0	400	Total			

**Summary for Pond 200F: Forebay 200**

Inflow Area = 2.191 ac, 55.11% Impervious, Inflow Depth > 2.27" for 10-Yr event  
 Inflow = 2.90 cfs @ 12.08 hrs, Volume= 0.415 af  
 Outflow = 2.88 cfs @ 12.11 hrs, Volume= 0.392 af, Atten= 1%, Lag= 1.7 min  
 Primary = 2.88 cfs @ 12.11 hrs, Volume= 0.392 af  
 Secondary = 0.00 cfs @ 5.00 hrs, Volume= 0.000 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
 Peak Elev= 678.49' @ 12.11 hrs Surf.Area= 771 sf Storage= 1,299 cf

Plug-Flow detention time= 35.3 min calculated for 0.392 af (94% of inflow)  
 Center-of-Mass det. time= 15.4 min ( 808.0 - 792.5 )

Volume	Invert	Avail.Storage	Storage Description
#1	675.00'	6,250 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc)
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
675.00	100	0	0
678.00	550	975	975
679.00	1,000	775	1,750
680.00	2,000	1,500	3,250
681.00	4,000	3,000	6,250

Device	Routing	Invert	Outlet Devices
#1	Primary	678.00'	<b>8.0' long x 8.0' breadth Broad-Crested Rectangular Weir X 0.40</b> Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50 5.00 5.50 Coef. (English) 2.43 2.54 2.70 2.69 2.68 2.68 2.66 2.64 2.64 2.64 2.65 2.65 2.66 2.66 2.68 2.70 2.74
#2	Secondary	679.50'	<b>8.0' long x 8.0' breadth Broad-Crested Rectangular Weir</b> Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50 5.00 5.50 Coef. (English) 2.43 2.54 2.70 2.69 2.68 2.68 2.66 2.64 2.64 2.64 2.65 2.65 2.66 2.66 2.68 2.70 2.74

**Primary OutFlow** Max=2.85 cfs @ 12.11 hrs HW=678.49' (Free Discharge)  
 ↑1=**Broad-Crested Rectangular Weir** (Weir Controls 2.85 cfs @ 0.73 fps)

**Secondary OutFlow** Max=0.00 cfs @ 5.00 hrs HW=675.00' (Free Discharge)  
 ↑2=**Broad-Crested Rectangular Weir** ( Controls 0.00 cfs)



**Summary for Pond 200P: Pond 200**

Inflow Area = 2.191 ac, 55.11% Impervious, Inflow Depth > 2.15" for 10-Yr event  
 Inflow = 2.88 cfs @ 12.11 hrs, Volume= 0.392 af  
 Outflow = 1.64 cfs @ 12.70 hrs, Volume= 0.361 af, Atten= 43%, Lag= 35.4 min  
 Primary = 1.64 cfs @ 12.70 hrs, Volume= 0.361 af  
 Secondary = 0.00 cfs @ 5.00 hrs, Volume= 0.000 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
 Peak Elev= 678.21' @ 12.70 hrs Surf.Area= 2,956 sf Storage= 5,049 cf

Plug-Flow detention time= 78.0 min calculated for 0.360 af (92% of inflow)  
 Center-of-Mass det. time= 52.5 min ( 860.4 - 808.0 )

Volume	Invert	Avail.Storage	Storage Description
#1	676.00'	17,450 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc)
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
676.00	1,650	0	0
678.00	2,800	4,450	4,450
680.00	4,300	7,100	11,550
681.00	7,500	5,900	17,450

Device	Routing	Invert	Outlet Devices
#1	Primary	676.50'	<b>6.0" Round Culvert</b> L= 10.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 676.50' / 676.40' S= 0.0100 ' S Cc= 0.900 n= 0.013 Corrugated PE, smooth interior, Flow Area= 0.20 sf
#2	Primary	678.00'	<b>8.0' long x 8.0' breadth Broad-Crested Rectangular Weir X 0.40</b> Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50 5.00 5.50 Coef. (English) 2.43 2.54 2.70 2.69 2.68 2.68 2.66 2.64 2.64 2.64 2.65 2.65 2.66 2.66 2.68 2.70 2.74
#3	Secondary	679.50'	<b>8.0' long x 8.0' breadth Broad-Crested Rectangular Weir</b> Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50 5.00 5.50 Coef. (English) 2.43 2.54 2.70 2.69 2.68 2.68 2.66 2.64 2.64 2.64 2.65 2.65 2.66 2.66 2.68 2.70 2.74

**Primary OutFlow** Max=1.64 cfs @ 12.70 hrs HW=678.21' (Free Discharge)

↑ **1=Culvert** (Inlet Controls 0.90 cfs @ 4.59 fps)

↑ **2=Broad-Crested Rectangular Weir** (Weir Controls 0.74 cfs @ 0.44 fps)

**Secondary OutFlow** Max=0.00 cfs @ 5.00 hrs HW=676.00' (Free Discharge)

↑ **3=Broad-Crested Rectangular Weir** (Controls 0.00 cfs)



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**Summary for Pond 201S: Dry Swale 201**

Inflow Area = 0.927 ac, 41.46% Impervious, Inflow Depth > 2.05" for 10-Yr event  
 Inflow = 3.45 cfs @ 11.97 hrs, Volume= 0.158 af  
 Outflow = 1.82 cfs @ 12.07 hrs, Volume= 0.157 af, Atten= 47%, Lag= 5.9 min  
 Primary = 1.04 cfs @ 12.07 hrs, Volume= 0.147 af  
 Secondary = 0.77 cfs @ 12.07 hrs, Volume= 0.010 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
 Peak Elev= 680.51' @ 12.07 hrs Surf.Area= 4,925 sf Storage= 1,791 cf

Plug-Flow detention time= 15.5 min calculated for 0.157 af (99% of inflow)  
 Center-of-Mass det. time= 12.8 min ( 786.3 - 773.5 )

Volume	Invert	Avail.Storage	Storage Description
#1	678.30'	1,280 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc) 3,200 cf Overall x 40.0% Voids
#2	680.30'	14,400 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc)
		15,680 cf	Total Available Storage

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
678.30	800	0	0
680.30	2,400	3,200	3,200

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
680.30	2,400	0	0
682.30	3,600	6,000	6,000
684.30	4,800	8,400	14,400

Device	Routing	Invert	Outlet Devices
#1	Primary	678.30'	<b>6.0" Round Culvert</b> L= 10.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 678.30' / 678.20' S= 0.0100 ' S= 0.0100 ' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior, Flow Area= 0.20 sf
#2	Secondary	680.30'	<b>8.0' long x 2.0' breadth Broad-Crested Rectangular Weir X 0.40</b> Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 Coef. (English) 2.54 2.61 2.61 2.60 2.66 2.70 2.77 2.89 2.88 2.85 3.07 3.20 3.32
#3	Secondary	682.30'	<b>8.0' long x 2.0' breadth Broad-Crested Rectangular Weir</b> Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 Coef. (English) 2.54 2.61 2.61 2.60 2.66 2.70 2.77 2.89 2.88 2.85 3.07 3.20 3.32



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**Primary OutFlow** Max=1.04 cfs @ 12.07 hrs HW=680.50' (Free Discharge)

1=Culvert (Inlet Controls 1.04 cfs @ 5.30 fps)

**Secondary OutFlow** Max=0.71 cfs @ 12.07 hrs HW=680.50' (Free Discharge)

2=Broad-Crested Rectangular Weir (Weir Controls 0.71 cfs @ 0.45 fps)

3=Broad-Crested Rectangular Weir (Controls 0.00 cfs)

**Summary for Pond 202S: Dry Swale 202**

Inflow Area = 1.264 ac, 65.12% Impervious, Inflow Depth > 2.49" for 10-Yr event  
 Inflow = 5.46 cfs @ 11.96 hrs, Volume= 0.262 af  
 Outflow = 1.18 cfs @ 12.14 hrs, Volume= 0.258 af, Atten= 78%, Lag= 10.6 min  
 Primary = 1.01 cfs @ 12.14 hrs, Volume= 0.255 af  
 Secondary = 0.17 cfs @ 12.14 hrs, Volume= 0.004 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
 Peak Elev= 679.87' @ 12.14 hrs Surf.Area= 14,532 sf Storage= 4,372 cf

Plug-Flow detention time= 46.1 min calculated for 0.257 af (98% of inflow)  
 Center-of-Mass det. time= 39.7 min ( 796.3 - 756.6 )

Volume	Invert	Avail.Storage	Storage Description
#1	677.80'	3,840 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc) 9,600 cf Overall x 40.0% Voids
#2	679.80'	43,200 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc)
		47,040 cf	Total Available Storage

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
677.80	2,400	0	0
679.80	7,200	9,600	9,600

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
679.80	7,200	0	0
681.80	10,800	18,000	18,000
683.80	14,400	25,200	43,200

Device	Routing	Invert	Outlet Devices
#1	Primary	677.80'	<b>6.0" Round Culvert</b> L= 10.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 677.80' / 677.70' S= 0.0100 ' S= 0.0100 ' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior, Flow Area= 0.20 sf
#2	Secondary	679.80'	<b>8.0' long x 2.0' breadth Broad-Crested Rectangular Weir X 0.40</b> Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 Coef. (English) 2.54 2.61 2.61 2.60 2.66 2.70 2.77 2.89 2.88 2.85 3.07 3.20 3.32
#3	Secondary	681.80'	<b>8.0' long x 2.0' breadth Broad-Crested Rectangular Weir</b> Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50



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Coef. (English) 2.54 2.61 2.61 2.60 2.66 2.70 2.77 2.89 2.88  
2.85 3.07 3.20 3.32

**Primary OutFlow** Max=1.01 cfs @ 12.14 hrs HW=679.87' (Free Discharge)

└─**1=Culvert** (Inlet Controls 1.01 cfs @ 5.13 fps)

**Secondary OutFlow** Max=0.16 cfs @ 12.14 hrs HW=679.87' (Free Discharge)

└─**2=Broad-Crested Rectangular Weir** (Weir Controls 0.16 cfs @ 0.27 fps)

└─**3=Broad-Crested Rectangular Weir** ( Controls 0.00 cfs)

### Summary for Link PR-A: AP-A

Inflow Area = 2.601 ac, 46.43% Impervious, Inflow Depth > 1.90" for 10-Yr event

Inflow = 1.74 cfs @ 12.68 hrs, Volume= 0.413 af

Primary = 1.74 cfs @ 12.68 hrs, Volume= 0.413 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs



**22006 HydroCAD PR***Type II 24-hr 100-Yr Rainfall=5.77"*

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Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points  
Runoff by SCS TR-20 method, UH=SCS, Weighted-CN  
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

**Subcatchment201: SC 201**

Runoff Area=40,400 sf 41.46% Impervious Runoff Depth>4.03"  
Tc=6.0 min CN=87 Runoff=6.51 cfs 0.311 af

**Subcatchment202: SC 202**

Runoff Area=55,050 sf 65.12% Impervious Runoff Depth>4.54"  
Flow Length=200' Tc=6.0 min CN=92 Runoff=9.59 cfs 0.478 af

**Subcatchment203: SC 203**

Runoff Area=17,850 sf 0.00% Impervious Runoff Depth>3.32"  
Flow Length=400' Slope=0.0690 '/' Tc=11.0 min CN=80 Runoff=2.12 cfs 0.113 af

**Pond 200F: Forebay 200**

Peak Elev=678.98' Storage=1,730 cf Inflow=8.47 cfs 0.782 af  
Primary=8.31 cfs 0.759 af Secondary=0.00 cfs 0.000 af Outflow=8.31 cfs 0.759 af

**Pond 200P: Pond 200**

Peak Elev=678.72' Storage=6,658 cf Inflow=8.31 cfs 0.759 af  
Primary=6.31 cfs 0.723 af Secondary=0.00 cfs 0.000 af Outflow=6.31 cfs 0.723 af

**Pond 201S: Dry Swale 201**

Peak Elev=680.89' Storage=2,811 cf Inflow=6.51 cfs 0.311 af  
Primary=1.14 cfs 0.236 af Secondary=3.82 cfs 0.073 af Outflow=4.96 cfs 0.310 af

**Pond 202S: Dry Swale 202**

Peak Elev=680.26' Storage=7,336 cf Inflow=9.59 cfs 0.478 af  
Primary=1.11 cfs 0.382 af Secondary=2.60 cfs 0.090 af Outflow=3.71 cfs 0.472 af

**Link PR-A: AP-A**

Inflow=7.32 cfs 0.837 af  
Primary=7.32 cfs 0.837 af

**Total Runoff Area = 2.601 ac Runoff Volume = 0.902 af Average Runoff Depth = 4.16"**  
**53.57% Pervious = 1.393 ac 46.43% Impervious = 1.208 ac**



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**Summary for Subcatchment 201: SC 201**

Runoff = 6.51 cfs @ 11.97 hrs, Volume= 0.311 af, Depth&gt; 4.03"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
Type II 24-hr 100-Yr Rainfall=5.77"

Area (sf)	CN	Description
16,750	98	Paved parking, HSG D
23,650	80	>75% Grass cover, Good, HSG D
40,400	87	Weighted Average
23,650		58.54% Pervious Area
16,750		41.46% Impervious Area

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

**Summary for Subcatchment 202: SC 202**

Runoff = 9.59 cfs @ 11.96 hrs, Volume= 0.478 af, Depth&gt; 4.54"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
Type II 24-hr 100-Yr Rainfall=5.77"

Area (sf)	CN	Description
35,850	98	Paved parking, HSG D
19,200	80	>75% Grass cover, Good, HSG D
55,050	92	Weighted Average
19,200		34.88% Pervious Area
35,850		65.12% Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.0	200		0.56		Direct Entry, Direct Entry

**Summary for Subcatchment 203: SC 203**

Runoff = 2.12 cfs @ 12.03 hrs, Volume= 0.113 af, Depth&gt; 3.32"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
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Area (sf)	CN	Description
17,850	80	>75% Grass cover, Good, HSG D
17,850		100.00% Pervious Area



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Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
9.8	100	0.0690	0.17		<b>Sheet Flow, Sheet Flow</b> Grass: Dense n= 0.240 P2= 2.50"
1.2	300	0.0690	4.23		<b>Shallow Concentrated Flow, Shallow Conc Flow</b> Unpaved Kv= 16.1 fps
11.0	400	Total			

**Summary for Pond 200F: Forebay 200**

Inflow Area = 2.191 ac, 55.11% Impervious, Inflow Depth > 4.28" for 100-Yr event  
 Inflow = 8.47 cfs @ 12.05 hrs, Volume= 0.782 af  
 Outflow = 8.31 cfs @ 12.07 hrs, Volume= 0.759 af, Atten= 2%, Lag= 1.3 min  
 Primary = 8.31 cfs @ 12.07 hrs, Volume= 0.759 af  
 Secondary = 0.00 cfs @ 5.00 hrs, Volume= 0.000 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
 Peak Elev= 678.98' @ 12.07 hrs Surf.Area= 991 sf Storage= 1,730 cf

Plug-Flow detention time= 23.3 min calculated for 0.756 af (97% of inflow)  
 Center-of-Mass det. time= 11.8 min ( 788.7 - 776.9 )

Volume	Invert	Avail.Storage	Storage Description
#1	675.00'	6,250 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
675.00	100	0	0
678.00	550	975	975
679.00	1,000	775	1,750
680.00	2,000	1,500	3,250
681.00	4,000	3,000	6,250

Device	Routing	Invert	Outlet Devices
#1	Primary	678.00'	<b>8.0' long x 8.0' breadth Broad-Crested Rectangular Weir X 0.40</b> Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50 5.00 5.50 Coef. (English) 2.43 2.54 2.70 2.69 2.68 2.68 2.66 2.64 2.64 2.64 2.65 2.65 2.66 2.66 2.68 2.70 2.74
#2	Secondary	679.50'	<b>8.0' long x 8.0' breadth Broad-Crested Rectangular Weir</b> Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50 5.00 5.50 Coef. (English) 2.43 2.54 2.70 2.69 2.68 2.68 2.66 2.64 2.64 2.64 2.65 2.65 2.66 2.66 2.68 2.70 2.74

**Primary OutFlow** Max=8.10 cfs @ 12.07 hrs HW=678.96' (Free Discharge)  
 ↑1=**Broad-Crested Rectangular Weir** (Weir Controls 8.10 cfs @ 1.05 fps)

**Secondary OutFlow** Max=0.00 cfs @ 5.00 hrs HW=675.00' (Free Discharge)  
 ↑2=**Broad-Crested Rectangular Weir** ( Controls 0.00 cfs)



**Summary for Pond 200P: Pond 200**

Inflow Area = 2.191 ac, 55.11% Impervious, Inflow Depth > 4.16" for 100-Yr event  
 Inflow = 8.31 cfs @ 12.07 hrs, Volume= 0.759 af  
 Outflow = 6.31 cfs @ 12.18 hrs, Volume= 0.723 af, Atten= 24%, Lag= 6.5 min  
 Primary = 6.31 cfs @ 12.18 hrs, Volume= 0.723 af  
 Secondary = 0.00 cfs @ 5.00 hrs, Volume= 0.000 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
 Peak Elev= 678.72' @ 12.18 hrs Surf.Area= 3,339 sf Storage= 6,658 cf

Plug-Flow detention time= 56.8 min calculated for 0.721 af (95% of inflow)  
 Center-of-Mass det. time= 40.2 min ( 828.9 - 788.7 )

Volume	Invert	Avail.Storage	Storage Description
#1	676.00'	17,450 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
676.00	1,650	0	0
678.00	2,800	4,450	4,450
680.00	4,300	7,100	11,550
681.00	7,500	5,900	17,450

Device	Routing	Invert	Outlet Devices
#1	Primary	676.50'	<b>6.0" Round Culvert</b> L= 10.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 676.50' / 676.40' S= 0.0100 ' S= 0.0100 ' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior, Flow Area= 0.20 sf
#2	Primary	678.00'	<b>8.0' long x 8.0' breadth Broad-Crested Rectangular Weir X 0.40</b> Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50 5.00 5.50 Coef. (English) 2.43 2.54 2.70 2.69 2.68 2.68 2.66 2.64 2.64 2.64 2.65 2.65 2.66 2.66 2.68 2.70 2.74
#3	Secondary	679.50'	<b>8.0' long x 8.0' breadth Broad-Crested Rectangular Weir</b> Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50 5.00 5.50 Coef. (English) 2.43 2.54 2.70 2.69 2.68 2.68 2.66 2.64 2.64 2.64 2.65 2.65 2.66 2.66 2.68 2.70 2.74

**Primary OutFlow** Max=6.25 cfs @ 12.18 hrs HW=678.71' (Free Discharge)

↑ **1=Culvert** (Inlet Controls 1.05 cfs @ 5.33 fps)

↑ **2=Broad-Crested Rectangular Weir** (Weir Controls 5.20 cfs @ 0.91 fps)

**Secondary OutFlow** Max=0.00 cfs @ 5.00 hrs HW=676.00' (Free Discharge)

↑ **3=Broad-Crested Rectangular Weir** ( Controls 0.00 cfs)



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**Summary for Pond 201S: Dry Swale 201**

Inflow Area = 0.927 ac, 41.46% Impervious, Inflow Depth > 4.03" for 100-Yr event  
 Inflow = 6.51 cfs @ 11.97 hrs, Volume= 0.311 af  
 Outflow = 4.96 cfs @ 12.03 hrs, Volume= 0.310 af, Atten= 24%, Lag= 3.8 min  
 Primary = 1.14 cfs @ 12.03 hrs, Volume= 0.236 af  
 Secondary = 3.82 cfs @ 12.03 hrs, Volume= 0.073 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
 Peak Elev= 680.89' @ 12.03 hrs Surf.Area= 5,156 sf Storage= 2,811 cf

Plug-Flow detention time= 13.2 min calculated for 0.309 af (99% of inflow)  
 Center-of-Mass det. time= 11.2 min ( 769.1 - 757.9 )

Volume	Invert	Avail.Storage	Storage Description
#1	678.30'	1,280 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc) 3,200 cf Overall x 40.0% Voids
#2	680.30'	14,400 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc)
		15,680 cf	Total Available Storage

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
678.30	800	0	0
680.30	2,400	3,200	3,200

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
680.30	2,400	0	0
682.30	3,600	6,000	6,000
684.30	4,800	8,400	14,400

Device	Routing	Invert	Outlet Devices
#1	Primary	678.30'	<b>6.0" Round Culvert</b> L= 10.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 678.30' / 678.20' S= 0.0100 ' S= 0.0100 ' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior, Flow Area= 0.20 sf
#2	Secondary	680.30'	<b>8.0' long x 2.0' breadth Broad-Crested Rectangular Weir X 0.40</b> Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 Coef. (English) 2.54 2.61 2.61 2.60 2.66 2.70 2.77 2.89 2.88 2.85 3.07 3.20 3.32
#3	Secondary	682.30'	<b>8.0' long x 2.0' breadth Broad-Crested Rectangular Weir</b> Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 Coef. (English) 2.54 2.61 2.61 2.60 2.66 2.70 2.77 2.89 2.88 2.85 3.07 3.20 3.32



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**Primary OutFlow** Max=1.14 cfs @ 12.03 hrs HW=680.88' (Free Discharge)

1=Culvert (Inlet Controls 1.14 cfs @ 5.80 fps)

**Secondary OutFlow** Max=3.70 cfs @ 12.03 hrs HW=680.88' (Free Discharge)

2=Broad-Crested Rectangular Weir (Weir Controls 3.70 cfs @ 0.80 fps)

3=Broad-Crested Rectangular Weir (Controls 0.00 cfs)

**Summary for Pond 202S: Dry Swale 202**

Inflow Area = 1.264 ac, 65.12% Impervious, Inflow Depth > 4.54" for 100-Yr event  
 Inflow = 9.59 cfs @ 11.96 hrs, Volume= 0.478 af  
 Outflow = 3.71 cfs @ 12.09 hrs, Volume= 0.472 af, Atten= 61%, Lag= 7.6 min  
 Primary = 1.11 cfs @ 12.09 hrs, Volume= 0.382 af  
 Secondary = 2.60 cfs @ 12.09 hrs, Volume= 0.090 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
 Peak Elev= 680.26' @ 12.09 hrs Surf.Area= 15,226 sf Storage= 7,336 cf

Plug-Flow detention time= 42.0 min calculated for 0.471 af (99% of inflow)  
 Center-of-Mass det. time= 36.9 min ( 782.0 - 745.1 )

Volume	Invert	Avail.Storage	Storage Description
#1	677.80'	3,840 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc) 9,600 cf Overall x 40.0% Voids
#2	679.80'	43,200 cf	<b>Custom Stage Data (Prismatic)</b> Listed below (Recalc)
		47,040 cf	Total Available Storage

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
677.80	2,400	0	0
679.80	7,200	9,600	9,600

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
679.80	7,200	0	0
681.80	10,800	18,000	18,000
683.80	14,400	25,200	43,200

Device	Routing	Invert	Outlet Devices
#1	Primary	677.80'	<b>6.0" Round Culvert</b> L= 10.0' CPP, projecting, no headwall, Ke= 0.900 Inlet / Outlet Invert= 677.80' / 677.70' S= 0.0100 ' / ' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior, Flow Area= 0.20 sf
#2	Secondary	679.80'	<b>8.0' long x 2.0' breadth Broad-Crested Rectangular Weir X 0.40</b> Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 Coef. (English) 2.54 2.61 2.61 2.60 2.66 2.70 2.77 2.89 2.88 2.85 3.07 3.20 3.32
#3	Secondary	681.80'	<b>8.0' long x 2.0' breadth Broad-Crested Rectangular Weir</b> Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50



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Coef. (English) 2.54 2.61 2.61 2.60 2.66 2.70 2.77 2.89 2.88  
2.85 3.07 3.20 3.32

**Primary OutFlow** Max=1.11 cfs @ 12.09 hrs HW=680.26' (Free Discharge)

└─**1=Culvert** (Inlet Controls 1.11 cfs @ 5.65 fps)

**Secondary OutFlow** Max=2.57 cfs @ 12.09 hrs HW=680.26' (Free Discharge)

└─**2=Broad-Crested Rectangular Weir** (Weir Controls 2.57 cfs @ 0.70 fps)

└─**3=Broad-Crested Rectangular Weir** ( Controls 0.00 cfs)

### Summary for Link PR-A: AP-A

Inflow Area = 2.601 ac, 46.43% Impervious, Inflow Depth > 3.86" for 100-Yr event

Inflow = 7.32 cfs @ 12.16 hrs, Volume= 0.837 af

Primary = 7.32 cfs @ 12.16 hrs, Volume= 0.837 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs



## Appendix I

### Water Quality Worksheets



# Planning

Practice	Description	Application
<b>Preservation of Undisturbed Areas</b>	Delineate and place into permanent conservation undisturbed forests, native vegetated areas, riparian corridors, wetlands, and natural terrain.	Considered & Applied
<b>Preservation of Buffers</b>	Define, delineate and preserve naturally vegetated buffers along perennial streams, rivers, shorelines and wetlands.	Considered & Applied
<b>Reduction of Clearing and Grading</b>	Limit clearing and grading to the minimum amount needed for roads, driveways, foundations, utilities and stormwater management facilities.	Considered & Applied
<b>Locating Development in Less Sensitive Areas</b>	Avoid sensitive resource areas such as floodplains, steep slopes, erodible soils, wetlands, mature forests and critical habitats by locating development to fit the terrain in areas that will create the least impact.	Considered & Applied
<b>Open Space Design</b>	Use clustering, conservation design or open space design to reduce impervious cover, preserve more open space and protect water resources.	Considered & Applied
<b>Soil Restoration</b>	Restore the original properties and porosity of the soil by deep till and amendment with compost to reduce the generation of runoff and enhance the runoff reduction performance of post construction practices.	N/A
<b>Roadway Reduction</b>	Minimize roadway widths and lengths to reduce site impervious area	Considered & Applied
<b>Sidewalk Reduction</b>	Minimize sidewalk lengths and widths to reduce site impervious area	Considered & Applied
<b>Driveway Reduction</b>	Minimize driveway lengths and widths to reduce site impervious area	Considered & Applied
<b>Cul-de-sac Reduction</b>	Minimize the number of cul-de-sacs and incorporate landscaped areas to reduce their impervious cover.	N/A
<b>Building Footprint Reduction</b>	Reduce the impervious footprint of residences and commercial buildings by using alternate or taller buildings while maintaining the same floor to area ratio.	Considered & Applied
<b>Parking Reduction</b>	Reduce imperviousness on parking lots by eliminating unneeded spaces, providing compact car spaces and efficient parking lanes, minimizing stall dimensions, using porous pavement surfaces in overflow parking areas, and using multi-storied parking decks where	Considered & Applied



Is this project subject to Chapter 10 of the NYS Design Manual (i.e. WQv is equal to post-development 1 year runoff volume)?.....

No

Design Point: 1

P= 1.10

inch

*Manually enter P, Total Area and Impervious Cover.***Breakdown of Subcatchments**

Catchment Number	Total Area (Acres)	Impervious Area (Acres)	Percent Impervious %	Rv	WQv (ft <sup>3</sup> )	Description
1	0.93	0.38	41%	0.42	1,551	Dry Swale
2	1.26	0.82	65%	0.64	3,198	Dry Swale
3	0.41	0.00	0%	0.05	82	No Impervious
4						
5						
6						
7						
8						
9						
10						
Subtotal (1-30)	2.60	1.20	46%	0.47	<b>4,832</b>	<b>Subtotal 1</b>
<b>Total</b>	2.60	1.20	46%	0.47	<b>4,832</b>	<b>Initial WQv</b>

**Identify Runoff Reduction Techniques By Area**

Technique	Total Contributing Area	Contributing Impervious Area	Notes
	(Acre)	(Acre)	
Conservation of Natural Areas	0.00	0.00	<i>minimum 10,000 sf</i>
Riparian Buffers	0.00	0.00	<i>maximum contributing length 75 feet to 150 feet</i>
Filter Strips	0.00	0.00	
Tree Planting	0.00	0.00	<i>Up to 100 sf directly connected impervious area may be subtracted per tree</i>
<b>Total</b>	<b>0.00</b>	<b>0.00</b>	

**Recalculate WQv after application of Area Reduction Techniques**

	Total Area (Acres)	Impervious Area (Acres)	Percent Impervious %	Runoff Coefficient Rv	WQv (ft <sup>3</sup> )
"<<Initial WQv"	2.60	1.20	46%	0.47	4,832
Subtract Area	0.00	0.00			
WQv adjusted after Area Reductions	<b>2.60</b>	<b>1.20</b>	46%	0.47	4,832
Disconnection of Rooftops		0.00			
Adjusted WQv after Area Reduction and Rooftop Disconnect	2.60	1.20	46%	0.47	<b>4,832</b>
WQv reduced by Area Reduction techniques					0



Runoff Reduction Volume and Treated volumes						
	Runoff Reduction Techniques/Standard SMPs		Total Contributing Area	Total Contributing Impervious Area	WQv Reduced (RRv)	WQv Treated
			(acres)	(acres)	cf	cf
Area/Volume Reduction	Conservation of Natural Areas	RR-1	0.00	0.00		
	Sheetflow to Riparian Buffers/Filter Strips	RR-2	0.00	0.00		
	Tree Planting/Tree Pit	RR-3	0.00	0.00		
	Disconnection of Rooftop Runoff	RR-4		0.00		
	Vegetated Swale	RR-5	0.00	0.00	0	
	Rain Garden	RR-6	0.00	0.00	0	
	Stormwater Planter	RR-7	0.00	0.00	0	
	Rain Barrel/Cistern	RR-8	0.00	0.00	0	
	Porous Pavement	RR-9	0.00	0.00	0	
	Green Roof (Intensive & Extensive)	RR-10	0.00	0.00	0	
Standard SMPs w/RRV Capacity	Infiltration Trench	I-1	0.00	0.00	0	0
	Infiltration Basin	I-2	0.00	0.00	0	0
	Dry Well	I-3	0.00	0.00	0	0
	Underground Infiltration System	I-4				
	Bioretention & Infiltration Bioretention	F-5	0.00	0.00	0	0
	Dry swale	O-1	2.19	1.20	1215	0
Standard SMPs	Micropool Extended Detention (P-1)	P-1	0.41	0.00		3617.000
	Wet Pond (P-2)	P-2				
	Wet Extended Detention (P-3)	P-3				
	Multiple Pond system (P-4)	P-4				
	Pocket Pond (p-5)	P-5				
	Surface Sand filter (F-1)	F-1				
	Underground Sand filter (F-2)	F-2				
	Perimeter Sand Filter (F-3)	F-3				
	Organic Filter (F-4)	F-4				
	Shallow Wetland (W-1)	W-1				
	Extended Detention Wetland (W-2)	W-2				
	Pond/Wetland System (W-3)	W-3				
	Pocket Wetland (W-4)	W-4				
	Wet Swale (O-2)	O-2				
Totals by Area Reduction →			0.00	0.00	0	
Totals by Volume Reduction →			0.00	0.00	0	
Totals by Standard SMP w/RRV →			2.19	1.20	1215	0
Totals by Standard SMP →			0.41	0.00		3617
Totals ( Area + Volume + all SMPs) →			2.60	1.20	1,215	3,617



# Minimum RRv

## Enter the Soils Data for the site

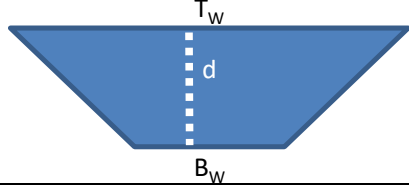
Soil Group	Acres	S
A		55%
B		40%
C		30%
D	2.60	20%
Total Area	2.6	

## Calculate the Minimum RRv

S =	0.20	
Impervious =	1.20	acre
Precipitation	1.1	in
Rv	0.95	
Minimum RRv	910	ft3
	0.02	af

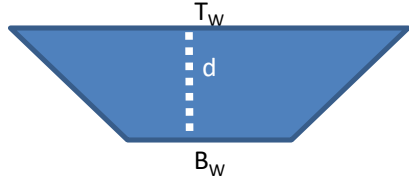


# Dry Swale Worksheet

<b>Design Point:</b>	1						
<b>Enter Site Data For Drainage Area to be Treated by Practice</b>							
Catchment Number	Total Area (Acres)	Impervious Area (Acres)	Percent Impervious %	Rv	WQv (ft <sup>3</sup> )	Precipitation (in)	Description
1	0.93	0.38	0.41	0.42	1551.28	1.10	Dry Swale
Enter Impervious Area Reduced by Disconnection of Rooftops		0.00	41%	0.42	1,551	<<WQv after adjusting for Disconnected Rooftops	
<b>Pretreatment Provided</b>					<b>Pretreatment Technique</b>		
Pretreatment (10% of WQv)			155	ft <sup>3</sup>	Check Dam		
<b>Calculate Available Storage Capacity</b>							
Bottom Width	4	ft	Design with a bottom width no greater than eight feet to avoid potential gullyng and channel braiding, but no less than two feet				
Side Slope (X:1)	3	Okay	Channels shall be designed with moderate side slopes (flatter than 3:1) for most conditions. 2:1 is the absolute maximum side slope				
Longitudinal Slope	3%	Okay	Maximum longitudinal slope shall be 4%				
Flow Depth	1	ft	Maximum ponding depth of one foot at the mid-point of the channel, and a maximum depth of 18" at the end point of the channel (for storage of the WQv)				
Top Width	10	ft					
Area	7.00	sf					
Minimum Length	199	ft					
Actual Length	200	ft					
End Point Depth check	1.50	Okay	A maximum depth of 18" at the end point of the channel (for storage of the WQv)				
Storage Capacity	1,555	ft <sup>3</sup>					
Soil Group (HSG)			D				
<b>Runoff Reduction</b>							
Is the Dry Swale contributing flow to another practice?			Yes	Select Practice	Other/Standard SMP		
<b>RRv</b>	<b>311</b>	<b>ft<sup>3</sup></b>	<b>Runoff Reduction equals 40% in HSG A and B and 20% in HSG C and D up to the WQv</b>				
Volume Treated	0	ft <sup>3</sup>	This is the difference between the WQv calculated and the runoff reduction achieved in the swale				
Volume Directed	1,240	ft <sup>3</sup>	This volume is directed another practice				



# Dry Swale Worksheet

<b>Design Point:</b>	<b>1</b>						
<b>Enter Site Data For Drainage Area to be Treated by Practice</b>							
Catchment Number	Total Area (Acres)	Impervious Area (Acres)	Percent Impervious %	Rv	WQv (ft <sup>3</sup> )	Precipitation (in)	Description
2	1.26	0.82	0.65	0.64	3198.39	1.10	Dry Swale
Enter Impervious Area Reduced by Disconnection of Rooftops		0.00	65%	0.64	3,198	<<WQv after adjusting for Disconnected Rooftops	
<b>Pretreatment Provided</b>					<b>Pretreatment Technique</b>		
Pretreatment (10% of WQv)			320	ft <sup>3</sup>	Check Dam		
<b>Calculate Available Storage Capacity</b>							
Bottom Width	4	ft	Design with a bottom width no greater than eight feet to avoid potential gullyng and channel braiding, but no less than two feet				
Side Slope (X:1)	3	Okay	Channels shall be designed with moderate side slopes (flatter than 3:1) for most conditions. 2:1 is the absolute maximum side slope				
Longitudinal Slope	3%	Okay	Maximum longitudinal slope shall be 4%				
Flow Depth	1	ft	Maximum ponding depth of one foot at the mid-point of the channel, and a maximum depth of 18" at the end point of the channel (for storage of the WQv)				
Top Width	10	ft					
Area	7.00	sf					
Minimum Length	411	ft					
Actual Length	600	ft					
End Point Depth check	1.50	Okay	A maximum depth of 18" at the end point of the channel (for storage of the WQv)				
Storage Capacity	4,520	ft <sup>3</sup>					
Soil Group (HSG)			D				
<b>Runoff Reduction</b>							
Is the Dry Swale contributing flow to another practice?			Yes	Select Practice	Other/Standard SMP		
<b>RRv</b>	<b>904</b>	<b>ft<sup>3</sup></b>	<b>Runoff Reduction equals 40% in HSG A and B and 20% in HSG C and D up to the WQv</b>				
Volume Treated	0	ft <sup>3</sup>	This is the difference between the WQv calculated and the runoff reduction achieved in the swale				
Volume Directed	2,294	ft <sup>3</sup>	This volume is directed another practice				



Appendix J

Project Plan Sheets



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**(See Site Plan Set)**



# REFERRAL FORM

## MONTGOMERY COUNTY PLANNING BOARD

Referral Number: \_\_\_\_\_  
assigned by the MCPB upon  
acceptance of referral for review

This Referral must be received **SEVEN CALENDAR DAYS** prior to the MCPB meeting date in order for it to be placed on the agenda.

**TO:** Montgomery County Planning Board,  
Old County Courthouse,  
PO Box 1500, Fonda, New York 12068  
Phone: 518-853-8334  
Fax: 518-853-8336

**FROM:** Municipal Board: Town of Florida Planning Board  
Referring Officer: Planning Board Chairman  
Mail original resolution to: Emily Staley  
214 Fort Hunter Road  
Amsterdam, NY 12010

1. **Applicant:** Borrego 2. **Site Address:** 153 YMCA Road, Amsterdam, NY 12010  
3. **Tax Map Number(s):** 102.-1-19 4. **Acres:** 4.9  
5. **Is the site currently serviced by public water?** ☐ Yes ☒ No  
6. **On-site waste water treatment is currently provided by:** ☐ Public Sewer or ☐ Septic System N/A  
7. **Current Zoning:** Agriculture 8. **Current Land Use:** Vacant - unused  
9. **Project Description:** Single 4.3 MW wind turbine(Vestas V150) and associated gravel access roadway and utilities.

### 10. MCPB Jurisdiction:

<input type="checkbox"/> <b>Text Adoption or Amendment</b>	<input checked="" type="checkbox"/> <b>Site is located within 500' of:</b> <u>Agricultural Zone</u> (Specify by Name)
<input type="checkbox"/> a municipal boundary.	
<input type="checkbox"/> a State or County thruway/highway/roadway	
<input type="checkbox"/> an existing or proposed State or County park/recreation area	
<input type="checkbox"/> an existing or proposed County-owned stream or drainage channel	
<input type="checkbox"/> a State or County-owned parcel on which a public building or institution is situated	
<input checked="" type="checkbox"/> a farm operation within an Agricultural District (Incl. Ag data Statement) (does not apply to area variances)	

11. **PUBLIC HEARING:** Date: 09/12/2022 Time: 6:30pm Location: 167 Fort Hunter Road

### Referred Action(s)

If referring multiple, related actions, please identify the referring municipal board if different from above.

12. ☐ **Text Adoption or** ☐ **Amendment** Referring Board:

☐ Comprehensive Plan ☐ Local Law ☐ Zoning Ordinance ☐ Other \_\_\_\_\_

13. ☐ **Zone Change** Referring Board:

Proposed Zone District: \_\_\_\_\_ Number of Acres: \_\_\_\_\_

Purpose of the Zone Change: \_\_\_\_\_

14. ☒ **Site Plan** ☒ **Project Site Review** Referring Board:

Proposed Improvements: Single 4.3 MW wind turbine(Vestas V150)

Proposed Use: Wind Turbine

Will the proposed project require a variance? ☒ Yes ☐ No Type: ☐ Area ☐ Use

Specify: Area variance for the height was already granted by the ZBA

Is a State or County DOT work permit needed? If Yes : ☐ State or ☐ County ☐ No

Specify: \_\_\_\_\_



15. ☒ Special Permit

Referring Board:

Section of local zoning code that requires a special permit for this use: Section 45.4 Wind Turbine Facilities Law

Will the proposed project require a variance? ☐ Yes ☐ No Type: ☐ Area ☐ Use

16. Variance

Referring Board:

☐ Area ☐ Use

Section(s) of local zoning code to which the variance is being sought: \_\_\_\_\_

Describe how the proposed project varies from the above code section: \_\_\_\_\_

SEQR Determination

Action:

Finding:

- Check One
- ☐ Type I
  - ☐ Type II
  - ☐ Unlisted Action
  - ☐ Exempt

- ☐ Positive Declaration – Draft EIS
- ☐ Conditional Negative Declaration
- ☐ Negative Declaration
- ☐ No Finding (Type II Only)

SEQR determination made by (Lead Agency): \_\_\_\_\_ Date: \_\_\_\_\_

REQUIRED MATERIAL

Send 13 copies of a “Full Statement of the Proposed Action” which includes:

All materials required by and submitted to the referring body as an application

- If submitting site plans, please submit only 1 large set of plans, and 12 11x17 packets.
- All material may be submitted digitally as well at <http://www.mcfdc.org/planning-services/montgomery-county-planning-board-referrals/>

This referral, as required by GML §239 l and m, includes complete information, and supporting materials to assist the Montgomery County Planning Board (MCPB) in its review. Recommendations by MCPB shall be made to the Referring Body within thirty days of receipt of the Full Statement.

Emily Staley - Town Clerk 518-843-6372 ext 1 Emily Staley  
Name, Title & Phone Number of Person Completing this Form

08/04/2022  
Transmittal Date



Application #: \_\_\_\_\_

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

Project Name: \_\_\_\_\_

Page 1 of 2

**Town of Florida  
Planning Board  
Application to the Planning Board**

A completed Application must be filed at least ten (10) days prior to the meeting at which it is to be considered by the Planning Board, including all applicable attached information.

Applicant: \_\_\_\_\_ Property Owner: \_\_\_\_\_

(if different)

Address: \_\_\_\_\_ Address: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_ Phone: ( ) \_\_\_\_\_

Professional Other: \_\_\_\_\_

Advisor: \_\_\_\_\_ (if appropriate, please specify)

Address: \_\_\_\_\_ Address: \_\_\_\_\_

Phone: ( ) \_\_\_\_\_ Phone: ( ) \_\_\_\_\_

**1) Property Location:**

Address: \_\_\_\_\_

General Location: \_\_\_\_\_

Zoning District: \_\_\_\_\_

Tax Parcel ID# (SBL): \_\_\_\_\_

**2) Type of Application (please check appropriate box(s)):**

☐ Major Subdivision/ \$500

☐ Minor Subdivision \$100

Major Site Plan \$500

☐ Minor Site Plan \$100

☒ Special Permit \$100

☐ Lot Line Adjustment \$100

**3) Project Description: \_\_\_\_\_**

For each type of application a checklist detailing the required information has been attached. These checklists are only intended to be a guide to the applicant, for specifics on submission requirements, procedures, timeframes, etc., the applicant should refer to the applicable Town Ordinance (Zoning, Subdivision, etc.), and or State Law (SEQR, Ag & Markets, etc).

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Property Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_



Application #: \_\_\_\_\_

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

Project Name: \_\_\_\_\_

Page 2 of 2

**For Office Use Only**

Total Amount received: \$ \_\_\_\_\_

Check # (s)/Date: \_\_\_\_\_

Received By: \_\_\_\_\_

\_\_\_\_\_  
Zoning Enforcement Officer's certification that application is complete and in conformance with Zoning Regulations.

\_\_\_\_\_  
(Zoning Enforcement Officer)

**For Planning Board Use Only**

The Planning Board held a Public Hearing on \_\_\_\_\_ (day) of \_\_\_\_\_ (date),  
\_\_\_\_\_ (year) in consideration of this application.

The application is hereby:

- ☐ **Approved**  
☐ **Approved with modifications**  
☐ **Disapproved**

Modifications and comments: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Chairman, Town of Florida Planning Board

\_\_\_\_\_  
Date



**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:



## B. Government Approvals

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

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

## C. Planning and Zoning

### C.1. Planning and zoning actions.

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

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

### C.2. Adopted land use plans.

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

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

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

If Yes, identify the plan(s):

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

If Yes, identify the plan(s):

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<b>C.3. Zoning</b>	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district?	□ Yes □ No
<div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 15px; margin-bottom: 5px;"></div>	
b. Is the use permitted or allowed by a special or conditional use permit?	□ Yes □ No
c. Is a zoning change requested as part of the proposed action? If Yes,	□ Yes □ No
i. What is the proposed new zoning for the site? _____	
<b>C.4. Existing community services.</b>	
a. In what school district is the project site located? _____	
b. What police or other public protection forces serve the project site? _____	
c. Which fire protection and emergency medical services serve the project site? _____	
d. What parks serve the project site? _____ _____	

#### D. Project Details

<b>D.1. Proposed and Potential Development</b>	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? _____	
b. a. Total acreage of the site of the proposed action?	_____ acres
b. b. Total acreage to be physically disturbed?	_____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	_____ acres
c. Is the proposed action an expansion of an existing project or use? □ Yes □ No	
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)?    % _____    Units: _____	
d. Is the proposed action a subdivision, or does it include a subdivision? □ Yes □ No	
If Yes,	
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____	
ii. Is a cluster/conservation layout proposed? □ Yes □ No	
iii. Number of lots proposed? _____	
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will the proposed action be constructed in multiple phases? □ Yes □ No	
i. If No, anticipated period of construction: _____ months	
ii. If Yes:	
• Total number of phases anticipated	_____
• Anticipated commencement date of phase 1 (including demolition)	_____ month _____ year
• Anticipated completion date of final phase	_____ month _____ year
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____ _____ _____	



f. Does the project include new residential uses? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

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

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

**D.2. Project Operations**

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

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____	



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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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

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

*v.* Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

---

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

*i.* Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

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

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

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

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

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

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

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

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

---

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

*i.* Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

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

\_\_\_\_\_

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

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



<ul style="list-style-type: none"> <li>• Do existing sewer lines serve the project site? _____</li> <li>• Will a line extension within an existing district be necessary to serve the project? _____</li> </ul> <p>If Yes:</p> <ul style="list-style-type: none"> <li>• Describe extensions or capacity expansions proposed to serve this project: _____            _____            _____</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____</p> <p>If Yes:</p> <ul style="list-style-type: none"> <li>• Applicant/sponsor for new district: _____</li> <li>• Date application submitted or anticipated: _____</li> <li>• What is the receiving water for the wastewater discharge? _____</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____            _____            _____</p>		
<p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____            _____            _____</p>		
<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p style="margin-left: 40px;">_____ Square feet or _____ acres (impervious surface)</p> <p style="margin-left: 40px;">_____ Square feet or _____ acres (parcel size)</p> <p>ii. Describe types of new point sources. _____            _____</p> <p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____            _____</p> <ul style="list-style-type: none"> <li>• If to surface waters, identify receiving water bodies or wetlands: _____              _____</li> <li>• Will stormwater runoff flow to adjacent properties? _____</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____</p>		
<p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____</p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> <li>• _____ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)</li> <li>• _____ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)</li> <li>• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)</li> <li>• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)</li> <li>• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)</li> <li>• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)</li> </ul>		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No



<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>			
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>			
<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend  <input type="checkbox"/> Randomly between hours of _____ to _____.</p> <p>ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <span style="float: right;">Yes No</span></p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade, to an existing substation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>
<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>		



<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p> <p>_____</p>	
<p>n. Will the proposed action have outdoor lighting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p> <p>_____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p> <p>_____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> <li>• Construction: _____ tons per _____ (unit of time)</li> <li>• Operation : _____ tons per _____ (unit of time)</li> </ul> <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>_____</li> <li>• Operation: _____</li> <li>_____</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>_____</li> <li>• Operation: _____</li> <li>_____</li> </ul>	



s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No  
 If Yes:  
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_  
 ii. Anticipated rate of disposal/processing:  
     • \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or  
     • \_\_\_\_\_ Tons/hour, if combustion or thermal treatment  
 iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No  
 If Yes:  
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month  
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No  
 If Yes: provide name and location of facility: \_\_\_\_\_  
 \_\_\_\_\_  
 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:  
 \_\_\_\_\_  
 \_\_\_\_\_

## E. Site and Setting of Proposed Action

<b>E.1. Land uses on and surrounding the project site</b>			
a. Existing land uses. i. Check all uses that occur on, adjoining and near the project site. <input type="checkbox"/> Urban <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Rural (non-farm) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ ii. If mix of uses, generally describe: _____ _____			
b. Land uses and coverytypes on the project site.			
Land use or Coverytype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			



<p>c. Is the project site presently used by members of the community for public recreation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p><i>i. If Yes: explain:</i> _____</p>	
<p>d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes,</p> <p><i>i. Identify Facilities:</i></p> <p>_____</p> <p>_____</p>	
<p>e. Does the project site contain an existing dam? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p><i>i. Dimensions of the dam and impoundment:</i></p> <ul style="list-style-type: none"> <li>• Dam height: _____ feet</li> <li>• Dam length: _____ feet</li> <li>• Surface area: _____ acres</li> <li>• Volume impounded: _____ gallons OR acre-feet</li> </ul> <p><i>ii. Dam's existing hazard classification:</i> _____</p> <p><i>iii. Provide date and summarize results of last inspection:</i></p> <p>_____</p> <p>_____</p>	
<p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p><i>i. Has the facility been formally closed?</i> <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <ul style="list-style-type: none"> <li>• If yes, cite sources/documentation: _____</li> </ul> <p><i>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:</i></p> <p>_____</p> <p>_____</p> <p><i>iii. Describe any development constraints due to the prior solid waste activities:</i> _____</p> <p>_____</p>	
<p>g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p><i>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:</i></p> <p>_____</p> <p>_____</p>	
<p>h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p><i>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:</i> <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Yes – Spills Incidents database  <input type="checkbox"/> Yes – Environmental Site Remediation database  <input type="checkbox"/> Neither database         </div> <div>           Provide DEC ID number(s): _____            Provide DEC ID number(s): _____         </div> </div> <p><i>ii. If site has been subject of RCRA corrective activities, describe control measures:</i> _____</p> <p>_____</p> <p><i>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?</i> <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes, provide DEC ID number(s): _____</p> <p><i>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):</i></p> <p>_____</p> <p>_____</p>	



v. Is the project site subject to an institutional control limiting property uses? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> <ul style="list-style-type: none"> <li>• If yes, DEC site ID number: _____</li> <li>• Describe the type of institutional control (e.g., deed restriction or easement): _____</li> <li>• Describe any use limitations: _____</li> <li>• Describe any engineering controls: _____</li> <li>• Will the project affect the institutional or engineering controls in place? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>• Explain: _____  _____</li> </ul>	
<b>E.2. Natural Resources On or Near Project Site</b>	
a. What is the average depth to bedrock on the project site? _____ feet	
b. Are there bedrock outcroppings on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div>_____</div> <div>_____ %</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div>_____</div> <div>_____ %</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div>_____</div> <div>_____ %</div> </div>	
d. What is the average depth to the water table on the project site? Average: _____ feet	
e. Drainage status of project site soils: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <input type="checkbox"/> Well Drained: _____ % of site <input type="checkbox"/> Moderately Well Drained: _____ % of site <input type="checkbox"/> Poorly Drained: _____ % of site </div>	
f. Approximate proportion of proposed action site with slopes: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <input type="checkbox"/> 0-10%: _____ % of site <input type="checkbox"/> 10-15%: _____ % of site <input type="checkbox"/> 15% or greater: _____ % of site </div>	
g. Are there any unique geologic features on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, describe: _____ _____	
h. Surface water features. <div style="margin-top: 10px;"> i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> </div> <div style="margin-top: 5px;"> ii. Do any wetlands or other waterbodies adjoin the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> </div> <div style="margin-top: 5px;"> If Yes to either <i>i</i> or <i>ii</i>, continue. If No, skip to E.2.i. </div> <div style="margin-top: 5px;"> iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> </div> <div style="margin-top: 5px;"> iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <ul style="list-style-type: none"> <li>• Streams: Name _____ Classification _____</li> <li>• Lakes or Ponds: Name _____ Classification _____</li> <li>• Wetlands: Name _____ Approximate Size _____</li> <li>• Wetland No. (if regulated by DEC) _____</li> </ul> </div>	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If yes, name of impaired water body/bodies and basis for listing as impaired: _____ _____	
i. Is the project site in a designated Floodway? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
j. Is the project site in the 100-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
k. Is the project site in the 500-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <div style="margin-top: 5px;"> i. Name of aquifer: _____ </div>	



<p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>_____</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____</p> <p>_____</p> <p>_____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p> <p>_____</p>	
<p><b>E.3. Designated Public Resources On or Near Project Site</b></p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <span style="margin-left: 20px;"><input type="checkbox"/> Biological Community</span> <span style="margin-left: 20px;"><input type="checkbox"/> Geological Feature</span></p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>	



e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>
g. Have additional archaeological or historic site(s) or resources been identified on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles.
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>

#### F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

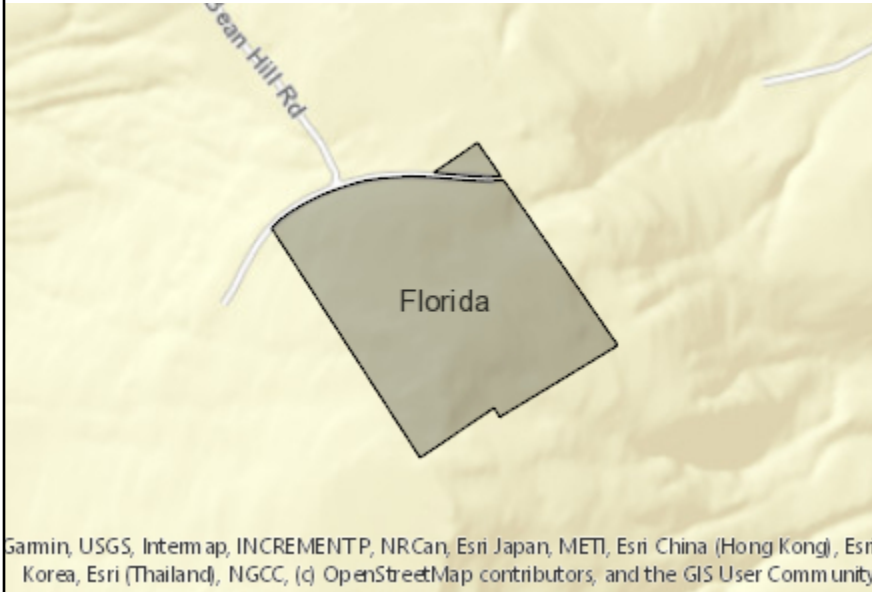
#### G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Title \_\_\_\_\_





**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas: Mohawk Valley Heritage Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No



E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	MONT003
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No





# Decommissioning Plan

**153 YMCA Road Wind Energy Project,  
Town of Florida, Montgomery County, NY**

Borrego Solar

July 21, 2021



**GHD 337**




285 Delaware Avenue, Suite 500

Buffalo, New York 14202, United States

**T** +1 716 856 2142 | **F** +1 716 856 2160 | **E** info-northamerica@ghd.com | **ghd.com**

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<b>Project manager</b>	Camie Jarrell
<b>Client name</b>	Borrego Solar
<b>Project name</b>	153 YMCA Road Wind Energy Project
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<b>Revision version</b>	Rev [00]
<b>Project number</b>	11227527

**Document status**

Status Code	Revision	Author	Reviewer		Approved for issue		
			Name	Signature	Name	Signature	Date
S3		Mel Gates	Camie Jarrell				
S4			Camie Jarrell		David Britton		7/21/2021

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# **1. 153 YMCA Road Wind Project**

## **1.1 Purpose of this report**

This report summarizes the specific project components that will be removed, the costs associated with their removal and, where applicable, their associated salvage value. This report also provides overall unit costs (per turbine) for decommissioning the 153 YMCA Road Wind Project (Project).

## **1.2 Scope and limitations**

*This report: has been prepared by GHD for Borrego Solar and may only be used and relied on by Borrego Solar for the purpose agreed between GHD and Borrego Solar as set out in our Master Services Agreement.*

*GHD otherwise disclaims responsibility to any person other than Borrego Solar arising in connection with this report. GHD also excludes implied warranties and conditions, to the extent legally permissible.*

*The services undertaken by GHD in connection with preparing this report were limited to those specifically detailed in the report and are subject to the scope limitations set out in the report.*

*The opinions, conclusions and any recommendations in this report are based on conditions encountered and information reviewed at the date of preparation of the report. GHD has no responsibility or obligation to update this report to account for events or changes occurring subsequent to the date that the report was prepared.*

## **1.3 System Description**

The proposed Project is a wind energy facility located in the township of Florida, Montgomery County, New York. In general, the Project facilities will be comprised of one wind turbine, overhead and underground electrical collection system, access road, and associated facilities.

## **1.4 Decommissioning Sequence**

Should the Project be decommissioned, the following facilities would require removal and the associated disposal of materials and equipment:

- Wind turbines
- Foundations
- Access roads
- Overhead and underground electrical system

# **2. Wind Turbines**

## **2.1 Wind Turbine Decommissioning**

Properly maintained wind turbines typically have a life expectancy of 20 to 25 years. At the end of the Project life, depending on market conditions and project viability, the wind turbines may be “re-powered” or upgraded with more efficient turbines and equipment. However, if not upgraded, or if the turbines are non-operational for an extended period of time (such that there is no expectation of their returning to operation), they will need to be decommissioned.



For the basis of this estimate, a Vestas Model V150, 4.3 MW turbine with a height of 105 meters (344 feet) was used for the calculation of unit weights for the salvage values of the equipment and materials. The turbine, along with the tower and associated components, will have resulting salvage values after decommissioning and removal of the units.

The major components of the wind turbines (tower, nacelle, hub and blades) are modular items that allow for ease of construction and disassembly during decommissioning or replacement. The tower is comprised of approximately 260 tons (236 metric tons) of painted steel structure. The hub is comprised of approximately 35 tons (31.7 metric tons) of cast iron/steel. Both the tower and the hub have the potential to be salvaged for scrap value. The nacelle has an overall unit weight of approximately 120 tons (108.5 metric tons) and is constructed of a combination of steel, copper, composite materials, and various other materials. Portions of the components within the nacelle and generators, along with overhead aluminum wires, have the potential to be salvaged for scrap value.

Scrap metal prices historically fluctuate with existing market conditions. The current salvage value for scrap #1 heavy melt steel (HMS) is approximately \$446.00 per US ton. Salvage values for #3 copper materials (CU 88 percent to 90 percent) currently average \$7,080 per US ton (\$3.55/lb.). Salvage values for aluminum wire currently average \$1.04 per pound. The salvage unit values for scrap steel, copper and aluminum are estimated based on current commodity prices. The commodity market prices used in the above estimate were obtained from Scrap Monster and various other sources, in July 2021 (July 2021 prices).

For the purpose of this decommissioning plan, it is assumed that the tower and nacelle will yield approximately 70 percent steel materials of which 75 percent of the available steel materials are adequate to process for salvage. Since the hub assembly is a cast iron/steel manufactured unit, it is anticipated that the hub assembly will yield 100 percent salvageable metallic materials. Copper salvage estimates were derived by assuming 10 percent of the total nacelle weight consists of copper bearing materials. Overhead aluminum power transmission wires would be salvaged. Since the construction of the rotor/blades are predominantly non-metallic materials (fiberglass reinforced epoxy and carbon fibers), no salvageable value for the rotor/blades were used in the decommissioning cost estimate. This is considered a conservative salvage estimate.

Based on the design of the wind farm incorporating one turbine, the total estimated steel salvage value for the tower, nacelle and hub assembly is estimated to be approximately \$100,350. The total estimated copper salvage value is estimated to be approximately \$85,000. The total estimated aluminum salvage value is estimated to be approximately \$130.

Petroleum, oils and/or lubricants (POL) contained in the wind turbine nacelle would require the removal and off-Site disposal during wind turbine decommissioning. Using currently estimated disposal costs, the costs anticipated for removal of POL from the nacelle and associated hauling fees to an approved off-Site disposal location, would be approximately \$1,000.00 for each wind turbine.

Based upon the anticipated total labor and equipment cost, including mobilization and demobilization, the estimated cost for dismantling of the turbines is outlined below. The cost estimate is based upon a two-day dismantling effort per turbine and included costs for a lift crane, secondary crane, mobilization, demobilization, and associated labor costs. The estimate includes the costs associated with the transport of the turbine components from the Site to a recycling facility.

**Table 2.1**      *Wind Turbine Decommissioning*

Turbine Decommissioning	Unit Cost	Unit
Mobilization to Site – Assume 1 day	\$31,000	Per Turbine
Turbine Removal/Dismantling	\$47,600	Per Turbine
Load/Transport Turbine Parts for Recycling	\$38,100	Per Turbine
Removal/Disposal of POL	\$1,000	Per Turbine
Total Estimated Cost for Turbine Removal	\$117,700	Total



## 3. Wind Turbine Foundations

### 3.1 Wind Turbine Foundation Decommissioning

The target removal depth of the foundation is required to be a minimum of 3 feet below grade for foundations located in non-agricultural lands and a minimum of 4 feet below grade for foundations located in active agricultural lands. For the purpose of this estimate, all foundations were calculated for removal to a depth of 4 feet to prevent interference with future farming activities. The estimated cost of removing each foundation includes the costs associated with mobilization, demolition, backfill and disposal of material, and final site restoration as shown in Table 3.1.

*Table 3.1 Wind Turbine Foundation Decommissioning*

Turbine Foundation Decommissioning	Unit Cost	Unit
Mobilization to Site – Assume 1 day	\$9,300	Per Foundation
Concrete Demolition – Assume 3 days per Foundation	\$12,600	Per Foundation
Disposal of Materials – Assume 1 day per Foundation	\$12,600	Per Foundation
Total Estimated Cost for Foundation Removal	\$34,500	Total

### 3.2 Wind Turbine Grounding System

The grounding system for each wind turbine consists of a grounding ring of copper cable that runs in a circle around the edge of the foundation near the foundation bottom. This ring connects several copper grounding rods driven into the ground around the perimeter of the foundation. A typical foundation is constructed so that the bottom of the spread footer is approximately 10 to 12 feet below grade (a typical depth used for example purposes only). The copper grounding ring would be approximately 12 feet below grade and the grounding rods would be installed so that their highest point is also 12 feet below grade. Because all of these components are more than 4 feet below grade, removal will not be required. Additionally, there is no recognizable benefit to removing these components. For these reasons, removal of the wind turbine grounding system is not part of this decommissioning plan.

## 4. Access Roads

### 4.1 Typical Access Road Construction Details

Based on preliminary data, a total of approximately 3,800 square yards of access road is included under this Project. The access road is approximately 1,700 feet long, 20 feet wide and 13 inches thick constructed of stone.

Typical access roads are constructed of a layer of geotechnical fabric and a final compacted course of gravel 13 inches in thickness. The actual details of construction have not been finalized at the time of this report and may be modified during final design of the Project.

### 4.2 Access Road Decommissioning

The decommissioning of the access road will involve the removal and transportation of the aggregate materials off site for separating the salvageable aggregate material. It is possible the local township may accept this material without processing for their use; however, for the purpose of this report, it is assumed that all materials will be removed and hauled to a reprocessing site within a 20-mile round-trip distance of the wind turbine. The decommissioning procedure will also include the removal and proper disposal of the geotextile fabric. It is assumed that a large amount of the



geotextile will be removed along with the aggregate and sorted at the off-site processing area to be disposed of in a nearby landfill. The estimate of access road decommissioning costs considers the current cost of hauling and excavation. The following unit price costs were used in the preparation of this estimate:

- Geotextile fabric removal (\$0.25 per square yard)
- Geotextile fabric disposal (\$150.00 per cubic yard)
- Gravel aggregate removal and hauling (\$17.90 per cubic yard)

The salvage value of the access road materials is based upon the following assumptions:

- 75 percent of the aggregate will be salvaged for reuse as aggregate base course gravel.
- Remaining material (25 percent) is suitable for general fill in non-structural fill areas.

Assuming the materials would be stockpiled at the process site and sold by the processor at a later date, the salvage values are as follows:

- Reprocessed aggregate to be used as base course (\$8.00 per cubic yard)
- Remaining aggregate and sand to be used as general fill (\$2.50 per cubic yard)

The only scenario that could offer a lesser cost to remove and salvage the aggregate would be disposal at a nearby site that needed inert fill. For the purposes of this estimate, no consideration has been given to this option since no suitable site has been identified for disposal of the material. The estimated costs for access road removal and disposal are presented in the Table 4.1.

**Table 4.1 Access Road Decommissioning**

Access Road Removal	Quantity	Unit Cost	Total Cost
Gravel Course Access and Utility Road Removed (CY)	1,385 CY	\$17.90 /CY	\$24,790
Geotextile Fabric Removal	3,800 SY	\$0.25/SY	\$950
Geotextile Fabric Disposal	3 CY ±	\$150.00/CY	\$450
Total			\$26,190
Use			\$26,200

Table 4.2 presents the estimated salvage values obtained from the removal (reclaimed) of aggregate materials.

**Table 4.2 Aggregate Salvage Values Removed**

Removed Aggregate Salvage Values	Quantity	Unit Salvage Value	Total Salvage Value
Gravel Aggregate Course (reused) (CY)	1,050 CY	\$8.00/CY	\$8,400
Aggregate (reprocessed as general fill) (CY)	335 CY	\$2.50/CY	\$838
Total			\$9,238
Use			\$9,300

## 5. Crane Pads

The crane pad will be constructed of gravel materials similar to the access road in the previous section and therefore, the quantities for decommissioning have been included above. All work for removal shall be conducted at the same time during decommissioning.



## 6. Overhead and Underground Electric

### 6.1 Wires and Poles Typical Installation

Power collection wires will be installed in a combination of underground and overhead on poles. Overhead will be removed during decommissioning, but because underground components are installed a minimum 4 feet below grade in agricultural areas, removal will not be required.

### 6.2 Overhead Wires and Poles Decommissioning

As a part of decommissioning of this project, all overhead wires will be removed and salvaged as necessary. Power poles will be cut off and removed off site for disposal or potential salvage during decommissioning of the project. For the purposes of this report, associated wire salvage values have not been included as they are negligible, and no salvage value was included for removed poles. The labor and equipment cost for the removal of poles and wires is estimated at \$5,000.

## 7. Earthwork and Topsoil Restoration

Once all the aboveground improvements and access roads are removed, the remaining work to complete the decommissioning of the site will consist of backfilling and grading the disturbed areas including the turbine foundation site and access roads. It is assumed that some existing materials and topsoil will be available at the site and reused on the site for restoration. It is estimated that approximately 1,350 cubic yards of material will be imported from off-site sources to supplement the fill available on the site for final site restoration. The estimated decommissioning cost for earthwork restoration is presented in Table 7.1.

**Table 7.1**      *Earthwork and Topsoil Restoration*

Description	Quantity (CY)	Cost (per CY)	Total Cost
Earthwork Fill Materials	1,350	\$13	\$17,550
Topsoil Materials	250	\$18	\$4,500
Total			\$22,050
Use			\$22,100

## 8. Summary of Decommissioning Costs

This estimate was developed using the various cost resources listed below:

- R.S. Means
- GHD historical data
- Vendor quotes (where applicable)
- Current/historic commodity prices
- Estimator judgment



The following is a summary of the total cost of decommissioning the turbine:

Decommissioning Costs – 1 Each Vestas Model V150, 4.3 MW Wind Turbine	
Turbine Removal (included removal/disposal of POL in nacelle)	\$117,700
Turbine Foundation Removal	\$34,500
Access Road Removal	\$26,200
Electrical Removal	\$5,000
Earthwork and Topsoil Restoration	\$22,100
<b>Total Decommissioning Costs</b>	<b>\$205,500</b>
Salvage Value – Wind Turbine	
Steel Salvage Value	\$100,350
Copper Salvage Value	\$85,000
Aluminum Salvage Value	\$130
Aggregate Salvage Value	\$9,300
<b>Total Salvage Value</b>	<b>(\$194,780)</b>
Salvage Value Net Decommissioning Costs	
Total Value	\$10,720
Value per Turbine Use	\$11,000





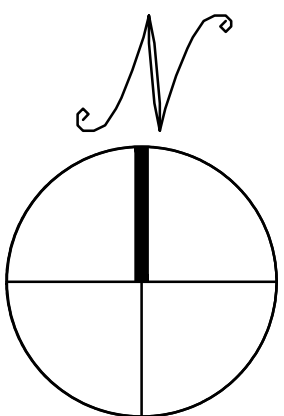
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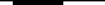








SCALE: 1" = 150'



A horizontal scale bar with alternating black and white segments. It is marked with '0' at the left end, '150'' in the middle, and '300'' at the right end.

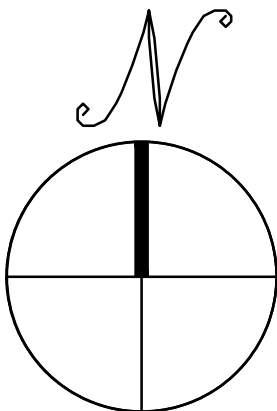
## EXISTING CONDITIONS PLAN





NOTES:

1. TREE CLEARING LIMITS SHOWN ARE APPROXIMATE AND BASED ON AERIAL MAPPING OF THE SITE. ACTUAL TREE CLEARING SHALL BE DETERMINED IN THE FIELD AND SHALL BE MINIMIZED TO THE EXTENT NECESSARY TO INSTALL PROJECT FEATURES.
2. THE WORK MAY REQUIRE THE REMOVAL OF INDIVIDUAL TREES AND BRUSH CLEARING TO ALLOW FOR CONSTRUCTION.
3. RIGHT-OF-WAY TREES ALONG YMCA ROAD SHALL BE TRIMMED AS NEEDED FOR TRUCK CLEARANCE.



TREE CLEARING PLAN

SCALE: 1" = 80'



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30 CENTURY HILL DRIVE, SUITE 301  
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PHONE: (518) 838-6273  
FAX: (518) 843-6778  
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153 YMCA RD  
AMSTERDAM, NY, 12010

PROJECT NUMBER:  
XXX-XXXX

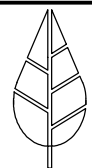
REV	DATE	DRAWN	CHECKED	RELEASE LEVEL	ISSUED FOR CLIENT REVIEW	JOINT APPLICATION FOR WETLAND PERMIT	TOWN ENGINEER CONSULTANT COMMENTS
	7/22/21	CRR	CLJ				
	2/23/22	CRR	CLJ				
	4/4/22	CRR	CLJ				

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TREE CLEARING PLAN





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PLAN SET  
153 YMCA RD  
AMSTERDAM, NY, 12010

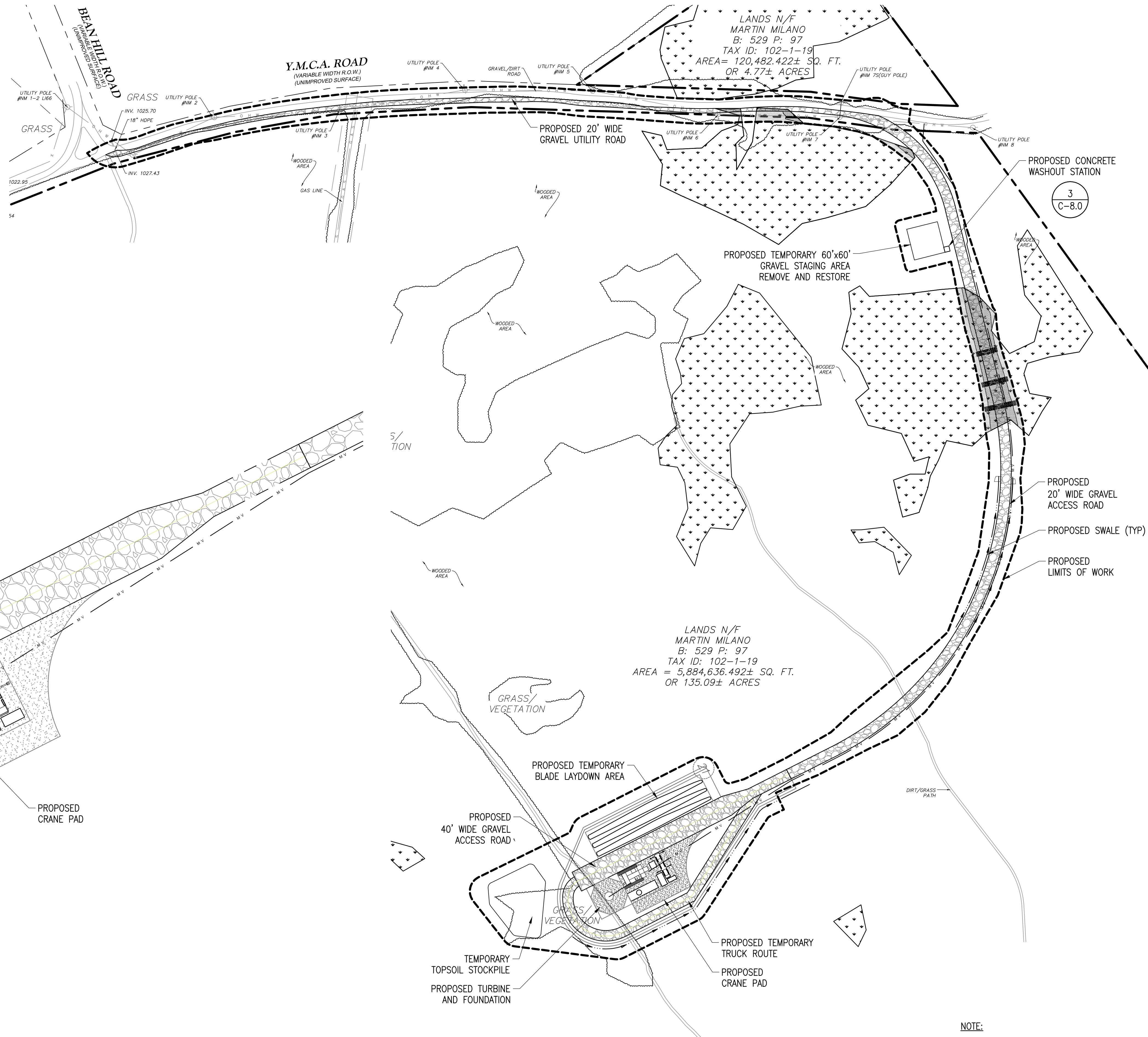
PROJECT NUMBER:  
XXX-XXXX

REV	DATE	DRAWN	CHECKED	RELEASE LEVEL	COMMENTS
	7/22/21	CRR	CLJ	ISSUED FOR CLIENT REVIEW	
	2/23/22	CRR	CLJ	JOINT APPLICATION FOR WETLAND PERMIT	
	4/4/22	CRR	CLJ	TOWN ENGINEER CONSULTANT COMMENTS	

SCALES STATED ON DRAWINGS  
ARE VALID ONLY WHEN PLOTTED  
INCH @ 24" X 36"

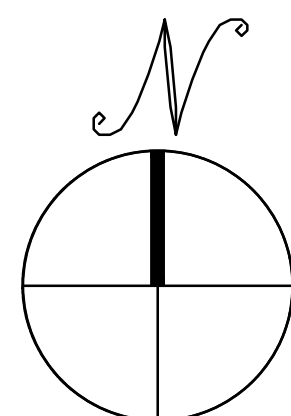
**C-3.0**

LAYOUT AND MATERIALS  
PLAN



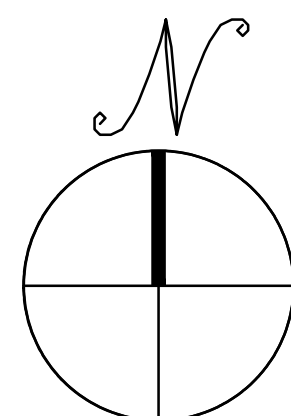
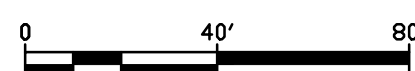
**NOTES:**

1. ALL TEMPORARY AREAS TO BE RESTORED AND DECOMPACTED AS NEEDED.
2. GRAVEL AND GEOTEXTILE FABRIC TO BE REMOVED AND ALL AREAS TO BE TOPSOIL AND SEEDED.



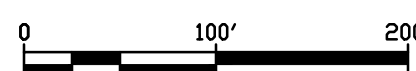
**ENLARGED PERMANENT PLAN**

SCALE: 1" = 40'



**LAYOUT AND MATERIALS PLAN**

SCALE: 1" = 100'



**NOTE:**

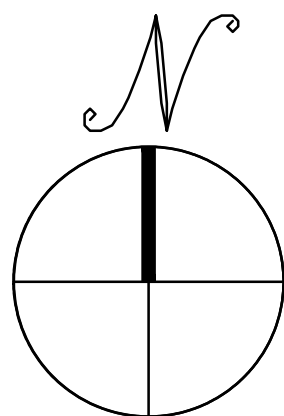
1. TOTAL ACREAGE OF IMPACTED WETLANDS = 0.43 ACRES
2. PERMANENT DISTURBANCE = 0.27 ACRES
3. TEMPORARY DISTURBANCE = 0.16 ACRES

**LEGEND:**

- PERMANENT DISTURBANCE
- TEMPORARY DISTURBANCE

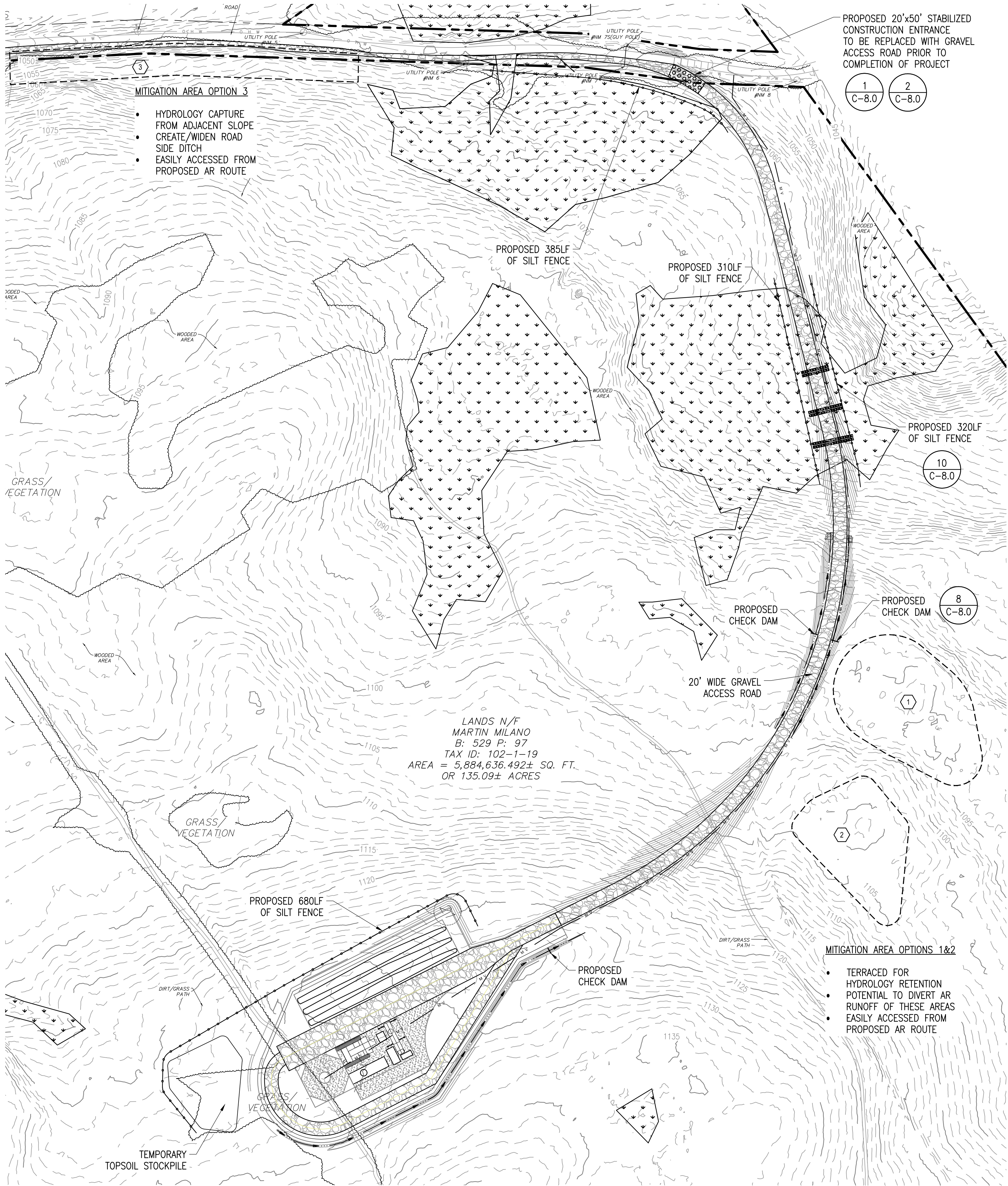


PROPOSED PERMANENT IMPACTS = 0.13 AC.  
MAXIMUM MITIGATION RATIO 3:1  
MAXIMUM MITIGATION AREA NEEDED = 0.39 AC.



# EROSION CONTROL PLAN

SCALE: 1" = 80'



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**153 YMCA RD**  
**AMSTERDAM, NY, 12010**

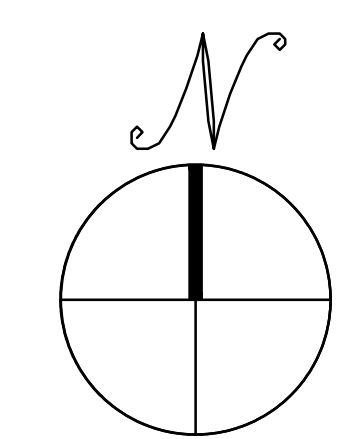
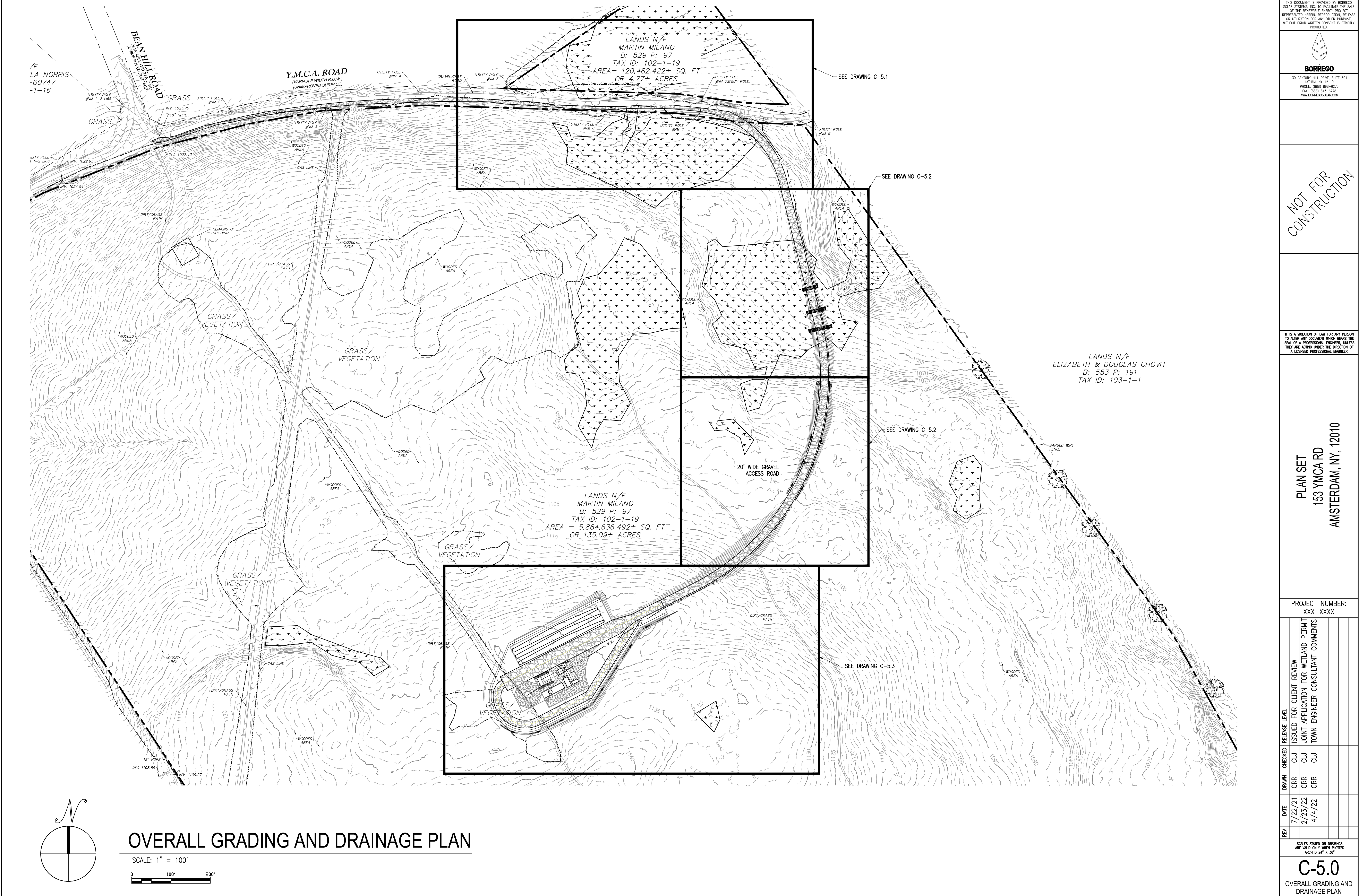
PROJECT NUMBER:  
XXX-XXXX

REV	DATE	DRAWN	CHECKED	RELEASE LEVEL	FOR CLIENT REVIEW	ISSUED FOR WETLAND PERMIT	JOINT APPLICATION FOR WETLAND PERMIT	TOWN ENGINEER CONSULTANT COMMENTS
	7/22/21	CRR	CLJ					
	2/23/22	CRR	CLJ					
	4/4/22	CRR	CLJ					

SCALES STATED ON DRAWINGS ARE VALID ONLY WHEN PLOTTED ARCH D 24" X 36"

**C-4.0**  
EROSION CONTROL PLAN





OVERALL GRADING AND DRAINAGE PLAN

SCALE: 1" = 100'

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LANDS N/F  
ELIZABETH & DOUGLAS CHOVIT  
B: 553 P: 191  
TAX ID: 103-1-1

LANDS N/F  
MARTIN MILANO  
B: 529 P: 97  
TAX ID: 102-1-19  
AREA = 120,482.422± SQ. FT.  
OR 4.77± ACRES

LANDS N/F  
MARTIN MILANO  
B: 529 P: 97  
TAX ID: 102-1-19  
AREA = 5,884,636.492± SQ. FT.  
OR 135.09± ACRES

SEE DRAWING C-5.1

SEE DRAWING C-5.2

SEE DRAWING C-5.2

SEE DRAWING C-5.3

PLAN SET  
153 YMCA RD  
AMSTERDAM, NY, 12010

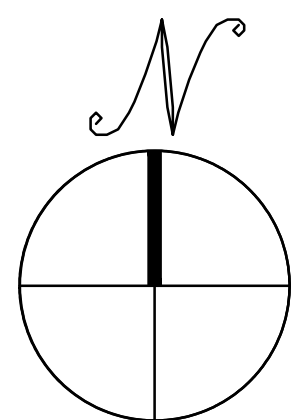
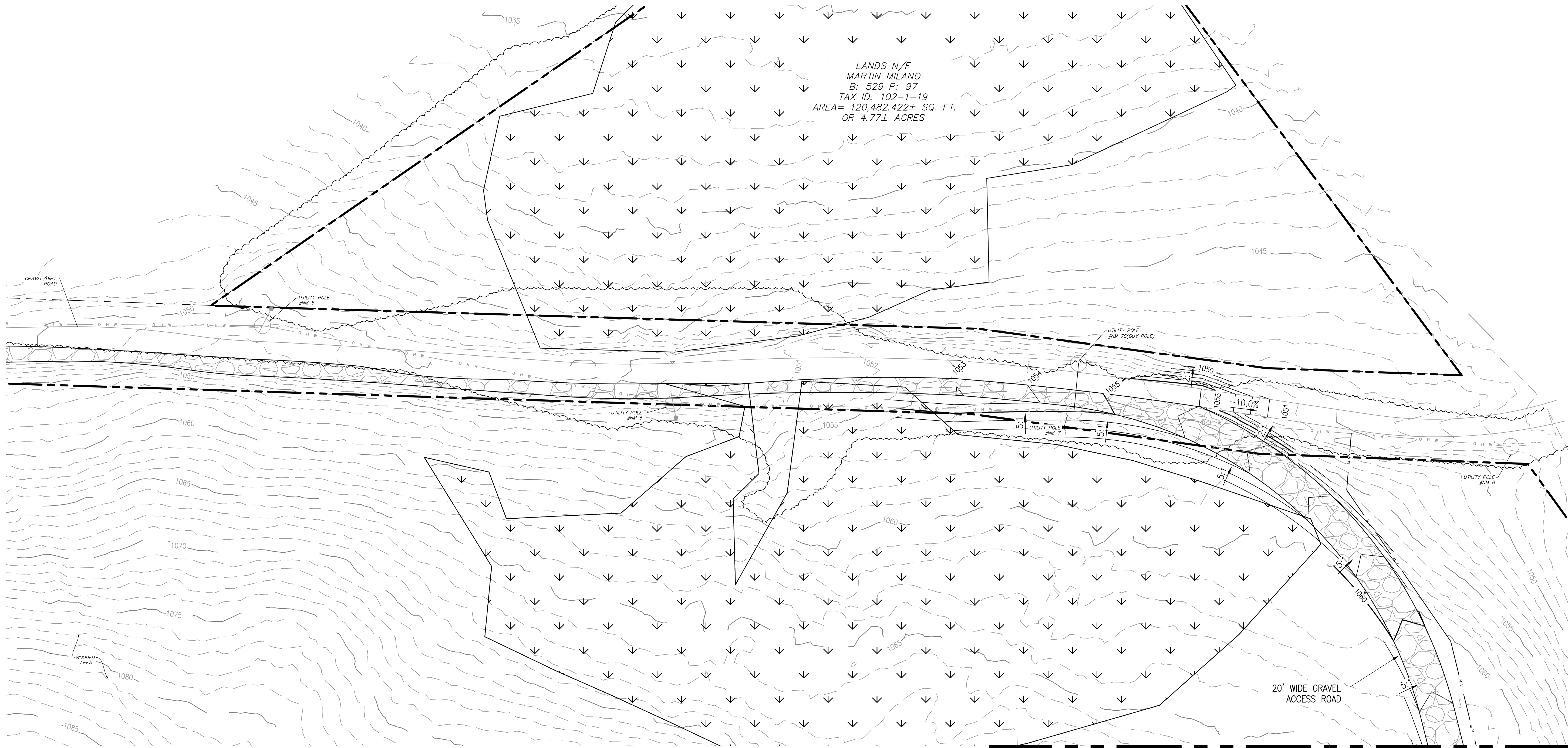
PROJECT NUMBER:  
XXX-XXXX

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	4/4/22	CRR	CLJ	TOWN ENGINEER CONSULTANT COMMENTS	

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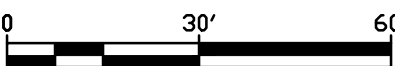
**C-5.0**  
OVERALL GRADING AND DRAINAGE PLAN



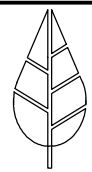


# GRADING AND DRAINAGE PLAN

SCALE: 1" = 30'



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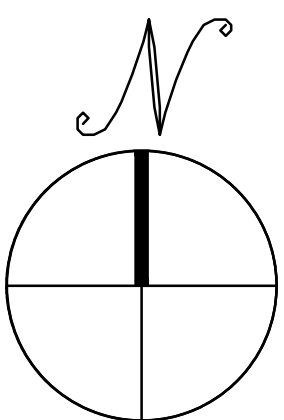
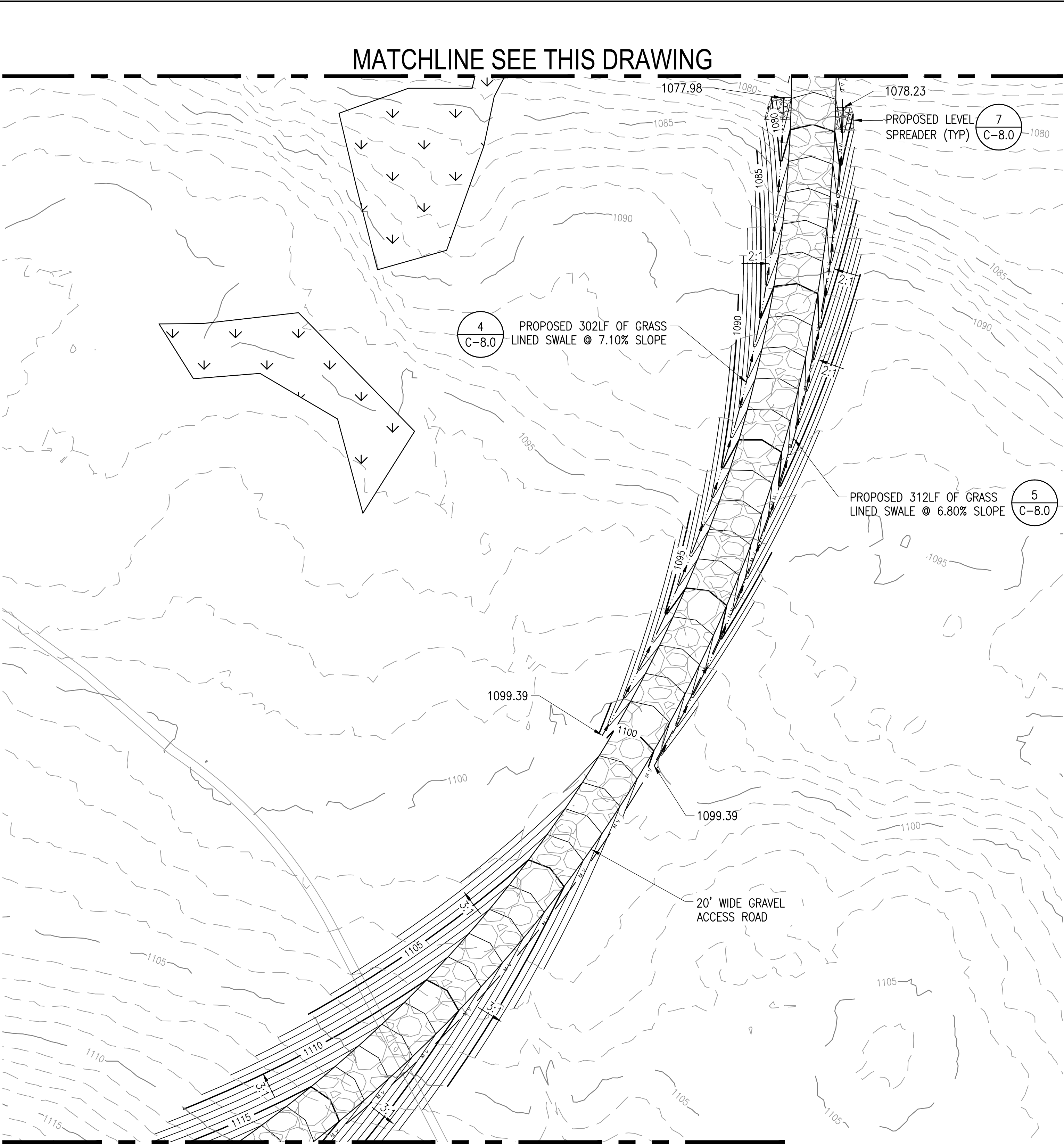
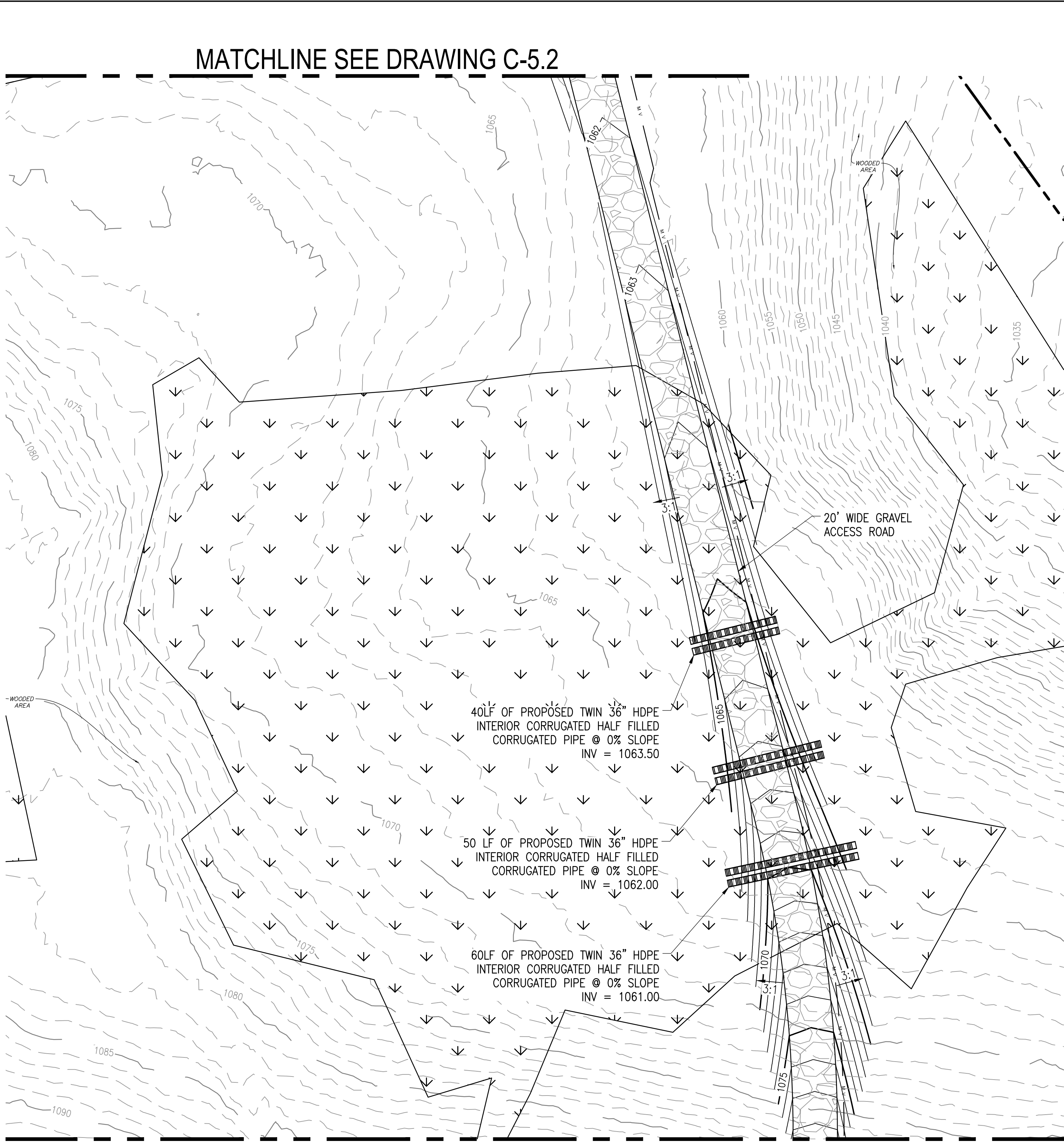
REV	DATE	DRAWN	CHECKED	RELEASE LEVEL	ISSUED FOR CLIENT REVIEW	JOINT APPLICATION FOR WETLAND PERMIT	TOWN ENGINEER CONSULTANT COMMENTS
	7/22/21	CRR	CLJ				
	2/23/22	CRR	CLJ				
	4/4/22	CRR	CLJ				

SCALES STATED ON DRAWINGS  
ARE VALID ONLY WHEN PLOTTED  
ARCH D 24" X 36"

**C-5.1**

GRADING AND DRAINAGE  
PLAN





GRADING AND DRAINAGE PLAN

SCALE: 1" = 30'



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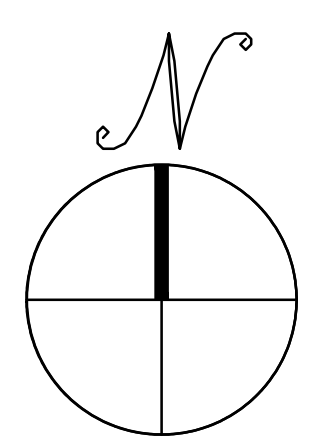
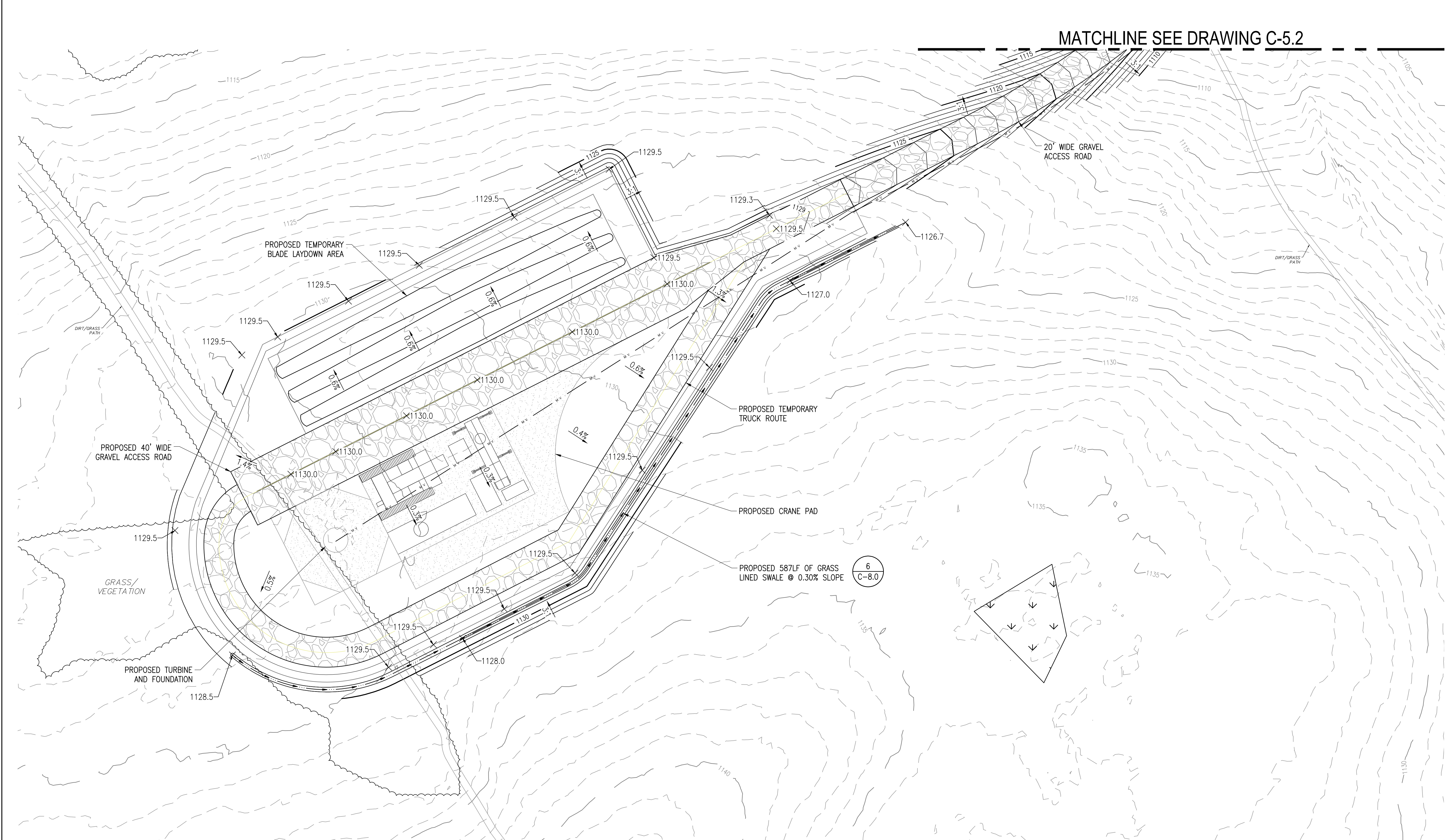
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REV	DATE	DRAWN	CHECKED	RELEASE LEVEL	COMMENTS
	7/22/21	CRR	CLJ	ISSUED FOR CLIENT REVIEW	
	2/23/22	CRR	CLJ	JOINT APPLICATION FOR WETLAND PERMIT	
	4/4/22	CRR	CLJ	TOWN ENGINEER CONSULTANT COMMENTS	

SCALES STATED ON DRAWINGS  
ARE VALID ONLY WHEN PLOTTED  
ARCH D 24" X 36"

**C-5.2**  
GRADING AND DRAINAGE  
PLAN





# GRADING AND DRAINAGE PLAN

SCALE: 1" = 30'

MATCHLINE SEE DRAWING C-5.2

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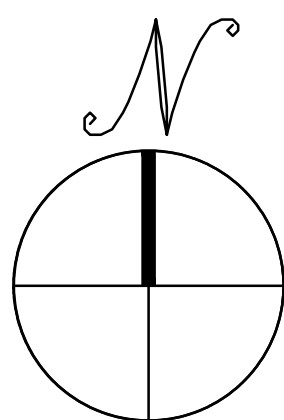
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	2/23/22	CRR	CLJ	JOINT APPLICATION FOR WETLAND PERMIT	
	4/4/22	CRR	CLJ	TOWN ENGINEER CONSULTANT COMMENTS	

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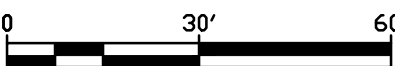
C-5.3  
GRADING AND DRAINAGE PLAN





ACCESS ROAD PLAN

SCALE: 1" = 30'



MATCHLINE SEE DRAWING C-6.1

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AMSTERDAM, NY, 12010

PROJECT NUMBER:  
XXX-XXXX

REV	DATE	DRAWN	CHECKED	RELEASE LEVEL	ISSUED FOR CLIENT REVIEW	JOINT APPLICATION FOR WETLAND PERMIT	TOWN ENGINEER CONSULTANT COMMENTS
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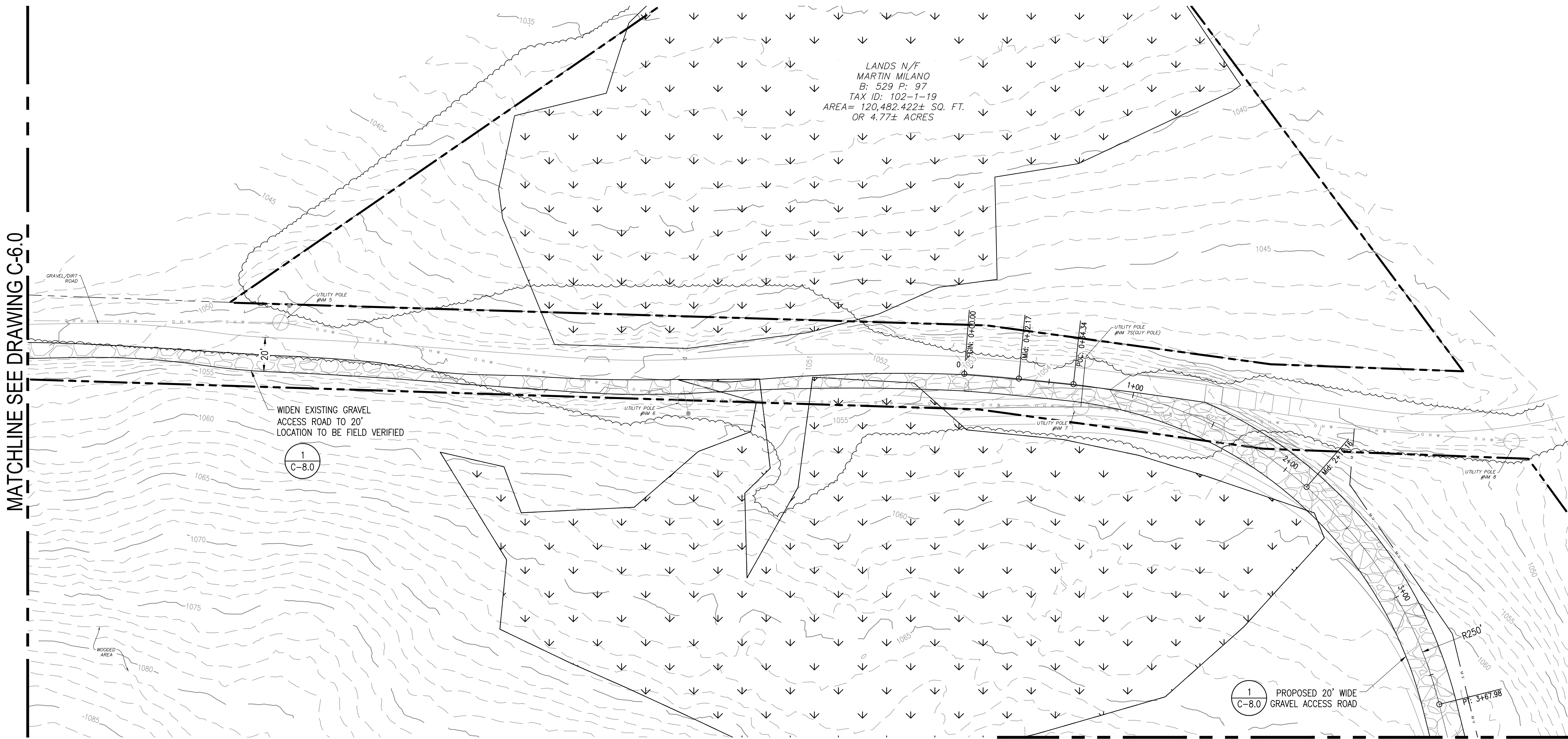
SCALES STATED ON DRAWINGS  
ARE VALID ONLY WHEN PLOTTED  
ARCH D 24" X 36"

C-6.0

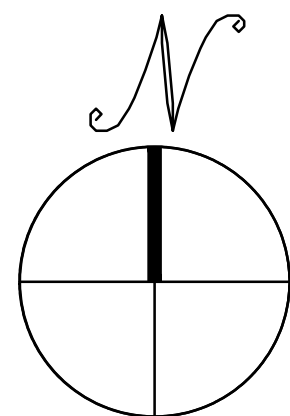
ACCESS ROAD PLAN



MATCHLINE SEE DRAWING C-6.0

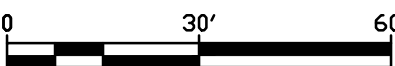


MATCHLINE SEE DRAWING C-6.2

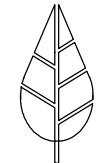


# ACCESS ROAD PLAN

SCALE: 1" = 30'



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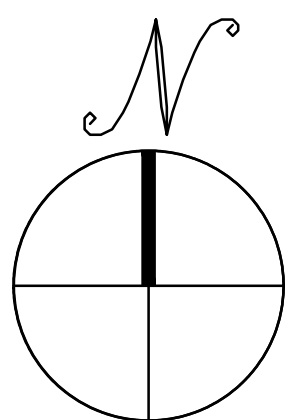
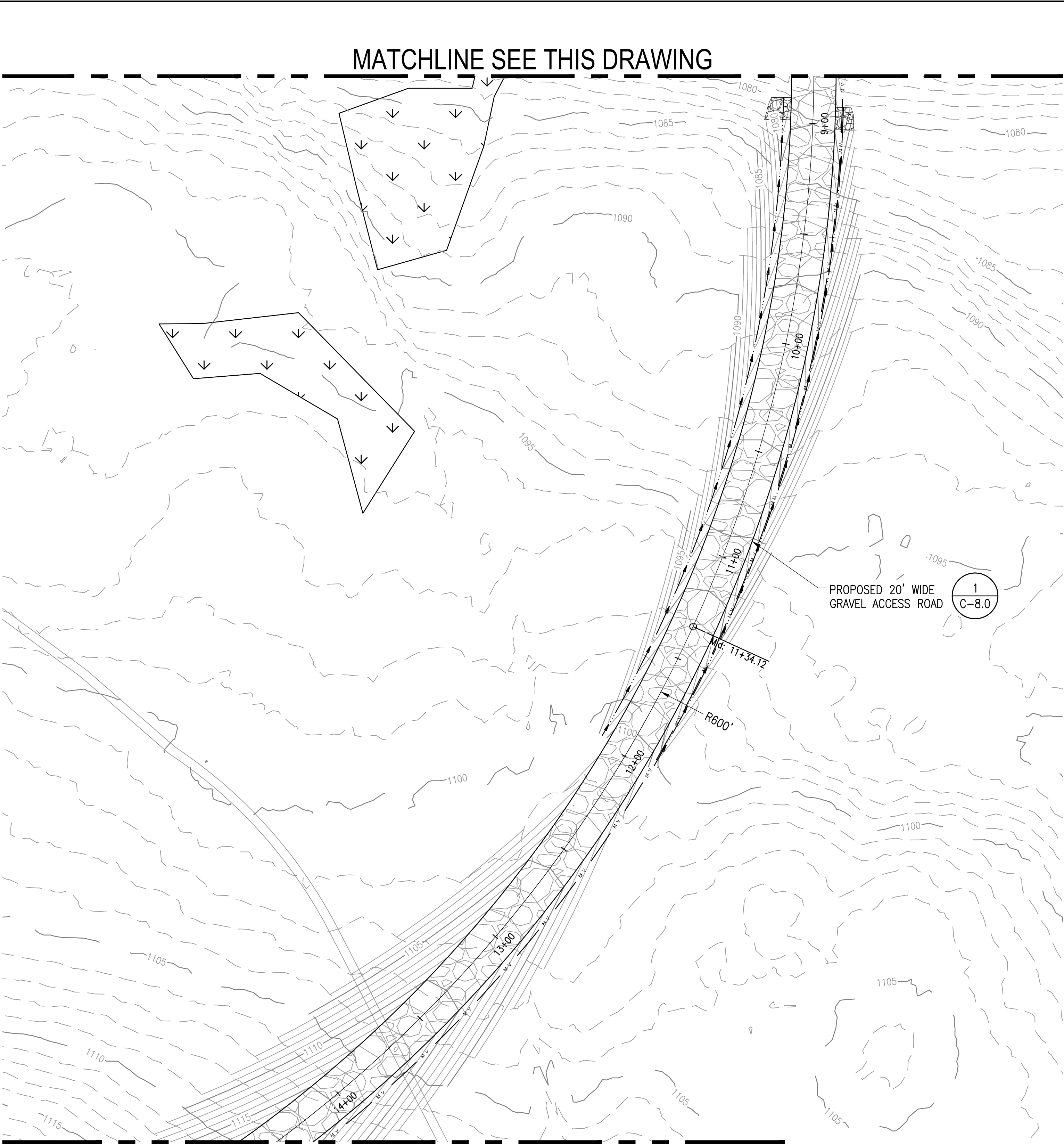
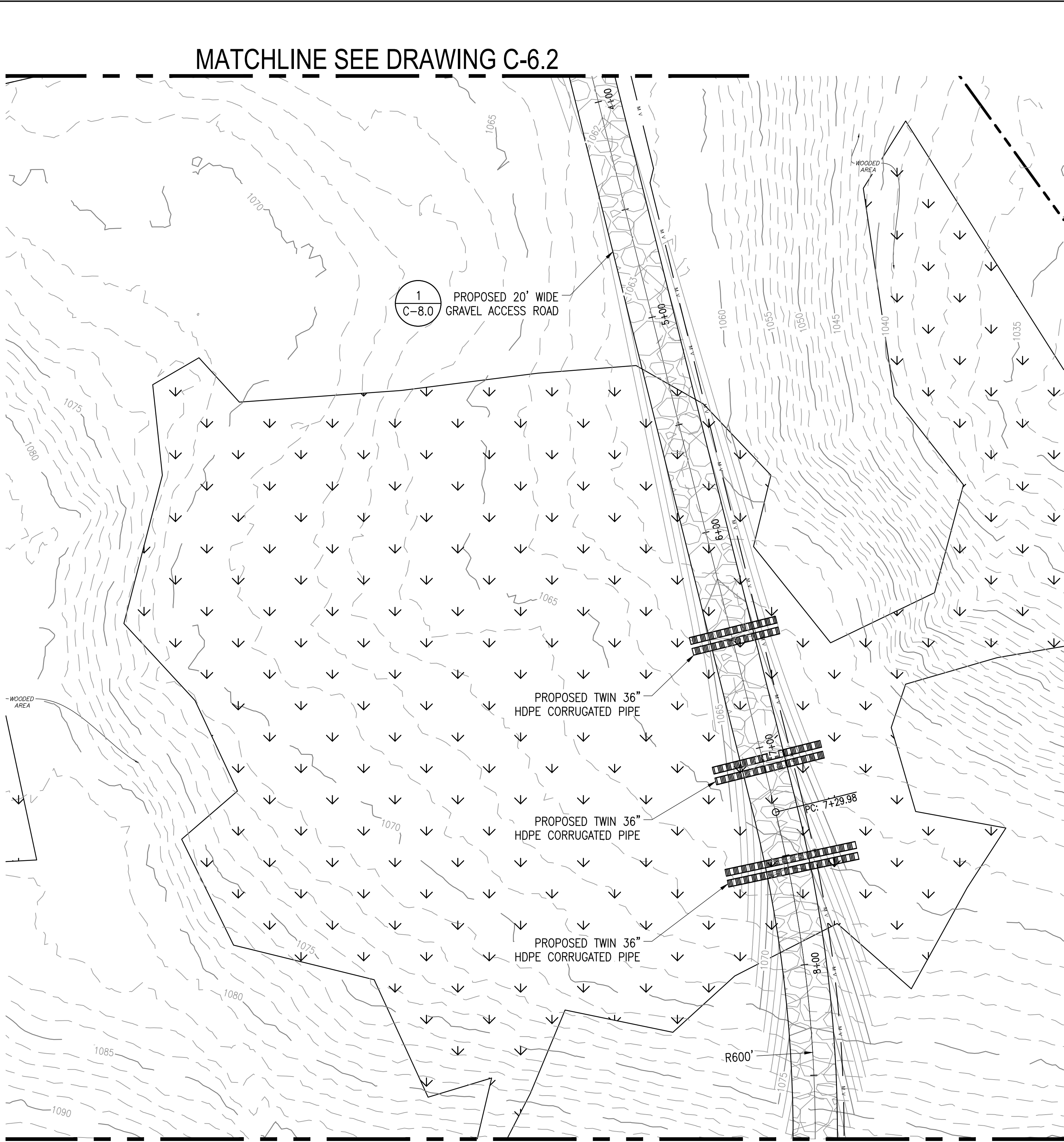
REV	DATE	DRAWN	CHECKED	RELEASE LEVEL	ISSUED FOR CLIENT REVIEW	JOINT APPLICATION FOR WETLAND PERMIT	TOWN ENGINEER CONSULTANT COMMENTS
	7/22/21	CRR	CLJ				
	2/23/22	CRR	CLJ				
	4/4/22	CRR	CLJ				

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ARCH D 24" X 36"

**C-6.1**

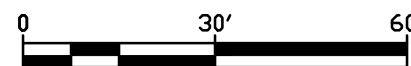
ACCESS ROAD PLAN





ACCESS ROAD PLAN

SCALE: 1" = 30'



MATCHLINE SEE DRAWING C-6.2

MATCHLINE SEE THIS DRAWING

MATCHLINE SEE THIS DRAWING

MATCHLINE SEE DRAWING C-6.3

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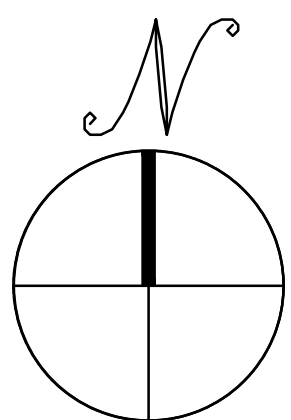
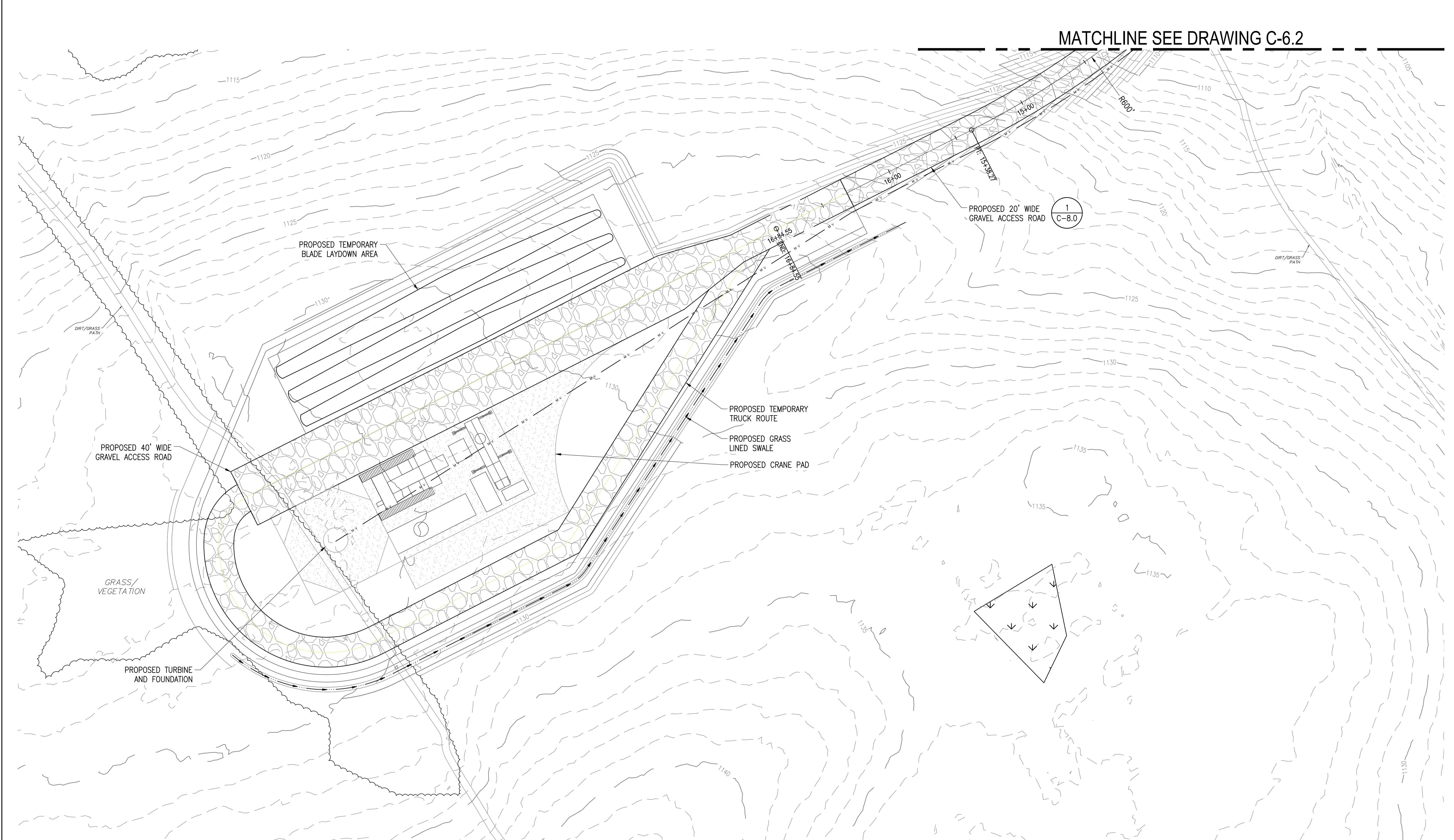
PROJECT NUMBER:  
XXX-XXXX

REV	DATE	DRAWN	CHECKED	RELEASE LEVEL	COMMENTS
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	4/4/22	CRR	CLJ	TOWN ENGINEER CONSULTANT COMMENTS	

SCALES STATED ON DRAWINGS ARE VALID ONLY WHEN PLOTTED ARCH D 24" X 36"

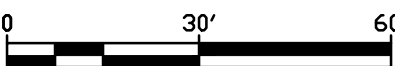
**C-6.2**  
ACCESS ROAD PLAN





ACCESS ROAD PLAN

SCALE: 1" = 30'



MATCHLINE SEE DRAWING C-6.2

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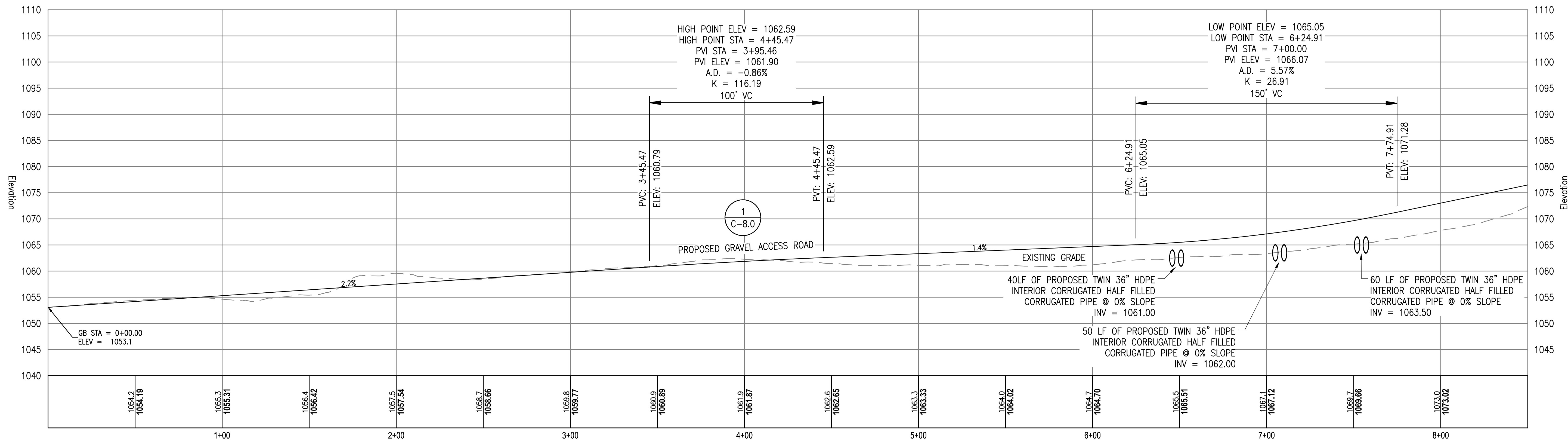
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	2/23/22	CRR	CLJ				
	4/4/22	CRR	CLJ				

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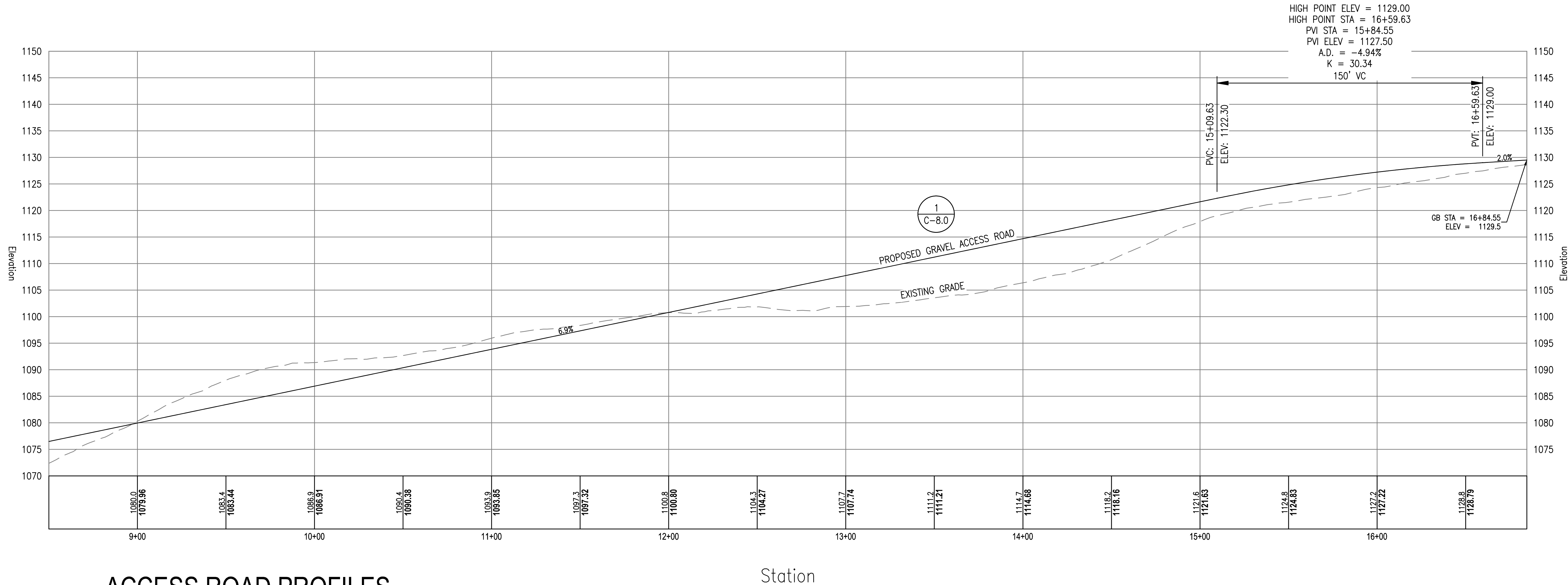
C-6.3  
ACCESS ROAD PLAN





PROPOSED GRAVEL ACCESS ROAD PROFILE

SCALE: H: 1"=30' V: 1"=10'



ACCESS ROAD PROFILES

PROPOSED GRAVEL ACCESS ROAD PROFILE

SCALE: H: 1"=30' V: 1"=10'

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PROJECT NUMBER:  
XXX-XXXX

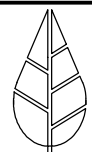
REV	DATE	DRAWN	CHECKED	RELEASE LEVEL	COMMENTS
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ACCESS ROAD PROFILES





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153 YMCA RD  
AMSTERDAM, NY, 12010

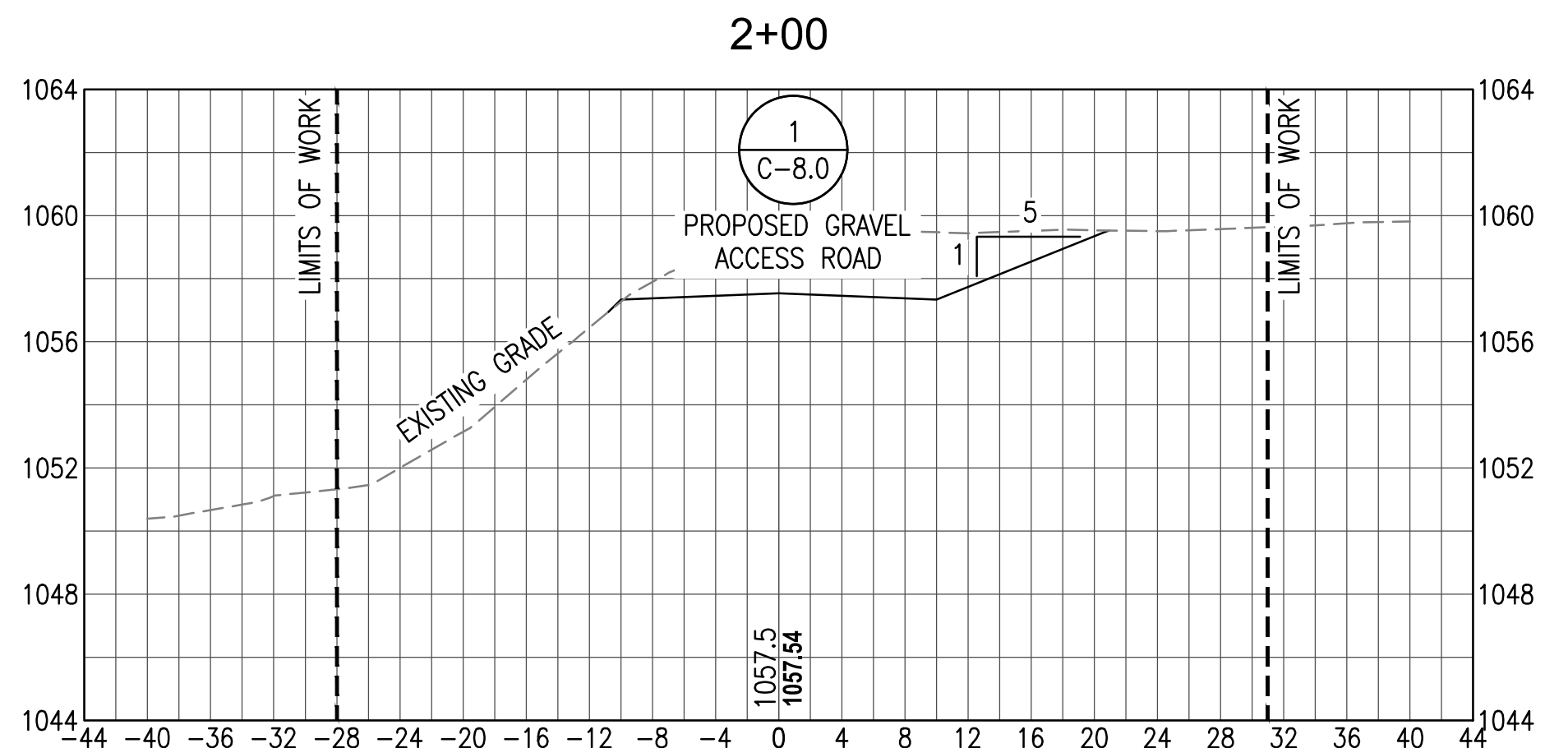
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	2/23/22	CRR	CLJ						
	4/4/22	CRR	CLJ						

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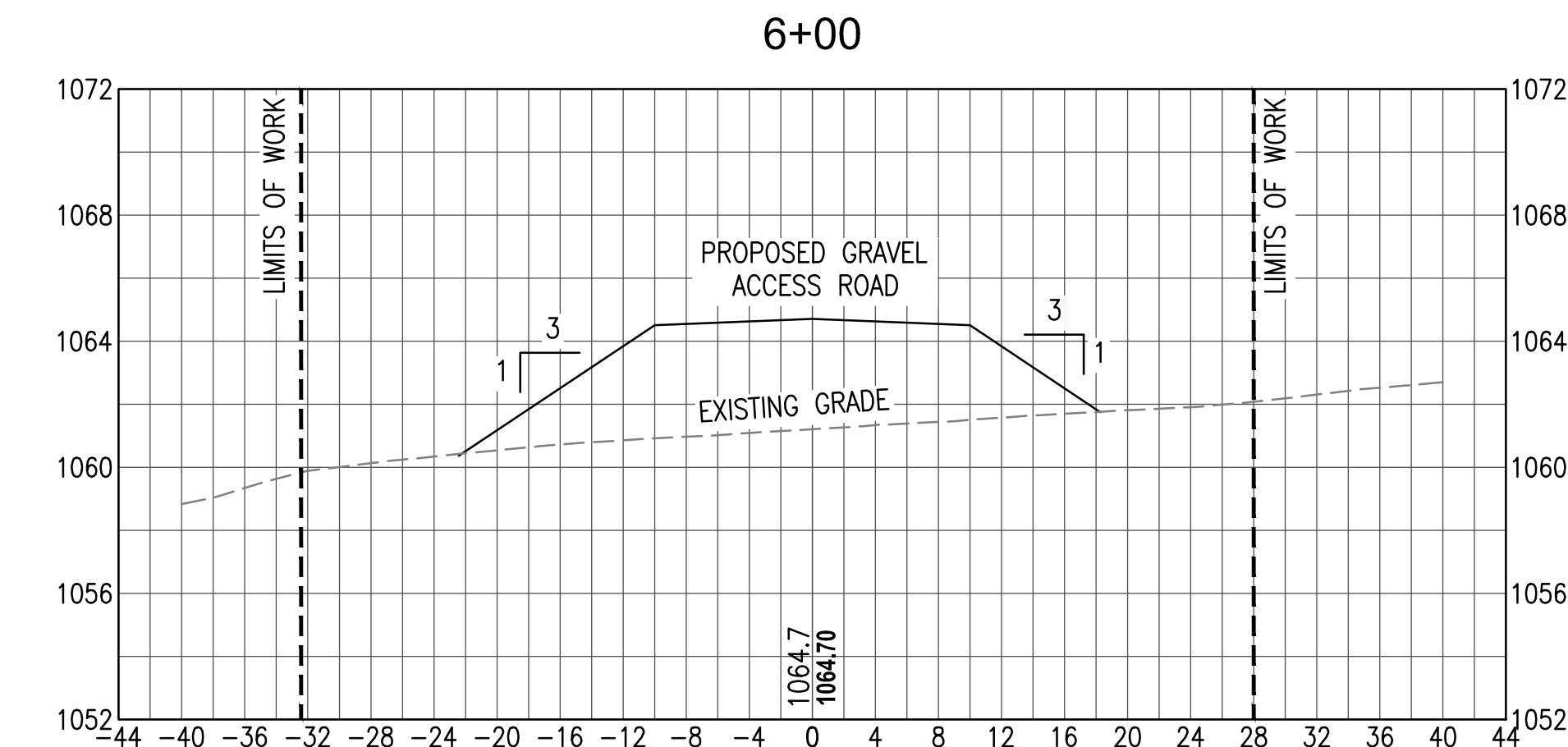
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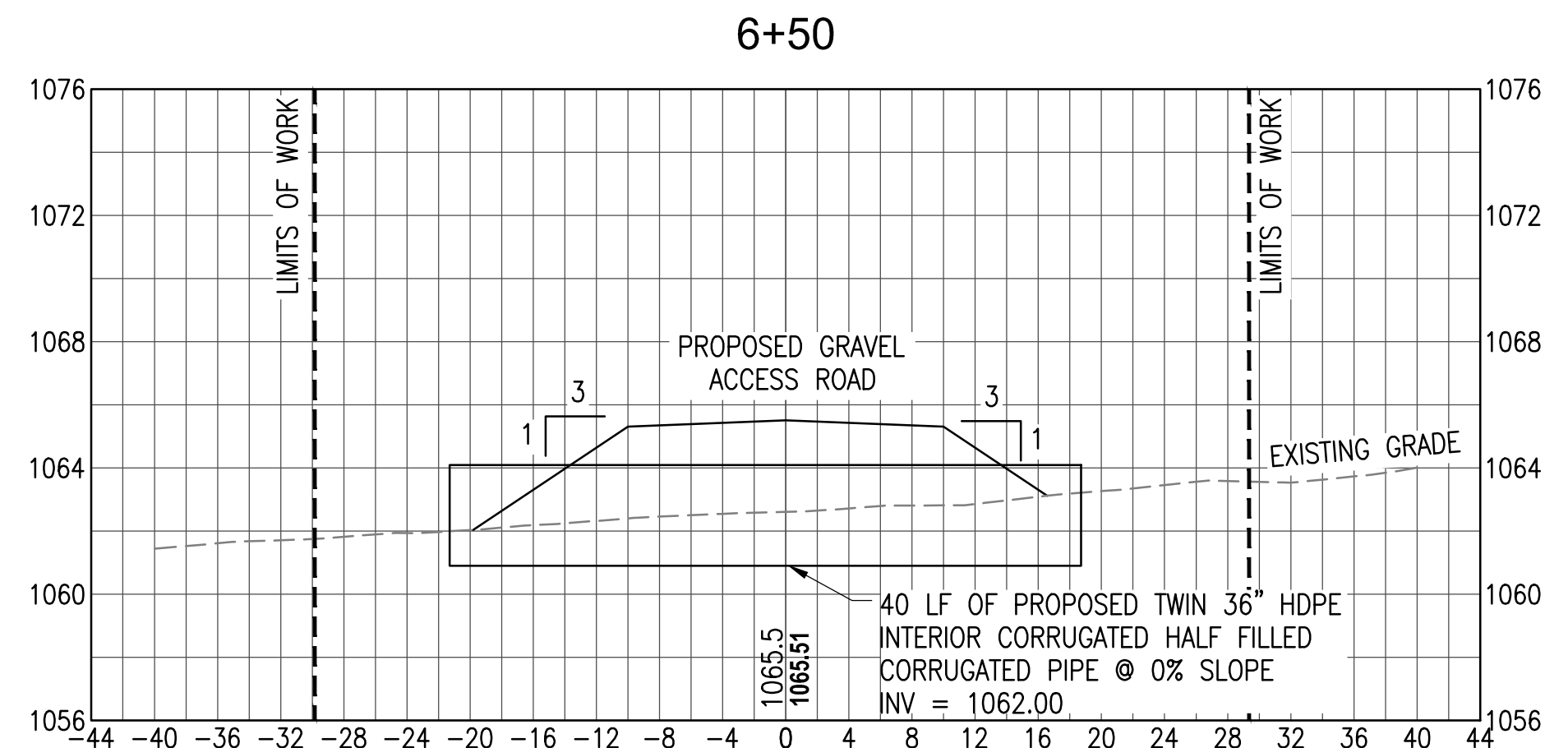
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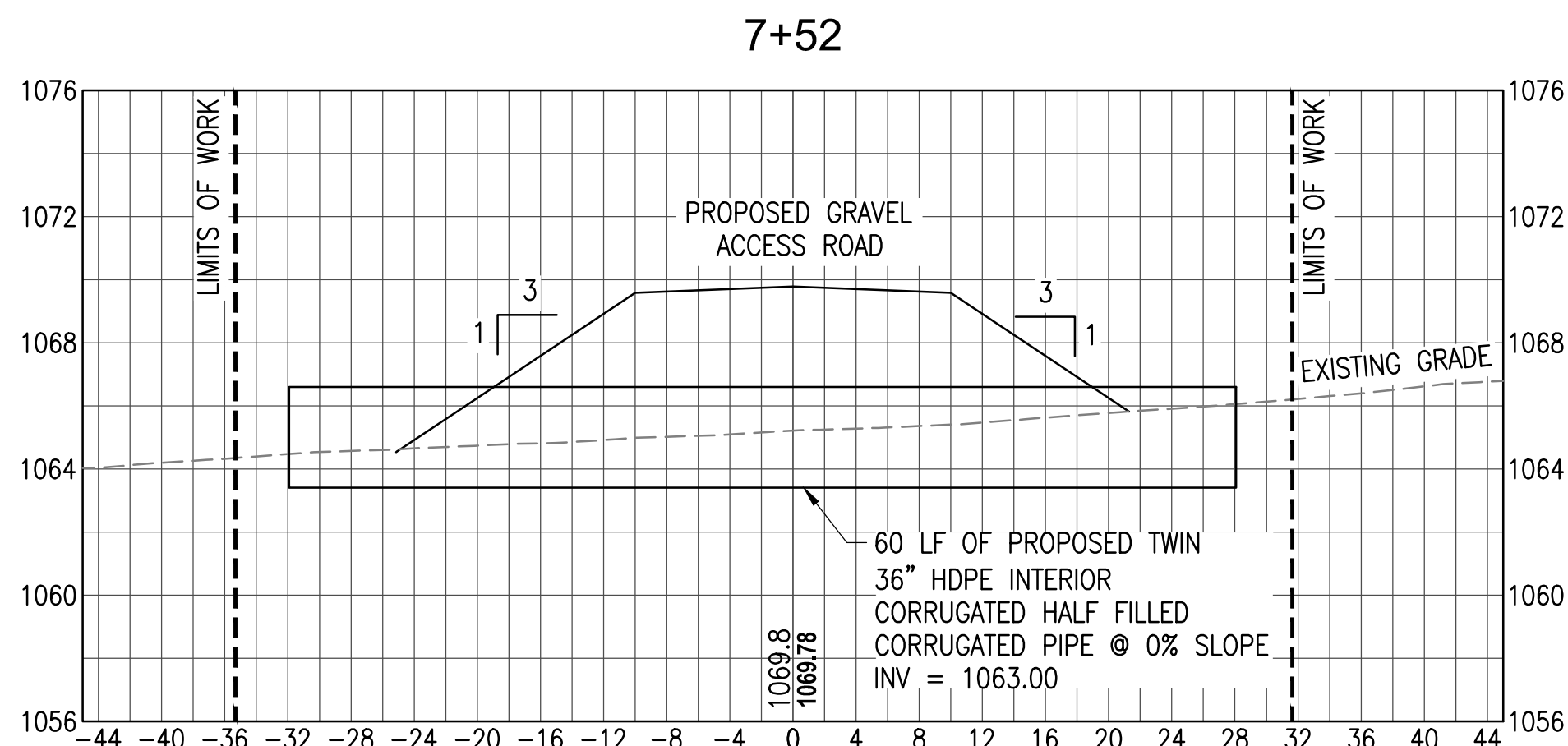
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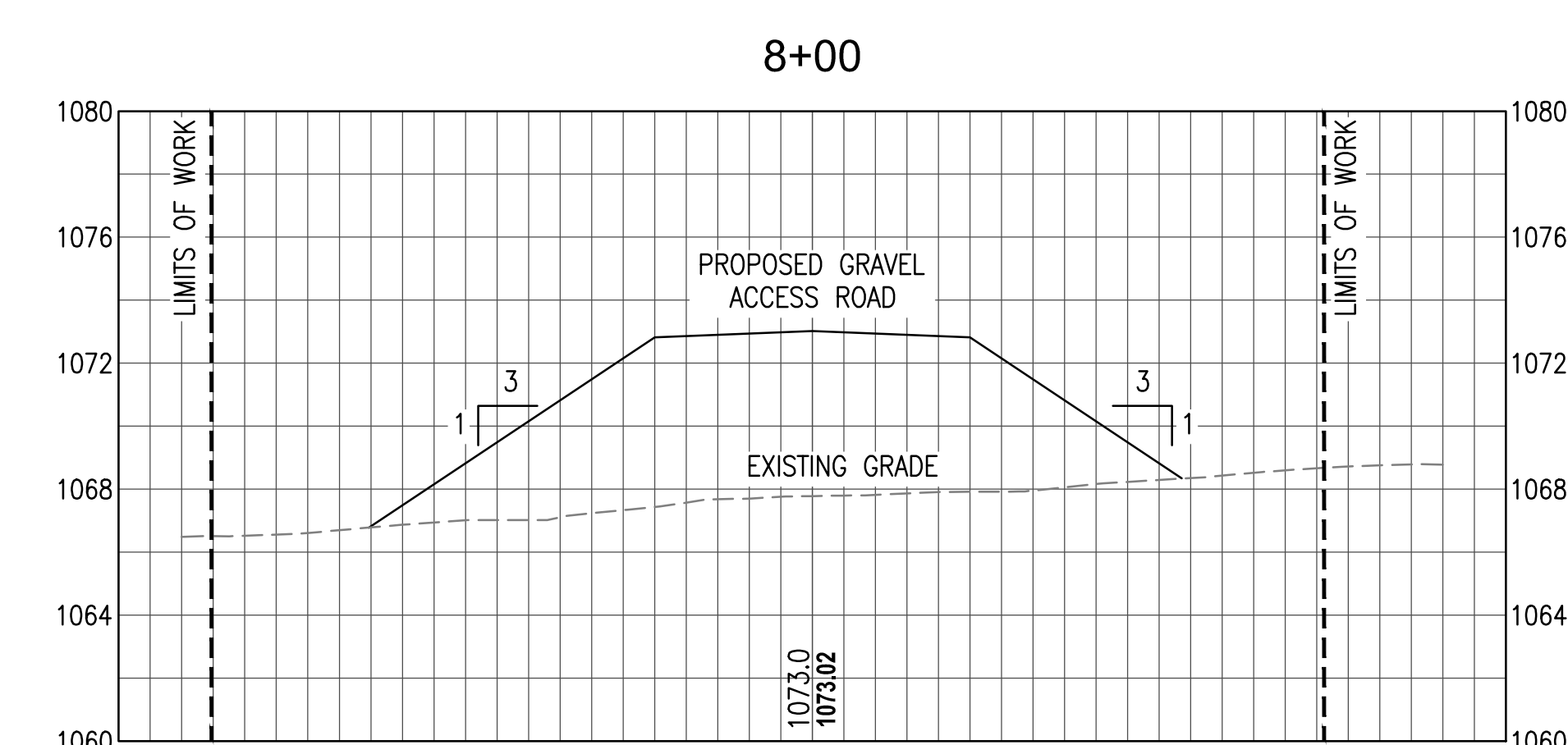
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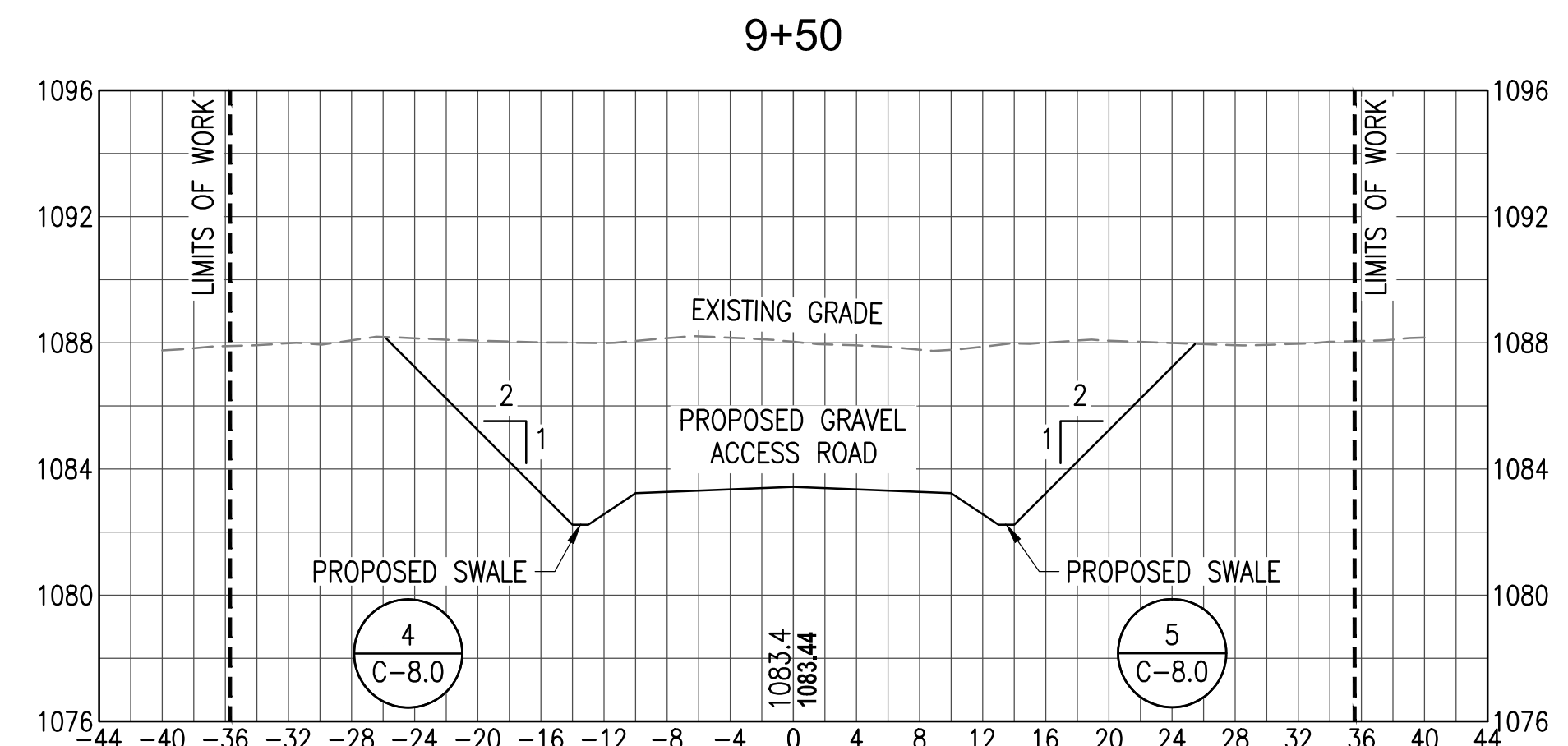
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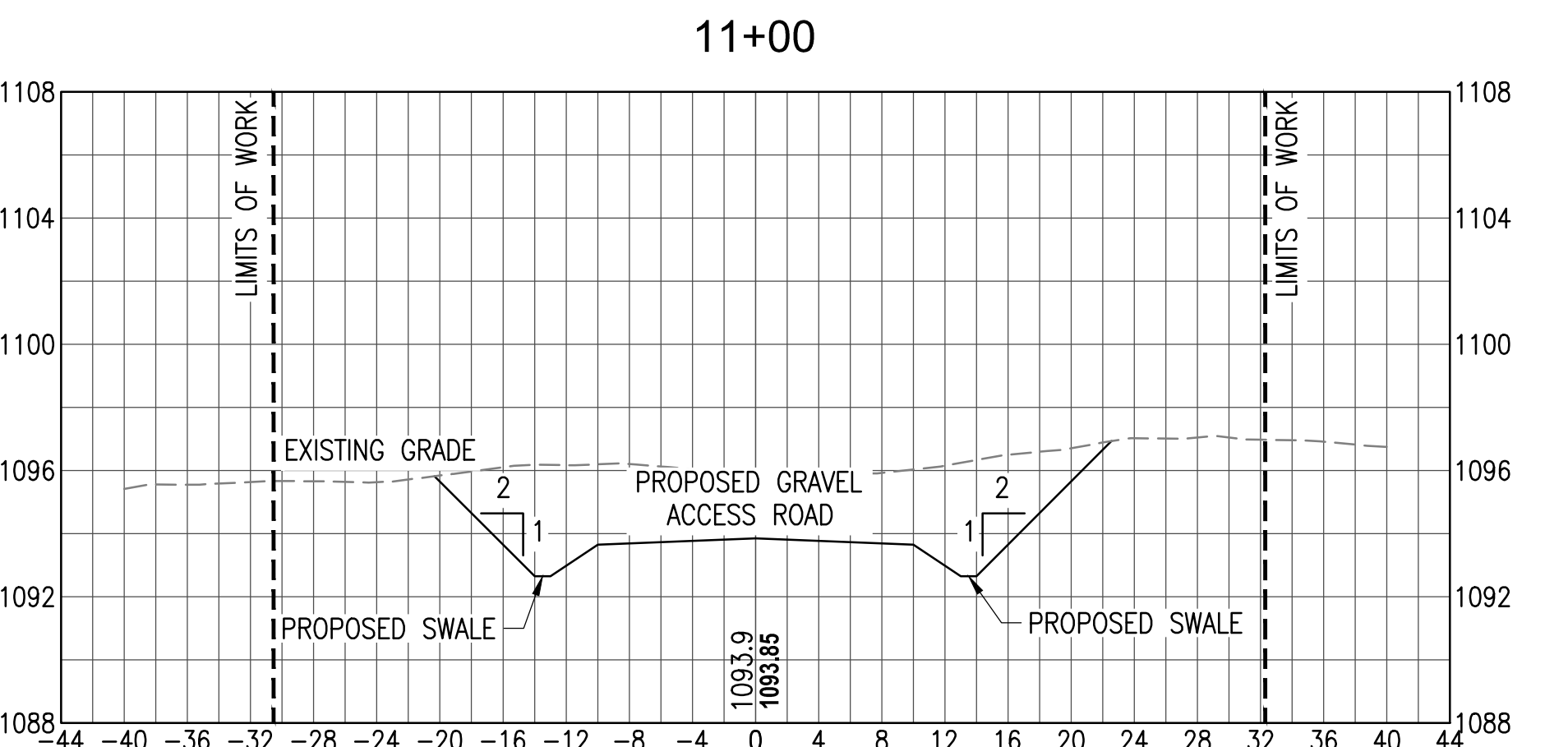
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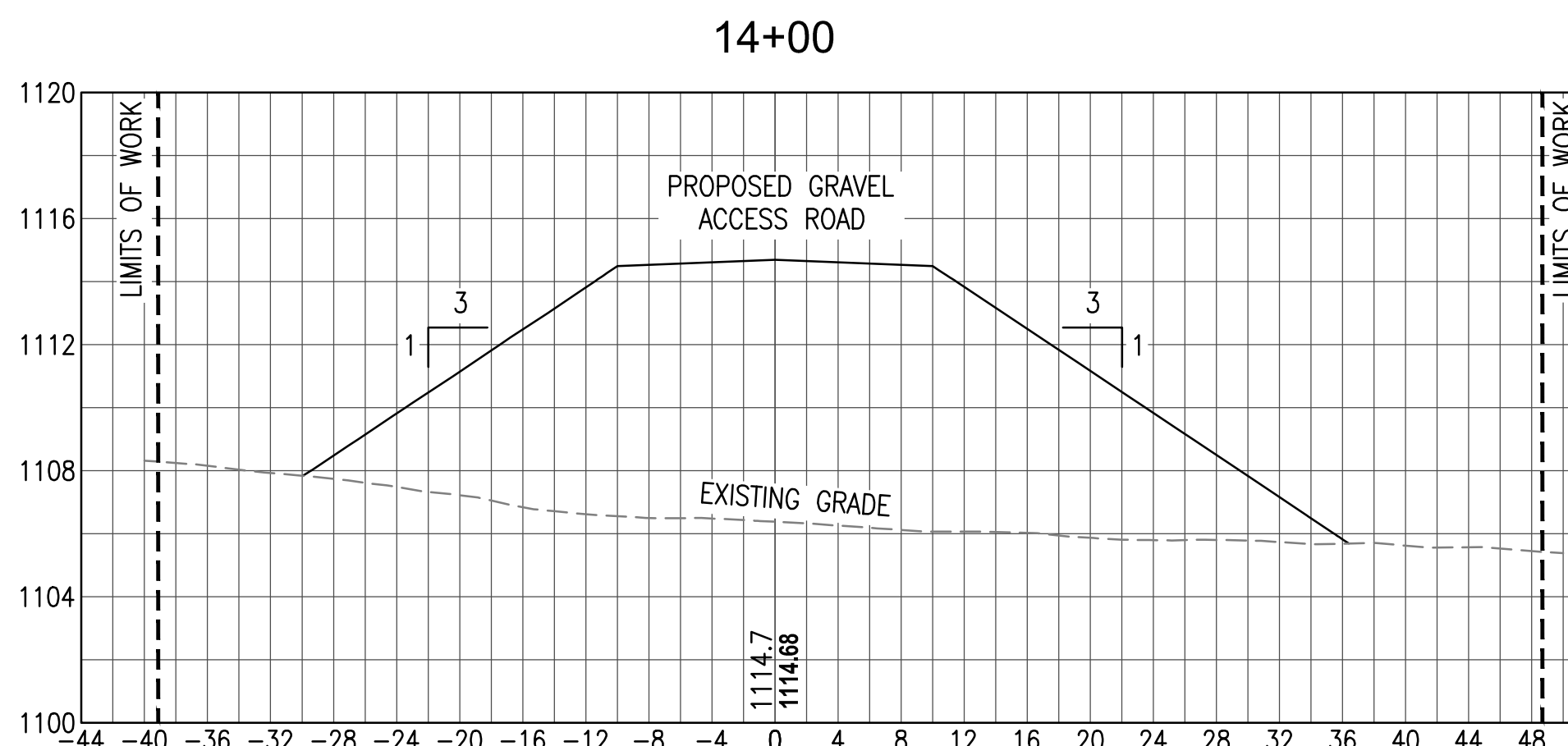
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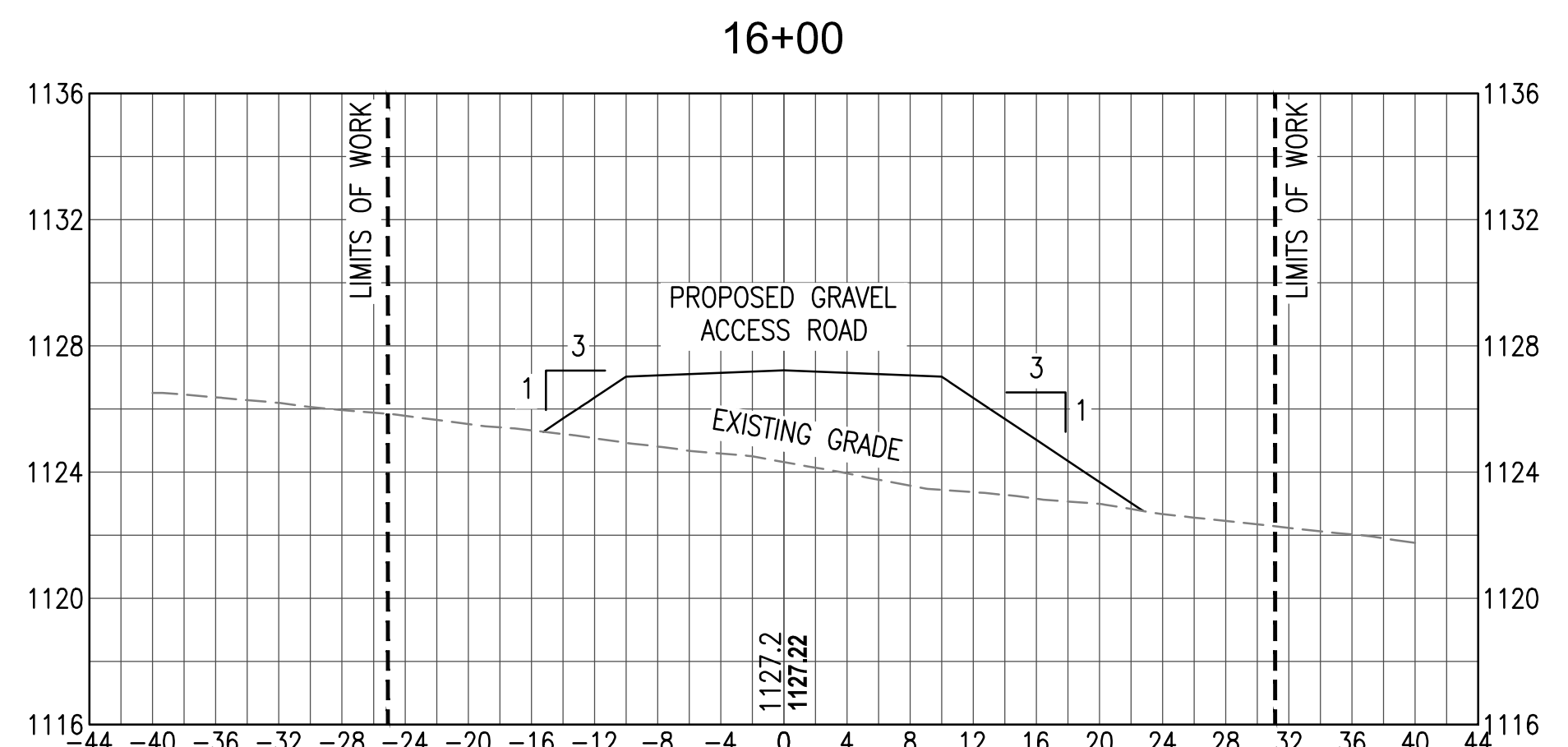
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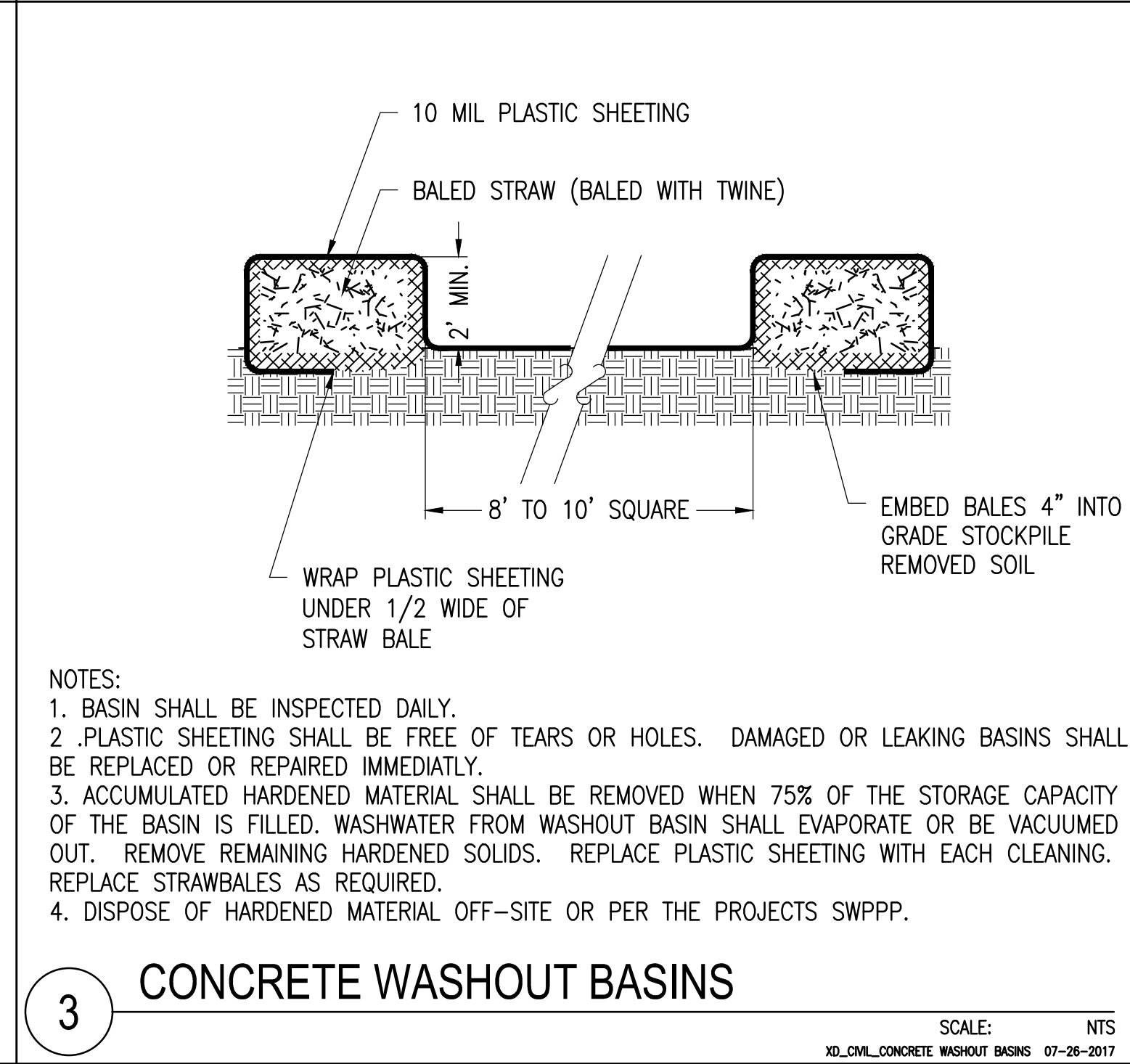
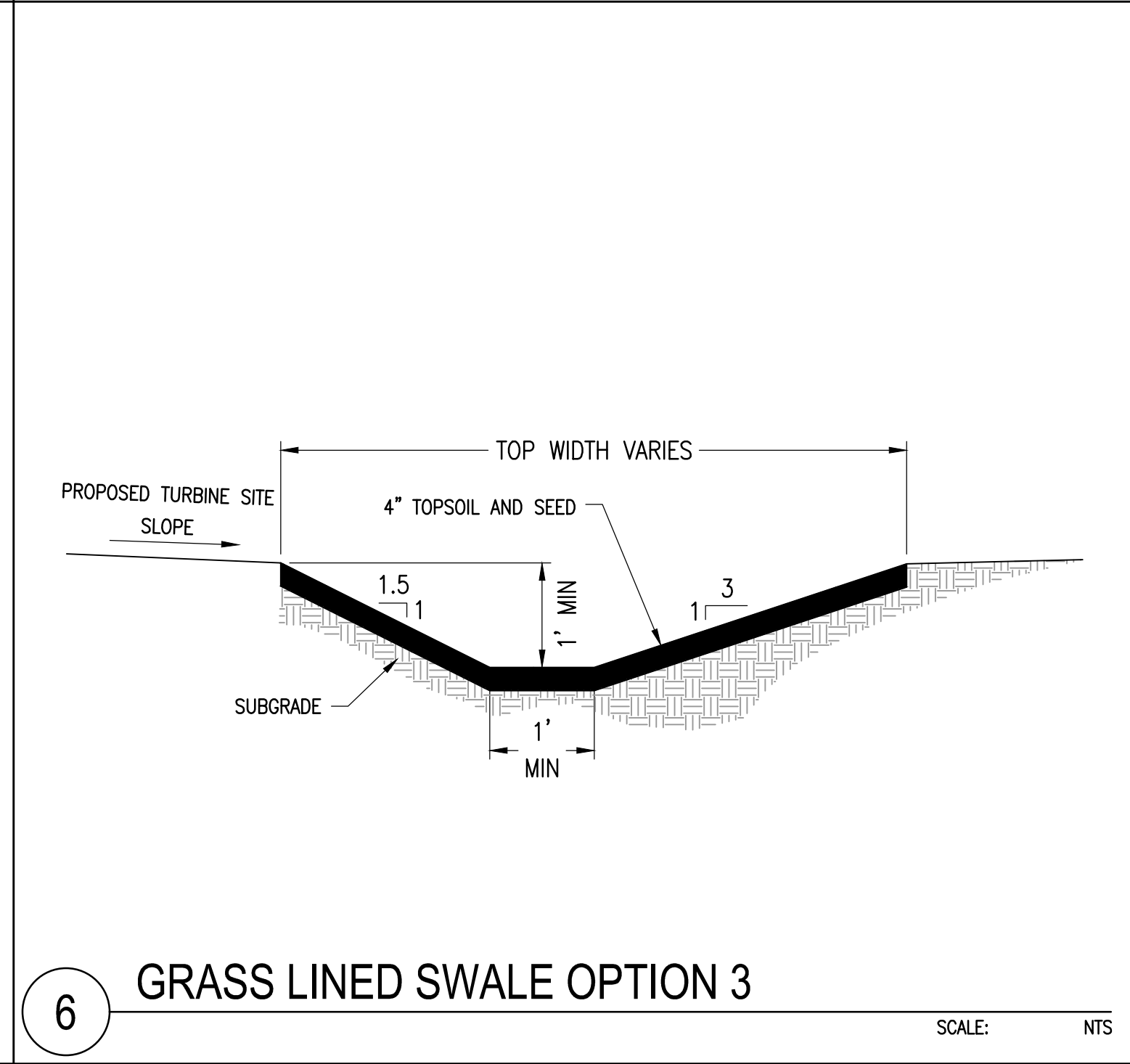
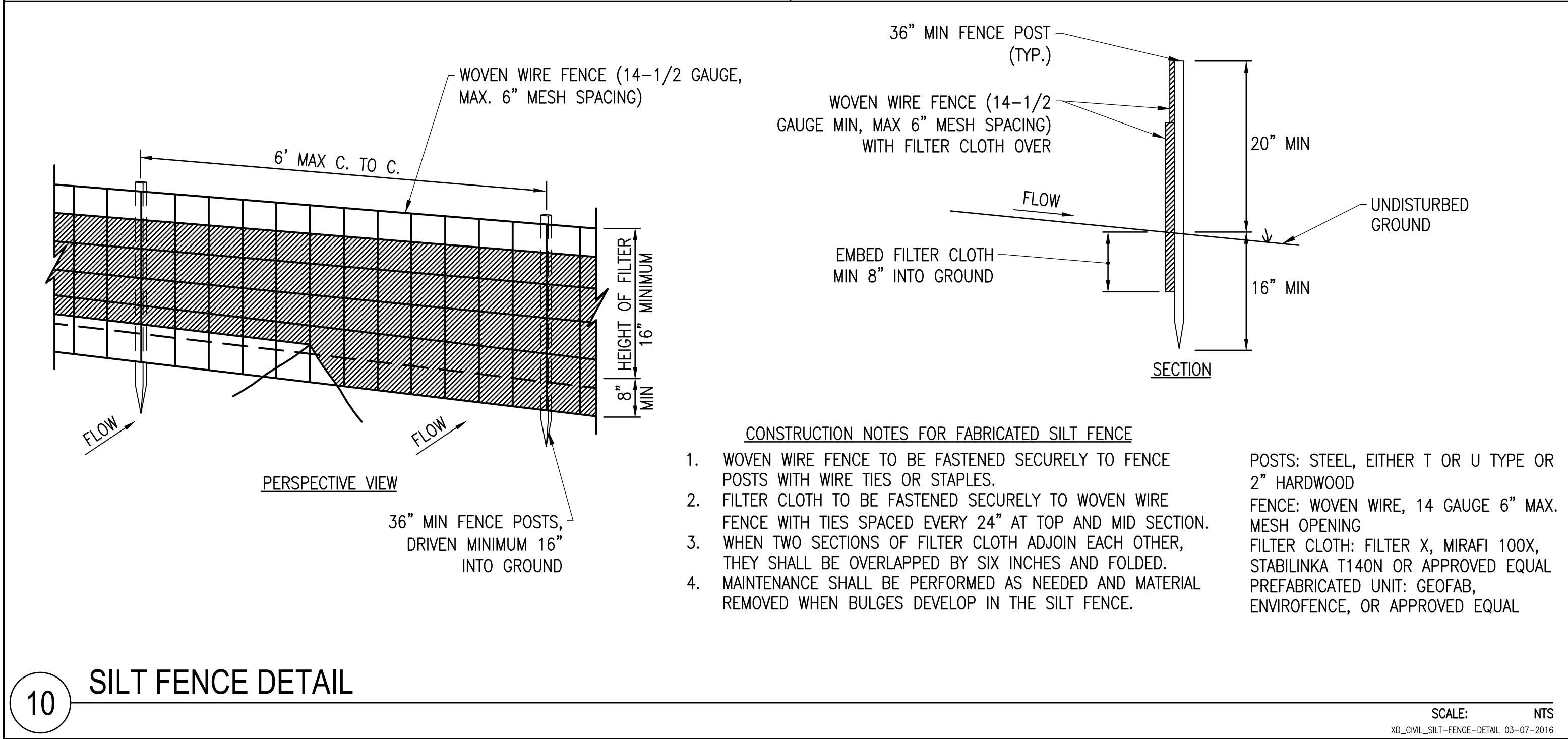
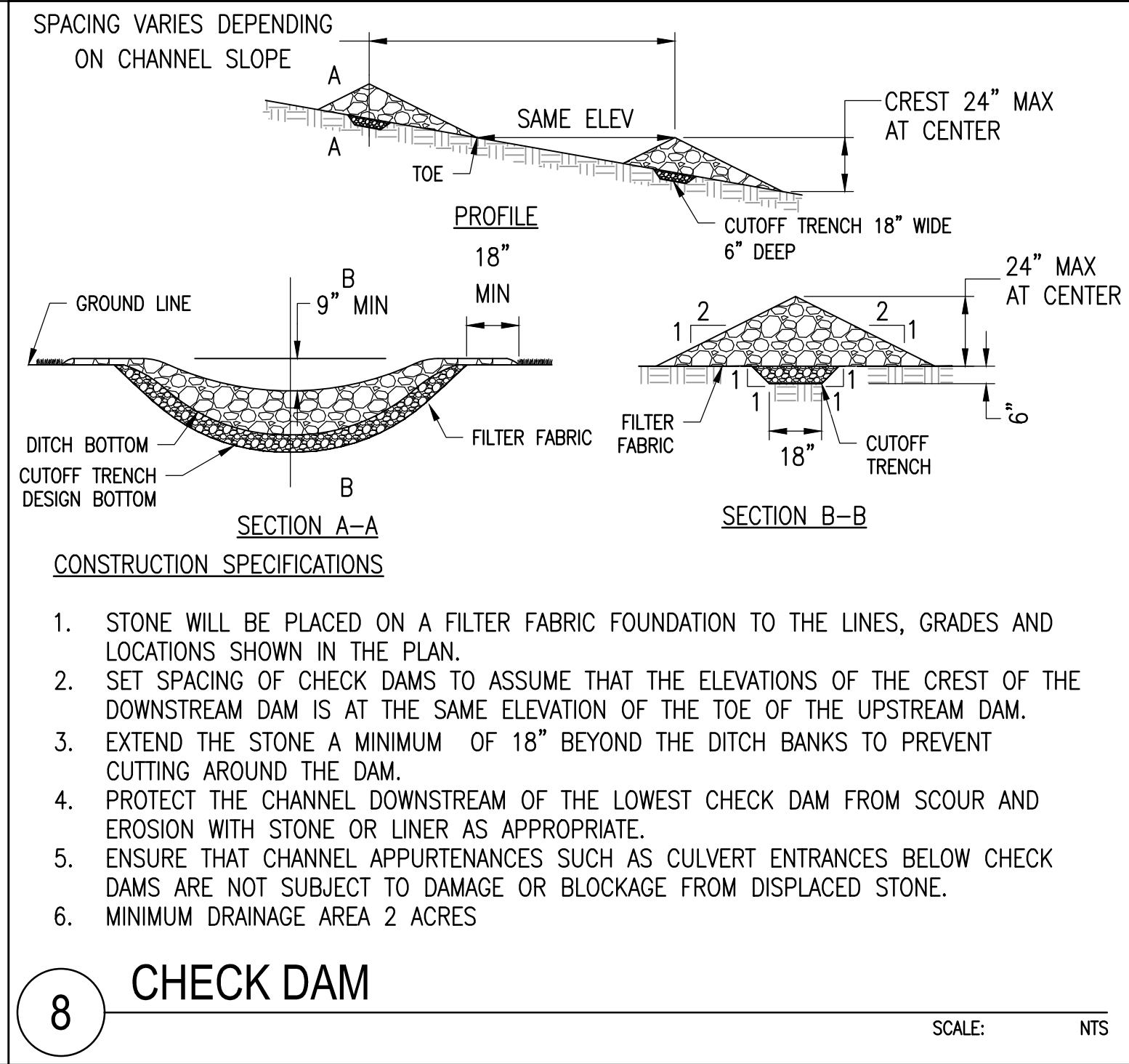
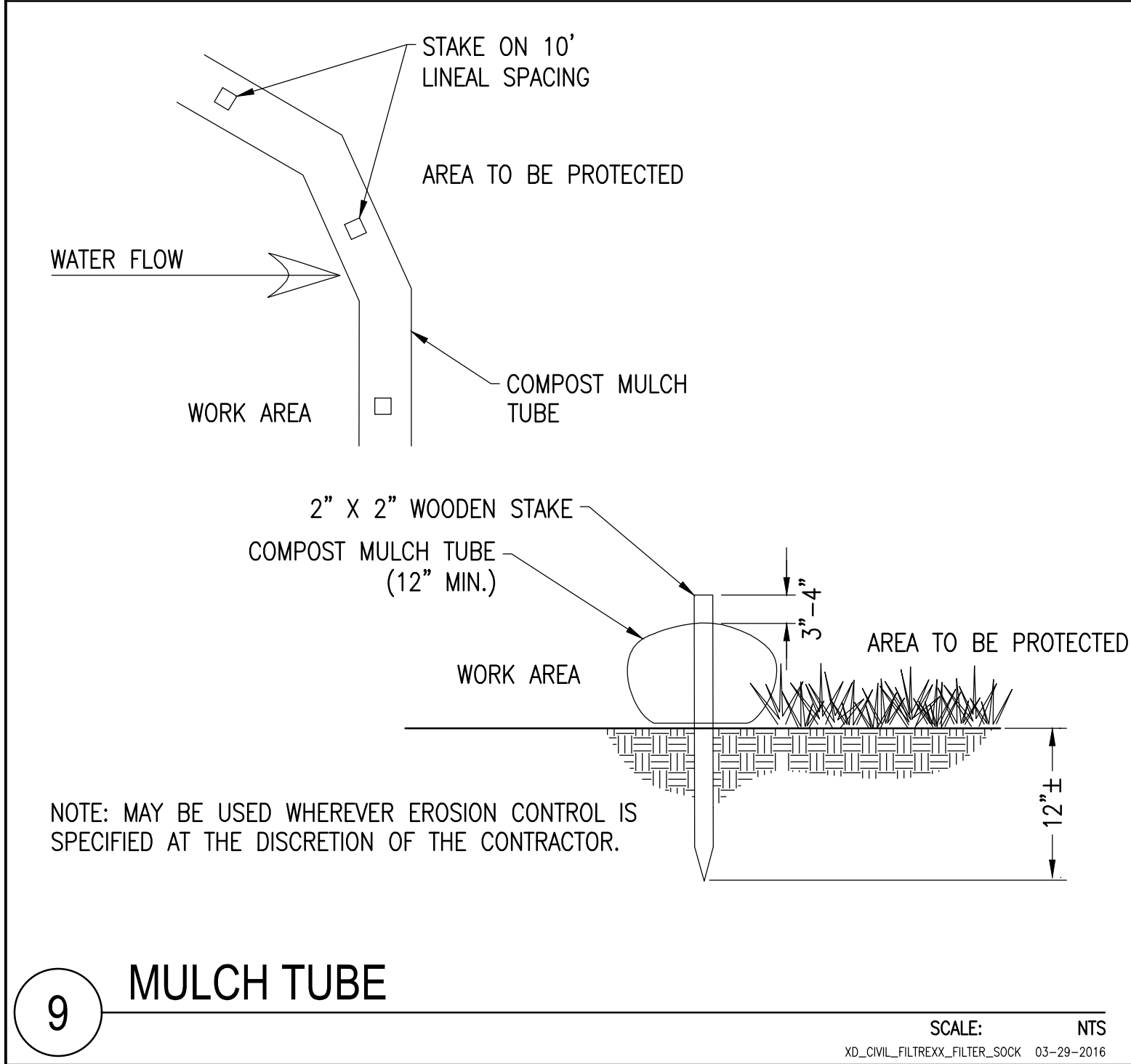
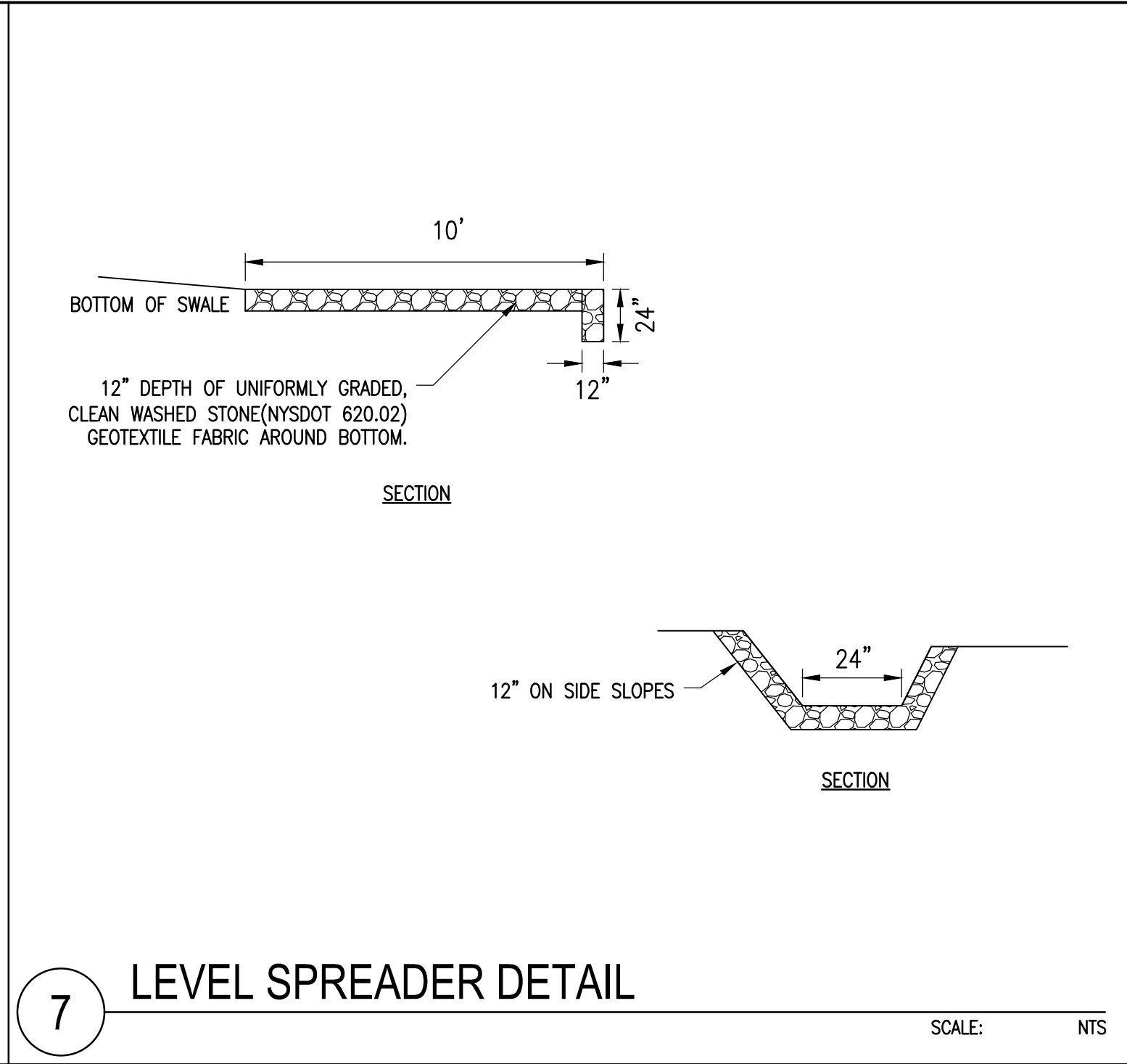
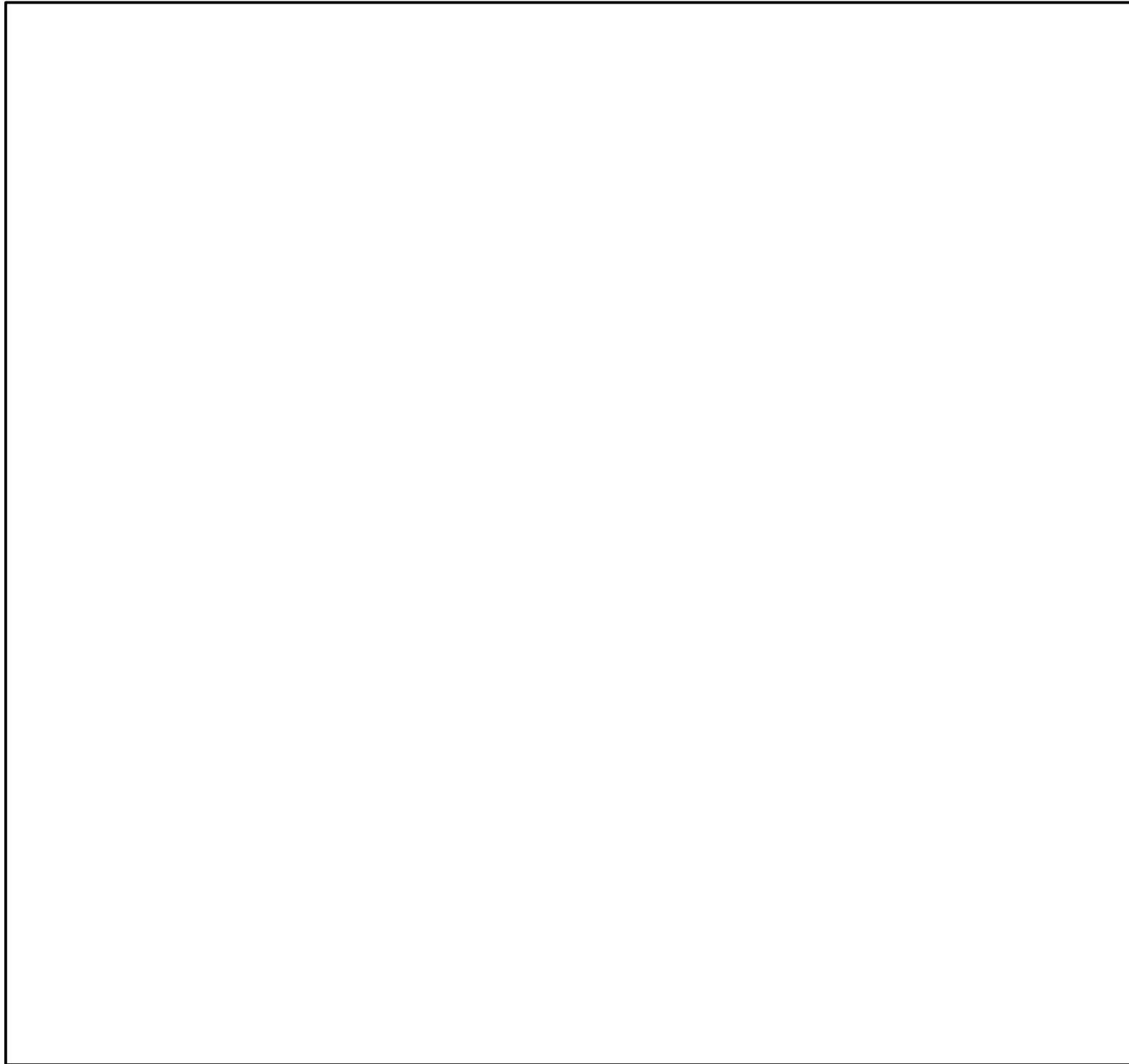


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30 CENTURY HILL DRIVE, SUITE 301  
LATHAM, NY 12110  
PHONE: (518) 838-6273  
FAX: (518) 843-6778  
WWW.BORREGOSOLAR.COM

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**PLAN SET**  
153 YMCA RD  
AMSTERDAM, NY, 12010

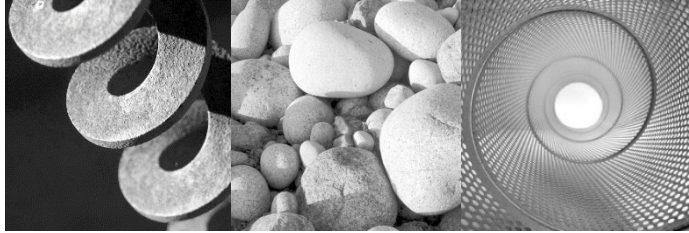
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XXX-XXXX

REV	DATE	DRAWN	CHECKED	RELEASE LEVEL	COMMENTS
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	2/23/22	CRR	CLJ	JOINT APPLICATION FOR WETLAND PERMIT	
	4/4/22	CRR	CLJ	TOWN ENGINEER CONSULTANT COMMENTS	

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**C-8.0**  
CIVIL DETAILS NY





Consulting  
Engineers and  
Scientists

## **Wetland and Waterbodies Delineation Report Borrego Solar Systems, Inc.**

153 YMCA Road  
Amsterdam, New York

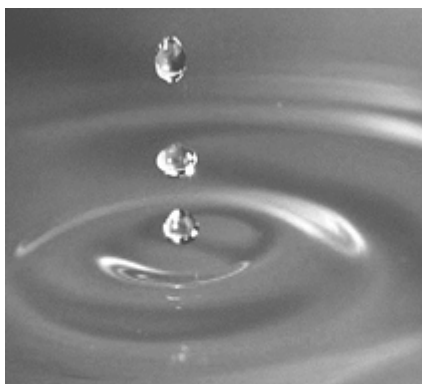
### **Submitted to:**

Dave Strong  
Borrego Solar Systems, Inc.  
30 Century Hill Dr., Suite 301  
Latham, NY 12110

### **Submitted by:**

GEI Consultants, Inc., P.C.  
1301 Trumansburg Rd., Suite N  
Ithaca, NY 14850

December 2020  
Project No. 2003593



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Jessica Lord  
Staff Scientist

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Mallory Smith  
Project Professional



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## Abbreviations and Acronyms

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CWA	Clean Water Act
FEMA	Federal Emergency Management Act
FIRM	Flood Insurance Rate Map
GEI	GEI Consultants, Inc., P.C.
JD	Jurisdictional Determination
MSL	Mean Sea Level
NHD	National Hydrography Dataset
NRCC	Northeast Regional Climate Center
NRCS	Natural Resources Conservation Service
NWI	National Wetland Inventory
NYSDEC	New York State Department of Environmental Conservation
OHWM	Ordinary High-Water Mark
PFO	Palustrine Forested
PEM	Palustrine Emergent
PSS	Palustrine Scrub-Shrub
USACE	United States Army Corps of Engineers
USACE Manual	1987 United States Army Corps of Engineers Wetlands Delineation Manual
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
WOTUS	Waters of the United States
WSS	Web Soil Survey



## Executive Summary

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The site located at 153 YMCA Road, Amsterdam, New York is being assessed for development of a ground-mounted wind power generation system. GEI Consultants, Inc., P.C. (GEI) was contracted to complete a wetland and waterbody delineation for all wetlands and waters of the United States (WOTUS). This wetland and waterbody delineation included a database review of U.S. Geologic Survey (USGS) Topographic Map Series and National Hydrography Dataset (NHD), U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI), New York State Department of Environmental Conservation (NYSDEC) Environmental Resource Mapper (ERM), U.S. Department of Agriculture Natural Resources Conservation Service (USDA NRCS) Soil Survey, and Federal Emergency Management Act (FEMA) Floodplain Data. After database review, onsite field surveys were conducted using the Routine On-Site Determination method as described in the 1987 U.S. Army Corps of Engineers Wetlands Delineation Manual (USACE Manual) and Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region.

The database review identified no wetlands within the Site listed on NWI or NYSDEC Wetland mapper. Six different soils were identified within the Site, two of which are considered hydric.

The field surveys revealed six scrub/shrub wetland systems, one forested wetland system, and one pond surrounded by an emergent wetland system. From the database review and field surveys, Wetlands AB, C, D, GH, and I are anticipated to be under the jurisdiction of the USACE. If development is pursued, a Jurisdictional Determination (JD) should be requested from the USACE. An Approved JD could be appropriate in this case as Wetlands E, F, and J may not be under the jurisdiction of the USACE. None of the wetlands are anticipated to be under the jurisdiction of the NYSDEC.



# 1. Introduction

---

## 1.1 Site Location and Setting

The property located at 153 YMCA Road, Amsterdam, New York (Site) is 135.6 acres; the delineation area that is being considered for potential development of a wind farm is 95.9 acres. The Site is located in the Town of Amsterdam, New York, south of YMCA Road and ½ mile north of Shellstone Road (Figure 1). The Site consists mostly of undeveloped successional shrubland. Small areas of mature forest are also present in the eastern and southern portions. The surrounding land use consists of a mix of residential, undeveloped, and agricultural parcels.

Elevations at the Site range from approximately 1030 to 1200 feet above mean sea level. The topography of the Site generally slopes downward to the north and northeast (United States Geological Survey [USGS] Topographic Map).

According to the Natural Resources Conservation Service (NRCS) Web Soil Survey (WSS) (<http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>), with the exception of one woodland pocket of Varick silt loam (0 to 3 percent slopes) located on the northeast portion of the Site and three woodland pockets of Varick silt loam (3 to 8 percent slopes) located on the southwestern portion of the Site, none of the other soils are classified as hydric. The Site is primarily mapped as Arnot-Angola channery silt loam (3 to 8 percent slopes), Arnot channery silt loam (8 to 15 percent slopes, rocky), and Tuller channery silt loam.

Per the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 36057C0380E (effective date January 19, 2018), the Site is located in an area of minimal flood hazard (Zone X). This is defined as an area determined to be outside of the 0.2% annual chance of flood (i.e. outside of the 500-year flood plain).



## 2. Methodology

---

Before a site visit was conducted, GEI reviewed several resource reference maps covering the Site. These included: the USGS Duanesburg Quadrangle Topographic Map; the USDA NRCS Soils Map, the NYSDEC Environmental Resource Mapper; and the USFWS NWI map. These maps identify potential drainageways, soil units, wetlands, and streams within the Site.

GEI walked the Site on October 28, 29, 30 and November 19 and 20, 2020 to determine the extent and regulatory status of any wetlands and streams present on site. Wetland areas were identified and delineated in accordance with the USACE Manual (Environmental Laboratory, 1987) and the Northcentral and Northeast Regional Supplement (USACE, 2012).

Soils, vegetation, and hydrology were observed and recorded to determine the potential presence of wetland habitats. A soil test pit was dug at representative wetland areas to examine soils for evidence of hydric soil indicators. The soil profile was described, and key characteristics including color and presence of redox concentrations were recorded. Soil colors were determined using Munsell Soil Color Charts (Munsell Color, 2010). Vegetation was evaluated at each soil pit location to determine the presence of hydrophytic plant communities. Wetland indicator status was obtained for each species referring to the USACE Northcentral and Northeast 2016 Regional Wetland Plant List (Lichvar, et al. 2016). Wetland hydrology indicators were also assessed at each soil pit location, including the presence of standing water, soil saturation within 12 inches of the surface, and/or evidence suggesting episodes of past inundation. Direct observations and indicators of wetland hydrology were evaluated and recorded. A Cowardin classification identification code was assigned to each wetland area based upon the representative wetland features and the Cowardin classification system definitions (Cowardin, et al. 1979).

The wetland boundary and data points were then mapped with a Trimble GNSS receiver to facilitate sub-meter accuracy. Representative photographs of the wetlands and project area were taken and are included in this report (Appendix A).



## 3. Findings

---

### 3.1 Database Review

During the database review, various data sources were consulted to identify potential drainageways, soil units, wetlands, streams, and floodplains within the Site. The NRCS soil survey maps indicated six different soil types, two being rated hydric. No potential wetlands were mapped on the Site via NYSDEC ERM or via NWI maps (Figure 1). Per the FEMA FIRM 36057C0380E (effective date January 19, 2018), the Site is located in an area of minimal flood hazard (Zone X). This is defined as an area determined to be outside of the 0.2% annual chance of flood (i.e. outside of the 500-year flood plain).

### 3.2 Wetlands

GEI assessed the site on October 28, 29, and 30, 2020 and November 19 and 20, 2020 and found approximately nine (9) percent of the Site (8.2-acres) consists of wetlands (Figure 1). Eight (8) wetlands were delineated on the Site, labelled Wetlands AB, C, D, E, F, GH, I, and J. The wetland areas identified within the Site and their Cowardin description is summarized in Table 1 below and a summary of each of these wetlands follows.

**Table 1 – Delineated Wetlands**

<b>Feature ID</b>	<b>On-Site Acreage</b>	<b>Cowardin Classification</b>	<b>Description</b>
Wetland AB	1.79	PFO1E	Forested wetland dominated by American elm. Connected to Wetland C through a culvert.
Wetland C	1.65	PSS1E	Scrub/shrub wetland dominated by silky dogwood and connected to Wetland AB through a culvert.
Wetland D	0.22	PUB4F/PEM1E	Unconsolidated, semi-permanent pond wetland dominated by jewelweed and sensitive fern.
Wetland E	1.69	PSS1E	Scrub/shrub wetland dominated by silky dogwood and gray dogwood.
Wetland F	0.08	PSS1E	Scrub/shrub wetland dominated by dogwoods and sensitive fern.



Feature ID	On-Site Acreage	Cowardin Classification	Description
Wetland GH	2.46	PSS1E	Scrub/shrub wetland dominated by silky dogwood and Morrow's honeysuckle.
Wetland I	0.25	PSS1E	Scrub/shrub wetland dominated by silky dogwood, box elder, and giant goldenrod.
Wetland J	0.06	PSS1E	Scrub/shrub wetland dominated by silky dogwood, gray dogwood, and giant goldenrod.
Total Acreage	8.2		

Notes:

\*Acreage within Site based on approximate site boundary lines

PFO1E = palustrine forested broad-leaved deciduous system, seasonally flooded/saturated

PSS1E = palustrine scrub/shrub wetland, seasonally flooded/saturated

PUB4F = palustrine unconsolidated bottom semi-permanent pond

PEM1E = palustrine emergent wetland, seasonally flooded/saturated

Wetland AB is a forested wetland located in the northeastern corner of the Site (Figure 1 and Appendix A, Photos 1 and 2). The forested wetland consists of a canopy of American elm (*Ulmus americana*) with a sparse understory of staghorn sumac (*Rhus typhina*) and gray dogwood (*Cornus racemosa*). The herbaceous layer within the wetland is dominated by wrinkle-leaf goldenrod (*Solidago rugosa*) and flat-top goldenrod (*Euthamia graminifolia*). The soil layer from 0 to 9 inches deep in Wetland AB exhibits the hydric soil indicator Redox Dark Surface (F6), a hue of 10YR with a matrix/chroma of 3/2 and 8 percent redox concentrations of color 5YR 3/4. The wetland sample point also exhibits positive wetland hydrology due to the presence of drainage patterns and geomorphic position. This wetland is thought to be hydrologically connected to Wetland C via a culvert that passes under the road.

Wetland C is a scrub/shrub wetland located in the northern portion of the Site (Figure 1 and Appendix A, Photos 3 and 4). The wetland consists of a sparse canopy of American elm (*Ulmus americana*) with a dense understory of gray dogwood (*Cornus racemosa*) and silky dogwood (*Cornus amomum*). The herbaceous layer within the wetland is dominated by wrinkle-leaf goldenrod (*Solidago rugosa*) and flat-top goldenrod (*Euthamia graminifolia*). Soils within the wetland display the Redox Dark Surface (F6) hydric indicator in the soil layer from 0 to 9 inches deep, a hue of 10YR with a matrix/chroma of 3/2 and 8 percent redox concentrations of color 5YR 3/4. The wetland sample point also exhibits positive wetland hydrology due to the presence of drainage patterns and geomorphic position. This



wetland was observed to drain into a drainage ditch along the road which drains into the culvert connected to Wetland AB.

Wetland D is an isolated, semi-permanent depression surrounded by emergent wetland plants located in the central-eastern portion of the Site (Figure 1 and Appendix A, Photos 5 and 6). Herbaceous cover within the wetland is dominated by sensitive fern (*Onoclea sensibilis*), spotted jewelweed (*Impatiens capensis*), and duckweed (*Lemna minor*) was found floating on the surface. Wetland D exhibits the Depleted Matrix (F3) hydric soil indicator in the soil layer from 0 to 6 inches deep, a hue of 10YR with a matrix/chroma of 4/2, and 10 percent prominent redox concentrations. Wetland hydrology indicators are also present in the form of geomorphic position and saturation visible on aerial imagery. Surface water is present in the southern portion of Wetland D. This wetland is thought to be hydrologically isolated.

Wetland E is a scrub/shrub wetland situated in the northwestern portion of the Site (Figure 1 and Appendix A, Photos 7 and 8). Understory cover within the wetland is dominated by gray dogwood (*Cornus racemosa*) and silky dogwood (*Cornus amomum*). Herbaceous cover within the wetland includes sensitive fern (*Onoclea sensibilis*) and giant goldenrod (*Solidago gigantea*). Soils within the wetland display the Redox Dark Surface (F6) hydric indicator in the soil layer from 8 to 12 inches deep, a hue of 10YR with a matrix/chroma of 3/2 and 5 percent redox concentrations of color 7.5YR 3/4. The wetland sample point also exhibits positive wetland hydrology due to geomorphic position and passing the FAC-Neutral Test.

Wetland F is a small, isolated scrub/shrub wetland situated in the central-eastern portion of the Site (Figure 1 and Appendix A, Photo 9). The understory cover within the wetland consists of gray dogwood (*Cornus racemosa*) and silky dogwood (*Cornus amomum*). Herbaceous cover within the wetland includes sensitive fern (*Onoclea sensibilis*) and giant goldenrod (*Solidago gigantea*) and flat-top goldenrod (*Euthamia graminifolia*). Soils within the wetland display the Redox Dark Surface (F6) hydric indicator in the soil layer from 8 to 12 inches deep, a hue of 10YR with a matrix/chroma of 3/2 and 5 percent redox concentrations of color 7.5YR 3/4. The wetland sample point also exhibits positive wetland hydrology due to geomorphic position and passing the FAC-Neutral Test.

Wetland GH is a scrub/shrub wetland along the eastern edge of the Site (Figure 1 and Appendix A, Photo 10). The wetland consists of a sparse canopy of green ash (*Fraxinus pennsylvanica*) and red oak (*Quercus rubra*) with a dense understory of silky dogwood (*Cornus amomum*) and Morrow's honeysuckle (*Lonicera morrowii*). The herbaceous layer within the wetland is dominated by giant goldenrod (*Solidago gigantea*). Soils within the delineated wetland display the Depleted Matrix (F3) hydric indicator in the soil layer from 8 to 14 inches deep, a hue of 10YR with a matrix/chroma of 4/2 and 5 percent redox concentrations of color 7.5YR 3/3. The wetland sample point also exhibits positive wetland hydrology due to geomorphic position. This wetland continues off site to the northeast where



it drains through a culvert under a driveway. Topographic maps indicate this is the head of a tributary to South Chuctanunda Creek.

Wetland I is a scrub/shrub wetland in the central western portion of the Site (Figure 1 and Appendix A, Photo 11). The wetland consists of a sparse canopy of box elder (*Acer negundo*) and red maple (*Acer rubrum*) with a dense understory of silky dogwood (*Cornus amomum*). The herbaceous layer within the wetland is dominated by giant goldenrod (*Solidago gigantea*). Soils within the delineated wetland display the Depleted Matrix (F3) hydric indicator in the soil layer from 0 to 8 inches deep, a hue of 10YR with a matrix/chroma of 3/2. The wetland sample point also exhibits positive wetland hydrology due to geomorphic position and drainage patterns. This wetland continues off site to the west. Topographic maps indicate this wetland would drain to a tributary of Schoharie Creek.

Wetland J is an isolated scrub/shrub wetland in the central southern portion of the Site (Figure 1 and Appendix A, Photo 12). The wetland consists of a sparse canopy of green ash (*Fraxinus pennsylvanica*) with a dense understory of silky dogwood (*Cornus amomum*) and gray dogwood (*Cornus racemosa*). The herbaceous layer within the wetland is dominated by giant goldenrod (*Solidago gigantea*). Soils within the delineated wetland display the Depleted Matrix (F3) hydric indicator in the soil layer from 0 to 12 inches deep, a hue of 2.5Y with a matrix/chroma of 5/2 and 15 percent redox concentrations of color 10YR 3/6. The wetland sample point also exhibits positive wetland hydrology due to geomorphic position and passing the FAC-Neutral Test. This wetland is thought to be hydrologically isolated.



## 4. Conclusions

---

Wetlands AB, C, E, I, and GH exhibit hydrologic connections to other resources either on or off-site. Based on field surveys and database review information, these wetlands are anticipated to be a jurisdictional USACE wetland. If development is pursued, a Jurisdictional Determination (JD) should be requested from the USACE. An Approved JD would allow the USACE to determine if Wetlands D, E, F, and J are truly isolated and therefore not under their jurisdiction. Alternatively, a Preliminary JD would assume all identified resources are under their jurisdiction.

Wetlands AB, C, D, E, F, GH, I, and J are not mapped NYSDEC Freshwater Wetlands nor are they associated with any mapped NYSDEC Freshwater Wetlands. As such, these wetlands are not anticipated to be regulated by the NYSDEC.

A professional opinion of anticipated permitting requirements for impacts to state and/or federally jurisdictional wetlands and streams can be provided upon review of preliminary site plans.



## 5. Limitation

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The Site investigation described in this report was conducted and prepared on behalf of and for the exclusive use of Borrego Solar Systems, Inc. No other entity may rely upon the results of the assessment or contents of this report for any reasons or purpose, whatsoever.

GEI performed this investigation in accordance with generally accepted practices of engineers, scientists, and/or consultants providing similar services at the same time, in the same locale, and under like circumstances. No other warranty, expressed or implied, is made as to the professional opinions included by GEI in this report.



## 6. References

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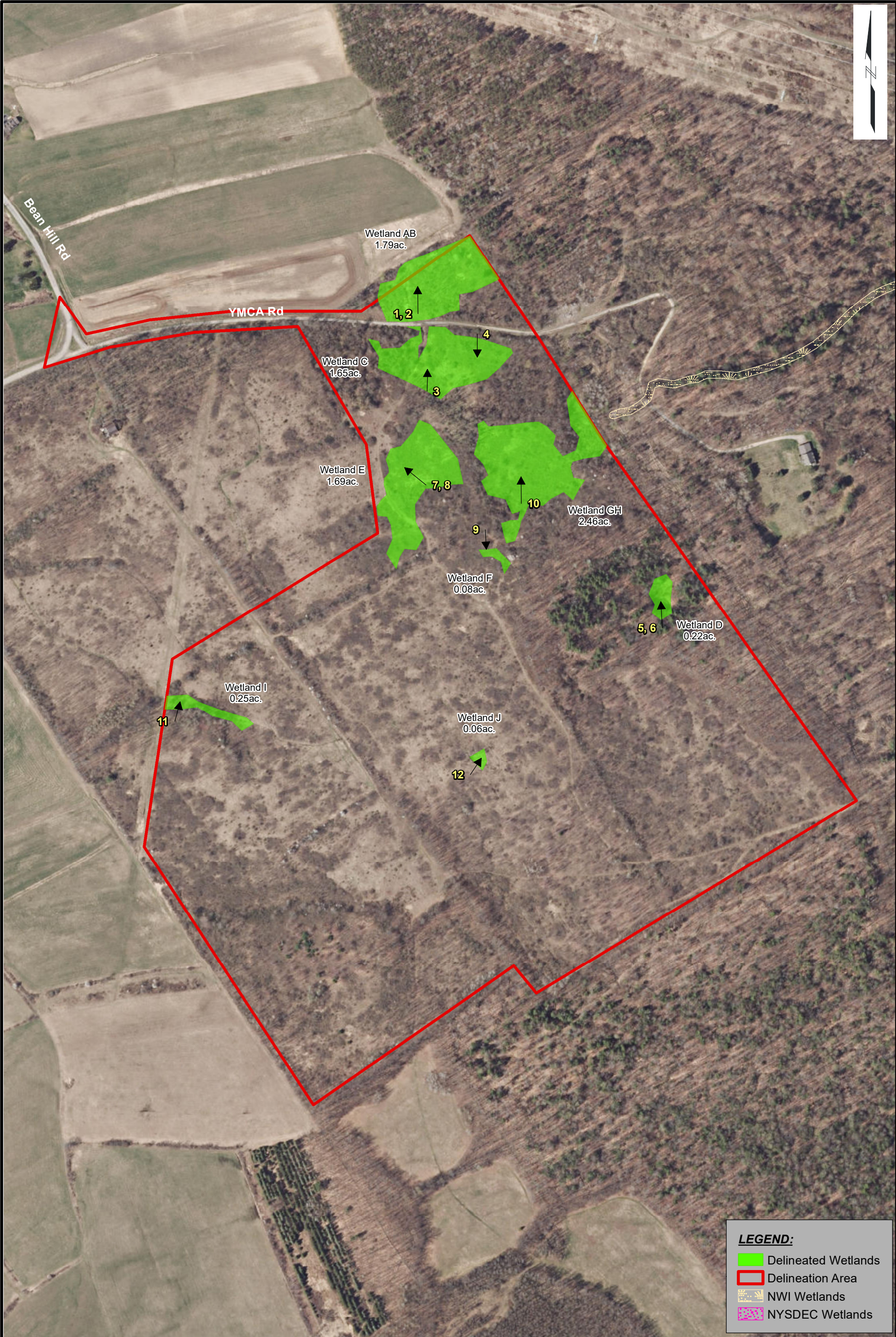
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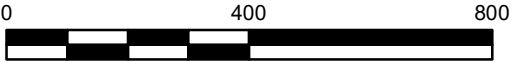
## Figure

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**SOURCE:**  
1. 2016 NYS GIS ORTHOPHOTO ACCESSED VIA ESRI  
WORLD IMAGERY.



SCALE: 1" = 400'

Proposed Wind Energy Generation Site  
153 YMCA Rd, Florida  
Montgomery County, NY

Borrego Solar Systems, Inc.



Project 2003593

WETLAND DELINEATION  
MAP

December 2020

Fig. 1



# Appendix A

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## Photo Documentation



# 153 YMCA Road Inspection Photos

**Date:** 10/28/20 – 10/30/20 and 11/19/20 – 11/20/20

**GEI Project No.:** 2003593

**Client:** Borrego Solar Systems, Inc.



<i>Photo No. 1 – View of Wetland AB facing north</i>	<i>1</i>
<i>Photo No. 2 – View of soil from Wetland AB</i>	<i>1</i>
<i>Photo No. 3 – View of Wetland C facing north</i>	<i>2</i>
<i>Photo No. 4 – View of Wetland C facing south</i>	<i>2</i>
<i>Photo No. 5 – View of Wetland D facing north</i>	<i>3</i>
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# 153 YMCA Road Inspection Photos

Date: 10/28/20 – 10/30/20 and 11/19/20 – 11/20/20

GEI Project No.: 2003593

Client: Borrego Solar Systems, Inc.



Photo No. 1 – View of Wetland AB facing north



Photo No. 2 – View of soil from Wetland AB



# 153 YMCA Road Inspection Photos

Date: 10/28/20 – 10/30/20 and 11/19/20 – 11/20/20

GEI Project No.: 2003593

Client: Borrego Solar Systems, Inc.



Photo No. 3 – View of Wetland C facing north



Photo No. 4 – View of Wetland C facing south



# 153 YMCA Road Inspection Photos

Date: 10/28/20 – 10/30/20 and 11/19/20 – 11/20/20

GEI Project No.: 2003593

Client: Borrego Solar Systems, Inc.



Photo No. 5 – View of Wetland D facing north



Photo No. 6 – View of soil from Wetland D



# 153 YMCA Road Inspection Photos

Date: 10/28/20 – 10/30/20 and 11/19/20 – 11/20/20

GEI Project No.: 2003593

Client: Borrego Solar Systems, Inc.



Photo No. 7 – View of Wetland E facing northwest



Photo No. 8 – View of soil from Wetland E



# 153 YMCA Road Inspection Photos

Date: 10/28/20 – 10/30/20 and 11/19/20 – 11/20/20

GEI Project No.: 2003593

Client: Borrego Solar Systems, Inc.



Photo No. 9 – View of Wetland F facing south



Photo No. 10 – View of Wetland GH facing north



# 153 YMCA Road Inspection Photos

Date: 10/28/20 – 10/30/20 and 11/19/20 – 11/20/20

GEI Project No.: 2003593

Client: Borrego Solar Systems, Inc.



Photo No. 11 – View of Wetland I



Photo No. 12 – View of Wetland J





# **Stormwater Pollution Prevention Plan**

**153 YMCA Road Florida Wind Energy  
Project**

Borrego Solar

22 July 2021

 **The Power of Commitment**







**GHD Consultants, Inc.**

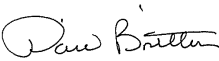
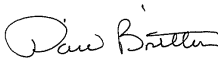
285 Delaware Avenue, Suite 500

Buffalo, NY 14202, USA

T 716-856-2142 | F 716-856-2160 | [ghd.com](http://ghd.com)

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# **Stormwater Pollution Prevention Plan**

## **Preparer's Certification**

I certify under penalty of law that this document and all attachments/appendices were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on the inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that false statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of Penal Law.



Signature

July 21, 2021

Date

David M. Britton, P.E.  
NY License No. 075722  
GHD Consulting Services Inc.







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Appendix B	Notice of Intent
Appendix C	NYSDEC Acknowledgment Letter (to be added upon receipt)
Appendix D	County Soil Reports
Appendix E	Stormwater Pollution Prevention Plan Certifications
Appendix F	Stormwater Calculations and Modeling Results
Appendix G	Notice of Termination







# 1. Purpose and Objectives

GHD Consulting Services, Inc. (GHD) has prepared this Stormwater Pollution Prevention Plan (SWPPP) on behalf of Borrego Solar for the Florida Wind Energy Project, a single 4.3 MW wind turbine, located at 143 YMCA Road, Florida, New York.

This SWPPP has been prepared in compliance with the New York State Department of Environmental Conservation (NYSDEC) State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001), which is included in Appendix A. The design standards and practices outlined herein are based on guidelines in the New York State Standards and Specifications for Erosion and Sediment Control (NYS Standards) and the New York State Stormwater Management Design Manual.

The objective of the SWPPP is to establish mitigation measures and to minimize the number of pollutants in the stormwater runoff from the project area in order to protect the waters of the United States from the adverse impact of stormwater runoff. The selection of Best Management Practices (BMPs) for this project follows an approach to develop a Site design that regulates stormwater discharges, reduces impacts of stormwater runoff, and provides a maximum level of treatment given the project constraints.

An owner or operator of a construction activity that is eligible for coverage under this general permit must obtain coverage prior to commencement of construction activity. A copy of the Notice of Intent (NOI) can be found in Appendix B of this SWPPP. The owner or operator shall submit electronically the NOI to the NYSDEC. Permit coverage shall begin five (5) business days following receipt of the NOI. The NYSDEC shall provide a Letter of Acknowledgment and it shall be made part of this SWPPP in Appendix C.

The following sections outline the project background and existing Site conditions, the general project requirements, a description of construction activities, the erosion and sedimentation control requirements, post-construction stormwater practices, and maintenance and inspection requirements.

## 2. Background

### 2.1 Project Background

Borrego Solar has negotiated a lease agreement with a property owner on the south side of YMCA Road, a dead-end roadway, in the Town of Florida, Montgomery County, for a single wind turbine project. All permitting of the Site is within the Florida jurisdiction. The standards and procedures for siting of wind projects is outlined in the Zoning Ordinance, Section 45.4 – Wind Turbine Facilities Law, Local Law No. 1 of 2008, as adopted by the Town of Florida, which generally involved a Site plan review process to the Town Planning Board with issuance of a Special Use Permit (upon approval). The parcel is located within Montgomery County Agricultural District 3.

All project features will be leased, operated, and maintained by Borrego Solar. The project is located on private property and is not located within a regulated jurisdictional municipal separate storm system (MS4), therefore, SPDES permitting will be under the authority of the NYSDEC.

A location map of the Florida YMCA Road Wind Energy Project is provided as Figure 1.

### 2.2 Existing Conditions

The property of interest, 143 YMCA Road, is a privately owned, single parcel of approximately 110 acres in size. The Site is a vacant undisturbed lot with some smaller stands of trees and areas of brush. Several wetlands were delineated on the Site and found to be jurisdictional. The lease area of the Site is limited to the east and southern portions of the project, which is also the location of the wetlands. Therefore, project impacts to wetlands have been minimized to the extent practical, but a disturbance of 0.45 acres is anticipated and a joint application for permit required.



The Site generally drains from the south to north and across YMCA Road. YMCA Road is a narrow gravel roadway that is inadequate for large vehicle traffic. There are no clear indications of existing drainage ditches or swales.

The neighboring properties include some isolated rural residences, some farmlands (active and inactive), and some vacant undisturbed parcels similar to the project parcel. There is a single family residential home at the dead-end of YMCA Road to the east.

There is no floodplain on the property.

## 2.3 Project Description

The project involves the construction of a single wind turbine and associated features and infrastructure. At the time of preparation of this SWPPP, the model anticipated for the project is the Vestas V150, 4.3 MW turbine, which has a tip height of 600 feet. The turbine foundation is anticipated to be a spread footer that will predominately be underground leaving an 18-foot concrete pedestal aboveground. Permanent features of the project shall include a gravel access road off YMCA Road, the widening of YMCA Road for construction traffic, a gravel pad around the turbine, a crane pad, and a small run of overhead electrical lines and poles off YMCA Road while the remaining electrical lines will be underground. Other temporary features needed during construction include construction staging area, stockpile, blade laydown area and truck route around turbine. The staging area and truck router will be constructed of gravel, but following the turbine installation, the stone will be removed and the area de-compacted and restored with topsoil and seeding. The remaining areas will remain pervious but will require decompaction and reseeding following turbine construction.

There is no substation or other interconnection features required for the project. The project shall directly connect to the local electrical system.

The project will result in a soil disturbance of 7.9 acres of which 1.70 acres of new impervious area. Erosion and sediment control information is included on the project Drawings, which shall be considered part of the SWPPP.

## 2.4 Involved Parties

The following are the involved parties for the project concerning stormwater pollution prevention:

Operator: Borrego Solar

Address: 55 Technology Dr, Suite 102, Lowell MA 01851

Contact Person: Greg Gibbons

Phone Number: 315-378-9567

Design Engineer: GHD Consulting Services, Inc.

Address: 285 Delaware Avenue, Suite 500, Buffalo, NY 14202

Contact Person: David M. Britton.

Phone Number: (716) 362-8815

NYSDEC Regional Office: Region 7

Address: 615 Erie Boulevard West, Syracuse NY 13204

Phone Number: (315) 426-7400

## 2.5 Geology

The soils in the United States are assigned to four Hydrologic Soils Groups (A, B, C, and D) and three dual classes (A/D, B/D, and C/D). The groups are defined as follows:

**HSG A:** Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.



**HSG B:** Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well-drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

**HSG C:** Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

**HSG D:** Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a clay pan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

If a soil is assigned to a dual hydrologic group (A/D, B/D, or C/D), the first letter is for drained areas and the second is for undrained areas. Only the soils, which are in their natural condition in Group D, are assigned to dual classes.

There is a significant variety of soil types on the parcel. The project will mostly impact Wellsboro and Mardin soils (WmC), Bath channery silt loam (BfC) and Bath and Lackawanna soils (BhC) with slopes from 3 percent to 15 percent. WmC is hydrologic group D and moderately well drained while the others are group C and well drained. The County Soil Reports are included in Appendix D.

## **3. Stormwater Pollution Prevention Plan**

### **3.1 Construction Sequence**

The project shall be constructed in a single phase of approximately 3 months. The following typical construction sequence will generally be followed:

- Mobilization of construction equipment and materials to the Site.
- Installation of stabilized construction entrance to the Site and temporary erosion and sediment controls.
- Rough grading of the access road, turbine area and crane/laydown areas and stockpiling of materials as needed.
- Installation of culverts crossings, gravel access road and gravel work areas.
- Excavation and construction of turbine foundation and electrical service.
- Delivery and assembly of crane and turbine components.
- Installation of overhead electrical connection.
- Removal of temporary gravel.
- Final grading and restoration of disturbed areas.
- Removal of erosion and sediment control features upon establishment of grass cover and plantings.

### **3.2 Best Management Practices**

As stated above, the project shall be constructed in a single phase of an approximately 3-month period. The project will not require the disturbance of greater than 5 acres at any one time. The Contractor shall request, in writing, authorization from the Regional Office of the NYSDEC for the disturbance and meet all SPDES Permit requirements. If at any time, the disturbance drops below the 5-acre threshold, the Contractor shall advise the Regional Office in writing.

The Contractor will be responsible for dust control and removal of any sediment buildup on the adjacent roadway. The Contractor will be required to protect existing and new inlets and ditches throughout construction. All erosion and sediment control measures have been designed in general compliance with the NYS Standards.



The Contractor shall be responsible for installation and maintenance of BMPs on the Site. The Contractor shall sign the certification statements made part of the SWPPP in Appendix E. In addition, any subcontractors will be required to respect and protect these BMPs against disturbance due to their operations, therefore, will be required to sign the SWPPP as well.

The BMPs, which will be incorporated in the construction phase, are detailed on the Drawings and include:

- Stabilized Construction Entrance: YMCA Road is currently a gravel roadway with insufficient width for the project. The roadway shall be improved and widened as necessary to accommodate construction vehicles and minimize sediment transportation off the Site. Also, a stabilized construction entrance shall be installed at the Site entrance from the public roadway. The entrance shall help control sediment transportation by vehicles entering and exiting the Site. The entrance shall be installed in accordance with details and be maintained should sediment buildup on the surface as needed and until the permanent gravel access road is installed.
- Silt Sock/Fence: As a measure to prevent off-Site sediment transportation to the drainage ditches and pond, silt sock or silt fence shall be installed along the slopes to prevent sediment-laden runoff from exiting the work areas, as shown on the Drawings. Sediment buildup on silt fence or silt sock shall be removed if it reaches 50% of the capacity and any damaged sections shall be replaced.
- Check Dams/Riprap: Stone check dams are intended to control potential sediment along existing drainage ditch and pond. The Contractor will be required to install stone check dams as shown on Drawings and as needed. When work is conducted adjacent to culvert pipes, such as driveway crossings, light stone riprap will be installed at the end of pipes to collect sediment-laden runoff. These measures shall be inspected regularly, and accumulated sediment removed from stones.
- Stockpile Stabilization: Spoil materials from excavation shall be stockpiled for reuse in wetland habitat plantings area or as backfill and excess spoils shall be removed from the Site. Topsoil material may be segregated from backfill and reused for stabilization. At no time shall stockpiled materials be placed in drainage pathways or waterways. The Contractor shall install perimeter protection around all stockpiles.
- Soil Stabilization: The project pervious surfaces around the turbine shall be lawn areas and will be stabilized using topsoil and seeding. Straw mulch may be used to stabilize the areas until grass growth is established. In areas where soil disturbance activity has been temporarily or permanently ceased, temporary and/or permanent soil stabilization measures shall be installed and/or implemented within 14 days (7 days if greater than 5 acres disturbed) from the date the soil disturbance activity ceased. The soil stabilization measures selected shall be in conformance with the most current version of the technical standards, NYS Standards.

All temporary stormwater control measures shall remain in place, and well maintained, until a qualified professional determines that final stabilization has been reached.

### **3.3 Pollution Prevention Controls**

The Contractor and all subcontractors shall be responsible for implementation of pollution prevention controls. Pollution prevention controls shall include:

- Dust Control: Contractors shall incorporate standard practices for the control of dust from construction. Such controls shall include, but not be limited to, stabilized construction entrance, temporary stabilization of inactive areas and stockpiles, Site watering, and vehicle washing. The Contractor will be responsible for designating vehicle wash areas and providing proper facilities for such activities.
- Sanitary Facilities: Contractors shall comply with state and local sanitary regulations. Temporary sanitary facilities shall be provided at the Site throughout the construction phase. They must be utilized by all construction personnel and shall be serviced by a commercial operator.
- Waste Disposal and Construction Debris: All materials used on the Site will be properly stored, handled, and dispensed following applicable label directions. No solid waste materials are allowed to be exposed to or discharged from the Site with stormwater. Each Contractor and his subcontractors shall be responsible for proper containment and disposal of garbage and debris from construction activities. Contractors shall be responsible for coordinating garbage and debris removal or pickup if necessary.
- Concrete Truck Washout: If necessary, a designated truck washout area will be provided within the work area in order to ensure concrete materials are not impacted by stormwater.



- Vehicle Fueling: Temporary on-Site fuel tanks or trucks for construction vehicles shall meet all state and federal regulations and have approved spill containment. Emergency spill containment materials must also be kept on Site and accessible in case of spills.
- Spill Prevention and Control: All Contractors shall incorporate spill prevention planning, secondary containment, and spill cleanup procedures as required by OSHA and NYSDEC for all products present on the Site.
- Hazardous Materials: No hazardous materials are anticipated on the Site or as part of the project. If any hazardous or potentially hazardous waste is found at the Site. It will be properly handled in order to reduce the potential of stormwater impacts.

### 3.4 Allowable Non-Stormwater Discharges

The following non-stormwater discharges are allowed as indicated in the SPDES Permit:

- Discharges from firefighting activities only when firefighting activities are emergencies/unplanned.
- Waters to which other components have not been added that are used to control dust.
- Uncontaminated discharges from construction dewatering operations.

### 3.5 Post-Construction Stormwater Practices

At first, the project was analyzed in accordance with the New York State Stormwater Design Manual (SWDM). As required by the SWDM, Chapter 3, Stormwater Management Planning, there are six steps to developing a SWPPP.

Step 1: Site Planning

Step 2: Determine Water Quality Treatment Volume (WQv)

Step 3: Apply Runoff Reduction Techniques (RRv)

Step 4: Determine the minimum RRv required

Step 5: Apply Standard Stormwater Management Practices

Step 6: Apply Volume and Peak Rate Control Practices

The project design began with Step 1 and the following criteria was examined:

1. Preservation of Natural Resources
  - a. Preservation of Undisturbed Areas – The project is designed to limit disturbance of the property specifically the wetlands. The landowner also identified an exclusion area that no project features are permitted.
  - b. Preservation of Buffers – The project disturbance has been limited to the extent practical.
  - c. Reduction of Clearing and Grading – The project will limit clearing and grading as needed to level the necessary area for the turbine and access road.
  - d. Locating Development in Less Sensitive Areas – The project is located on a privately owned undisturbed parcel.
  - e. Open Space Design – This does not apply to the project.
  - f. Soil Restoration – All surfaces within the agricultural district shall be restored in accordance with New York State Department of Agriculture and Markets, Guidelines for Agricultural Mitigation for Wind Power Projects. All surfaces shall be decompacted and restored with topsoil and seed in accordance with Soil Restoration standard from the NYS Standards and Specifications for Erosion and Sediment Control, latest revision.
2. Reduction in Impervious Cover
  - a. Roadway Reduction – The access road will be installed to the minimum size needed for the installation and operation of a wind turbine.
  - b. Sidewalk Reduction – This does not apply to the project.



- c. Driveway Reduction – This does not apply to the project.
- d. Cul-de-sac Reduction – This does not apply to the project.
- e. Building Footprint Reduction – This does not apply to the project. A single wind turbine has a fairly small footprint.
- f. Parking Reduction – This does not apply to the project. No on-Site parking is provided.

To address Steps 2-4, wind turbine projects are generally considered as linear utility projects. The water quality volume and runoff reduction can be achieved by the use of a filter strip or naturally occurring buffer area as long as the filter strip width is equal to or greater in width than the impervious area draining to it. No additional stormwater management practices will be utilized in order to minimize disturbance to the property.

The following is an analysis of all runoff reduction techniques supports the above determination for this project.

### 3. Runoff Reduction Techniques

- a. Conservation of Natural Areas – The project will only impact areas as needed for project features.
- b. Sheet flow to Riparian Buffers or Filter Strips – The project will utilize filter strips to provide stormwater treatment for the new impervious areas. In order to meet requirements of a filter strip, the soil along the access road and adjacent to the turbine gravel pad will be de-compacted and allowed to revegetate. The filter strip cannot be located on steep slopes. The access road and turbine pad shall be graded in a manner that will allow sheet flow to the adjacent areas where the Site show intermittent streams.
- c. Vegetated Swale – No vegetated swale was incorporated into the project.
- d. Tree Planting/Tree Pit – Tree planting is not feasible for a wind turbine project.
- e. Disconnection of Rooftop Runoff – This does not apply to the project.
- f. Stream Daylighting – There are no streams on the Site.
- g. Rain Garden – This practice is not recommended with the C or D soils.
- h. Green Roofs – This does not apply to the project.
- i. Stormwater Planters – This does apply to the project.
- j. Rain Barrels and Cisterns – This does not apply to the project.
- k. Porous Pavement – This does not apply to the project.

Finally, Step 6, volume controls for the 1-year, 10-year and 100-year storm events are not necessary if it can be shown that there is less than a 2.5% increase of the peak flow during 1-year event and less than 5% during the 10-year and 100-year events by comparing the existing conditions to the proposed conditions in these areas. The analysis of the post-construction conditions depicts negligible increases in the runoff rate from the pre-construction conditions during the 1-year, 10-year and 100-year storm events.

No Channel Protection Volume (CPv), Overbank Flood Control (Qp), or Extreme Flood Control (Qf) are required. Although it is apparent that the project will negligibly impact stormwater runoff, this method of analysis is not in accordance with the requirements of the SWDM and thus a 60 day review may be necessary by the NYSDEC.

The project site catchment area is divided into three watersheds. The Western portion of the site is part of a 20 Acre watershed that is tributary to Schohaire Creek. The middle portion of the site is part of an 8 Acre watershed that is also tributary to Schohaire Creek. The Eastern portion of the site is part of a 32 Acre watershed that is tributary to North Chuctanunda Creek.

A pre-construction and post-construction stormwater model was created. The results are shown in Appendix F and summarized in the tables below. The project will meet the requirements of the SWDM and SPDES permit.

**Table 1**      *Pre-Development*

Catchment Area	1 Yr Peak Flow (cfs)	10 Yr Peak Flow (cfs)	100 Yr Peak Flow (cfs)
Western WS	14.02	34.38	72.64
Middle WS	5.67	13.56	28.12
Eastern WS	23.41	57.17	120.66



Table 2 Post-Development

Catchment Area	1 Yr Peak Flow (cfs)	10 Yr Peak Flow (cfs)	100 Yr Peak Flow (cfs)
Western WS	14.02	34.38	72.64
Middle WS	5.79	13.87	28.86
Eastern WS	23.41	57.17	120.66

## 3.6 Maintenance

The Contractor is responsible for the condition of the Site during construction. This shall include the maintenance of all BMP and pollution prevention controls during construction. The Contractor and their subcontractors shall sign the certification statement as referenced in Appendix E. Maintenance guidelines for each practice shall be in accordance with NYS Standards.

Each Contractor and subcontractor shall identify at least one person from their company that will be responsible for implementation of the SWPPP. This person shall be known as the trained contractor, as defined in the SPDES permit. The trained contractor shall conduct daily inspection of the Site including all BMPs and erosion and sediment controls and perform any maintenance required.

The long-term maintenance of the Site, and all features, is the responsibility of Borrego as the operator of the wind turbine. It is anticipated that a Borrego representative will make periodic inspections of the Site and the project facilities. At that time, the gravel access road will be inspected for any issues, the filter strips area will be inspected and maintained in good condition, and the culverts and riprap shall be inspected and cleaned or replaced as needed.

## 4. Inspection

In accordance with the SPDES permit for stormwater discharges from construction activities, the owner or operator of the Site must ensure that all erosion and sediment control practices and all post-construction stormwater management practices identified in the SWPPP are maintained in effective operating condition at all times. The Town, as owner/operator, shall engage a qualified inspector, as required, in the following sections. The Contractor shall engage a trained contractor as defined by the permit throughout construction. The trained contractor shall be responsible for the day-to-day implementation of the SWPPP.

**The following sections contain additional information taken directly from the SPDES permit.**

### 4.1 Owner or Operator Maintenance Inspection Requirements

The *owner or operator* shall inspect, in accordance with the requirements in the most current version of the technical standard, NYS Standards, the erosion and sediment control measures identified in the SWPPP to ensure that they are being maintained in effective operating condition at all times.

For construction sites where soil disturbance activities have been temporarily suspended (e.g., winter shutdown) and temporary stabilization measures have been applied to all disturbed areas, the *owner or operator* can stop conducting the maintenance inspections. The *owner or operator* shall begin conducting the maintenance inspections as soon as soil disturbance activities resume.

For construction sites where soil disturbance activities have been shut down with partial project completion, the *owner or operator* can stop conducting the maintenance inspections if all areas disturbed as of the project shutdown date have achieved final stabilization and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational.



## 4.2 Qualified Inspector Requirements

The *owner or operator* shall have a *qualified inspector* conduct Site inspections in conformance with the following requirements:

Note: The *trained contractor* identified cannot conduct the *qualified inspector* site inspections unless they meet the *qualified inspector* qualifications in the permit. In order to perform these inspections, the *trained contractor* would have to be one of the following:

- Licensed Professional Engineer.
- Certified Professional in Erosion and Sediment Control (CPESC).
- Registered Landscape Architect.
- Someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided they have received 4 hours of Department-endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District or other Department-endorsed entity.

Unless otherwise notified by the Department, the *qualified inspector* shall conduct site inspections in accordance with the following timetable:

- For construction sites where soil disturbance activities are ongoing, the qualified inspector shall conduct a site inspection at least once every 7 calendar days.
- For construction sites where soil disturbance activities are ongoing and the owner or operator has received authorization to disturb greater than 5 acres of soil at any one time, the qualified inspector shall conduct at least two site inspections every 7 calendar days. The two inspections shall be separated by a minimum of 2 full calendar days.
- For construction sites where soil disturbance activities have been temporarily suspended (e.g., winter shutdown) and temporary stabilization measures have been applied to all disturbed areas, the qualified inspector shall conduct a site inspection at least once every 30 calendar days. The owner or operator shall notify the Regional Office stormwater contact, in writing, prior to reducing the frequency of inspections.
- For construction sites where soil disturbance activities have been shut down with partial project completion, the qualified inspector can stop conducting inspections if all areas disturbed, as of the project shutdown date, have achieved final stabilization and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational. The owner or operator shall notify the Region 9 stormwater contact person in writing prior to the shutdown. If soil disturbance activities are not resumed within 2 years from the date of shutdown, the owner or operator shall have the qualified inspector perform a final inspection and certify that all disturbed areas have achieved final stabilization, and all temporary, structural erosion, and sediment control measures have been removed; and that all post-construction stormwater management practices have been constructed in conformance with the SWPPP by signing the "Final Stabilization" and "Post-Construction Stormwater Management Practice" certification statements on the Notice of Termination (NOT). The owner or operator shall then submit the completed NOT form to the NYS DEC, Bureau of Water Permits, 625 Broadway, 4th Floor, Albany, NY 12233-3505.

At a minimum, the qualified inspector shall inspect all erosion and sediment control practices to ensure integrity and effectiveness, all post-construction stormwater management practices under construction to ensure that they are constructed in conformance with the SWPPP, all areas of disturbance that have not achieved final stabilization, all points of discharge to natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the construction Site, and all points of discharge from the construction Site.

The qualified inspector shall prepare an inspection report subsequent to each and every inspection. At a minimum, the inspection report shall include and/or address the following:

- Date and time of inspection.
- Name and title of person(s) performing inspection.
- A description of the weather and soil conditions (e.g., dry, wet, saturated) at the time of the inspection.



- A description of the condition of the runoff at all points of discharge from the construction Site. This shall include identification of any discharges of sediment from the construction Site. Include discharges from conveyance systems (i.e., pipes, culverts, ditches, etc.) and overland flow.
- A description of the condition of all natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the construction Site, which receive runoff from disturbed areas. This shall include identification of any discharges of sediment to the surface waterbody.
- Identification of all erosion and sediment control practices that need repair or maintenance.
- Identification of all erosion and sediment control practices that were not installed properly or are not functioning as designed and need to be reinstalled or replaced.
- Description and sketch of areas that are disturbed at the time of the inspection and areas that have been stabilized (temporary and/or final) since the last inspection.
- Current phase of construction of all post-construction stormwater management practices and identification of all construction that is not in conformance with the SWPPP and technical standards.
- Corrective action(s) that must be taken to install, repair, replace or maintain erosion and sediment control practices; and to correct deficiencies identified with the construction of the post-construction stormwater management practice(s).
- Digital photographs with date stamp that clearly show the condition of all practices that have been identified as needing corrective actions. The qualified inspector shall attach paper color copies of the digital photographs to the inspection report being maintained on Site within 7 calendar days of the date of the inspection. The qualified inspector shall also take digital photographs, with date stamp, that clearly show the condition of the practice(s) after the corrective action has been completed. The qualified inspector shall attach paper color copies of the digital photographs to the inspection report that documents the completion of the corrective action work within 7 calendar days of that inspection.

Within 1 business day of the completion of an inspection, the qualified inspector shall notify the owner or operator and appropriate contractor or subcontractor of any corrective actions that need to be taken. The Contractor or subcontractor shall begin implementing the corrective actions within 1 business day of this notification and shall complete the corrective actions in a reasonable timeframe.

All inspection reports shall be signed by the qualified inspector. Pursuant to the permit, the inspection reports shall be maintained on Site with the SWPPP.

The NYSDEC shall have the authority to inspect the Site and required documentation at any time during normal business hours.

## 5. Project Certification and Closeout

Borrego, as the Site operator, and the Contractor shall sign the SWPPP certifications in Appendix E.

Borrego shall submit the NOI to the NYSDEC in order to obtain permit coverage. This will be in the form of a NYSDEC Acknowledgment Letter and made part of the SWPPP in Appendix C. Timelines for submittal of NOI are provided in the SPDES permit.

Upon establishment of final cover, a final inspection shall be conducted by the qualified inspector who will sign off on the final stabilization and post-construction stormwater management practices of the Site on the NOT, which is included in Appendix G. Then, Borrego shall sign and submit the NOT to the NYSDEC for closure of the SPDES permit.



## 6. Recordkeeping

**During Construction:** The Contractor shall maintain for the duration of construction and in a secure location on Site, copies of the signed SWPPP, the NOI, the SPDES General Permit, and NYSDEC Acknowledgment Letter. Copies of inspection reports shall be made a part of the SWPPP. These reports shall be kept on Site during construction and be made available to the NYSDEC during inspection. During normal working hours, the documents shall be available for viewing.

**Record Retention:** The *owner or operator* shall retain a copy of the NOI, MS4 SWPPP Acceptance Form, NYSDEC Acknowledgment Letter, SWPPP, and any inspection reports that were prepared in conjunction with this permit for a period of at least 5 years from the date that the Site achieves final stabilization. This period may be extended by the NYSDEC, in its sole discretion, at any time upon written notification.

**Addresses:** With the exception of the NOI and NOT, all written correspondence requested by the NYSDEC, including individual permit applications, shall be sent to the address of the Region 4 Office, Bureau of Water Permits.

## 7. References

- New York State Standards and Specifications for Erosion and Sediment Control (November 2016).
- New York State Stormwater Management Design Manual (January 2015).



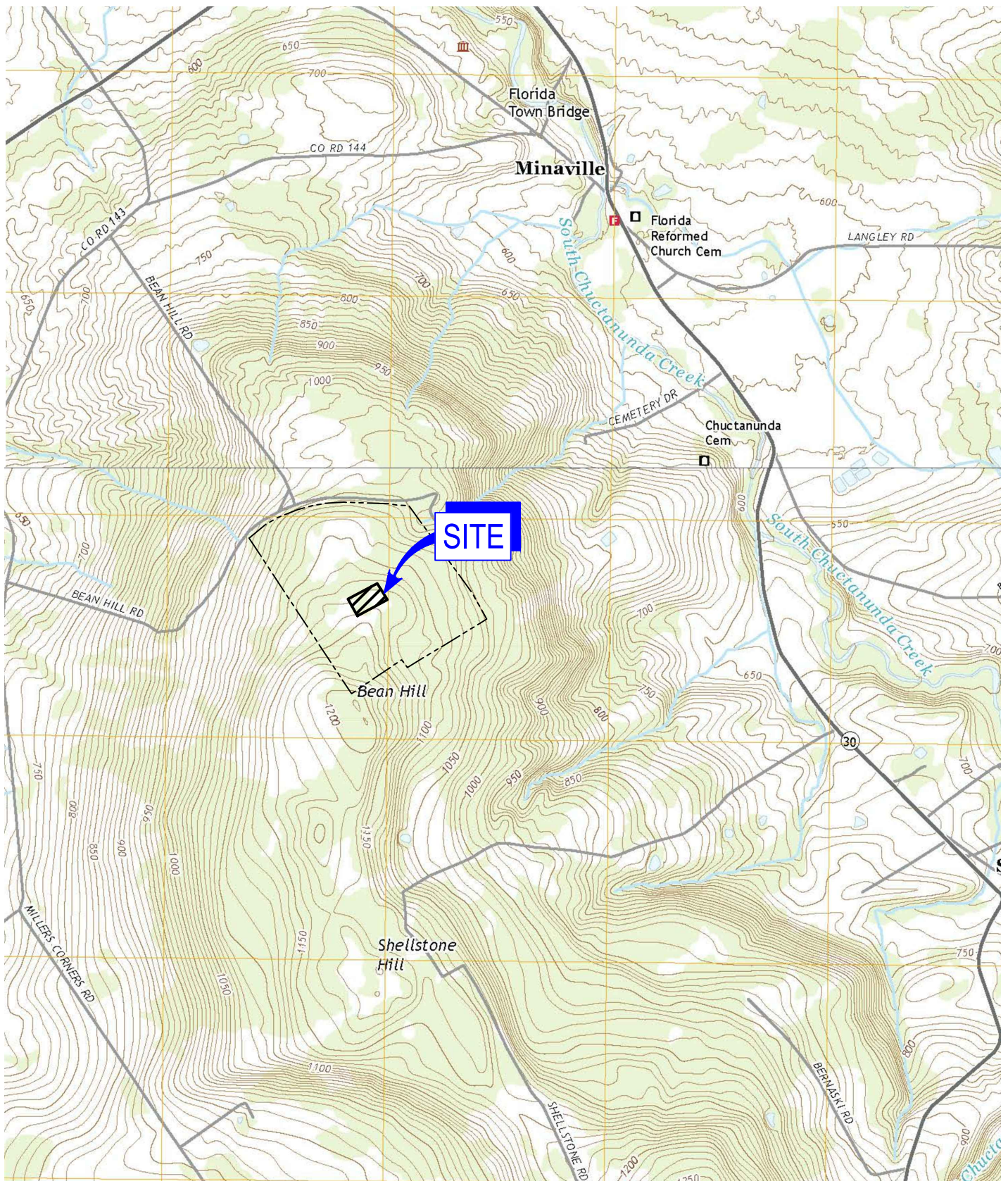
# Figure 1

Location Map

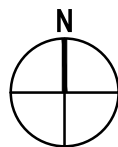








SOURCE: USGS 7.5 MINUTE TOPOGRAPHIC QUADRANGLE, DUANESBURG AND AMSTERDAM, NY AND 2019



**BORREGO SOLAR**  
153 YMCA RD

**SITE LOCATION MAP**

Project No. 11227527  
Report No. 003  
Date JULY 2021

**FIGURE 1**







# **Appendix A**

**SPDES General Permit for Stormwater  
Discharges from Construction Activities  
GP-0-20-001**









Department of  
Environmental  
Conservation

NEW YORK STATE  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

SPDES GENERAL PERMIT  
FOR STORMWATER DISCHARGES

From

**CONSTRUCTION ACTIVITY**

Permit No. GP- 0-20-001

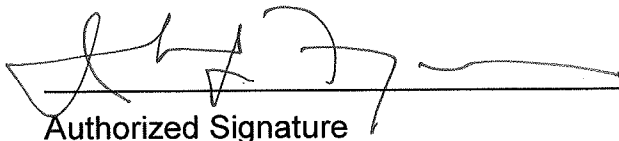
Issued Pursuant to Article 17, Titles 7, 8 and Article 70  
of the Environmental Conservation Law

Effective Date: January 29, 2020

Expiration Date: January 28, 2025

John J. Ferguson

Chief Permit Administrator



Authorized Signature

1-23-20  
Date

Address: NYS DEC  
Division of Environmental Permits  
625 Broadway, 4th Floor  
Albany, N.Y. 12233-1750



## PREFACE

Pursuant to Section 402 of the Clean Water Act (“CWA”), stormwater *discharges* from certain *construction activities* are unlawful unless they are authorized by a *National Pollutant Discharge Elimination System (“NPDES”)* permit or by a state permit program. New York administers the approved State Pollutant Discharge Elimination System (SPDES) program with permits issued in accordance with the New York State Environmental Conservation Law (ECL) Article 17, Titles 7, 8 and Article 70.

An *owner or operator* of a *construction activity* that is eligible for coverage under this permit must obtain coverage prior to the *commencement of construction activity*. Activities that fit the definition of “*construction activity*”, as defined under 40 CFR 122.26(b)(14)(x), (15)(i), and (15)(ii), constitute construction of a *point source* and therefore, pursuant to ECL section 17-0505 and 17-0701, the *owner or operator* must have coverage under a SPDES permit prior to *commencing construction activity*. The *owner or operator* cannot wait until there is an actual *discharge* from the *construction site* to obtain permit coverage.

**\*Note: The italicized words/phrases within this permit are defined in Appendix A.**



**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
SPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM  
CONSTRUCTION ACTIVITIES**

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## Part 1. PERMIT COVERAGE AND LIMITATIONS

### A. Permit Application

This permit authorizes stormwater *discharges* to *surface waters of the State* from the following *construction activities* identified within 40 CFR Parts 122.26(b)(14)(x), 122.26(b)(15)(i) and 122.26(b)(15)(ii), provided all of the eligibility provisions of this permit are met:

1. *Construction activities* involving soil disturbances of one (1) or more acres; including disturbances of less than one acre that are part of a *larger common plan of development or sale* that will ultimately disturb one or more acres of land; excluding *routine maintenance activity* that is performed to maintain the original line and grade, hydraulic capacity or original purpose of a facility;
2. *Construction activities* involving soil disturbances of less than one (1) acre where the Department has determined that a *SPDES* permit is required for stormwater *discharges* based on the potential for contribution to a violation of a *water quality standard* or for significant contribution of *pollutants* to *surface waters of the State*.
3. *Construction activities* located in the watershed(s) identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.

### B. Effluent Limitations Applicable to Discharges from Construction Activities

*Discharges* authorized by this permit must achieve, at a minimum, the effluent limitations in Part I.B.1. (a) – (f) of this permit. These limitations represent the degree of effluent reduction attainable by the application of best practicable technology currently available.

1. Erosion and Sediment Control Requirements - The *owner or operator* must select, design, install, implement and maintain control measures to *minimize* the *discharge of pollutants* and prevent a violation of the *water quality standards*. The selection, design, installation, implementation, and maintenance of these control measures must meet the non-numeric effluent limitations in Part I.B.1.(a) – (f) of this permit and be in accordance with the New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016, using sound engineering judgment. Where control measures are not designed in conformance with the design criteria included in the technical standard, the *owner or operator* must include in the *Stormwater Pollution Prevention Plan* (“SWPPP”) the reason(s) for the



deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.

- a. **Erosion and Sediment Controls.** Design, install and maintain effective erosion and sediment controls to *minimize* the *discharge of pollutants* and prevent a violation of the *water quality standards*. At a minimum, such controls must be designed, installed and maintained to:
- (i) *Minimize* soil erosion through application of runoff control and soil stabilization control measure to *minimize pollutant discharges*;
  - (ii) Control stormwater *discharges*, including both peak flowrates and total stormwater volume, to *minimize* channel and *streambank* erosion and scour in the immediate vicinity of the *discharge* points;
  - (iii) *Minimize* the amount of soil exposed during *construction activity*;
  - (iv) *Minimize* the disturbance of *steep slopes*;
  - (v) *Minimize* sediment *discharges* from the site;
  - (vi) Provide and maintain *natural buffers* around surface waters, direct stormwater to vegetated areas and maximize stormwater infiltration to reduce *pollutant discharges*, unless *infeasible*;
  - (vii) *Minimize* soil compaction. Minimizing soil compaction is not required where the intended function of a specific area of the site dictates that it be compacted;
  - (viii) Unless *infeasible*, preserve a sufficient amount of topsoil to complete soil restoration and establish a uniform, dense vegetative cover; and
  - (ix) *Minimize* dust. On areas of exposed soil, *minimize* dust through the appropriate application of water or other dust suppression techniques to control the generation of pollutants that could be discharged from the site.
- b. **Soil Stabilization.** In areas where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures must be initiated by the end of the next business day and completed within fourteen (14) days from the date the current soil disturbance activity ceased. For construction sites that *directly discharge* to one of the 303(d) segments



listed in Appendix E or is located in one of the watersheds listed in Appendix C, the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the current soil disturbance activity ceased. See Appendix A for definition of *Temporarily Ceased*.

- c. **Dewatering.** *Discharges* from *dewatering* activities, including *discharges* from *dewatering* of trenches and excavations, must be managed by appropriate control measures.
- d. **Pollution Prevention Measures.** Design, install, implement, and maintain effective pollution prevention measures to *minimize* the *discharge* of *pollutants* and prevent a violation of the *water quality standards*. At a minimum, such measures must be designed, installed, implemented and maintained to:
  - (i) *Minimize* the *discharge* of *pollutants* from equipment and vehicle washing, wheel wash water, and other wash waters. This applies to washing operations that use clean water only. Soaps, detergents and solvents cannot be used;
  - (ii) *Minimize* the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, hazardous and toxic waste, and other materials present on the site to precipitation and to stormwater. Minimization of exposure is not required in cases where the exposure to precipitation and to stormwater will not result in a *discharge* of *pollutants*, or where exposure of a specific material or product poses little risk of stormwater contamination (such as final products and materials intended for outdoor use) ; and
  - (iii) Prevent the *discharge* of *pollutants* from spills and leaks and implement chemical spill and leak prevention and response procedures.
- e. **Prohibited Discharges.** The following *discharges* are prohibited:
  - (i) Wastewater from washout of concrete;
  - (ii) Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;



- (iii) Fuels, oils, or other *pollutants* used in vehicle and equipment operation and maintenance;
  - (iv) Soaps or solvents used in vehicle and equipment washing; and
  - (v) Toxic or hazardous substances from a spill or other release.
- f. Surface Outlets. When discharging from basins and impoundments, the outlets shall be designed, constructed and maintained in such a manner that sediment does not leave the basin or impoundment and that erosion at or below the outlet does not occur.

### **C. Post-construction Stormwater Management Practice Requirements**

1. The *owner or operator* of a *construction activity* that requires post-construction stormwater management practices pursuant to Part III.C. of this permit must select, design, install, and maintain the practices to meet the *performance criteria* in the New York State Stormwater Management Design Manual (“Design Manual”), dated January 2015, using sound engineering judgment. Where post-construction stormwater management practices (“SMPs”) are not designed in conformance with the *performance criteria* in the Design Manual, the *owner or operator* must include in the SWPPP the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.
2. The *owner or operator* of a *construction activity* that requires post-construction stormwater management practices pursuant to Part III.C. of this permit must design the practices to meet the applicable *sizing criteria* in Part I.C.2.a., b., c. or d. of this permit.

#### **a. Sizing Criteria for New Development**

- (i) Runoff Reduction Volume (“RRv”): Reduce the total Water Quality Volume (“WQv”) by application of RR techniques and standard SMPs with RRv capacity. The total WQv shall be calculated in accordance with the criteria in Section 4.2 of the Design Manual.
- (ii) Minimum RRv and Treatment of Remaining Total WQv: Construction activities that cannot meet the criteria in Part I.C.2.a.(i) of this permit due to site limitations shall direct runoff from all newly constructed impervious areas to a RR technique or standard SMP with RRv capacity unless infeasible. The specific site limitations that prevent the reduction of 100% of the WQv shall be documented in the SWPPP.



For each impervious area that is not directed to a RR technique or standard SMP with RRv capacity, the SWPPP must include documentation which demonstrates that all options were considered and for each option explains why it is considered infeasible.

**In no case shall the runoff reduction achieved from the newly constructed impervious areas be less than the Minimum RRv as calculated using the criteria in Section 4.3 of the Design Manual.**

The remaining portion of the total WQv that cannot be reduced shall be treated by application of standard SMPs.

- (iii) Channel Protection Volume (“Cpv”): Provide 24 hour extended detention of the post-developed 1-year, 24-hour storm event; remaining after runoff reduction. The Cpv requirement does not apply when:
  - (1) Reduction of the entire Cpv is achieved by application of runoff reduction techniques or infiltration systems, or
  - (2) The site discharges directly to tidal waters, or fifth order or larger streams.
- (iv) *Overbank* Flood Control Criteria (“Qp”): Requires storage to attenuate the post-development 10-year, 24-hour peak discharge rate (Qp) to predevelopment rates. The Qp requirement does not apply when:
  - (1) the site discharges directly to tidal waters or fifth order or larger streams, or
  - (2) A downstream analysis reveals that *overbank* control is not required.
- (v) Extreme Flood Control Criteria (“Qf”): Requires storage to attenuate the post-development 100-year, 24-hour peak discharge rate (Qf) to predevelopment rates. The Qf requirement does not apply when:
  - (1) the site discharges directly to tidal waters or fifth order or larger streams, or
  - (2) A downstream analysis reveals that *overbank* control is not required.

**b. Sizing Criteria for New Development in Enhanced Phosphorus Removal Watershed**

- (i) Runoff Reduction Volume (RRv): Reduce the total Water Quality Volume (WQv) by application of RR techniques and standard SMPs with RRv capacity. The total WQv is the runoff volume from the 1-year, 24 hour design storm over the post-developed watershed and shall be



calculated in accordance with the criteria in Section 10.3 of the Design Manual.

- (ii) Minimum RRv and Treatment of Remaining Total WQv: *Construction activities* that cannot meet the criteria in Part I.C.2.b.(i) of this permit due to *site limitations* shall direct runoff from all newly constructed *impervious areas* to a RR technique or standard SMP with RRv capacity unless *infeasible*. The specific *site limitations* that prevent the reduction of 100% of the WQv shall be documented in the SWPPP. For each *impervious area* that is not directed to a RR technique or standard SMP with RRv capacity, the SWPPP must include documentation which demonstrates that all options were considered and for each option explains why it is considered *infeasible*.

**In no case shall the runoff reduction achieved from the newly constructed *impervious areas* be less than the Minimum RRv as calculated using the criteria in Section 10.3 of the Design Manual.** The remaining portion of the total WQv that cannot be reduced shall be treated by application of standard SMPs.

- (iii) Channel Protection Volume (Cpv): Provide 24 hour extended detention of the post-developed 1-year, 24-hour storm event; remaining after runoff reduction. The Cpv requirement does not apply when:
  - (1) Reduction of the entire Cpv is achieved by application of runoff reduction techniques or infiltration systems, or
  - (2) The site *discharges* directly to tidal waters, or fifth order or larger streams.
- (iv) Overbank Flood Control Criteria (Qp): Requires storage to attenuate the post-development 10-year, 24-hour peak *discharge* rate (Qp) to predevelopment rates. The Qp requirement does not apply when:
  - (1) the site *discharges* directly to tidal waters or fifth order or larger streams, or
  - (2) A downstream analysis reveals that *overbank* control is not required.
- (v) Extreme Flood Control Criteria (Qf): Requires storage to attenuate the post-development 100-year, 24-hour peak *discharge* rate (Qf) to predevelopment rates. The Qf requirement does not apply when:
  - (1) the site *discharges* directly to tidal waters or fifth order or larger streams, or
  - (2) A downstream analysis reveals that *overbank* control is not required.



### c. Sizing Criteria for Redevelopment Activity

- (i) Water Quality Volume (WQv): The WQv treatment objective for *redevelopment activity* shall be addressed by one of the following options. *Redevelopment activities* located in an Enhanced Phosphorus Removal Watershed (see Part III.B.3. and Appendix C of this permit) shall calculate the WQv in accordance with Section 10.3 of the Design Manual. All other *redevelopment activities* shall calculate the WQv in accordance with Section 4.2 of the Design Manual.
  - (1) Reduce the existing *impervious cover* by a minimum of 25% of the total disturbed, *impervious area*. The Soil Restoration criteria in Section 5.1.6 of the Design Manual must be applied to all newly created pervious areas, or
  - (2) Capture and treat a minimum of 25% of the WQv from the disturbed, *impervious area* by the application of standard SMPs; or reduce 25% of the WQv from the disturbed, *impervious area* by the application of RR techniques or standard SMPs with RRv capacity., or
  - (3) Capture and treat a minimum of 75% of the WQv from the disturbed, *impervious area* as well as any additional runoff from tributary areas by application of the alternative practices discussed in Sections 9.3 and 9.4 of the Design Manual., or
  - (4) Application of a combination of 1, 2 and 3 above that provide a weighted average of at least two of the above methods. Application of this method shall be in accordance with the criteria in Section 9.2.1(B) (IV) of the Design Manual.

If there is an existing post-construction stormwater management practice located on the site that captures and treats runoff from the *impervious area* that is being disturbed, the WQv treatment option selected must, at a minimum, provide treatment equal to the treatment that was being provided by the existing practice(s) if that treatment is greater than the treatment required by options 1 – 4 above.

- (ii) Channel Protection Volume (Cpv): Not required if there are no changes to hydrology that increase the *discharge* rate from the project site.
- (iii) Overbank Flood Control Criteria (Qp): Not required if there are no changes to hydrology that increase the *discharge* rate from the project site.
- (iv) Extreme Flood Control Criteria (Qf): Not required if there are no changes to hydrology that increase the *discharge* rate from the project site



**d. Sizing Criteria for Combination of Redevelopment Activity and New Development**

Construction projects that include both New Development and Redevelopment Activity shall provide post-construction stormwater management controls that meet the sizing criteria calculated as an aggregate of the Sizing Criteria in Part I.C.2.a. or b. of this permit for the New Development portion of the project and Part I.C.2.c of this permit for Redevelopment Activity portion of the project.

**D. Maintaining Water Quality**

The Department expects that compliance with the conditions of this permit will control *discharges* necessary to meet applicable *water quality standards*. It shall be a violation of the *ECL* for any discharge to either cause or contribute to a violation of *water quality standards* as contained in Parts 700 through 705 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York, such as:

1. There shall be no increase in turbidity that will cause a substantial visible contrast to natural conditions;
2. There shall be no increase in suspended, colloidal or settleable solids that will cause deposition or impair the waters for their best usages; and
3. There shall be no residue from oil and floating substances, nor visible oil film, nor globules of grease.

If there is evidence indicating that the stormwater *discharges* authorized by this permit are causing, have the reasonable potential to cause, or are contributing to a violation of the *water quality standards*; the *owner or operator* must take appropriate corrective action in accordance with Part IV.C.5. of this general permit and document in accordance with Part IV.C.4. of this general permit. To address the *water quality standard* violation the *owner or operator* may need to provide additional information, include and implement appropriate controls in the SWPPP to correct the problem, or obtain an individual SPDES permit.

If there is evidence indicating that despite compliance with the terms and conditions of this general permit it is demonstrated that the stormwater *discharges* authorized by this permit are causing or contributing to a violation of *water quality standards*, or if the Department determines that a modification of the permit is necessary to prevent a violation of *water quality standards*, the authorized *discharges* will no longer be eligible for coverage under this permit. The Department may require the *owner or operator* to obtain an individual SPDES permit to continue discharging.



## **E. Eligibility Under This General Permit**

1. This permit may authorize all *discharges* of stormwater from *construction activity* to *surface waters of the State* and *groundwaters* except for ineligible *discharges* identified under subparagraph F. of this Part.
2. Except for non-stormwater *discharges* explicitly listed in the next paragraph, this permit only authorizes stormwater *discharges*; including stormwater runoff, snowmelt runoff, and surface runoff and drainage, from *construction activities*.
3. Notwithstanding paragraphs E.1 and E.2 above, the following non-stormwater discharges are authorized by this permit: those listed in 6 NYCRR 750-1.2(a)(29)(vi), with the following exception: “Discharges from firefighting activities are authorized only when the firefighting activities are emergencies/unplanned”; waters to which other components have not been added that are used to control dust in accordance with the SWPPP; and uncontaminated *discharges* from *construction site* de-watering operations. All non-stormwater discharges must be identified in the SWPPP. Under all circumstances, the *owner or operator* must still comply with *water quality standards* in Part I.D of this permit.
4. The *owner or operator* must maintain permit eligibility to *discharge* under this permit. Any *discharges* that are not compliant with the eligibility conditions of this permit are not authorized by the permit and the *owner or operator* must either apply for a separate permit to cover those ineligible *discharges* or take steps necessary to make the *discharge* eligible for coverage.

## **F. Activities Which Are Ineligible for Coverage Under This General Permit**

All of the following are **not** authorized by this permit:

1. *Discharges* after *construction activities* have been completed and the site has undergone *final stabilization*;
2. *Discharges* that are mixed with sources of non-stormwater other than those expressly authorized under subsection E.3. of this Part and identified in the SWPPP required by this permit;
3. *Discharges* that are required to obtain an individual SPDES permit or another SPDES general permit pursuant to Part VII.K. of this permit;
4. *Construction activities* or *discharges* from *construction activities* that may adversely affect an *endangered or threatened species* unless the *owner or*



*operator* has obtained a permit issued pursuant to 6 NYCRR Part 182 for the project or the Department has issued a letter of non-jurisdiction for the project. All documentation necessary to demonstrate eligibility shall be maintained on site in accordance with Part II.D.2 of this permit;

5. *Discharges* which either cause or contribute to a violation of *water quality standards* adopted pursuant to the *ECL* and its accompanying regulations;
6. *Construction activities* for residential, commercial and institutional projects:
  - a. Where the *discharges* from the *construction activities* are tributary to waters of the state classified as AA or AA-s; and
  - b. Which are undertaken on land with no existing *impervious cover*; and
  - c. Which disturb one (1) or more acres of land designated on the current United States Department of Agriculture ("USDA") Soil Survey as Soil Slope Phase "D", (provided the map unit name is inclusive of slopes greater than 25%), or Soil Slope Phase "E" or "F" (regardless of the map unit name), or a combination of the three designations.
7. *Construction activities* for linear transportation projects and linear utility projects:
  - a. Where the *discharges* from the *construction activities* are tributary to waters of the state classified as AA or AA-s; and
  - b. Which are undertaken on land with no existing *impervious cover*; and
  - c. Which disturb two (2) or more acres of land designated on the current USDA Soil Survey as Soil Slope Phase "D" (provided the map unit name is inclusive of slopes greater than 25%), or Soil Slope Phase "E" or "F" (regardless of the map unit name), or a combination of the three designations.



8. *Construction activities* that have the potential to affect an *historic property*, unless there is documentation that such impacts have been resolved. The following documentation necessary to demonstrate eligibility with this requirement shall be maintained on site in accordance with Part II.D.2 of this permit and made available to the Department in accordance with Part VII.F of this permit:
- a. Documentation that the *construction activity* is not within an archeologically sensitive area indicated on the sensitivity map, and that the *construction activity* is not located on or immediately adjacent to a property listed or determined to be eligible for listing on the National or State Registers of Historic Places, and that there is no new permanent building on the *construction site* within the following distances from a building, structure, or object that is more than 50 years old, or if there is such a new permanent building on the *construction site* within those parameters that NYS Office of Parks, Recreation and Historic Preservation (OPRHP), a Historic Preservation Commission of a Certified Local Government, or a qualified preservation professional has determined that the building, structure, or object more than 50 years old is not historically/archeologically significant.
    - 1-5 acres of disturbance - 20 feet
    - 5-20 acres of disturbance - 50 feet
    - 20+ acres of disturbance - 100 feet, or
  - b. DEC consultation form sent to OPRHP, and copied to the NYS DEC Agency Historic Preservation Officer (APO), and
    - (i) the State Environmental Quality Review (SEQR) Environmental Assessment Form (EAF) with a negative declaration or the Findings Statement, with documentation of OPRHP's agreement with the resolution; or
    - (ii) documentation from OPRHP that the *construction activity* will result in No Impact; or
    - (iii) documentation from OPRHP providing a determination of No Adverse Impact; or
    - (iv) a Letter of Resolution signed by the owner/operator, OPRHP and the DEC APO which allows for this *construction activity* to be eligible for coverage under the general permit in terms of the State Historic Preservation Act (SHPA); or
  - c. Documentation of satisfactory compliance with Section 106 of the National Historic Preservation Act for a coterminous project area:



- (i) No Affect
- (ii) No Adverse Affect
- (iii) Executed Memorandum of Agreement, or

d. Documentation that:

- (i) SHPA Section 14.09 has been completed by NYS DEC or another state agency.

9. *Discharges from construction activities* that are subject to an existing SPDES individual or general permit where a SPDES permit for *construction activity* has been terminated or denied; or where the *owner or operator* has failed to renew an expired individual permit.

## Part II. PERMIT COVERAGE

### A. How to Obtain Coverage

1. An *owner or operator* of a *construction activity* that is not subject to the requirements of a regulated, traditional land use control MS4 must first prepare a SWPPP in accordance with all applicable requirements of this permit and then submit a completed Notice of Intent (NOI) to the Department to be authorized to discharge under this permit.
2. An *owner or operator* of a *construction activity* that is subject to the requirements of a *regulated, traditional land use control MS4* must first prepare a SWPPP in accordance with all applicable requirements of this permit and then have the SWPPP reviewed and accepted by the *regulated, traditional land use control MS4* prior to submitting the NOI to the Department. The *owner or operator* shall have the "MS4 SWPPP Acceptance" form signed in accordance with Part VII.H., and then submit that form along with a completed NOI to the Department.
3. The requirement for an *owner or operator* to have its SWPPP reviewed and accepted by the *regulated, traditional land use control MS4* prior to submitting the NOI to the Department does not apply to an *owner or operator* that is obtaining permit coverage in accordance with the requirements in Part II.F. (Change of Owner or Operator) or where the *owner or operator* of the *construction activity* is the *regulated, traditional land use control MS4*. This exemption does not apply to *construction activities* subject to the New York City Administrative Code.



## **B. Notice of Intent (NOI) Submittal**

1. Prior to December 21, 2020, an owner or operator shall use either the electronic (eNOI) or paper version of the NOI that the Department prepared. Both versions of the NOI are located on the Department's website (<http://www.dec.ny.gov/>). The paper version of the NOI shall be signed in accordance with Part VII.H. of this permit and submitted to the following address:

**NOTICE OF INTENT  
NYS DEC, Bureau of Water Permits  
625 Broadway, 4<sup>th</sup> Floor  
Albany, New York 12233-3505**

2. Beginning December 21, 2020 and in accordance with EPA's 2015 NPDES Electronic Reporting Rule (40 CFR Part 127), the *owner or operator* must submit the NOI electronically using the *Department's* online NOI.
3. The *owner or operator* shall have the SWPPP preparer sign the "SWPPP Preparer Certification" statement on the NOI prior to submitting the form to the Department.
4. As of the date the NOI is submitted to the Department, the *owner or operator* shall make the NOI and SWPPP available for review and copying in accordance with the requirements in Part VII.F. of this permit.

## **C. Permit Authorization**

1. An *owner or operator* shall not *commence construction activity* until their authorization to *discharge* under this permit goes into effect.
2. Authorization to *discharge* under this permit will be effective when the *owner or operator* has satisfied all of the following criteria:
  - a. project review pursuant to the State Environmental Quality Review Act ("SEQRA") have been satisfied, when SEQRA is applicable. See the Department's website (<http://www.dec.ny.gov/>) for more information,
  - b. where required, all necessary Department permits subject to the *Uniform Procedures Act* ("UPA") (see 6 NYCRR Part 621), or the equivalent from another New York State agency, have been obtained, unless otherwise notified by the Department pursuant to 6 NYCRR 621.3(a)(4). *Owners or operators of construction activities* that are required to obtain UPA permits



must submit a preliminary SWPPP to the appropriate DEC Permit Administrator at the Regional Office listed in Appendix F at the time all other necessary *UPA* permit applications are submitted. The preliminary SWPPP must include sufficient information to demonstrate that the *construction activity* qualifies for authorization under this permit,

- c. the final SWPPP has been prepared, and
  - d. a complete NOI has been submitted to the Department in accordance with the requirements of this permit.
3. An *owner or operator* that has satisfied the requirements of Part II.C.2 above will be authorized to *discharge* stormwater from their *construction activity* in accordance with the following schedule:
- a. For *construction activities* that are not subject to the requirements of a *regulated, traditional land use control MS4*:
    - (i) Five (5) business days from the date the Department receives a complete electronic version of the NOI (eNOI) for *construction activities* with a SWPPP that has been prepared in conformance with the design criteria in the technical standard referenced in Part III.B.1 and the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.C.; or
    - (ii) Sixty (60) business days from the date the Department receives a complete NOI (electronic or paper version) for *construction activities* with a SWPPP that has not been prepared in conformance with the design criteria in technical standard referenced in Part III.B.1. or, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.C., the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, or;
    - (iii) Ten (10) business days from the date the Department receives a complete paper version of the NOI for *construction activities* with a SWPPP that has been prepared in conformance with the design criteria in the technical standard referenced in Part III.B.1 and the *performance criteria* in the technical standard referenced in Parts III.B., 2 or 3, for *construction activities* that require post-construction stormwater management practices pursuant to Part III.C.



- b. For *construction activities* that are subject to the requirements of a *regulated, traditional land use control MS4*:
  - (i) Five (5) business days from the date the Department receives both a complete electronic version of the NOI (eNOI) and signed “MS4 SWPPP Acceptance” form, or
  - (ii) Ten (10) business days from the date the Department receives both a complete paper version of the NOI and signed “MS4 SWPPP Acceptance” form.
- 4. Coverage under this permit authorizes stormwater *discharges* from only those areas of disturbance that are identified in the NOI. If an *owner or operator* wishes to have stormwater *discharges* from future or additional areas of disturbance authorized, they must submit a new NOI that addresses that phase of the development, unless otherwise notified by the Department. The *owner or operator* shall not *commence construction activity* on the future or additional areas until their authorization to *discharge* under this permit goes into effect in accordance with Part II.C. of this permit.

#### **D. General Requirements For Owners or Operators With Permit Coverage**

- 1. The *owner or operator* shall ensure that the provisions of the SWPPP are implemented from the *commencement of construction activity* until all areas of disturbance have achieved *final stabilization* and the Notice of Termination (“NOT”) has been submitted to the Department in accordance with Part V. of this permit. This includes any changes made to the SWPPP pursuant to Part III.A.4. of this permit.
- 2. The *owner or operator* shall maintain a copy of the General Permit (GP-0-20-001), NOI, *NOI Acknowledgment Letter*, SWPPP, MS4 SWPPP Acceptance form, inspection reports, responsible contractor’s or subcontractor’s certification statement (see Part III.A.6.), and all documentation necessary to demonstrate eligibility with this permit at the *construction site* until all disturbed areas have achieved *final stabilization* and the NOT has been submitted to the Department. The documents must be maintained in a secure location, such as a job trailer, on-site construction office, or mailbox with lock. The secure location must be accessible during normal business hours to an individual performing a compliance inspection.
- 3. The *owner or operator* of a *construction activity* shall not disturb greater than five (5) acres of soil at any one time without prior written authorization from the Department or, in areas under the jurisdiction of a *regulated, traditional land*



*use control MS4, the regulated, traditional land use control MS4* (provided the *regulated, traditional land use control MS4* is not the *owner or operator* of the *construction activity*). At a minimum, the *owner or operator* must comply with the following requirements in order to be authorized to disturb greater than five (5) acres of soil at any one time:

- a. The *owner or operator* shall have a *qualified inspector* conduct **at least** two (2) site inspections in accordance with Part IV.C. of this permit every seven (7) calendar days, for as long as greater than five (5) acres of soil remain disturbed. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.
  - b. In areas where soil disturbance activity has temporarily or permanently ceased, the application of soil stabilization measures must be initiated by the end of the next business day and completed within seven (7) days from the date the current soil disturbance activity ceased. The soil stabilization measures selected shall be in conformance with the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016.
  - c. The *owner or operator* shall prepare a phasing plan that defines maximum disturbed area per phase and shows required cuts and fills.
  - d. The *owner or operator* shall install any additional site-specific practices needed to protect water quality.
  - e. The *owner or operator* shall include the requirements above in their SWPPP.
4. In accordance with statute, regulations, and the terms and conditions of this permit, the Department may suspend or revoke an *owner's or operator's* coverage under this permit at any time if the Department determines that the SWPPP does not meet the permit requirements or consistent with Part VII.K..
  5. Upon a finding of significant non-compliance with the practices described in the SWPPP or violation of this permit, the Department may order an immediate stop to all activity at the site until the non-compliance is remedied. The stop work order shall be in writing, describe the non-compliance in detail, and be sent to the *owner or operator*.
  6. For *construction activities* that are subject to the requirements of a *regulated, traditional land use control MS4*, the *owner or operator* shall notify the



*regulated, traditional land use control MS4* in writing of any planned amendments or modifications to the post-construction stormwater management practice component of the SWPPP required by Part III.A. 4. and 5. of this permit. Unless otherwise notified by the *regulated, traditional land use control MS4*, the *owner or operator* shall have the SWPPP amendments or modifications reviewed and accepted by the *regulated, traditional land use control MS4* prior to commencing construction of the post-construction stormwater management practice.

#### **E. Permit Coverage for Discharges Authorized Under GP-0-15-002**

1. Upon renewal of SPDES General Permit for Stormwater Discharges from *Construction Activity* (Permit No. GP-0-15-002), an *owner or operator* of a *construction activity* with coverage under GP-0-15-002, as of the effective date of GP- 0-20-001, shall be authorized to *discharge* in accordance with GP- 0-20-001, unless otherwise notified by the Department.

An *owner or operator* may continue to implement the technical/design components of the post-construction stormwater management controls provided that such design was done in conformance with the technical standards in place at the time of initial project authorization. However, they must comply with the other, non-design provisions of GP-0-20-001.

#### **F. Change of Owner or Operator**

1. When property ownership changes or when there is a change in operational control over the construction plans and specifications, the original *owner or operator* must notify the new *owner or operator*, in writing, of the requirement to obtain permit coverage by submitting a NOI with the Department. For *construction activities* subject to the requirements of a *regulated, traditional land use control MS4*, the original *owner or operator* must also notify the MS4, in writing, of the change in ownership at least 30 calendar days prior to the change in ownership.
2. Once the new *owner or operator* obtains permit coverage, the original *owner or operator* shall then submit a completed NOT with the name and permit identification number of the new *owner or operator* to the Department at the address in Part II.B.1. of this permit. If the original *owner or operator* maintains ownership of a portion of the *construction activity* and will disturb soil, they must maintain their coverage under the permit.
3. Permit coverage for the new *owner or operator* will be effective as of the date the Department receives a complete NOI, provided the original *owner or*



*operator* was not subject to a sixty (60) business day authorization period that has not expired as of the date the Department receives the NOI from the new *owner or operator*.

### Part III. STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

#### A. General SWPPP Requirements

1. A SWPPP shall be prepared and implemented by the *owner or operator* of each *construction activity* covered by this permit. The SWPPP must document the selection, design, installation, implementation and maintenance of the control measures and practices that will be used to meet the effluent limitations in Part I.B. of this permit and where applicable, the post-construction stormwater management practice requirements in Part I.C. of this permit. The SWPPP shall be prepared prior to the submittal of the NOI. The NOI shall be submitted to the Department prior to the *commencement of construction activity*. A copy of the completed, final NOI shall be included in the SWPPP.
2. The SWPPP shall describe the erosion and sediment control practices and where required, post-construction stormwater management practices that will be used and/or constructed to reduce the *pollutants* in stormwater *discharges* and to assure compliance with the terms and conditions of this permit. In addition, the SWPPP shall identify potential sources of pollution which may reasonably be expected to affect the quality of stormwater *discharges*.
3. All SWPPPs that require the post-construction stormwater management practice component shall be prepared by a *qualified professional* that is knowledgeable in the principles and practices of stormwater management and treatment.
4. The *owner or operator* must keep the SWPPP current so that it at all times accurately documents the erosion and sediment controls practices that are being used or will be used during construction, and all post-construction stormwater management practices that will be constructed on the site. At a minimum, the *owner or operator* shall amend the SWPPP, including construction drawings:
  - a. whenever the current provisions prove to be ineffective in minimizing *pollutants* in stormwater *discharges* from the site;



- b. whenever there is a change in design, construction, or operation at the *construction site* that has or could have an effect on the *discharge* of *pollutants*;
  - c. to address issues or deficiencies identified during an inspection by the *qualified inspector*, the Department or other regulatory authority; and
  - d. to document the final construction conditions.
5. The Department may notify the *owner or operator* at any time that the SWPPP does not meet one or more of the minimum requirements of this permit. The notification shall be in writing and identify the provisions of the SWPPP that require modification. Within fourteen (14) calendar days of such notification, or as otherwise indicated by the Department, the *owner or operator* shall make the required changes to the SWPPP and submit written notification to the Department that the changes have been made. If the *owner or operator* does not respond to the Department's comments in the specified time frame, the Department may suspend the *owner's or operator's* coverage under this permit or require the *owner or operator* to obtain coverage under an individual SPDES permit in accordance with Part II.D.4. of this permit.
6. Prior to the *commencement of construction activity*, the *owner or operator* must identify the contractor(s) and subcontractor(s) that will be responsible for installing, constructing, repairing, replacing, inspecting and maintaining the erosion and sediment control practices included in the SWPPP; and the contractor(s) and subcontractor(s) that will be responsible for constructing the post-construction stormwater management practices included in the SWPPP. The *owner or operator* shall have each of the contractors and subcontractors identify at least one person from their company that will be responsible for implementation of the SWPPP. This person shall be known as the *trained contractor*. The *owner or operator* shall ensure that at least one *trained contractor* is on site on a daily basis when soil disturbance activities are being performed.

The *owner or operator* shall have each of the contractors and subcontractors identified above sign a copy of the following certification statement below before they commence any *construction activity*:

"I hereby certify under penalty of law that I understand and agree to comply with the terms and conditions of the SWPPP and agree to implement any corrective actions identified by the *qualified inspector* during a site inspection. I also understand that the *owner or operator* must comply with



the terms and conditions of the most current version of the New York State Pollutant Discharge Elimination System ("SPDES") general permit for stormwater *discharges* from *construction activities* and that it is unlawful for any person to cause or contribute to a violation of *water quality standards*. Furthermore, I am aware that there are significant penalties for submitting false information, that I do not believe to be true, including the possibility of fine and imprisonment for knowing violations"

In addition to providing the certification statement above, the certification page must also identify the specific elements of the SWPPP that each contractor and subcontractor will be responsible for and include the name and title of the person providing the signature; the name and title of the *trained contractor* responsible for SWPPP implementation; the name, address and telephone number of the contracting firm; the address (or other identifying description) of the site; and the date the certification statement is signed. The *owner or operator* shall attach the certification statement(s) to the copy of the SWPPP that is maintained at the *construction site*. If new or additional contractors are hired to implement measures identified in the SWPPP after construction has commenced, they must also sign the certification statement and provide the information listed above.

7. For projects where the Department requests a copy of the SWPPP or inspection reports, the *owner or operator* shall submit the documents in both electronic (PDF only) and paper format within five (5) business days, unless otherwise notified by the Department.

## **B. Required SWPPP Contents**

1. Erosion and sediment control component - All SWPPPs prepared pursuant to this permit shall include erosion and sediment control practices designed in conformance with the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016. Where erosion and sediment control practices are not designed in conformance with the design criteria included in the technical standard, the *owner or operator* must demonstrate *equivalence* to the technical standard. At a minimum, the erosion and sediment control component of the SWPPP shall include the following:
  - a. Background information about the scope of the project, including the location, type and size of project



- b. A site map/construction drawing(s) for the project, including a general location map. At a minimum, the site map shall show the total site area; all improvements; areas of disturbance; areas that will not be disturbed; existing vegetation; on-site and adjacent off-site surface water(s); floodplain/floodway boundaries; wetlands and drainage patterns that could be affected by the *construction activity*; existing and final contours ; locations of different soil types with boundaries; material, waste, borrow or equipment storage areas located on adjacent properties; and location(s) of the stormwater *discharge(s)*;
- c. A description of the soil(s) present at the site, including an identification of the Hydrologic Soil Group (HSG);
- d. A construction phasing plan and sequence of operations describing the intended order of *construction activities*, including clearing and grubbing, excavation and grading, utility and infrastructure installation and any other activity at the site that results in soil disturbance;
- e. A description of the minimum erosion and sediment control practices to be installed or implemented for each *construction activity* that will result in soil disturbance. Include a schedule that identifies the timing of initial placement or implementation of each erosion and sediment control practice and the minimum time frames that each practice should remain in place or be implemented;
- f. A temporary and permanent soil stabilization plan that meets the requirements of this general permit and the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016, for each stage of the project, including initial land clearing and grubbing to project completion and achievement of *final stabilization*;
- g. A site map/construction drawing(s) showing the specific location(s), size(s), and length(s) of each erosion and sediment control practice;
- h. The dimensions, material specifications, installation details, and operation and maintenance requirements for all erosion and sediment control practices. Include the location and sizing of any temporary sediment basins and structural practices that will be used to divert flows from exposed soils;
- i. A maintenance inspection schedule for the contractor(s) identified in Part III.A.6. of this permit, to ensure continuous and effective operation of the erosion and sediment control practices. The maintenance inspection



schedule shall be in accordance with the requirements in the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016;

- j. A description of the pollution prevention measures that will be used to control litter, construction chemicals and construction debris from becoming a *pollutant* source in the stormwater *discharges*;
  - k. A description and location of any stormwater *discharges* associated with industrial activity other than construction at the site, including, but not limited to, stormwater *discharges* from asphalt plants and concrete plants located on the *construction site*; and
  - l. Identification of any elements of the design that are not in conformance with the design criteria in the technical standard, New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016. Include the reason for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.
2. Post-construction stormwater management practice component – The *owner or operator* of any construction project identified in Table 2 of Appendix B as needing post-construction stormwater management practices shall prepare a SWPPP that includes practices designed in conformance with the applicable *sizing criteria* in Part I.C.2.a., c. or d. of this permit and the *performance criteria* in the technical standard, New York State Stormwater Management Design Manual dated January 2015

Where post-construction stormwater management practices are not designed in conformance with the *performance criteria* in the technical standard, the *owner or operator* must include in the SWPPP the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the technical standard.

The post-construction stormwater management practice component of the SWPPP shall include the following:

- a. Identification of all post-construction stormwater management practices to be constructed as part of the project. Include the dimensions, material specifications and installation details for each post-construction stormwater management practice;



- b. A site map/construction drawing(s) showing the specific location and size of each post-construction stormwater management practice;
- c. A Stormwater Modeling and Analysis Report that includes:
  - (i) Map(s) showing pre-development conditions, including watershed/subcatchments boundaries, flow paths/routing, and design points;
  - (ii) Map(s) showing post-development conditions, including watershed/subcatchments boundaries, flow paths/routing, design points and post-construction stormwater management practices;
  - (iii) Results of stormwater modeling (i.e. hydrology and hydraulic analysis) for the required storm events. Include supporting calculations (model runs), methodology, and a summary table that compares pre and post-development runoff rates and volumes for the different storm events;
  - (iv) Summary table, with supporting calculations, which demonstrates that each post-construction stormwater management practice has been designed in conformance with the *sizing criteria* included in the Design Manual;
  - (v) Identification of any *sizing criteria* that is not required based on the requirements included in Part I.C. of this permit; and
  - (vi) Identification of any elements of the design that are not in conformance with the *performance criteria* in the Design Manual. Include the reason(s) for the deviation or alternative design and provide information which demonstrates that the deviation or alternative design is *equivalent* to the Design Manual;
- d. Soil testing results and locations (test pits, borings);
- e. Infiltration test results, when required; and
- f. An operations and maintenance plan that includes inspection and maintenance schedules and actions to ensure continuous and effective operation of each post-construction stormwater management practice. The plan shall identify the entity that will be responsible for the long term operation and maintenance of each practice.



3. Enhanced Phosphorus Removal Standards - All construction projects identified in Table 2 of Appendix B that are located in the watersheds identified in Appendix C shall prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the applicable *sizing criteria* in Part I.C.2. b., c. or d. of this permit and the *performance criteria*, Enhanced Phosphorus Removal Standards included in the Design Manual. At a minimum, the post-construction stormwater management practice component of the SWPPP shall include items 2.a - 2.f. above.

### **C. Required SWPPP Components by Project Type**

Unless otherwise notified by the Department, *owners or operators of construction activities* identified in Table 1 of Appendix B are required to prepare a SWPPP that only includes erosion and sediment control practices designed in conformance with Part III.B.1 of this permit. *Owners or operators of the construction activities* identified in Table 2 of Appendix B shall prepare a SWPPP that also includes post-construction stormwater management practices designed in conformance with Part III.B.2 or 3 of this permit.

## **Part IV. INSPECTION AND MAINTENANCE REQUIREMENTS**

### **A. General Construction Site Inspection and Maintenance Requirements**

1. The *owner or operator* must ensure that all erosion and sediment control practices (including pollution prevention measures) and all post-construction stormwater management practices identified in the SWPPP are inspected and maintained in accordance with Part IV.B. and C. of this permit.
2. The terms of this permit shall not be construed to prohibit the State of New York from exercising any authority pursuant to the ECL, common law or federal law, or prohibit New York State from taking any measures, whether civil or criminal, to prevent violations of the laws of the State of New York or protect the public health and safety and/or the environment.

### **B. Contractor Maintenance Inspection Requirements**

1. The *owner or operator* of each *construction activity* identified in Tables 1 and 2 of Appendix B shall have a *trained contractor* inspect the erosion and sediment control practices and pollution prevention measures being implemented within the active work area daily to ensure that they are being maintained in effective operating condition at all times. If deficiencies are identified, the contractor shall



begin implementing corrective actions within one business day and shall complete the corrective actions in a reasonable time frame.

2. For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and *temporary stabilization* measures have been applied to all disturbed areas, the *trained contractor* can stop conducting the maintenance inspections. The *trained contractor* shall begin conducting the maintenance inspections in accordance with Part IV.B.1. of this permit as soon as soil disturbance activities resume.
3. For construction sites where soil disturbance activities have been shut down with partial project completion, the *trained contractor* can stop conducting the maintenance inspections if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational.

### C. Qualified Inspector Inspection Requirements

The *owner or operator* shall have a *qualified inspector* conduct site inspections in conformance with the following requirements:

[Note: The *trained contractor* identified in Part III.A.6. and IV.B. of this permit **cannot** conduct the *qualified inspector* site inspections unless they meet the *qualified inspector* qualifications included in Appendix A. In order to perform these inspections, the *trained contractor* would have to be a:

- licensed Professional Engineer,
  - Certified Professional in Erosion and Sediment Control (CPESC),
  - New York State Erosion and Sediment Control Certificate Program holder
  - Registered Landscape Architect, or
  - someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided they have received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity].
1. A *qualified inspector* shall conduct site inspections for all *construction activities* identified in Tables 1 and 2 of Appendix B, with the exception of:
    - a. the construction of a single family residential subdivision with 25% or less *impervious cover* at total site build-out that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres and is not located



in one of the watersheds listed in Appendix C and not directly discharging to one of the 303(d) segments listed in Appendix E;

- b. the construction of a single family home that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres and is not located in one of the watersheds listed in Appendix C and not directly discharging to one of the 303(d) segments listed in Appendix E;
  - c. construction on agricultural property that involves a soil disturbance of one (1) or more acres of land but less than five (5) acres; and
  - d. *construction activities* located in the watersheds identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.
2. Unless otherwise notified by the Department, the *qualified inspector* shall conduct site inspections in accordance with the following timetable:
- a. For construction sites where soil disturbance activities are on-going, the *qualified inspector* shall conduct a site inspection at least once every seven (7) calendar days.
  - b. For construction sites where soil disturbance activities are on-going and the *owner or operator* has received authorization in accordance with Part II.D.3 to disturb greater than five (5) acres of soil at any one time, the *qualified inspector* shall conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.
  - c. For construction sites where soil disturbance activities have been temporarily suspended (e.g. winter shutdown) and *temporary stabilization* measures have been applied to all disturbed areas, the *qualified inspector* shall conduct a site inspection at least once every thirty (30) calendar days. The *owner or operator* shall notify the DOW Water (SPDES) Program contact at the Regional Office (see contact information in Appendix F) or, in areas under the jurisdiction of a *regulated, traditional land use control MS4*, the *regulated, traditional land use control MS4* (provided the *regulated, traditional land use control MS4* is not the *owner or operator* of the *construction activity*) in writing prior to reducing the frequency of inspections.



- d. For construction sites where soil disturbance activities have been shut down with partial project completion, the *qualified inspector* can stop conducting inspections if all areas disturbed as of the project shutdown date have achieved *final stabilization* and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational. The *owner or operator* shall notify the DOW Water (SPDES) Program contact at the Regional Office (see contact information in Appendix F) or, in areas under the jurisdiction of a *regulated, traditional land use control MS4*, the *regulated, traditional land use control MS4* (provided the *regulated, traditional land use control MS4* is not the *owner or operator* of the *construction activity*) in writing prior to the shutdown. If soil disturbance activities are not resumed within 2 years from the date of shutdown, the *owner or operator* shall have the *qualified inspector* perform a final inspection and certify that all disturbed areas have achieved *final stabilization*, and all temporary, structural erosion and sediment control measures have been removed; and that all post-construction stormwater management practices have been constructed in conformance with the SWPPP by signing the “*Final Stabilization*” and “*Post-Construction Stormwater Management Practice*” certification statements on the NOT. The *owner or operator* shall then submit the completed NOT form to the address in Part II.B.1 of this permit.
  - e. For construction sites that directly *discharge* to one of the 303(d) segments listed in Appendix E or is located in one of the watersheds listed in Appendix C, the *qualified inspector* shall conduct at least two (2) site inspections every seven (7) calendar days. The two (2) inspections shall be separated by a minimum of two (2) full calendar days.
- 3. At a minimum, the *qualified inspector* shall inspect all erosion and sediment control practices and pollution prevention measures to ensure integrity and effectiveness, all post-construction stormwater management practices under construction to ensure that they are constructed in conformance with the SWPPP, all areas of disturbance that have not achieved *final stabilization*, all points of *discharge* to natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the *construction site*, and all points of *discharge* from the *construction site*.
  - 4. The *qualified inspector* shall prepare an inspection report subsequent to each and every inspection. At a minimum, the inspection report shall include and/or address the following:



- a. Date and time of inspection;
- b. Name and title of person(s) performing inspection;
- c. A description of the weather and soil conditions (e.g. dry, wet, saturated) at the time of the inspection;
- d. A description of the condition of the runoff at all points of *discharge* from the *construction site*. This shall include identification of any *discharges* of sediment from the *construction site*. Include *discharges* from conveyance systems (i.e. pipes, culverts, ditches, etc.) and overland flow;
- e. A description of the condition of all natural surface waterbodies located within, or immediately adjacent to, the property boundaries of the *construction site* which receive runoff from disturbed areas. This shall include identification of any *discharges* of sediment to the surface waterbody;
- f. Identification of all erosion and sediment control practices and pollution prevention measures that need repair or maintenance;
- g. Identification of all erosion and sediment control practices and pollution prevention measures that were not installed properly or are not functioning as designed and need to be reinstalled or replaced;
- h. Description and sketch of areas with active soil disturbance activity, areas that have been disturbed but are inactive at the time of the inspection, and areas that have been stabilized (temporary and/or final) since the last inspection;
- i. Current phase of construction of all post-construction stormwater management practices and identification of all construction that is not in conformance with the SWPPP and technical standards;
- j. Corrective action(s) that must be taken to install, repair, replace or maintain erosion and sediment control practices and pollution prevention measures; and to correct deficiencies identified with the construction of the post-construction stormwater management practice(s);
- k. Identification and status of all corrective actions that were required by previous inspection; and



- I. Digital photographs, with date stamp, that clearly show the condition of all practices that have been identified as needing corrective actions. The *qualified inspector* shall attach paper color copies of the digital photographs to the inspection report being maintained onsite within seven (7) calendar days of the date of the inspection. The *qualified inspector* shall also take digital photographs, with date stamp, that clearly show the condition of the practice(s) after the corrective action has been completed. The *qualified inspector* shall attach paper color copies of the digital photographs to the inspection report that documents the completion of the corrective action work within seven (7) calendar days of that inspection.
5. Within one business day of the completion of an inspection, the *qualified inspector* shall notify the *owner or operator* and appropriate contractor or subcontractor identified in Part III.A.6. of this permit of any corrective actions that need to be taken. The contractor or subcontractor shall begin implementing the corrective actions within one business day of this notification and shall complete the corrective actions in a reasonable time frame.
6. All inspection reports shall be signed by the *qualified inspector*. Pursuant to Part II.D.2. of this permit, the inspection reports shall be maintained on site with the SWPPP.

## **Part V. TERMINATION OF PERMIT COVERAGE**

### **A. Termination of Permit Coverage**

1. An *owner or operator* that is eligible to terminate coverage under this permit must submit a completed NOT form to the address in Part II.B.1 of this permit. The NOT form shall be one which is associated with this permit, signed in accordance with Part VII.H of this permit.
2. An *owner or operator* may terminate coverage when one or more the following conditions have been met:
  - a. Total project completion - All *construction activity* identified in the SWPPP has been completed; and all areas of disturbance have achieved *final stabilization*; and all temporary, structural erosion and sediment control measures have been removed; and all post-construction stormwater management practices have been constructed in conformance with the SWPPP and are operational;



- b. Planned shutdown with partial project completion - All soil disturbance activities have ceased; and all areas disturbed as of the project shutdown date have achieved *final stabilization*; and all temporary, structural erosion and sediment control measures have been removed; and all post-construction stormwater management practices required for the completed portion of the project have been constructed in conformance with the SWPPP and are operational;
  - c. A new *owner or operator* has obtained coverage under this permit in accordance with Part II.F. of this permit.
  - d. The *owner or operator* obtains coverage under an alternative SPDES general permit or an individual SPDES permit.
3. For *construction activities* meeting subdivision 2a. or 2b. of this Part, the *owner or operator* shall have the *qualified inspector* perform a final site inspection prior to submitting the NOT. The *qualified inspector* shall, by signing the “*Final Stabilization*” and “Post-Construction Stormwater Management Practice certification statements on the NOT, certify that all the requirements in Part V.A.2.a. or b. of this permit have been achieved.
4. For *construction activities* that are subject to the requirements of a *regulated, traditional land use control MS4* and meet subdivision 2a. or 2b. of this Part, the *owner or operator* shall have the *regulated, traditional land use control MS4* sign the “MS4 Acceptance” statement on the NOT in accordance with the requirements in Part VII.H. of this permit. The *regulated, traditional land use control MS4* official, by signing this statement, has determined that it is acceptable for the *owner or operator* to submit the NOT in accordance with the requirements of this Part. The *regulated, traditional land use control MS4* can make this determination by performing a final site inspection themselves or by accepting the *qualified inspector’s* final site inspection certification(s) required in Part V.A.3. of this permit.
5. For *construction activities* that require post-construction stormwater management practices and meet subdivision 2a. of this Part, the *owner or operator* must, prior to submitting the NOT, ensure one of the following:
- a. the post-construction stormwater management practice(s) and any right-of-way(s) needed to maintain such practice(s) have been deeded to the municipality in which the practice(s) is located,



- b. an executed maintenance agreement is in place with the municipality that will maintain the post-construction stormwater management practice(s),
- c. for post-construction stormwater management practices that are privately owned, the *owner or operator* has a mechanism in place that requires operation and maintenance of the practice(s) in accordance with the operation and maintenance plan, such as a deed covenant in the *owner or operator's* deed of record,
- d. for post-construction stormwater management practices that are owned by a public or private institution (e.g. school, university, hospital), government agency or authority, or public utility; the *owner or operator* has policy and procedures in place that ensures operation and maintenance of the practices in accordance with the operation and maintenance plan.

## **Part VI. REPORTING AND RETENTION RECORDS**

### **A. Record Retention**

The *owner or operator* shall retain a copy of the NOI, NOI Acknowledgment Letter, SWPPP, MS4 SWPPP Acceptance form and any inspection reports that were prepared in conjunction with this permit for a period of at least five (5) years from the date that the Department receives a complete NOT submitted in accordance with Part V. of this general permit.

### **B. Addresses**

With the exception of the NOI, NOT, and MS4 SWPPP Acceptance form (which must be submitted to the address referenced in Part II.B.1 of this permit), all written correspondence requested by the Department, including individual permit applications, shall be sent to the address of the appropriate DOW Water (SPDES) Program contact at the Regional Office listed in Appendix F.

## **Part VII. STANDARD PERMIT CONDITIONS**

### **A. Duty to Comply**

The *owner or operator* must comply with all conditions of this permit. All contractors and subcontractors associated with the project must comply with the terms of the SWPPP. Any non-compliance with this permit constitutes a violation of the Clean Water



Act (CWA) and the ECL and is grounds for an enforcement action against the *owner or operator* and/or the contractor/subcontractor; permit revocation, suspension or modification; or denial of a permit renewal application. Upon a finding of significant non-compliance with this permit or the applicable SWPPP, the Department may order an immediate stop to all *construction activity* at the site until the non-compliance is remedied. The stop work order shall be in writing, shall describe the non-compliance in detail, and shall be sent to the *owner or operator*.

If any human remains or archaeological remains are encountered during excavation, the *owner or operator* must immediately cease, or cause to cease, all *construction activity* in the area of the remains and notify the appropriate Regional Water Engineer (RWE). *Construction activity* shall not resume until written permission to do so has been received from the RWE.

## **B. Continuation of the Expired General Permit**

This permit expires five (5) years from the effective date. If a new general permit is not issued prior to the expiration of this general permit, an *owner or operator* with coverage under this permit may continue to operate and *discharge* in accordance with the terms and conditions of this general permit, if it is extended pursuant to the State Administrative Procedure Act and 6 NYCRR Part 621, until a new general permit is issued.

## **C. Enforcement**

Failure of the *owner or operator*, its contractors, subcontractors, agents and/or assigns to strictly adhere to any of the permit requirements contained herein shall constitute a violation of this permit. There are substantial criminal, civil, and administrative penalties associated with violating the provisions of this permit. Fines of up to \$37,500 per day for each violation and imprisonment for up to fifteen (15) years may be assessed depending upon the nature and degree of the offense.

## **D. Need to Halt or Reduce Activity Not a Defense**

It shall not be a defense for an *owner or operator* in an enforcement action that it would have been necessary to halt or reduce the *construction activity* in order to maintain compliance with the conditions of this permit.



### **E. Duty to Mitigate**

The *owner or operator* and its contractors and subcontractors shall take all reasonable steps to *minimize* or prevent any *discharge* in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

### **F. Duty to Provide Information**

The *owner or operator* shall furnish to the Department, within a reasonable specified time period of a written request, all documentation necessary to demonstrate eligibility and any information to determine compliance with this permit or to determine whether cause exists for modifying or revoking this permit, or suspending or denying coverage under this permit, in accordance with the terms and conditions of this permit. The NOI, SWPPP and inspection reports required by this permit are public documents that the *owner or operator* must make available for review and copying by any person within five (5) business days of the *owner or operator* receiving a written request by any such person to review these documents. Copying of documents will be done at the requester's expense.

### **G. Other Information**

When the *owner or operator* becomes aware that they failed to submit any relevant facts, or submitted incorrect information in the NOI or in any of the documents required by this permit, or have made substantive revisions to the SWPPP (e.g. the scope of the project changes significantly, the type of post-construction stormwater management practice(s) changes, there is a reduction in the sizing of the post-construction stormwater management practice, or there is an increase in the disturbance area or *impervious area*), which were not reflected in the original NOI submitted to the Department, they shall promptly submit such facts or information to the Department using the contact information in Part II.A. of this permit. Failure of the *owner or operator* to correct or supplement any relevant facts within five (5) business days of becoming aware of the deficiency shall constitute a violation of this permit.

### **H. Signatory Requirements**

1. All NOIs and NOTs shall be signed as follows:
  - a. For a corporation these forms shall be signed by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means:



- (i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
    - (ii) the manager of one or more manufacturing, production or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiating and directing other comprehensive measures to assure long term environmental compliance with environmental laws and regulations; the manager can ensure that the necessary systems are established or actions taken to gather complete and accurate information for permit application requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
  - b. For a partnership or sole proprietorship these forms shall be signed by a general partner or the proprietor, respectively; or
  - c. For a municipality, State, Federal, or other public agency these forms shall be signed by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes:
    - (i) the chief executive officer of the agency, or
    - (ii) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).
2. The SWPPP and other information requested by the Department shall be signed by a person described in Part VII.H.1. of this permit or by a duly authorized representative of that person. A person is a duly authorized representative only if:
- a. The authorization is made in writing by a person described in Part VII.H.1. of this permit;
  - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field,



superintendent, position of *equivalent* responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position) and,

- c. The written authorization shall include the name, title and signature of the authorized representative and be attached to the SWPPP.
3. All inspection reports shall be signed by the *qualified inspector* that performs the inspection.
4. The MS4 SWPPP Acceptance form shall be signed by the principal executive officer or ranking elected official from the *regulated, traditional land use control MS4*, or by a duly authorized representative of that person.

It shall constitute a permit violation if an incorrect and/or improper signatory authorizes any required forms, SWPPP and/or inspection reports.

## **I. Property Rights**

The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations. *Owners or operators* must obtain any applicable conveyances, easements, licenses and/or access to real property prior to *commencing construction activity*.

## **J. Severability**

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

## **K. Requirement to Obtain Coverage Under an Alternative Permit**

1. The Department may require any owner or operator authorized by this permit to apply for and/or obtain either an individual SPDES permit or another SPDES general permit. When the Department requires any discharger authorized by a general permit to apply for an individual SPDES permit, it shall notify the discharger in writing that a permit application is required. This notice shall



include a brief statement of the reasons for this decision, an application form, a statement setting a time frame for the owner or operator to file the application for an individual SPDES permit, and a deadline, not sooner than 180 days from owner or operator receipt of the notification letter, whereby the authorization to discharge under this general permit shall be terminated. Applications must be submitted to the appropriate Permit Administrator at the Regional Office. The Department may grant additional time upon demonstration, to the satisfaction of the Department, that additional time to apply for an alternative authorization is necessary or where the Department has not provided a permit determination in accordance with Part 621 of this Title.

2. When an individual SPDES permit is issued to a discharger authorized to *discharge* under a general SPDES permit for the same *discharge(s)*, the general permit authorization for outfalls authorized under the individual SPDES permit is automatically terminated on the effective date of the individual permit unless termination is earlier in accordance with 6 NYCRR Part 750.

#### **L. Proper Operation and Maintenance**

The *owner or operator* shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the *owner or operator* to achieve compliance with the conditions of this permit and with the requirements of the SWPPP.

#### **M. Inspection and Entry**

The *owner or operator* shall allow an authorized representative of the Department, EPA, applicable county health department, or, in the case of a *construction site* which *discharges* through an *MS4*, an authorized representative of the *MS4* receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the owner's or operator's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;
2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and



3. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment), practices or operations regulated or required by this permit.
4. Sample or monitor at reasonable times, for purposes of assuring permit compliance or as otherwise authorized by the Act or ECL, any substances or parameters at any location.

## **N. Permit Actions**

This permit may, at any time, be modified, suspended, revoked, or renewed by the Department in accordance with 6 NYCRR Part 621. The filing of a request by the *owner or operator* for a permit modification, revocation and reissuance, termination, a notification of planned changes or anticipated noncompliance does not limit, diminish and/or stay compliance with any terms of this permit.

## **O. Definitions**

Definitions of key terms are included in Appendix A of this permit.

## **P. Re-Opener Clause**

1. If there is evidence indicating potential or realized impacts on water quality due to any stormwater discharge associated with construction activity covered by this permit, the owner or operator of such discharge may be required to obtain an individual permit or alternative general permit in accordance with Part VII.K. of this permit or the permit may be modified to include different limitations and/or requirements.
2. Any Department initiated permit modification, suspension or revocation will be conducted in accordance with 6 NYCRR Part 621, 6 NYCRR 750-1.18, and 6 NYCRR 750-1.20.

## **Q. Penalties for Falsification of Forms and Reports**

In accordance with 6NYCRR Part 750-2.4 and 750-2.5, any person who knowingly makes any false material statement, representation, or certification in any application, record, report or other document filed or required to be maintained under this permit, including reports of compliance or noncompliance shall, upon conviction, be punished in accordance with ECL §71-1933 and or Articles 175 and 210 of the New York State Penal Law.



## **R. Other Permits**

Nothing in this permit relieves the *owner or operator* from a requirement to obtain any other permits required by law.



## **APPENDIX A – Acronyms and Definitions**

### **Acronyms**

APO – Agency Preservation Officer  
BMP – Best Management Practice  
CPESC – Certified Professional in Erosion and Sediment Control  
Cpv – Channel Protection Volume  
CWA – Clean Water Act (or the Federal Water Pollution Control Act, 33 U.S.C. §1251 et seq)  
DOW – Division of Water  
EAF – Environmental Assessment Form  
ECL - Environmental Conservation Law  
EPA – U. S. Environmental Protection Agency  
HSG – Hydrologic Soil Group  
MS4 – Municipal Separate Storm Sewer System  
NOI – Notice of Intent  
NOT – Notice of Termination  
NPDES – National Pollutant Discharge Elimination System  
OPRHP – Office of Parks, Recreation and Historic Places  
Qf – Extreme Flood  
Qp – Overbank Flood  
RRv – Runoff Reduction Volume  
RWE – Regional Water Engineer  
SEQR – State Environmental Quality Review  
SEQRA - State Environmental Quality Review Act  
SHPA – State Historic Preservation Act  
SPDES – State Pollutant Discharge Elimination System  
SWPPP – Stormwater Pollution Prevention Plan  
TMDL – Total Maximum Daily Load  
UPA – Uniform Procedures Act  
USDA – United States Department of Agriculture  
WQv – Water Quality Volume







## Definitions

All definitions in this section are solely for the purposes of this permit.

**Agricultural Building** – a structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products; excluding any structure designed, constructed or used, in whole or in part, for human habitation, as a place of employment where agricultural products are processed, treated or packaged, or as a place used by the public.

**Agricultural Property** – means the land for construction of a barn, *agricultural building*, silo, stockyard, pen or other structural practices identified in Table II in the “Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State” prepared by the Department in cooperation with agencies of New York Nonpoint Source Coordinating Committee (dated June 2007).

**Alter Hydrology from Pre to Post-Development Conditions** - means the post-development peak flow rate(s) has increased by more than 5% of the pre-developed condition for the design storm of interest (e.g. 10 yr and 100 yr).

**Combined Sewer** - means a sewer that is designed to collect and convey both “sewage” and “stormwater”.

**Commence (Commencement of) Construction Activities** - means the initial disturbance of soils associated with clearing, grading or excavation activities; or other construction related activities that disturb or expose soils such as demolition, stockpiling of fill material, and the initial installation of erosion and sediment control practices required in the SWPPP. See definition for “*Construction Activity(ies)*” also.

**Construction Activity(ies)** - means any clearing, grading, excavation, filling, demolition or stockpiling activities that result in soil disturbance. Clearing activities can include, but are not limited to, logging equipment operation, the cutting and skidding of trees, stump removal and/or brush root removal. Construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of a facility.

**Construction Site** – means the land area where *construction activity(ies)* will occur. See definition for “*Commence (Commencement of) Construction Activities*” and “*Larger Common Plan of Development or Sale*” also.

**Dewatering** – means the act of draining rainwater and/or groundwater from building foundations, vaults or excavations/trenches.

**Direct Discharge (to a specific surface waterbody)** - means that runoff flows from a *construction site* by overland flow and the first point of discharge is the specific surface waterbody, or runoff flows from a *construction site* to a separate storm sewer system



and the first point of discharge from the separate storm sewer system is the specific surface waterbody.

**Discharge(s)** - means any addition of any pollutant to waters of the State through an outlet or *point source*.

**Embankment** – means an earthen or rock slope that supports a road/highway.

**Endangered or Threatened Species** – see 6 NYCRR Part 182 of the Department’s rules and regulations for definition of terms and requirements.

**Environmental Conservation Law (ECL)** - means chapter 43-B of the Consolidated Laws of the State of New York, entitled the Environmental Conservation Law.

**Equivalent (Equivalence)** – means that the practice or measure meets all the performance, longevity, maintenance, and safety objectives of the technical standard and will provide an equal or greater degree of water quality protection.

**Final Stabilization** - means that all soil disturbance activities have ceased and a uniform, perennial vegetative cover with a density of eighty (80) percent over the entire pervious surface has been established; or other equivalent stabilization measures, such as permanent landscape mulches, rock rip-rap or washed/crushed stone have been applied on all disturbed areas that are not covered by permanent structures, concrete or pavement.

**General SPDES permit** - means a SPDES permit issued pursuant to 6 NYCRR Part 750-1.21 and Section 70-0117 of the ECL authorizing a category of discharges.

**Groundwater(s)** - means waters in the saturated zone. The saturated zone is a subsurface zone in which all the interstices are filled with water under pressure greater than that of the atmosphere. Although the zone may contain gas-filled interstices or interstices filled with fluids other than water, it is still considered saturated.

**Historic Property** – means any building, structure, site, object or district that is listed on the State or National Registers of Historic Places or is determined to be eligible for listing on the State or National Registers of Historic Places.

**Impervious Area (Cover)** - means all impermeable surfaces that cannot effectively infiltrate rainfall. This includes paved, concrete and gravel surfaces (i.e. parking lots, driveways, roads, runways and sidewalks); building rooftops and miscellaneous impermeable structures such as patios, pools, and sheds.

**Infeasible** – means not technologically possible, or not economically practicable and achievable in light of best industry practices.



**Larger Common Plan of Development or Sale** - means a contiguous area where multiple separate and distinct *construction activities* are occurring, or will occur, under one plan. The term “plan” in “larger common plan of development or sale” is broadly defined as any announcement or piece of documentation (including a sign, public notice or hearing, marketing plan, advertisement, drawing, permit application, State Environmental Quality Review Act (SEQRA) environmental assessment form or other documents, zoning request, computer design, etc.) or physical demarcation (including boundary signs, lot stakes, surveyor markings, etc.) indicating that *construction activities* may occur on a specific plot.

For discrete construction projects that are located within a larger common plan of development or sale that are at least 1/4 mile apart, each project can be treated as a separate plan of development or sale provided any interconnecting road, pipeline or utility project that is part of the same “common plan” is not concurrently being disturbed.

**Minimize** – means reduce and/or eliminate to the extent achievable using control measures (including best management practices) that are technologically available and economically practicable and achievable in light of best industry practices.

**Municipal Separate Storm Sewer (MS4)** - a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

- (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to surface waters of the State;
- (ii) Designed or used for collecting or conveying stormwater;
- (iii) Which is not a *combined sewer*; and
- (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

**National Pollutant Discharge Elimination System (NPDES)** - means the national system for the issuance of wastewater and stormwater permits under the Federal Water Pollution Control Act (Clean Water Act).

**Natural Buffer** – means an undisturbed area with natural cover running along a surface water (e.g. wetland, stream, river, lake, etc.).

**New Development** – means any land disturbance that does not meet the definition of Redevelopment Activity included in this appendix.



**New York State Erosion and Sediment Control Certificate Program** – a certificate program that establishes and maintains a process to identify and recognize individuals who are capable of developing, designing, inspecting and maintaining erosion and sediment control plans on projects that disturb soils in New York State. The certificate program is administered by the New York State Conservation District Employees Association.

**NOI Acknowledgment Letter** - means the letter that the Department sends to an owner or operator to acknowledge the Department's receipt and acceptance of a complete Notice of Intent. This letter documents the owner's or operator's authorization to discharge in accordance with the general permit for stormwater discharges from *construction activity*.

**Nonpoint Source** - means any source of water pollution or pollutants which is not a discrete conveyance or *point source* permitted pursuant to Title 7 or 8 of Article 17 of the Environmental Conservation Law (see ECL Section 17-1403).

**Overbank** –means flow events that exceed the capacity of the stream channel and spill out into the adjacent floodplain.

**Owner or Operator** - means the person, persons or legal entity which owns or leases the property on which the *construction activity* is occurring; an entity that has operational control over the construction plans and specifications, including the ability to make modifications to the plans and specifications; and/or an entity that has day-to-day operational control of those activities at a project that are necessary to ensure compliance with the permit conditions.

**Performance Criteria** – means the design criteria listed under the “Required Elements” sections in Chapters 5, 6 and 10 of the technical standard, New York State Stormwater Management Design Manual, dated January 2015. It does not include the Sizing Criteria (i.e. WQv, RRv, Cpv, Qp and Qf ) in Part I.C.2. of the permit.

**Point Source** - means any discernible, confined and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, vessel or other floating craft, or landfill leachate collection system from which *pollutants* are or may be discharged.

**Pollutant** - means dredged spoil, filter backwash, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand and industrial, municipal, agricultural waste and ballast discharged into water; which may cause or might reasonably be expected to cause pollution of the waters of the state in contravention of the standards or guidance values adopted as provided in 6 NYCRR Parts 700 et seq .



**Qualified Inspector** - means a person that is knowledgeable in the principles and practices of erosion and sediment control, such as a licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, New York State Erosion and Sediment Control Certificate Program holder or other Department endorsed individual(s).

It can also mean someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided that person has training in the principles and practices of erosion and sediment control. Training in the principles and practices of erosion and sediment control means that the individual working under the direct supervision of the licensed Professional Engineer or Registered Landscape Architect has received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity. After receiving the initial training, the individual working under the direct supervision of the licensed Professional Engineer or Registered Landscape Architect shall receive four (4) hours of training every three (3) years.

It can also mean a person that meets the *Qualified Professional* qualifications in addition to the *Qualified Inspector* qualifications.

Note: Inspections of any post-construction stormwater management practices that include structural components, such as a dam for an impoundment, shall be performed by a licensed Professional Engineer.

**Qualified Professional** - means a person that is knowledgeable in the principles and practices of stormwater management and treatment, such as a licensed Professional Engineer, Registered Landscape Architect or other Department endorsed individual(s). Individuals preparing SWPPPs that require the post-construction stormwater management practice component must have an understanding of the principles of hydrology, water quality management practice design, water quantity control design, and, in many cases, the principles of hydraulics. All components of the SWPPP that involve the practice of engineering, as defined by the NYS Education Law (see Article 145), shall be prepared by, or under the direct supervision of, a professional engineer licensed to practice in the State of New York.

**Redevelopment Activity(ies)** – means the disturbance and reconstruction of existing impervious area, including impervious areas that were removed from a project site within five (5) years of preliminary project plan submission to the local government (i.e. site plan, subdivision, etc.).

**Regulated, Traditional Land Use Control MS4** - means a city, town or village with land use control authority that is authorized to discharge under New York State DEC's



SPDES General Permit For Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s) or the City of New York's Individual SPDES Permit for their Municipal Separate Storm Sewer Systems (NY-0287890).

**Routine Maintenance Activity** - means *construction activity* that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of a facility, including, but not limited to:

- Re-grading of gravel roads or parking lots,
- Cleaning and shaping of existing roadside ditches and culverts that maintains the approximate original line and grade, and hydraulic capacity of the ditch,
- Cleaning and shaping of existing roadside ditches that does not maintain the approximate original grade, hydraulic capacity and purpose of the ditch if the changes to the line and grade, hydraulic capacity or purpose of the ditch are installed to improve water quality and quantity controls (e.g. installing grass lined ditch),
- Placement of aggregate shoulder backing that stabilizes the transition between the road shoulder and the ditch or *embankment*,
- Full depth milling and filling of existing asphalt pavements, replacement of concrete pavement slabs, and similar work that does not expose soil or disturb the bottom six (6) inches of subbase material,
- Long-term use of equipment storage areas at or near highway maintenance facilities,
- Removal of sediment from the edge of the highway to restore a previously existing sheet-flow drainage connection from the highway surface to the highway ditch or *embankment*,
- Existing use of Canal Corp owned upland disposal sites for the canal, and
- Replacement of curbs, gutters, sidewalks and guide rail posts.

**Site limitations** – means site conditions that prevent the use of an infiltration technique and or infiltration of the total WQv. Typical site limitations include: seasonal high groundwater, shallow depth to bedrock, and soils with an infiltration rate less than 0.5 inches/hour. The existence of site limitations shall be confirmed and documented using actual field testing (i.e. test pits, soil borings, and infiltration test) or using information from the most current United States Department of Agriculture (USDA) Soil Survey for the County where the project is located.

**Sizing Criteria** – means the criteria included in Part I.C.2 of the permit that are used to size post-construction stormwater management control practices. The criteria include; Water Quality Volume (WQv), Runoff Reduction Volume (RRv), Channel Protection Volume (Cpv), *Overbank Flood* (Qp), and *Extreme Flood* (Qf).

**State Pollutant Discharge Elimination System (SPDES)** - means the system established pursuant to Article 17 of the ECL and 6 NYCRR Part 750 for issuance of permits authorizing discharges to the waters of the state.



**Steep Slope** – means land area designated on the current United States Department of Agriculture (“USDA”) Soil Survey as Soil Slope Phase “D”, (provided the map unit name is inclusive of slopes greater than 25%) , or Soil Slope Phase E or F, (regardless of the map unit name), or a combination of the three designations.

**Streambank** – as used in this permit, means the terrain alongside the bed of a creek or stream. The bank consists of the sides of the channel, between which the flow is confined.

**Stormwater Pollution Prevention Plan (SWPPP)** – means a project specific report, including construction drawings, that among other things: describes the construction activity(ies), identifies the potential sources of pollution at the *construction site*; describes and shows the stormwater controls that will be used to control the pollutants (i.e. erosion and sediment controls; for many projects, includes post-construction stormwater management controls); and identifies procedures the *owner or operator* will implement to comply with the terms and conditions of the permit. See Part III of the permit for a complete description of the information that must be included in the SWPPP.

**Surface Waters of the State** - shall be construed to include lakes, bays, sounds, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes, inlets, canals, the Atlantic ocean within the territorial seas of the state of New York and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, public or private (except those private waters that do not combine or effect a junction with natural surface waters), which are wholly or partially within or bordering the state or within its jurisdiction. Waters of the state are further defined in 6 NYCRR Parts 800 to 941.

**Temporarily Ceased** – means that an existing disturbed area will not be disturbed again within 14 calendar days of the previous soil disturbance.

**Temporary Stabilization** - means that exposed soil has been covered with material(s) as set forth in the technical standard, New York Standards and Specifications for Erosion and Sediment Control, to prevent the exposed soil from eroding. The materials can include, but are not limited to, mulch, seed and mulch, and erosion control mats (e.g. jute twisted yarn, excelsior wood fiber mats).

**Total Maximum Daily Loads (TMDLs)** - A TMDL is the sum of the allowable loads of a single pollutant from all contributing point and *nonpoint sources*. It is a calculation of the maximum amount of a pollutant that a waterbody can receive on a daily basis and still meet *water quality standards*, and an allocation of that amount to the pollutant's sources. A TMDL stipulates wasteload allocations (WLAs) for *point source* discharges, load allocations (LAs) for *nonpoint sources*, and a margin of safety (MOS).

**Trained Contractor** - means an employee from the contracting (construction) company, identified in Part III.A.6., that has received four (4) hours of Department endorsed



training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity. After receiving the initial training, the *trained contractor* shall receive four (4) hours of training every three (3) years.

It can also mean an employee from the contracting (construction) company, identified in Part III.A.6., that meets the *qualified inspector* qualifications (e.g. licensed Professional Engineer, Certified Professional in Erosion and Sediment Control (CPESC), Registered Landscape Architect, New York State Erosion and Sediment Control Certificate Program holder, or someone working under the direct supervision of, and at the same company as, the licensed Professional Engineer or Registered Landscape Architect, provided they have received four (4) hours of Department endorsed training in proper erosion and sediment control principles from a Soil and Water Conservation District, or other Department endorsed entity).

The *trained contractor* is responsible for the day to day implementation of the SWPPP.

**Uniform Procedures Act (UPA) Permit** - means a permit required under 6 NYCRR Part 621 of the Environmental Conservation Law (ECL), Article 70.

**Water Quality Standard** - means such measures of purity or quality for any waters in relation to their reasonable and necessary use as promulgated in 6 NYCRR Part 700 et seq.



## APPENDIX B – Required SWPPP Components by Project Type

**Table 1**  
**Construction Activities that Require the Preparation of a SWPPP That Only Includes Erosion and Sediment Controls**

<p><b>The following construction activities that involve soil disturbances of one (1) or more acres of land, but less than five (5) acres:</b></p> <ul style="list-style-type: none"><li>• Single family home <u>not</u> located in one of the watersheds listed in Appendix C or <u>not directly discharging</u> to one of the 303(d) segments listed in Appendix E</li><li>• Single family residential subdivisions with 25% or less impervious cover at total site build-out and <u>not</u> located in one of the watersheds listed in Appendix C and <u>not</u> directly discharging to one of the 303(d) segments listed in Appendix E</li><li>• Construction of a barn or other <i>agricultural building</i>, silo, stock yard or pen.</li></ul>
<p><b>The following construction activities that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land:</b></p> <p>All construction activities located in the watersheds identified in Appendix D that involve soil disturbances between five thousand (5,000) square feet and one (1) acre of land.</p>
<p><b>The following construction activities that involve soil disturbances of one (1) or more acres of land:</b></p> <ul style="list-style-type: none"><li>• Installation of underground, linear utilities; such as gas lines, fiber-optic cable, cable TV, electric, telephone, sewer mains, and water mains</li><li>• Environmental enhancement projects, such as wetland mitigation projects, stormwater retrofits and stream restoration projects</li><li>• Pond construction</li><li>• Linear bike paths running through areas with vegetative cover, including bike paths surfaced with an impervious cover</li><li>• Cross-country ski trails and walking/hiking trails</li><li>• Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that are not part of residential, commercial or institutional development;</li><li>• Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that include incidental shoulder or curb work along an existing highway to support construction of the sidewalk, bike path or walking path.</li><li>• Slope stabilization projects</li><li>• Slope flattening that changes the grade of the site, but does not significantly change the runoff characteristics</li></ul>







**Table 1 (Continued) CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A SWPPP  
THAT ONLY INCLUDES EROSION AND SEDIMENT CONTROLS**

**The following construction activities that involve soil disturbances of one (1) or more acres of land:**

- Spoil areas that will be covered with vegetation
- Vegetated open space projects (i.e. recreational parks, lawns, meadows, fields, downhill ski trails) excluding projects that *alter hydrology from pre to post development* conditions,
- Athletic fields (natural grass) that do not include the construction or reconstruction of *impervious area* and do not *alter hydrology from pre to post development* conditions
- Demolition project where vegetation will be established, and no redevelopment is planned
- Overhead electric transmission line project that does not include the construction of permanent access roads or parking areas surfaced with *impervious cover*
- Structural practices as identified in Table II in the “Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State”, excluding projects that involve soil disturbances of greater than five acres and construction activities that include the construction or reconstruction of impervious area
- Temporary access roads, median crossovers, detour roads, lanes, or other temporary impervious areas that will be restored to pre-construction conditions once the construction activity is complete



**Table 2**  
**CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A SWPPP THAT INCLUDES**  
**POST-CONSTRUCTION STORMWATER MANAGEMENT PRACTICES**

**The following construction activities that involve soil disturbances of one (1) or more acres of land:**

- Single family home located in one of the watersheds listed in Appendix C or *directly discharging* to one of the 303(d) segments listed in Appendix E
- Single family home that disturbs five (5) or more acres of land
- Single family residential subdivisions located in one of the watersheds listed in Appendix C or *directly discharging* to one of the 303(d) segments listed in Appendix E
- Single family residential subdivisions that involve soil disturbances of between one (1) and five (5) acres of land with greater than 25% impervious cover at total site build-out
- Single family residential subdivisions that involve soil disturbances of five (5) or more acres of land, and single family residential subdivisions that involve soil disturbances of less than five (5) acres that are part of a larger common plan of development or sale that will ultimately disturb five or more acres of land
- Multi-family residential developments; includes duplexes, townhomes, condominiums, senior housing complexes, apartment complexes, and mobile home parks
- Airports
- Amusement parks
- Breweries, cideries, and wineries, including establishments constructed on agricultural land
- Campgrounds
- Cemeteries that include the construction or reconstruction of impervious area (>5% of disturbed area) or *alter the hydrology from pre to post development conditions*
- Commercial developments
- Churches and other places of worship
- Construction of a barn or other *agricultural building* (e.g. silo) and structural practices as identified in Table II in the "Agricultural Management Practices Catalog for Nonpoint Source Pollution in New York State" that include the construction or reconstruction of *impervious area*, excluding projects that involve soil disturbances of less than five acres.
- Golf courses
- Institutional development; includes hospitals, prisons, schools and colleges
- Industrial facilities; includes industrial parks
- Landfills
- Municipal facilities; includes highway garages, transfer stations, office buildings, POTW's, water treatment plants, and water storage tanks
- Office complexes
- Playgrounds that include the construction or reconstruction of impervious area
- Sports complexes
- Racetracks; includes racetracks with earthen (dirt) surface
- Road construction or reconstruction, including roads constructed as part of the construction activities listed in Table 1



Table 2 (Continued)

**CONSTRUCTION ACTIVITIES THAT REQUIRE THE PREPARATION OF A SWPPP THAT INCLUDES POST-CONSTRUCTION STORMWATER MANAGEMENT PRACTICES**

**The following construction activities that involve soil disturbances of one (1) or more acres of land:**

- Parking lot construction or reconstruction, including parking lots constructed as part of the construction activities listed in Table 1
- Athletic fields (natural grass) that include the construction or reconstruction of impervious area (>5% of disturbed area) or *alter the hydrology from pre to post development* conditions
- Athletic fields with artificial turf
- Permanent access roads, parking areas, substations, compressor stations and well drilling pads, surfaced with *impervious cover*, and constructed as part of an over-head electric transmission line project, wind-power project, cell tower project, oil or gas well drilling project, sewer or water main project or other linear utility project
- Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that are part of a residential, commercial or institutional development
- Sidewalk, bike path or walking path projects, surfaced with an impervious cover, that are part of a highway construction or reconstruction project
- All other construction activities that include the construction or reconstruction of *impervious area* or *alter the hydrology from pre to post development* conditions, and are not listed in Table 1







## APPENDIX C – Watersheds Requiring Enhanced Phosphorus Removal

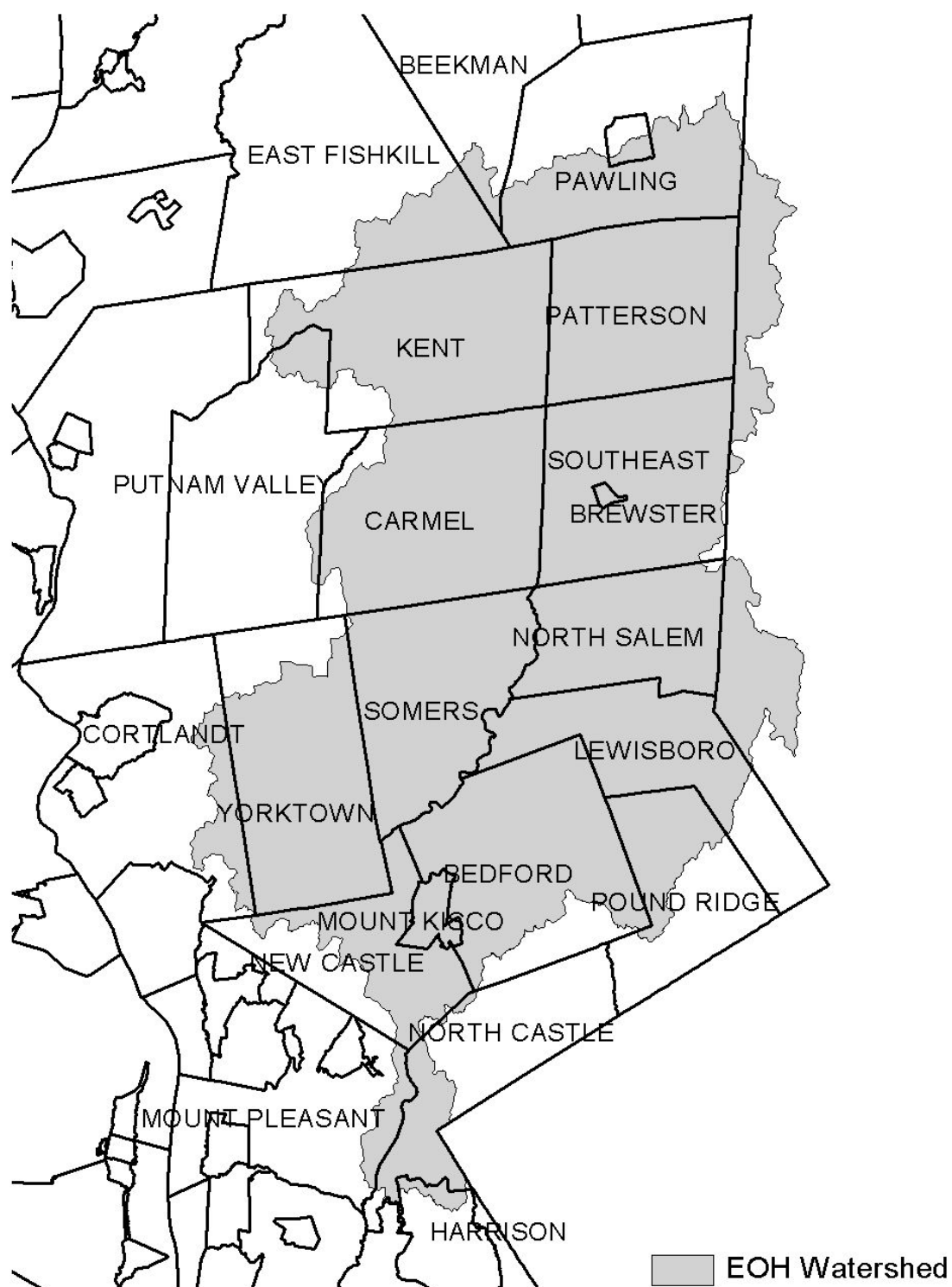
**Watersheds where *owners or operators* of construction activities identified in Table 2 of Appendix B must prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the Enhanced Phosphorus Removal Standards included in the technical standard, New York State Stormwater Management Design Manual (“Design Manual”).**

- Entire New York City Watershed located east of the Hudson River - Figure 1
- Onondaga Lake Watershed - Figure 2
- Greenwood Lake Watershed -Figure 3
- Oscawana Lake Watershed – Figure 4
- Kinderhook Lake Watershed – Figure 5







**Figure 1 - New York City Watershed East of the Hudson**







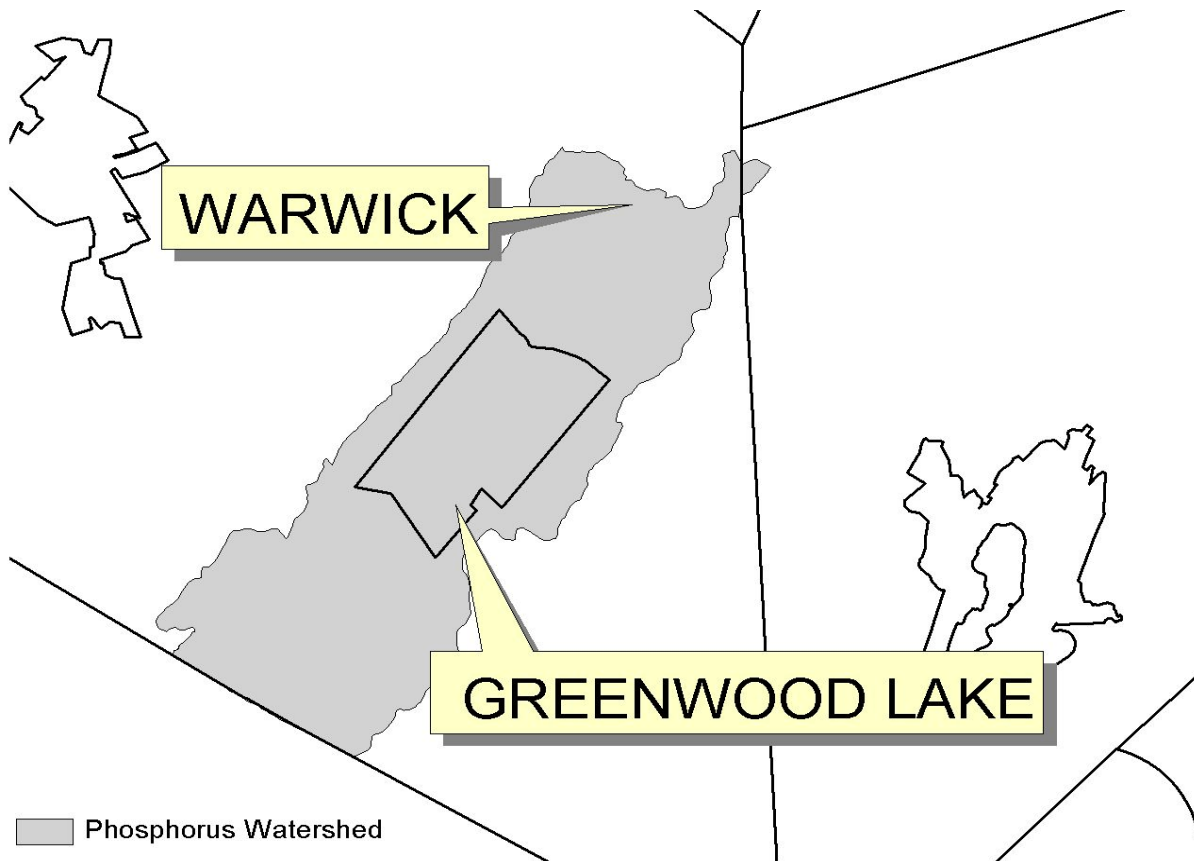
**Figure 2 - Onondaga Lake Watershed**







**Figure 3 - Greenwood Lake Watershed**

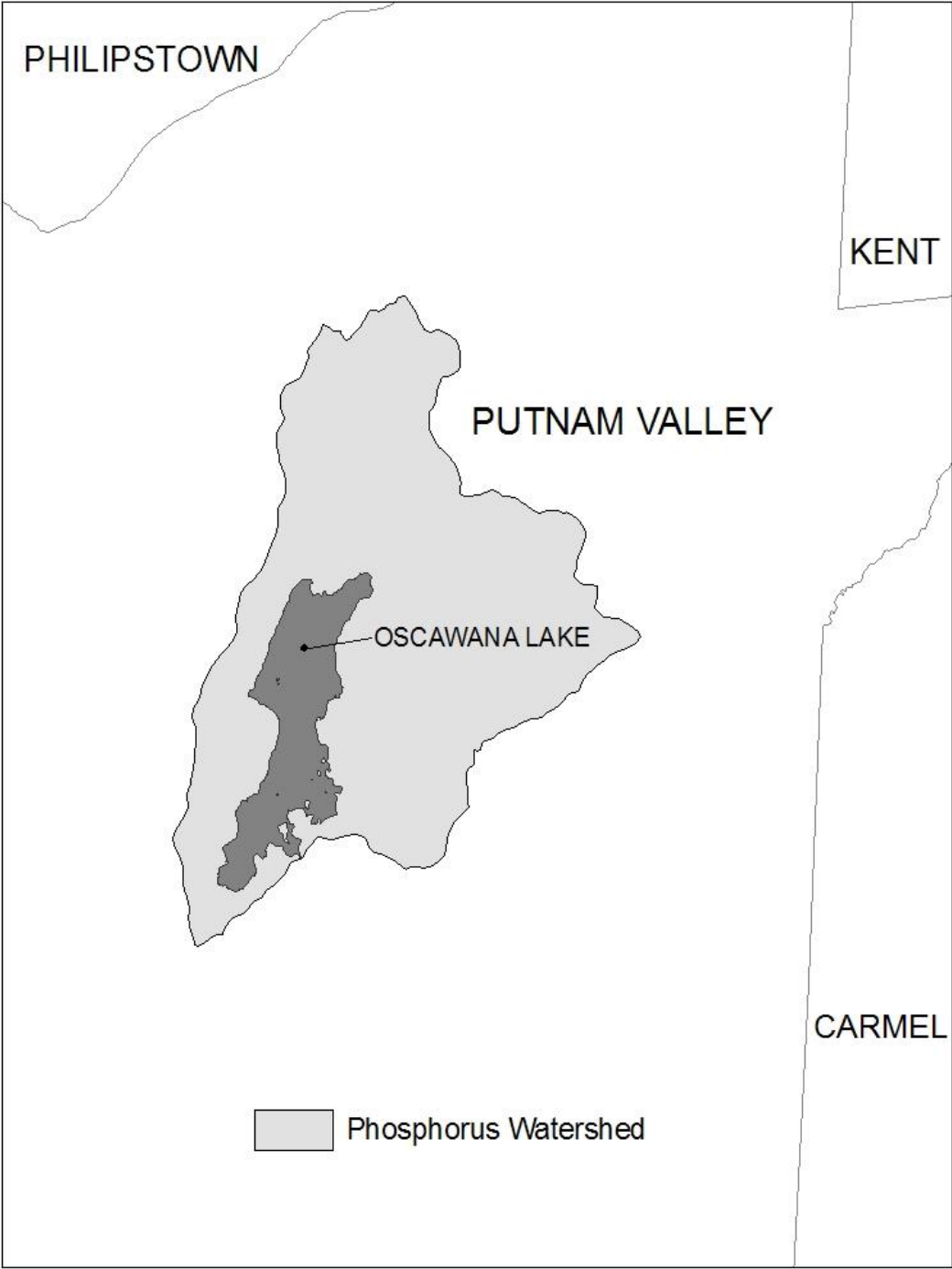








**Figure 4 - Oscawana Lake Watershed**

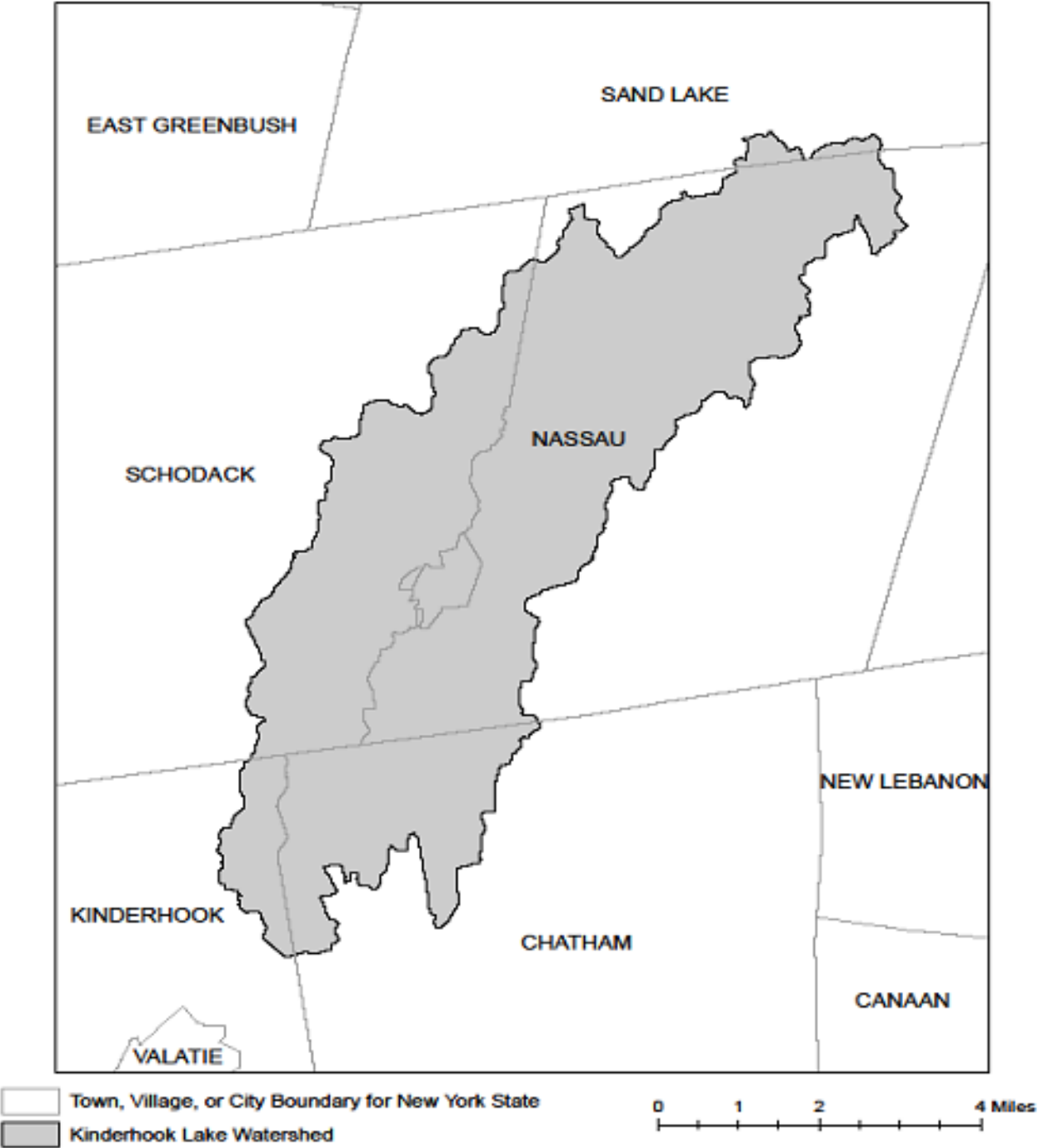








**Figure 5 - Kinderhook Lake Watershed**









## **APPENDIX D – Watersheds with Lower Disturbance Threshold**

**Watersheds where *owners or operators* of construction activities that involve soil disturbances between five thousand (5000) square feet and one (1) acre of land must obtain coverage under this permit.**

Entire New York City Watershed that is located east of the Hudson River - See Figure 1 in Appendix C
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## APPENDIX E – 303(d) Segments Impaired by Construction Related Pollutant(s)

List of 303(d) segments impaired by pollutants related to *construction activity* (e.g. silt, sediment or nutrients). The list was developed using "The Final New York State 2016 Section 303(d) List of Impaired Waters Requiring a TMDL/Other Strategy" dated November 2016. *Owners or operators* of single family home and single family residential subdivisions with 25% or less total impervious cover at total site build-out that involve soil disturbances of one or more acres of land, but less than 5 acres, and *directly discharge* to one of the listed segments below shall prepare a SWPPP that includes post-construction stormwater management practices designed in conformance with the New York State Stormwater Management Design Manual ("Design Manual"), dated January 2015.

COUNTY	WATERBODY	POLLUTANT
Albany	Ann Lee (Shakers) Pond, Stump Pond	Nutrients
Albany	Basic Creek Reservoir	Nutrients
Allegany	Amity Lake, Saunders Pond	Nutrients
Bronx	Long Island Sound, Bronx	Nutrients
Bronx	Van Cortlandt Lake	Nutrients
Broome	Fly Pond, Deer Lake, Sky Lake	Nutrients
Broome	Minor Tribs to Lower Susquehanna (north)	Nutrients
Broome	Whitney Point Lake/Reservoir	Nutrients
Cattaraugus	Allegheny River/Reservoir	Nutrients
Cattaraugus	Beaver (Alma) Lake	Nutrients
Cattaraugus	Case Lake	Nutrients
Cattaraugus	Linlyco/Club Pond	Nutrients
Cayuga	Duck Lake	Nutrients
Cayuga	Little Sodus Bay	Nutrients
Chautauqua	Bear Lake	Nutrients
Chautauqua	Chadakoin River and tribs	Nutrients
Chautauqua	Chautauqua Lake, North	Nutrients
Chautauqua	Chautauqua Lake, South	Nutrients
Chautauqua	Findley Lake	Nutrients
Chautauqua	Hulburt/Clymer Pond	Nutrients
Clinton	Great Chazy River, Lower, Main Stem	Silt/Sediment
Clinton	Lake Champlain, Main Lake, Middle	Nutrients
Clinton	Lake Champlain, Main Lake, North	Nutrients
Columbia	Kinderhook Lake	Nutrients
Columbia	Robinson Pond	Nutrients
Cortland	Dean Pond	Nutrients



### 303(d) Segments Impaired by Construction Related Pollutant(s)

Dutchess	Fall Kill and tribs	Nutrients
Dutchess	Hillside Lake	Nutrients
Dutchess	Wappingers Lake	Nutrients
Dutchess	Wappingers Lake	Silt/Sediment
Erie	Beeman Creek and tribs	Nutrients
Erie	Ellicott Creek, Lower, and tribs	Silt/Sediment
Erie	Ellicott Creek, Lower, and tribs	Nutrients
Erie	Green Lake	Nutrients
Erie	Little Sister Creek, Lower, and tribs	Nutrients
Erie	Murder Creek, Lower, and tribs	Nutrients
Erie	Rush Creek and tribs	Nutrients
Erie	Scajaquada Creek, Lower, and tribs	Nutrients
Erie	Scajaquada Creek, Middle, and tribs	Nutrients
Erie	Scajaquada Creek, Upper, and tribs	Nutrients
Erie	South Branch Smoke Cr, Lower, and tribs	Silt/Sediment
Erie	South Branch Smoke Cr, Lower, and tribs	Nutrients
Essex	Lake Champlain, Main Lake, South	Nutrients
Essex	Lake Champlain, South Lake	Nutrients
Essex	Willsboro Bay	Nutrients
Genesee	Bigelow Creek and tribs	Nutrients
Genesee	Black Creek, Middle, and minor tribs	Nutrients
Genesee	Black Creek, Upper, and minor tribs	Nutrients
Genesee	Bowen Brook and tribs	Nutrients
Genesee	LeRoy Reservoir	Nutrients
Genesee	Oak Orchard Cr, Upper, and tribs	Nutrients
Genesee	Tonawanda Creek, Middle, Main Stem	Nutrients
Greene	Schoharie Reservoir	Silt/Sediment
Greene	Sleepy Hollow Lake	Silt/Sediment
Herkimer	Steele Creek tribs	Silt/Sediment
Herkimer	Steele Creek tribs	Nutrients
Jefferson	Moon Lake	Nutrients
Kings	Hendrix Creek	Nutrients
Kings	Prospect Park Lake	Nutrients
Lewis	Mill Creek/South Branch, and tribs	Nutrients
Livingston	Christie Creek and tribs	Nutrients
Livingston	Conesus Lake	Nutrients
Livingston	Mill Creek and minor tribs	Silt/Sediment
Monroe	Black Creek, Lower, and minor tribs	Nutrients
Monroe	Buck Pond	Nutrients
Monroe	Cranberry Pond	Nutrients



### 303(d) Segments Impaired by Construction Related Pollutant(s)

Monroe	Lake Ontario Shoreline, Western	Nutrients
Monroe	Long Pond	Nutrients
Monroe	Mill Creek and tribs	Nutrients
Monroe	Mill Creek/Blue Pond Outlet and tribs	Nutrients
Monroe	Minor Tribs to Irondequoit Bay	Nutrients
Monroe	Rochester Embayment - East	Nutrients
Monroe	Rochester Embayment - West	Nutrients
Monroe	Shipbuilders Creek and tribs	Nutrients
Monroe	Thomas Creek/White Brook and tribs	Nutrients
Nassau	Beaver Lake	Nutrients
Nassau	Camaans Pond	Nutrients
Nassau	East Meadow Brook, Upper, and tribs	Silt/Sediment
Nassau	East Rockaway Channel	Nutrients
Nassau	Grant Park Pond	Nutrients
Nassau	Hempstead Bay	Nutrients
Nassau	Hempstead Lake	Nutrients
Nassau	Hewlett Bay	Nutrients
Nassau	Hog Island Channel	Nutrients
Nassau	Long Island Sound, Nassau County Waters	Nutrients
Nassau	Massapequa Creek and tribs	Nutrients
Nassau	Milburn/Parsonage Creeks, Upp, and tribs	Nutrients
Nassau	Reynolds Channel, west	Nutrients
Nassau	Tidal Tribs to Hempstead Bay	Nutrients
Nassau	Tribs (fresh) to East Bay	Nutrients
Nassau	Tribs (fresh) to East Bay	Silt/Sediment
Nassau	Tribs to Smith/Halls Ponds	Nutrients
Nassau	Woodmere Channel	Nutrients
New York	Harlem Meer	Nutrients
New York	The Lake in Central Park	Nutrients
Niagara	Bergholtz Creek and tribs	Nutrients
Niagara	Hyde Park Lake	Nutrients
Niagara	Lake Ontario Shoreline, Western	Nutrients
Niagara	Lake Ontario Shoreline, Western	Nutrients
Oneida	Ballou, Nail Creeks and tribs	Nutrients
Onondaga	Harbor Brook, Lower, and tribs	Nutrients
Onondaga	Ley Creek and tribs	Nutrients
Onondaga	Minor Tribs to Onondaga Lake	Nutrients
Onondaga	Ninemile Creek, Lower, and tribs	Nutrients
Onondaga	Onondaga Creek, Lower, and tribs	Nutrients
Onondaga	Onondaga Creek, Middle, and tribs	Nutrients



### 303(d) Segments Impaired by Construction Related Pollutant(s)

Onondaga	Onondaga Lake, northern end	Nutrients
Onondaga	Onondaga Lake, southern end	Nutrients
Ontario	Great Brook and minor tribs	Silt/Sediment
Ontario	Great Brook and minor tribs	Nutrients
Ontario	Hemlock Lake Outlet and minor tribs	Nutrients
Ontario	Honeoye Lake	Nutrients
Orange	Greenwood Lake	Nutrients
Orange	Monhagen Brook and tribs	Nutrients
Orange	Orange Lake	Nutrients
Orleans	Lake Ontario Shoreline, Western	Nutrients
Orleans	Lake Ontario Shoreline, Western	Nutrients
Oswego	Lake Neatahwanta	Nutrients
Oswego	Pleasant Lake	Nutrients
Putnam	Bog Brook Reservoir	Nutrients
Putnam	Boyd Corners Reservoir	Nutrients
Putnam	Croton Falls Reservoir	Nutrients
Putnam	Diverting Reservoir	Nutrients
Putnam	East Branch Reservoir	Nutrients
Putnam	Lake Carmel	Nutrients
Putnam	Middle Branch Reservoir	Nutrients
Putnam	Oscawana Lake	Nutrients
Putnam	Palmer Lake	Nutrients
Putnam	West Branch Reservoir	Nutrients
Queens	Bergen Basin	Nutrients
Queens	Flushing Creek/Bay	Nutrients
Queens	Jamaica Bay, Eastern, and tribs (Queens)	Nutrients
Queens	Kissena Lake	Nutrients
Queens	Meadow Lake	Nutrients
Queens	Willow Lake	Nutrients
Rensselaer	Nassau Lake	Nutrients
Rensselaer	Snyders Lake	Nutrients
Richmond	Grasmere Lake/Bradys Pond	Nutrients
Rockland	Congers Lake, Swartout Lake	Nutrients
Rockland	Rockland Lake	Nutrients
Saratoga	Ballston Lake	Nutrients
Saratoga	Dwaas Kill and tribs	Silt/Sediment
Saratoga	Dwaas Kill and tribs	Nutrients
Saratoga	Lake Lonely	Nutrients
Saratoga	Round Lake	Nutrients
Saratoga	Tribs to Lake Lonely	Nutrients



### 303(d) Segments Impaired by Construction Related Pollutant(s)

Schenectady	Collins Lake	Nutrients
Schenectady	Duane Lake	Nutrients
Schenectady	Mariaville Lake	Nutrients
Schoharie	Engleville Pond	Nutrients
Schoharie	Summit Lake	Nutrients
Seneca	Reeder Creek and tribs	Nutrients
St.Lawrence	Black Lake Outlet/Black Lake	Nutrients
St.Lawrence	Fish Creek and minor tribs	Nutrients
Steuben	Smith Pond	Nutrients
Suffolk	Agawam Lake	Nutrients
Suffolk	Big/Little Fresh Ponds	Nutrients
Suffolk	Canaan Lake	Silt/Sediment
Suffolk	Canaan Lake	Nutrients
Suffolk	Flanders Bay, West/Lower Sawmill Creek	Nutrients
Suffolk	Fresh Pond	Nutrients
Suffolk	Great South Bay, East	Nutrients
Suffolk	Great South Bay, Middle	Nutrients
Suffolk	Great South Bay, West	Nutrients
Suffolk	Lake Ronkonkoma	Nutrients
Suffolk	Long Island Sound, Suffolk County, West	Nutrients
Suffolk	Mattituck (Marratooka) Pond	Nutrients
Suffolk	Meetinghouse/Terrys Creeks and tribs	Nutrients
Suffolk	Mill and Seven Ponds	Nutrients
Suffolk	Millers Pond	Nutrients
Suffolk	Moriches Bay, East	Nutrients
Suffolk	Moriches Bay, West	Nutrients
Suffolk	Peconic River, Lower, and tidal tribs	Nutrients
Suffolk	Quantuck Bay	Nutrients
Suffolk	Shinnecock Bay and Inlet	Nutrients
Suffolk	Tidal tribs to West Moriches Bay	Nutrients
Sullivan	Bodine, Montgomery Lakes	Nutrients
Sullivan	Davies Lake	Nutrients
Sullivan	Evens Lake	Nutrients
Sullivan	Pleasure Lake	Nutrients
Tompkins	Cayuga Lake, Southern End	Nutrients
Tompkins	Cayuga Lake, Southern End	Silt/Sediment
Tompkins	Owasco Inlet, Upper, and tribs	Nutrients
Ulster	Ashokan Reservoir	Silt/Sediment
Ulster	Esopus Creek, Upper, and minor tribs	Silt/Sediment
Warren	Hague Brook and tribs	Silt/Sediment



### 303(d) Segments Impaired by Construction Related Pollutant(s)

Warren	Huddle/Finkle Brooks and tribs	Silt/Sediment
Warren	Indian Brook and tribs	Silt/Sediment
Warren	Lake George	Silt/Sediment
Warren	Tribs to L.George, Village of L George	Silt/Sediment
Washington	Cossayuna Lake	Nutrients
Washington	Lake Champlain, South Bay	Nutrients
Washington	Tribs to L.George, East Shore	Silt/Sediment
Washington	Wood Cr/Champlain Canal and minor tribs	Nutrients
Wayne	Port Bay	Nutrients
Westchester	Amawalk Reservoir	Nutrients
Westchester	Blind Brook, Upper, and tribs	Silt/Sediment
Westchester	Cross River Reservoir	Nutrients
Westchester	Lake Katonah	Nutrients
Westchester	Lake Lincolndale	Nutrients
Westchester	Lake Meahagh	Nutrients
Westchester	Lake Mohegan	Nutrients
Westchester	Lake Shenorock	Nutrients
Westchester	Long Island Sound, Westchester (East)	Nutrients
Westchester	Mamaroneck River, Lower	Silt/Sediment
Westchester	Mamaroneck River, Upper, and minor tribs	Silt/Sediment
Westchester	Muscoot/Upper New Croton Reservoir	Nutrients
Westchester	New Croton Reservoir	Nutrients
Westchester	Peach Lake	Nutrients
Westchester	Reservoir No.1 (Lake Isle)	Nutrients
Westchester	Saw Mill River, Lower, and tribs	Nutrients
Westchester	Saw Mill River, Middle, and tribs	Nutrients
Westchester	Sheldrake River and tribs	Silt/Sediment
Westchester	Sheldrake River and tribs	Nutrients
Westchester	Silver Lake	Nutrients
Westchester	Teatown Lake	Nutrients
Westchester	Titicus Reservoir	Nutrients
Westchester	Truesdale Lake	Nutrients
Westchester	Wallace Pond	Nutrients
Wyoming	Java Lake	Nutrients
Wyoming	Silver Lake	Nutrients



## APPENDIX F – List of NYS DEC Regional Offices

<u>Region</u>	<u>COVERING THE FOLLOWING COUNTIES:</u>	<u>DIVISION OF ENVIRONMENTAL PERMITS (DEP) PERMIT ADMINISTRATORS</u>	<u>DIVISION OF WATER (DOW) WATER (SPDES) PROGRAM</u>
1	NASSAU AND SUFFOLK	50 CIRCLE ROAD STONY BROOK, NY 11790 TEL. (631) 444-0365	50 CIRCLE ROAD STONY BROOK, NY 11790-3409 TEL. (631) 444-0405
2	BRONX, KINGS, NEW YORK, QUEENS AND RICHMOND	1 HUNTERS POINT PLAZA, 47-40 21ST ST. LONG ISLAND CITY, NY 11101-5407 TEL. (718) 482-4997	1 HUNTERS POINT PLAZA, 47-40 21ST ST. LONG ISLAND CITY, NY 11101-5407 TEL. (718) 482-4933
3	DUTCHESS, ORANGE, PUTNAM, ROCKLAND, SULLIVAN, ULSTER AND WESTCHESTER	21 SOUTH PUTT CORNERS ROAD NEW PALTZ, NY 12561-1696 TEL. (845) 256-3059	100 HILLSIDE AVENUE, SUITE 1W WHITE PLAINS, NY 10603 TEL. (914) 428 - 2505
4	ALBANY, COLUMBIA, DELAWARE, GREENE, MONTGOMERY, OTSEGO, RENSSELAER, SCHENECTADY AND SCHOHARIE	1150 NORTH WESTCOTT ROAD SCHENECTADY, NY 12306-2014 TEL. (518) 357-2069	1130 NORTH WESTCOTT ROAD SCHENECTADY, NY 12306-2014 TEL. (518) 357-2045
5	CLINTON, ESSEX, FRANKLIN, FULTON, HAMILTON, SARATOGA, WARREN AND WASHINGTON	1115 STATE ROUTE 86, Po Box 296 RAY BROOK, NY 12977-0296 TEL. (518) 897-1234	232 GOLF COURSE ROAD WARRENSBURG, NY 12885-1172 TEL. (518) 623-1200
6	HERKIMER, JEFFERSON, LEWIS, ONEIDA AND ST. LAWRENCE	STATE OFFICE BUILDING 317 WASHINGTON STREET WATERTOWN, NY 13601-3787 TEL. (315) 785-2245	STATE OFFICE BUILDING 207 GENESEE STREET UTICA, NY 13501-2885 TEL. (315) 793-2554
7	BROOME, CAYUGA, CHENANGO, CORTLAND, MADISON, ONONDAGA, OSWEGO, TIOGA AND TOMPKINS	615 ERIE BLVD. WEST SYRACUSE, NY 13204-2400 TEL. (315) 426-7438	615 ERIE BLVD. WEST SYRACUSE, NY 13204-2400 TEL. (315) 426-7500
8	CHEMUNG, GENESEE, LIVINGSTON, MONROE, ONTARIO, ORLEANS, SCHUYLER, SENECA, STEUBEN, WAYNE AND YATES	6274 EAST AVON-LIMA ROADAVON, NY 14414-9519 TEL. (585) 226-2466	6274 EAST AVON-LIMA RD. AVON, NY 14414-9519 TEL. (585) 226-2466
9	ALLEGANY, CATTARAUGUS, CHAUTAUQUA, ERIE, NIAGARA AND WYOMING	270 MICHIGAN AVENUE BUFFALO, NY 14203-2999 TEL. (716) 851-7165	270 MICHIGAN AVENUE BUFFALO, NY 14203-2999 TEL. (716) 851-7070







# **Appendix B**

## **Notice of Intent**







# NOI for coverage under Stormwater General Permit for Construction Activity

version 1.30

(Submission #: HPA-D26N-8R0MB, version 1)

## Details

---

**Originally Started By** Camie Jarrell

**Submission ID** HPA-D26N-8R0MB

**Submission Reason** New

**Status** Draft

## Form Input

---

### Owner/Operator Information

**Owner/Operator Name (Company/Private Owner/Municipality/Agency/Institution, etc.)**

Borrego Solar

**Owner/Operator Contact Person Last Name (NOT CONSULTANT)**

Gibbons

**Owner/Operator Contact Person First Name**

Greg

**Owner/Operator Mailing Address**

NONE PROVIDED

**City**

NONE PROVIDED

**State**

NONE PROVIDED



**Zip**

NONE PROVIDED

**Phone**

NONE PROVIDED

**Email**

NONE PROVIDED

**Federal Tax ID**

NONE PROVIDED

**Project Location****Project/Site Name**

153 YMCA Road Wind Project

**Street Address (Not P.O. Box)**

153 YMCA Road

**Side of Street**

NONE PROVIDED

**City/Town/Village (THAT ISSUES BUILDING PERMIT)**

NONE PROVIDED

**State**

NONE PROVIDED

**Zip**

NONE PROVIDED

**DEC Region**

NONE PROVIDED

**County**

NONE PROVIDED

**Name of Nearest Cross Street**

NONE PROVIDED

**Distance to Nearest Cross Street (Feet)**

NONE PROVIDED

**Project In Relation to Cross Street**

NONE PROVIDED

**Tax Map Numbers Section-Block-Parcel**

NONE PROVIDED



**Tax Map Numbers**

NONE PROVIDED

**1. Coordinates**

---

Provide the Geographic Coordinates for the project site. The two methods are:

- Navigate to the project location on the map (below) and click to place a marker and obtain the XY coordinates.
- The "Find Me" button will provide the lat/long for the person filling out this form. Then pan the map to the correct location and click the map to place a marker and obtain the XY coordinates.

**Navigate to your location and click on the map to get the X,Y coordinates**

42.872481,-74.22510799999999

**Project Details****2. What is the nature of this project?**

NONE PROVIDED

**3. Select the predominant land use for both pre and post development conditions.****Pre-Development Existing Landuse**

NONE PROVIDED

**Post-Development Future Land Use**

NONE PROVIDED

**3a. If Single Family Subdivision was selected in question 3, enter the number of subdivision lots.**

NONE PROVIDED

---

4. In accordance with the larger common plan of development or sale, enter the total project site acreage, the acreage to be disturbed and the future impervious area (acreage)within the disturbed area.

\*\*\* ROUND TO THE NEAREST TENTH OF AN ACRE. \*\*\*

**Total Site Area (acres)**

NONE PROVIDED

**Total Area to be Disturbed (acres)**

NONE PROVIDED

**Existing Impervious Area to be Disturbed (acres)**

NONE PROVIDED



**Future Impervious Area Within Disturbed Area (acres)**

NONE PROVIDED

**5. Do you plan to disturb more than 5 acres of soil at any one time?**

NONE PROVIDED

---

6. Indicate the percentage (%) of each Hydrologic Soil Group(HSG) at the site.

**A (%)**

NONE PROVIDED

**B (%)**

NONE PROVIDED

**C (%)**

NONE PROVIDED

**D (%)**

NONE PROVIDED

**7. Is this a phased project?**

NONE PROVIDED

**8. Enter the planned start and end dates of the disturbance activities.**

**Start Date**

NONE PROVIDED

**End Date**

NONE PROVIDED

**9. Identify the nearest surface waterbody(ies) to which construction site runoff will discharge.**

NONE PROVIDED

**9a. Type of waterbody identified in question 9?**

NONE PROVIDED

**Other Waterbody Type Off Site Description**

NONE PROVIDED

**9b. If "wetland" was selected in 9A, how was the wetland identified?**

NONE PROVIDED

**10. Has the surface waterbody(ies) in question 9 been identified as a 303(d) segment in Appendix E of GP-0-20-001?**

NONE PROVIDED



**11. Is this project located in one of the Watersheds identified in Appendix C of GP-0-20-001?**

NONE PROVIDED

**12. Is the project located in one of the watershed areas associated with AA and AA-S classified waters?**

NONE PROVIDED

**If No, skip question 13.**

**13. Does this construction activity disturb land with no existing impervious cover and where the Soil Slope Phase is identified as an E or F on the USDA Soil Survey?**

NONE PROVIDED

**If Yes, what is the acreage to be disturbed?**

NONE PROVIDED

**14. Will the project disturb soils within a State regulated wetland or the protected 100 foot adjacent area?**

NONE PROVIDED

**15. Does the site runoff enter a separate storm sewer system (including roadside drains, swales, ditches, culverts, etc)?**

NONE PROVIDED

**16. What is the name of the municipality/entity that owns the separate storm sewer system?**

NONE PROVIDED

**17. Does any runoff from the site enter a sewer classified as a Combined Sewer?**

NONE PROVIDED

**18. Will future use of this site be an agricultural property as defined by the NYS Agriculture and Markets Law?**

NONE PROVIDED

**19. Is this property owned by a state authority, state agency, federal government or local government?**

NONE PROVIDED

**20. Is this a remediation project being done under a Department approved work plan? (i.e. CERCLA, RCRA, Voluntary Cleanup Agreement, etc.)**

NONE PROVIDED

## **Required SWPPP Components**



**21. Has the required Erosion and Sediment Control component of the SWPPP been developed in conformance with the current NYS Standards and Specifications for Erosion and Sediment Control (aka Blue Book)?**

NONE PROVIDED

**22. Does this construction activity require the development of a SWPPP that includes the post-construction stormwater management practice component (i.e. Runoff Reduction, Water Quality and Quantity Control practices/techniques)?**

NONE PROVIDED

**If you answered No in question 22, skip question 23 and the Post-construction Criteria and Post-construction SMP Identification sections.**

**23. Has the post-construction stormwater management practice component of the SWPPP been developed in conformance with the current NYS Stormwater Management Design Manual?**

NONE PROVIDED

**24. The Stormwater Pollution Prevention Plan (SWPPP) was prepared by:**

NONE PROVIDED

**SWPPP Preparer**

NONE PROVIDED

**Contact Name (Last, Space, First)**

NONE PROVIDED

**Mailing Address**

NONE PROVIDED

**City**

NONE PROVIDED

**State**

NONE PROVIDED

**Zip**

NONE PROVIDED

**Phone**

NONE PROVIDED

**Email**

NONE PROVIDED

**Download SWPPP Preparer Certification Form**

Please take the following steps to prepare and upload your preparer certification form:

- 1) Click on the link below to download a blank certification form
- 2) The certified SWPPP preparer should sign this form



3) Scan the signed form

4) Upload the scanned document

[Download SWPPP Preparer Certification Form](#)

**Please upload the SWPPP Preparer Certification**

NONE PROVIDED

**Comment**

NONE PROVIDED

## **Erosion & Sediment Control Criteria**

**25. Has a construction sequence schedule for the planned management practices been prepared?**

NONE PROVIDED

**26. Select all of the erosion and sediment control practices that will be employed on the project site:**

**Temporary Structural**

NONE PROVIDED

**Biotechnical**

NONE PROVIDED

**Vegetative Measures**

NONE PROVIDED

**Permanent Structural**

NONE PROVIDED

**Other**

NONE PROVIDED

## **Post-Construction Criteria**

**\* IMPORTANT: Completion of Questions 27-39 is not required if response to Question 22 is No.**

**27. Identify all site planning practices that were used to prepare the final site plan/layout for the project.**

NONE PROVIDED

**27a. Indicate which of the following soil restoration criteria was used to address the requirements in Section 5.1.6("Soil Restoration") of the Design Manual (2010 version).**

NONE PROVIDED



**28. Provide the total Water Quality Volume (WQv) required for this project (based on final site plan/layout). (Acre-feet)**

NONE PROVIDED

**29. Post-construction SMP Identification**

Use the Post-construction SMP Identification section to identify the RR techniques (Area Reduction), RR techniques (Volume Reduction) and Standard SMPs with RRv Capacity that were used to reduce the Total WQv Required (#28).

Identify the SMPs to be used by providing the total impervious area that contributes runoff to each technique/practice selected. For the Area Reduction Techniques, provide the total contributing area (includes pervious area) and, if applicable, the total impervious area that contributes runoff to the technique/practice.

Note: Redevelopment projects shall use the Post-Construction SMP Identification section to identify the SMPs used to treat and/or reduce the WQv required. If runoff reduction techniques will not be used to reduce the required WQv, skip to question 33a after identifying the SMPs.

**30. Indicate the Total RRv provided by the RR techniques (Area/Volume Reduction) and Standard SMPs with RRv capacity identified in question 29. (acre-feet)**

NONE PROVIDED

**31. Is the Total RRv provided (#30) greater than or equal to the total WQv required (#28)?**

NONE PROVIDED

**If Yes, go to question 36. If No, go to question 32.**

**32. Provide the Minimum RRv required based on HSG. [Minimum RRv Required = (P) (0.95) (Ai) / 12, Ai=(s) (Aic)] (acre-feet)**

NONE PROVIDED

**32a. Is the Total RRv provided (#30) greater than or equal to the Minimum RRv Required (#32)?**

NONE PROVIDED

**If Yes, go to question 33.**

Note: Use the space provided in question #39 to summarize the specific site limitations and justification for not reducing 100% of WQv required (#28). A detailed evaluation of the specific site limitations and justification for not reducing 100% of the WQv required (#28) must also be included in the SWPPP.

If No, sizing criteria has not been met; therefore, NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria.

**33. SMPs**

Use the Post-construction SMP Identification section to identify the Standard SMPs and, if applicable, the Alternative SMPs to be used to treat the remaining total WQv (=Total WQv Required in #28 - Total RRv Provided in #30).



Also, provide the total impervious area that contributes runoff to each practice selected.

NOTE: Use the Post-construction SMP Identification section to identify the SMPs used on Redevelopment projects.

**33a. Indicate the Total WQv provided (i.e. WQv treated) by the SMPs identified in question #33 and Standard SMPs with RRv Capacity identified in question #29. (acre-feet)**

NONE PROVIDED

Note: For the standard SMPs with RRv capacity, the WQv provided by each practice = the WQv calculated using the contributing drainage area to the practice - provided by the practice. (See Table 3.5 in Design Manual)

**34. Provide the sum of the Total RRv provided (#30) and the WQv provided (#33a).**

NONE PROVIDED

**35. Is the sum of the RRv provided (#30) and the WQv provided (#33a) greater than or equal to the total WQv required (#28)?**

NONE PROVIDED

If Yes, go to question 36.

If No, sizing criteria has not been met; therefore, NOI can not be processed. SWPPP preparer must modify design to meet sizing criteria.

**36. Provide the total Channel Protection Storage Volume (CPv required and provided or select waiver (#36a), if applicable.**

**CPv Required (acre-feet)**

NONE PROVIDED

**CPv Provided (acre-feet)**

NONE PROVIDED

**36a. The need to provide channel protection has been waived because:**

NONE PROVIDED

**37. Provide the Overbank Flood (Qp) and Extreme Flood (Qf) control criteria or select waiver (#37a), if applicable.**

**Overbank Flood Control Criteria (Qp)**

**Pre-Development (CFS)**

NONE PROVIDED

**Post-Development (CFS)**

NONE PROVIDED

**Total Extreme Flood Control Criteria (Qf)**



**Pre-Development (CFS)**

NONE PROVIDED

**Post-Development (CFS)**

NONE PROVIDED

**37a. The need to meet the Qp and Qf criteria has been waived because:**

NONE PROVIDED

**38. Has a long term Operation and Maintenance Plan for the post-construction stormwater management practice(s) been developed?**

NONE PROVIDED

**If Yes, Identify the entity responsible for the long term Operation and Maintenance**

NONE PROVIDED

**39. Use this space to summarize the specific site limitations and justification for not reducing 100% of WQv required (#28). (See question #32a) This space can also be used for other pertinent project information.**

NONE PROVIDED

## **Post-Construction SMP Identification**

### **Runoff Reduction (RR) Techniques, Standard Stormwater Management Practices (SMPs) and Alternative SMPs**

Identify the Post-construction SMPs to be used by providing the total impervious area that contributes runoff to each technique/practice selected. For the Area Reduction Techniques, provide the total contributing area (includes pervious area) and, if applicable, the total impervious area that contributes runoff to the technique/practice.

### **RR Techniques (Area Reduction)**

---

Round to the nearest tenth

#### **Total Contributing Acres for Conservation of Natural Area (RR-1)**

NONE PROVIDED

#### **Total Contributing Impervious Acres for Conservation of Natural Area (RR-1)**

NONE PROVIDED

#### **Total Contributing Acres for Sheetflow to Riparian Buffers/Filter Strips (RR-2)**

NONE PROVIDED

#### **Total Contributing Impervious Acres for Sheetflow to Riparian Buffers/Filter Strips (RR-2)**

NONE PROVIDED



**Total Contributing Acres for Tree Planting/Tree Pit (RR-3)**

NONE PROVIDED

**Total Contributing Impervious Acres for Tree Planting/Tree Pit (RR-3)**

NONE PROVIDED

**Total Contributing Acres for Disconnection of Rooftop Runoff (RR-4)**

NONE PROVIDED

**RR Techniques (Volume Reduction)**

---

**Total Contributing Impervious Acres for Disconnection of Rooftop Runoff (RR-4)**

NONE PROVIDED

**Total Contributing Impervious Acres for Vegetated Swale (RR-5)**

NONE PROVIDED

**Total Contributing Impervious Acres for Rain Garden (RR-6)**

NONE PROVIDED

**Total Contributing Impervious Acres for Stormwater Planter (RR-7)**

NONE PROVIDED

**Total Contributing Impervious Acres for Rain Barrel/Cistern (RR-8)**

NONE PROVIDED

**Total Contributing Impervious Acres for Porous Pavement (RR-9)**

NONE PROVIDED

**Total Contributing Impervious Acres for Green Roof (RR-10)**

NONE PROVIDED

**Standard SMPs with RRv Capacity**

---

**Total Contributing Impervious Acres for Infiltration Trench (I-1)**

NONE PROVIDED

**Total Contributing Impervious Acres for Infiltration Basin (I-2)**

NONE PROVIDED

**Total Contributing Impervious Acres for Dry Well (I-3)**

NONE PROVIDED

**Total Contributing Impervious Acres for Underground Infiltration System (I-4)**

NONE PROVIDED

**Total Contributing Impervious Acres for Bioretention (F-5)**

NONE PROVIDED



**Total Contributing Impervious Acres for Dry Swale (O-1)**  
NONE PROVIDED

**Standard SMPs**

---

**Total Contributing Impervious Acres for Micropool Extended Detention (P-1)**  
NONE PROVIDED

**Total Contributing Impervious Acres for Wet Pond (P-2)**  
NONE PROVIDED

**Total Contributing Impervious Acres for Wet Extended Detention (P-3)**  
NONE PROVIDED

**Total Contributing Impervious Acres for Multiple Pond System (P-4)**  
NONE PROVIDED

**Total Contributing Impervious Acres for Pocket Pond (P-5)**  
NONE PROVIDED

**Total Contributing Impervious Acres for Surface Sand Filter (F-1)**  
NONE PROVIDED

**Total Contributing Impervious Acres for Underground Sand Filter (F-2)**  
NONE PROVIDED

**Total Contributing Impervious Acres for Perimeter Sand Filter (F-3)**  
NONE PROVIDED

**Total Contributing Impervious Acres for Organic Filter (F-4)**  
NONE PROVIDED

**Total Contributing Impervious Acres for Shallow Wetland (W-1)**  
NONE PROVIDED

**Total Contributing Impervious Acres for Extended Detention Wetland (W-2)**  
NONE PROVIDED

**Total Contributing Impervious Acres for Pond/Wetland System (W-3)**  
NONE PROVIDED

**Total Contributing Impervious Acres for Pocket Wetland (W-4)**  
NONE PROVIDED

**Total Contributing Impervious Acres for Wet Swale (O-2)**  
NONE PROVIDED

**Alternative SMPs (DO NOT INCLUDE PRACTICES BEING USED FOR  
PRETREATMENT ONLY)**

---



**Total Contributing Impervious Area for Hydrodynamic**  
NONE PROVIDED

**Total Contributing Impervious Area for Wet Vault**  
NONE PROVIDED

**Total Contributing Impervious Area for Media Filter**  
NONE PROVIDED

**"Other" Alternative SMP?**  
NONE PROVIDED

**Total Contributing Impervious Area for "Other"**  
NONE PROVIDED

**Provide the name and manufacturer of the alternative SMPs (i.e. proprietary practice(s)) being used for WQv treatment.**

**Note: Redevelopment projects which do not use RR techniques, shall use questions 28, 29, 33 and 33a to provide SMPs used, total WQv required and total WQv provided for the project.**

**Manufacturer of Alternative SMP**  
NONE PROVIDED

**Name of Alternative SMP**  
NONE PROVIDED

## **Other Permits**

**40. Identify other DEC permits, existing and new, that are required for this project/facility.**  
NONE PROVIDED

**If SPDES Multi-Sector GP, then give permit ID**  
NONE PROVIDED

**If Other, then identify**  
NONE PROVIDED

**41. Does this project require a US Army Corps of Engineers Wetland Permit?**  
NONE PROVIDED

**If "Yes," then indicate Size of Impact, in acres, to the nearest tenth**  
NONE PROVIDED



**42. If this NOI is being submitted for the purpose of continuing or transferring coverage under a general permit for stormwater runoff from construction activities, please indicate the former SPDES number assigned.**  
NONE PROVIDED

## **MS4 SWPPP Acceptance**

**43. Is this project subject to the requirements of a regulated, traditional land use control MS4?**  
NONE PROVIDED

**If No, skip question 44**

**44. Has the "MS4 SWPPP Acceptance" form been signed by the principal executive officer or ranking elected official and submitted along with this NOI?**  
NONE PROVIDED

### **MS4 SWPPP Acceptance Form Download**

Download form from the link below. Complete, sign, and upload.

[MS4 SWPPP Acceptance Form](#)

### **MS4 Acceptance Form Upload**

NONE PROVIDED

**Comment**

NONE PROVIDED

## **Owner/Operator Certification**

### **Owner/Operator Certification Form Download**

Download the certification form by clicking the link below. Complete, sign, scan, and upload the form.

[Owner/Operator Certification Form \(PDF, 45KB\)](#)

### **Upload Owner/Operator Certification Form**

NONE PROVIDED

**Comment**

NONE PROVIDED



# **Appendix C**

**NYSDEC Acknowledgement Letter (to be added upon receipt)**







# **Appendix D**

## **County Soil Reports**









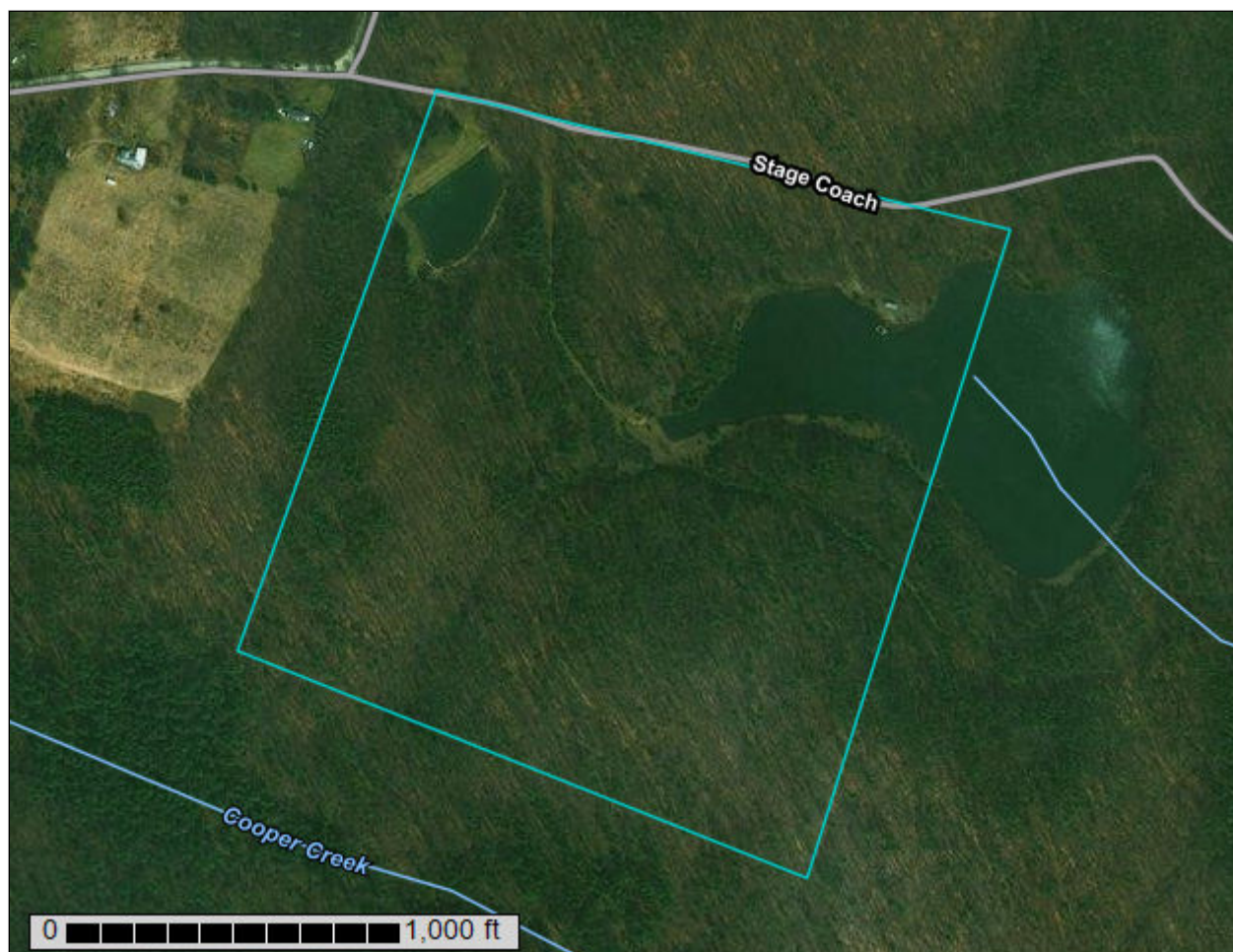
United States  
Department of  
Agriculture

**NRCS**

Natural  
Resources  
Conservation  
Service

A product of the National  
Cooperative Soil Survey,  
a joint effort of the United  
States Department of  
Agriculture and other  
Federal agencies, State  
agencies including the  
Agricultural Experiment  
Stations, and local  
participants

# Custom Soil Resource Report for **Otsego County, New York**









# Preface

---

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist ([http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2\\_053951](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951)).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require



alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.



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# How Soil Surveys Are Made

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Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil



scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and



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identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.







# Soil Map

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The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.







# Custom Soil Resource Report Soil Map









MAP LEGEND

**Area of Interest (AOI)**

Area of Interest (AOI)

**Soils**

Soil Map Unit Polygons

Soil Map Unit Lines

Soil Map Unit Points

**Special Point Features**

Blowout

Borrow Pit

Clay Spot

Closed Depression

Gravel Pit

Gravelly Spot

Landfill

Lava Flow

Marsh or swamp

Mine or Quarry

Miscellaneous Water

Perennial Water

Rock Outcrop

Saline Spot

Sandy Spot

Severely Eroded Spot

Sinkhole

Slide or Slip

Sodic Spot

Spoil Area

Stony Spot

Very Stony Spot

Wet Spot

Other

Special Line Features

**Water Features**

Streams and Canals

**Transportation**

Rails

Interstate Highways

US Routes

Major Roads

Local Roads

**Background**

Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Otsego County, New York  
Survey Area Data: Version 20, Jun 11, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Feb 5, 2014—Sep 15, 2016

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.







## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BfC	Bath channery silt loam, 8 to 15 percent slopes	10.9	13.7%
BfD	Bath channery silt loam, 15 to 25 percent slopes	10.3	13.0%
BhC	Bath and Lackawanna soils, 8 to 15 percent slopes, extremely stony	16.5	20.7%
LoB	Lordstown-Arnot complex, 1 to 8 percent slopes, rocky	1.3	1.7%
LpC	Lordstown-Chadakoin complex, 8 to 15 percent slopes	2.1	2.7%
MeB	Mardin channery silt loam, 3 to 8 percent slopes	13.5	17.0%
MeC	Mardin channery silt loam, 8 to 15 percent slopes	1.5	1.9%
Sa	Sapristis and Aquents, inundated	5.7	7.2%
W	Water	1.2	1.5%
WmC	Wellsboro and Mardin soils, 3 to 15 percent slopes, extremely stony	16.4	20.7%
<b>Totals for Area of Interest</b>		<b>79.4</b>	<b>100.0%</b>

## Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a



particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.



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Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.







## Otsego County, New York

### BfC—Bath channery silt loam, 8 to 15 percent slopes

#### Map Unit Setting

*National map unit symbol:* 2v314

*Elevation:* 330 to 2,460 feet

*Mean annual precipitation:* 31 to 70 inches

*Mean annual air temperature:* 39 to 52 degrees F

*Frost-free period:* 105 to 180 days

*Farmland classification:* Farmland of statewide importance

#### Map Unit Composition

*Bath and similar soils:* 90 percent

*Minor components:* 10 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Bath

##### Setting

*Landform:* Hills, mountains

*Landform position (two-dimensional):* Backslope, shoulder

*Landform position (three-dimensional):* Interfluve, side slope

*Down-slope shape:* Convex

*Across-slope shape:* Linear

*Parent material:* Loamy till derived mainly from gray and brown siltstone, sandstone, and shale

##### Typical profile

*Ap - 0 to 9 inches:* channery silt loam

*Bw1 - 9 to 15 inches:* channery silt loam

*Bw2 - 15 to 25 inches:* channery loam

*E - 25 to 29 inches:* channery loam

*Bx - 29 to 52 inches:* very channery silt loam

*C - 52 to 72 inches:* very channery silt loam

##### Properties and qualities

*Slope:* 8 to 15 percent

*Surface area covered with cobbles, stones or boulders:* 0.0 percent

*Depth to restrictive feature:* 26 to 38 inches to fragipan

*Drainage class:* Well drained

*Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.14 in/hr)

*Depth to water table:* About 24 to 36 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Calcium carbonate, maximum content:* 15 percent

*Available water capacity:* Low (about 4.5 inches)

##### Interpretive groups

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 3e

*Hydrologic Soil Group:* C

*Ecological site:* F140XY030NY - Well Drained Dense Till

*Hydric soil rating:* No



**Minor Components**

**Lordstown**

*Percent of map unit:* 5 percent  
*Landform:* Mountains, hills  
*Landform position (two-dimensional):* Backslope  
*Landform position (three-dimensional):* Mountaintop, side slope, nose slope  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Hydric soil rating:* No

**Mardin**

*Percent of map unit:* 5 percent  
*Landform:* Hills, mountains  
*Landform position (two-dimensional):* Summit, shoulder  
*Landform position (three-dimensional):* Interfluvium, side slope  
*Down-slope shape:* Convex  
*Across-slope shape:* Convex  
*Hydric soil rating:* No

**BfD—Bath channery silt loam, 15 to 25 percent slopes**

**Map Unit Setting**

*National map unit symbol:* 2v316  
*Elevation:* 330 to 2,460 feet  
*Mean annual precipitation:* 31 to 70 inches  
*Mean annual air temperature:* 39 to 52 degrees F  
*Frost-free period:* 105 to 180 days  
*Farmland classification:* Not prime farmland

**Map Unit Composition**

*Bath and similar soils:* 85 percent  
*Minor components:* 15 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

**Description of Bath**

**Setting**

*Landform:* Hills, mountains  
*Landform position (two-dimensional):* Backslope  
*Landform position (three-dimensional):* Nose slope, side slope  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Loamy till derived mainly from gray and brown siltstone, sandstone, and shale

**Typical profile**

*Ap - 0 to 9 inches:* channery silt loam  
*Bw1 - 9 to 15 inches:* channery silt loam  
*Bw2 - 15 to 25 inches:* channery loam



## Custom Soil Resource Report

*E - 25 to 29 inches:* channery loam  
*Bx - 29 to 52 inches:* very channery silt loam  
*C - 52 to 72 inches:* very channery silt loam

### Properties and qualities

*Slope:* 15 to 25 percent  
*Surface area covered with cobbles, stones or boulders:* 0.0 percent  
*Depth to restrictive feature:* 26 to 38 inches to fragipan  
*Drainage class:* Well drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.14 in/hr)  
*Depth to water table:* About 24 to 36 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum content:* 15 percent  
*Available water capacity:* Low (about 4.5 inches)

### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 4e  
*Hydrologic Soil Group:* C  
*Ecological site:* F140XY030NY - Well Drained Dense Till  
*Hydric soil rating:* No

### Minor Components

#### Lordstown

*Percent of map unit:* 10 percent  
*Landform:* Mountains, hills  
*Landform position (two-dimensional):* Backslope  
*Landform position (three-dimensional):* Mountaintop, side slope, nose slope  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Hydric soil rating:* No

#### Mardin

*Percent of map unit:* 5 percent  
*Landform:* Hills, mountains  
*Landform position (two-dimensional):* Shoulder, backslope  
*Landform position (three-dimensional):* Interfluvium, side slope  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Hydric soil rating:* No

## BhC—Bath and Lackawanna soils, 8 to 15 percent slopes, extremely stony

### Map Unit Setting

*National map unit symbol:* 2v31r  
*Elevation:* 330 to 2,460 feet  
*Mean annual precipitation:* 31 to 70 inches



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*Mean annual air temperature:* 39 to 52 degrees F

*Frost-free period:* 105 to 180 days

*Farmland classification:* Not prime farmland

### Map Unit Composition

*Bath, extremely stony, and similar soils:* 50 percent

*Lackawanna, extremely stony, and similar soils:* 30 percent

*Minor components:* 20 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Bath, Extremely Stony

#### Setting

*Landform:* Hills, mountains

*Landform position (two-dimensional):* Shoulder, backslope

*Landform position (three-dimensional):* Interfluve, side slope

*Down-slope shape:* Convex

*Across-slope shape:* Linear

*Parent material:* Loamy till derived mainly from gray and brown siltstone, sandstone, and shale

#### Typical profile

*Oe - 0 to 1 inches:* moderately decomposed plant material

*A - 1 to 3 inches:* channery silt loam

*Bw1 - 3 to 15 inches:* channery silt loam

*Bw2 - 15 to 25 inches:* channery loam

*E - 25 to 29 inches:* channery loam

*Bx - 29 to 52 inches:* very channery silt loam

*C - 52 to 72 inches:* very channery silt loam

#### Properties and qualities

*Slope:* 8 to 15 percent

*Surface area covered with cobbles, stones or boulders:* 7.0 percent

*Depth to restrictive feature:* 26 to 38 inches to fragipan

*Drainage class:* Well drained

*Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.14 in/hr)

*Depth to water table:* About 24 to 36 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Calcium carbonate, maximum content:* 15 percent

*Available water capacity:* Low (about 4.7 inches)

#### Interpretive groups

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 7s

*Hydrologic Soil Group:* C

*Ecological site:* F140XY030NY - Well Drained Dense Till

*Hydric soil rating:* No

### Description of Lackawanna, Extremely Stony

#### Setting

*Landform:* Hills, mountains

*Landform position (two-dimensional):* Backslope, shoulder

*Landform position (three-dimensional):* Interfluve, side slope

*Down-slope shape:* Convex



## Custom Soil Resource Report

*Across-slope shape:* Linear

*Parent material:* Loamy till derived mainly from reddish sandstone, siltstone, and shale

### Typical profile

*Oe - 0 to 1 inches:* moderately decomposed plant material

*A - 1 to 3 inches:* channery silt loam

*Bw1 - 3 to 17 inches:* channery silt loam

*Bw2 - 17 to 26 inches:* channery loam

*Bx - 26 to 60 inches:* channery loam

*C - 60 to 72 inches:* very channery loam

### Properties and qualities

*Slope:* 8 to 15 percent

*Surface area covered with cobbles, stones or boulders:* 7.0 percent

*Depth to restrictive feature:* 17 to 36 inches to fragipan

*Drainage class:* Well drained

*Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.14 in/hr)

*Depth to water table:* About 16 to 36 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Available water capacity:* Low (about 4.3 inches)

### Interpretive groups

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 7s

*Hydrologic Soil Group:* C

*Hydric soil rating:* No

### Minor Components

#### Mardin, extremely stony

*Percent of map unit:* 4 percent

*Landform:* Hills, mountains

*Landform position (two-dimensional):* Summit, shoulder

*Landform position (three-dimensional):* Interfluvium, side slope

*Down-slope shape:* Convex

*Across-slope shape:* Convex

*Hydric soil rating:* No

#### Lordstown, very stony

*Percent of map unit:* 4 percent

*Landform:* Mountains, hills

*Landform position (two-dimensional):* Backslope

*Landform position (three-dimensional):* Mountainflank, side slope, nose slope

*Down-slope shape:* Linear

*Across-slope shape:* Linear

*Hydric soil rating:* No

#### Wellsboro, extremely stony

*Percent of map unit:* 4 percent

*Landform:* Hills, mountains

*Landform position (two-dimensional):* Shoulder, backslope

*Landform position (three-dimensional):* Interfluvium, side slope

*Down-slope shape:* Linear

*Across-slope shape:* Linear



## Custom Soil Resource Report

*Hydric soil rating:* No

### **Oquaga, extremely stony**

*Percent of map unit:* 4 percent

*Landform:* Mountains, hills

*Landform position (two-dimensional):* Shoulder, backslope

*Landform position (three-dimensional):* Upper third of mountainflank, crest, nose slope, side slope

*Down-slope shape:* Convex, linear

*Across-slope shape:* Linear

*Hydric soil rating:* No

### **Valois, extremely stony**

*Percent of map unit:* 4 percent

*Landform:* Valley sides, lateral moraines, end moraines

*Landform position (two-dimensional):* Backslope

*Landform position (three-dimensional):* Side slope

*Down-slope shape:* Convex

*Across-slope shape:* Convex

*Hydric soil rating:* No

## **LoB—Lordstown-Arnot complex, 1 to 8 percent slopes, rocky**

### **Map Unit Setting**

*National map unit symbol:* 9w5l

*Elevation:* 970 to 1,750 feet

*Mean annual precipitation:* 38 to 42 inches

*Mean annual air temperature:* 45 to 46 degrees F

*Frost-free period:* 105 to 145 days

*Farmland classification:* All areas are prime farmland

### **Map Unit Composition**

*Lordstown and similar soils:* 55 percent

*Arnot and similar soils:* 25 percent

*Minor components:* 20 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

### **Description of Lordstown**

#### **Setting**

*Landform:* Benches, hills, ridges

*Landform position (two-dimensional):* Summit

*Landform position (three-dimensional):* Crest

*Down-slope shape:* Convex

*Across-slope shape:* Convex

*Parent material:* Loamy till derived from sandstone and siltstone

#### **Typical profile**

*H1 - 0 to 8 inches:* channery silt loam

*H2 - 8 to 26 inches:* channery loam



## Custom Soil Resource Report

*H3 - 26 to 28 inches: channery loam*

*H4 - 28 to 32 inches: unweathered bedrock*

### Properties and qualities

*Slope: 1 to 8 percent*

*Depth to restrictive feature: 20 to 40 inches to lithic bedrock*

*Drainage class: Well drained*

*Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately high (0.00 to 0.20 in/hr)*

*Depth to water table: More than 80 inches*

*Frequency of flooding: None*

*Frequency of ponding: None*

*Available water capacity: Low (about 3.7 inches)*

### Interpretive groups

*Land capability classification (irrigated): None specified*

*Land capability classification (nonirrigated): 2s*

*Hydrologic Soil Group: C*

*Hydric soil rating: No*

## Description of Arnot

### Setting

*Landform: Hills, ridges, benches*

*Landform position (two-dimensional): Summit*

*Landform position (three-dimensional): Crest*

*Down-slope shape: Convex*

*Across-slope shape: Convex*

*Parent material: Loamy till derived mainly from acid sandstone, siltstone, and shale*

### Typical profile

*H1 - 0 to 5 inches: channery silt loam*

*H2 - 5 to 19 inches: very channery silt loam*

*H3 - 19 to 23 inches: unweathered bedrock*

### Properties and qualities

*Slope: 1 to 8 percent*

*Depth to restrictive feature: 10 to 20 inches to lithic bedrock*

*Drainage class: Somewhat excessively drained*

*Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately high (0.00 to 0.20 in/hr)*

*Depth to water table: More than 80 inches*

*Frequency of flooding: None*

*Frequency of ponding: None*

*Available water capacity: Very low (about 2.0 inches)*

### Interpretive groups

*Land capability classification (irrigated): None specified*

*Land capability classification (nonirrigated): 2s*

*Hydrologic Soil Group: D*

*Ecological site: F140XY023NY - Shallow Till Uplands*

*Hydric soil rating: No*

## Minor Components

### Unnamed soils

*Percent of map unit: 4 percent*



**Chadakoin**

*Percent of map unit: 3 percent*

*Hydric soil rating: No*

**Tuller**

*Percent of map unit: 3 percent*

*Hydric soil rating: No*

**Greene**

*Percent of map unit: 3 percent*

*Hydric soil rating: No*

**Bath**

*Percent of map unit: 3 percent*

*Hydric soil rating: No*

**Mardin**

*Percent of map unit: 3 percent*

*Hydric soil rating: No*

**Rock outcrop**

*Percent of map unit: 1 percent*

*Hydric soil rating: Unranked*

**LpC—Lordstown-Chadakoin complex, 8 to 15 percent slopes**

**Map Unit Setting**

*National map unit symbol: 9w5m*

*Elevation: 970 to 1,750 feet*

*Mean annual precipitation: 38 to 42 inches*

*Mean annual air temperature: 45 to 46 degrees F*

*Frost-free period: 105 to 145 days*

*Farmland classification: Farmland of statewide importance*

**Map Unit Composition**

*Lordstown and similar soils: 55 percent*

*Chadakoin and similar soils: 25 percent*

*Minor components: 20 percent*

*Estimates are based on observations, descriptions, and transects of the mapunit.*

**Description of Lordstown**

**Setting**

*Landform: Benches, hills, ridges*

*Landform position (two-dimensional): Shoulder*

*Landform position (three-dimensional): Crest*

*Down-slope shape: Convex*

*Across-slope shape: Convex*

*Parent material: Loamy till derived from sandstone and siltstone*



## Custom Soil Resource Report

### Typical profile

*H1 - 0 to 8 inches:* channery silt loam  
*H2 - 8 to 26 inches:* channery loam  
*H3 - 26 to 28 inches:* channery loam  
*H4 - 28 to 32 inches:* unweathered bedrock

### Properties and qualities

*Slope:* 8 to 15 percent  
*Depth to restrictive feature:* 20 to 40 inches to lithic bedrock  
*Drainage class:* Well drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately high (0.00 to 0.20 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Available water capacity:* Low (about 3.7 inches)

### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 3e  
*Hydrologic Soil Group:* C  
*Hydric soil rating:* No

## Description of Chadakoin

### Setting

*Landform:* Drumlinoid ridges, hills, till plains  
*Landform position (two-dimensional):* Shoulder  
*Landform position (three-dimensional):* Crest  
*Down-slope shape:* Convex  
*Across-slope shape:* Convex  
*Parent material:* Loamy till derived from siltstone, sandstone, and smaller amounts of shale

### Typical profile

*H1 - 0 to 9 inches:* silt loam  
*H2 - 9 to 19 inches:* gravelly silt loam  
*H3 - 19 to 46 inches:* very gravelly silt loam  
*H4 - 46 to 57 inches:* very flaggy silt loam  
*H5 - 57 to 61 inches:* unweathered bedrock

### Properties and qualities

*Slope:* 8 to 15 percent  
*Depth to restrictive feature:* 40 to 60 inches to lithic bedrock  
*Drainage class:* Well drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high (0.20 to 1.98 in/hr)  
*Depth to water table:* About 48 to 72 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Available water capacity:* Moderate (about 6.9 inches)

### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 3e  
*Hydrologic Soil Group:* B  
*Ecological site:* F140XY027NY - Well Drained Till Uplands



*Hydric soil rating: No*

#### **Minor Components**

##### **Unnamed soils**

*Percent of map unit: 5 percent*

*Hydric soil rating: No*

##### **Bath**

*Percent of map unit: 5 percent*

*Hydric soil rating: No*

##### **Mardin**

*Percent of map unit: 5 percent*

*Hydric soil rating: No*

##### **Arnot**

*Percent of map unit: 5 percent*

*Hydric soil rating: No*

### **MeB—Mardin channery silt loam, 3 to 8 percent slopes**

#### **Map Unit Setting**

*National map unit symbol: 2srhb*

*Elevation: 330 to 2,460 feet*

*Mean annual precipitation: 31 to 70 inches*

*Mean annual air temperature: 39 to 52 degrees F*

*Frost-free period: 105 to 180 days*

*Farmland classification: Farmland of statewide importance*

#### **Map Unit Composition**

*Mardin and similar soils: 85 percent*

*Minor components: 15 percent*

*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### **Description of Mardin**

##### **Setting**

*Landform: Hills, mountains*

*Landform position (two-dimensional): Summit, shoulder*

*Landform position (three-dimensional): Interfluvium, side slope*

*Down-slope shape: Convex*

*Across-slope shape: Convex*

*Parent material: Loamy till*

##### **Typical profile**

*Ap - 0 to 8 inches: channery silt loam*

*BE - 8 to 12 inches: channery silt loam*

*Bw1 - 12 to 16 inches: channery silt loam*

*Bw2 - 16 to 20 inches: channery silt loam*

*Bx1 - 20 to 36 inches: channery silt loam*



## Custom Soil Resource Report

*Bx2 - 36 to 57 inches: channery silt loam*

*C - 57 to 72 inches: channery silt loam*

### Properties and qualities

*Slope: 3 to 8 percent*

*Surface area covered with cobbles, stones or boulders: 0.0 percent*

*Depth to restrictive feature: 14 to 26 inches to fragipan*

*Drainage class: Moderately well drained*

*Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.14 in/hr)*

*Depth to water table: About 13 to 24 inches*

*Frequency of flooding: None*

*Frequency of ponding: None*

*Available water capacity: Low (about 3.6 inches)*

### Interpretive groups

*Land capability classification (irrigated): None specified*

*Land capability classification (nonirrigated): 2w*

*Hydrologic Soil Group: D*

*Hydric soil rating: No*

### Minor Components

#### Bath

*Percent of map unit: 5 percent*

*Landform: Hills, mountains*

*Landform position (two-dimensional): Shoulder, backslope*

*Landform position (three-dimensional): Interfluvium, side slope*

*Down-slope shape: Concave*

*Across-slope shape: Linear*

*Hydric soil rating: No*

#### Volusia

*Percent of map unit: 5 percent*

*Landform: Hills, mountains*

*Landform position (two-dimensional): Footslope, summit*

*Landform position (three-dimensional): Base slope, interfluvium, side slope*

*Down-slope shape: Concave*

*Across-slope shape: Linear*

*Hydric soil rating: No*

#### Lordstown

*Percent of map unit: 5 percent*

*Landform: Mountains, hills*

*Landform position (two-dimensional): Summit, shoulder*

*Landform position (three-dimensional): Mountaintop, interfluvium, crest*

*Down-slope shape: Convex*

*Across-slope shape: Convex*

*Hydric soil rating: No*



## **MeC—Mardin channery silt loam, 8 to 15 percent slopes**

### **Map Unit Setting**

*National map unit symbol:* 2srhj  
*Elevation:* 330 to 2,460 feet  
*Mean annual precipitation:* 31 to 70 inches  
*Mean annual air temperature:* 39 to 52 degrees F  
*Frost-free period:* 105 to 180 days  
*Farmland classification:* Farmland of statewide importance

### **Map Unit Composition**

*Mardin and similar soils:* 88 percent  
*Minor components:* 12 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### **Description of Mardin**

#### **Setting**

*Landform:* Hills, mountains  
*Landform position (two-dimensional):* Shoulder, backslope  
*Landform position (three-dimensional):* Interfluve, side slope  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Loamy till

#### **Typical profile**

*Ap - 0 to 8 inches:* channery silt loam  
*BE - 8 to 12 inches:* channery silt loam  
*Bw1 - 12 to 16 inches:* channery silt loam  
*Bw2 - 16 to 20 inches:* channery silt loam  
*Bx1 - 20 to 36 inches:* channery silt loam  
*Bx2 - 36 to 57 inches:* channery silt loam  
*C - 57 to 72 inches:* channery silt loam

#### **Properties and qualities**

*Slope:* 8 to 15 percent  
*Surface area covered with cobbles, stones or boulders:* 0.0 percent  
*Depth to restrictive feature:* 14 to 26 inches to fragipan  
*Drainage class:* Moderately well drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.14 in/hr)  
*Depth to water table:* About 13 to 24 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Available water capacity:* Low (about 3.6 inches)

#### **Interpretive groups**

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 3e  
*Hydrologic Soil Group:* D



## Custom Soil Resource Report

*Hydric soil rating:* No

### Minor Components

#### Bath

*Percent of map unit:* 5 percent  
*Landform:* Hills, mountains  
*Landform position (two-dimensional):* Backslope  
*Landform position (three-dimensional):* Nose slope, side slope  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Hydric soil rating:* No

#### Volusia

*Percent of map unit:* 5 percent  
*Landform:* Hills, mountains  
*Landform position (two-dimensional):* Footslope, summit  
*Landform position (three-dimensional):* Base slope, interfluvium, side slope  
*Down-slope shape:* Concave  
*Across-slope shape:* Linear  
*Hydric soil rating:* No

#### Lordstown

*Percent of map unit:* 2 percent  
*Landform:* Mountains, hills  
*Landform position (two-dimensional):* Backslope  
*Landform position (three-dimensional):* Mountaintop, side slope, nose slope  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Hydric soil rating:* No

## Sa—Saprists and Aquents, inundated

### Map Unit Setting

*National map unit symbol:* 9w70  
*Elevation:* 970 to 2,430 feet  
*Mean annual precipitation:* 38 to 42 inches  
*Mean annual air temperature:* 45 to 46 degrees F  
*Frost-free period:* 105 to 145 days  
*Farmland classification:* Not prime farmland

### Map Unit Composition

*Saprists and similar soils:* 45 percent  
*Aquents and similar soils:* 40 percent  
*Minor components:* 15 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Saprists

#### Setting

*Landform:* Swamps, marshes



## Custom Soil Resource Report

*Landform position (two-dimensional):* Toeslope

*Landform position (three-dimensional):* Talf

*Down-slope shape:* Concave

*Across-slope shape:* Concave

*Parent material:* Organic material

### Typical profile

*H1 - 0 to 72 inches:* muck

### Properties and qualities

*Slope:* 0 to 1 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Very poorly drained

*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to very high (0.20 to 19.98 in/hr)

*Depth to water table:* About 0 inches

*Frequency of flooding:* None

*Frequency of ponding:* Frequent

*Calcium carbonate, maximum content:* 5 percent

*Available water capacity:* Very high (about 23.9 inches)

### Interpretive groups

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 8w

*Hydrologic Soil Group:* A/D

*Hydric soil rating:* Yes

## Description of Aquents

### Setting

*Landform:* Depressions

*Landform position (two-dimensional):* Toeslope

*Down-slope shape:* Concave

*Across-slope shape:* Concave

### Typical profile

*H1 - 0 to 10 inches:* mucky silt loam

*H2 - 10 to 72 inches:* gravelly silt loam

### Properties and qualities

*Slope:* 0 to 1 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Very poorly drained

*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to high (0.06 to 1.98 in/hr)

*Depth to water table:* About 0 to 24 inches

*Frequency of flooding:* None

*Frequency of ponding:* Frequent

*Calcium carbonate, maximum content:* 10 percent

*Available water capacity:* Moderate (about 7.9 inches)

### Interpretive groups

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 8w

*Hydrologic Soil Group:* B/D

*Hydric soil rating:* Yes



## Minor Components

### Carlisle

*Percent of map unit:* 3 percent  
*Landform:* Swamps, marshes  
*Hydric soil rating:* Yes

### Wayland

*Percent of map unit:* 3 percent  
*Landform:* Flood plains  
*Hydric soil rating:* Yes

### Canandaigua

*Percent of map unit:* 3 percent  
*Landform:* Depressions  
*Hydric soil rating:* Yes

### Alden

*Percent of map unit:* 3 percent  
*Landform:* Depressions  
*Hydric soil rating:* Yes

### Palms

*Percent of map unit:* 3 percent  
*Landform:* Marshes, swamps  
*Hydric soil rating:* Yes

## W—Water

### Map Unit Setting

*National map unit symbol:* 9w8d  
*Mean annual precipitation:* 38 to 42 inches  
*Mean annual air temperature:* 45 to 48 degrees F  
*Frost-free period:* 105 to 155 days  
*Farmland classification:* Not prime farmland

### Map Unit Composition

*Water:* 100 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

## WmC—Wellsboro and Mardin soils, 3 to 15 percent slopes, extremely stony

### Map Unit Setting

*National map unit symbol:* 2v327  
*Elevation:* 330 to 2,460 feet



## Custom Soil Resource Report

*Mean annual precipitation:* 31 to 70 inches  
*Mean annual air temperature:* 39 to 52 degrees F  
*Frost-free period:* 105 to 180 days  
*Farmland classification:* Not prime farmland

### Map Unit Composition

*Wellsboro, extremely stony, and similar soils:* 50 percent  
*Mardin, extremely stony, and similar soils:* 30 percent  
*Minor components:* 20 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Wellsboro, Extremely Stony

#### Setting

*Landform:* Hills, mountains  
*Landform position (two-dimensional):* Backslope, shoulder  
*Landform position (three-dimensional):* Interfluve, side slope  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Loamy till from reddish sandstone, siltstone, and shale

#### Typical profile

*Oe - 0 to 1 inches:* moderately decomposed plant material  
*A - 1 to 3 inches:* channery silt loam  
*Bw - 3 to 22 inches:* channery silt loam  
*Bx - 22 to 55 inches:* channery loam  
*C - 55 to 72 inches:* very channery loam

#### Properties and qualities

*Slope:* 3 to 15 percent  
*Surface area covered with cobbles, stones or boulders:* 7.0 percent  
*Depth to restrictive feature:* 14 to 30 inches to fragipan  
*Drainage class:* Moderately well drained  
*Capacity of the most limiting layer to transmit water (Ksat):* Very low to moderately low (0.00 to 0.14 in/hr)  
*Depth to water table:* About 13 to 24 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Available water capacity:* Low (about 3.9 inches)

#### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 7s  
*Hydrologic Soil Group:* D  
*Hydric soil rating:* No

### Description of Mardin, Extremely Stony

#### Setting

*Landform:* Hills, mountains  
*Landform position (two-dimensional):* Summit, shoulder, backslope  
*Landform position (three-dimensional):* Interfluve, side slope  
*Down-slope shape:* Convex, linear  
*Across-slope shape:* Convex, linear  
*Parent material:* Loamy till



## Custom Soil Resource Report

### Typical profile

*Oe* - 0 to 1 inches: moderately decomposed plant material  
*A* - 1 to 3 inches: channery silt loam  
*BE* - 3 to 12 inches: channery silt loam  
*Bw1* - 12 to 16 inches: channery silt loam  
*Bw2* - 16 to 20 inches: channery silt loam  
*Bx1* - 20 to 36 inches: channery silt loam  
*Bx2* - 36 to 57 inches: channery silt loam  
*C* - 57 to 72 inches: channery silt loam

### Properties and qualities

*Slope*: 3 to 15 percent  
*Surface area covered with cobbles, stones or boulders*: 7.0 percent  
*Depth to restrictive feature*: 14 to 26 inches to fragipan  
*Drainage class*: Moderately well drained  
*Capacity of the most limiting layer to transmit water (Ksat)*: Very low to moderately low (0.00 to 0.14 in/hr)  
*Depth to water table*: About 13 to 24 inches  
*Frequency of flooding*: None  
*Frequency of ponding*: None  
*Available water capacity*: Low (about 3.7 inches)

### Interpretive groups

*Land capability classification (irrigated)*: None specified  
*Land capability classification (nonirrigated)*: 7s  
*Hydrologic Soil Group*: D  
*Hydric soil rating*: No

### Minor Components

#### **Morris, extremely stony**

*Percent of map unit*: 5 percent  
*Landform*: Hills, mountains  
*Landform position (two-dimensional)*: Summit, footslope  
*Landform position (three-dimensional)*: Interfluvium, base slope  
*Down-slope shape*: Concave  
*Across-slope shape*: Linear  
*Hydric soil rating*: No

#### **Volusia, extremely stony**

*Percent of map unit*: 5 percent  
*Landform*: Hills, mountains  
*Landform position (two-dimensional)*: Footslope, summit  
*Landform position (three-dimensional)*: Base slope, interfluvium, side slope  
*Down-slope shape*: Concave  
*Across-slope shape*: Linear  
*Hydric soil rating*: No

#### **Lackawanna, extremely stony**

*Percent of map unit*: 5 percent  
*Landform*: Hills, mountains  
*Landform position (two-dimensional)*: Summit, shoulder  
*Landform position (three-dimensional)*: Interfluvium, side slope  
*Down-slope shape*: Convex  
*Across-slope shape*: Convex  
*Hydric soil rating*: No



**Bath, extremely stony**

*Percent of map unit:* 5 percent

*Landform:* Hills, mountains

*Landform position (two-dimensional):* Backslope

*Landform position (three-dimensional):* Nose slope, side slope

*Down-slope shape:* Linear

*Across-slope shape:* Linear

*Hydric soil rating:* No



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# **Appendix E**

## **Stormwater Pollution Prevention Plan Certifications**







STORMWATER POLLUTION PREVENTION PLAN  
FLORIDA YMCA ROAD WIND PROJECT  
BORREGO SOLAR

Owner/Operator's Certification Statement

"I hereby certify that I understand and agree to comply with the terms and conditions of the SWPPP and agree to implement any corrective actions identified by the *qualified inspector* during a site inspection. I also understand that the *owner or operator* must comply with the terms and conditions of the most current version of the New York State Pollutant Discharge Elimination System ("SPDES") general permit for stormwater discharges from construction activities and that it is unlawful for any person to cause or contribute to a violation of water quality standards. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings."

---

Owner/Operator's Name

---

Address

---

Phone Number

---

Owner/Operator's Representative Name and Title

---

Representative Signature

---

Date



STORMWATER POLLUTION PREVENTION PLAN  
FLORIDA YMCA ROAD WIND PROJECT  
BORREGO SOLAR  
Contractor's Certification Statement

"I hereby certify that I understand and agree to comply with the terms and conditions of the SWPPP and agree to implement any corrective actions identified by the *qualified inspector* during a site inspection. I also understand that the *owner or operator* must comply with the terms and conditions of the most current version of the New York State Pollutant Discharge Elimination System ("SPDES") general permit for stormwater discharges from construction activities and that it is unlawful for any person to cause or contribute to a violation of water quality standards. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings."

---

Contractor's Name

---

Address

---

Phone Number

---

Contractor's Representative Name and Title

---

Representative Signature

---

Date



# **Appendix F**

## **Stormwater Calculations and Modeling Results**







# WinTR-55 Current Data Description

## --- Identification Data ---

User: Cristobald Date: 21/07/2021  
 Project: BorregoSolar Units: English  
 SubTitle: PostDevelopment Areal Units: Acres  
 State: New York  
 County: Montgomery NRCC-B  
 Filename: C:\Users\CDelgado\OneDrive - GHD\Proyectos\Borrego Solar Single Wind Turbine\02. Calculations\Po

## --- Sub-Area Data ---

Name	Description	Reach	Area (ac)	RCN	Tc
ws1	west - schohaire creek	Outlet	19.64	82	.139
ws2	mid - schohaire creek	Outlet	8.47	83	.175
ws3	east - n. chuctanunda	Outlet	31.5	82	0.129

Total area: 59.61 (ac)

## --- Storm Data ---

### Rainfall Depth by Rainfall Return Period

2-Yr (in)	5-Yr (in)	10-Yr (in)	25-Yr (in)	50-Yr (in)	100-Yr (in)	1-Yr (in)
2.48	3.01	3.5	4.27	4.96	5.77	2.16

Storm Data Source: Montgomery NRCC-B County, NY (NRCS)  
 Rainfall Distribution Type: Type NR\_B  
 Dimensionless Unit Hydrograph: delmarva



Cristobald

BorregoSolar  
PostDevelopment  
Montgomery NRCC-B County, New York

Storm Data

Rainfall Depth by Rainfall Return Period

2-Yr (in)	5-Yr (in)	10-Yr (in)	25-Yr (in)	50-Yr (in)	100-Yr (in)	1-Yr (in)
2.48	3.01	3.5	4.27	4.96	5.77	2.16

Storm Data Source: Montgomery NRCC-B County, NY (NRCS)  
Rainfall Distribution Type: Type NR\_B  
Dimensionless Unit Hydrograph: delmarva



Cristobald

BorregoSolar  
PostDevelopment  
Montgomery NRCC-B County, New York

Watershed Peak Table

Sub-Area or Reach Identifier	Peak Flow by Rainfall Return Period		
	10-Yr (cfs)	100-Yr (cfs)	1-Yr (cfs)
-----			
SUBAREAS			
ws1	34.38	72.64	14.02
ws2	13.87	28.86	5.79
ws3	57.17	120.66	23.41
REACHES			
OUTLET	105.14	221.50	42.97



Cristobald

BorregoSolar  
PostDevelopment  
Montgomery NRCC-B County, New York

Hydrograph Peak/Peak Time Table

Sub-Area or Reach Identifier	Peak Flow 10-Yr (cfs) (hr)	Peak Flow 100-Yr (cfs) (hr)	Peak Time (hr) by Rainfall Return Period 1-Yr (cfs) (hr)
------------------------------------	-------------------------------------	--------------------------------------	---

SUBAREAS

ws1	34.38 12.14	72.64 12.14	14.02 12.16
-----	----------------	----------------	----------------

ws2	13.87 12.17	28.86 12.17	5.79 12.18
-----	----------------	----------------	---------------

ws3	57.17 12.14	120.66 12.15	23.41 12.15
-----	----------------	-----------------	----------------

REACHES

OUTLET	105.14	221.50	42.97
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Cristobald

BorregoSolar  
PostDevelopment  
Montgomery NRCC-B County, New York

Sub-Area Summary Table

Sub-Area Identifier	Drainage Area (ac)	Time of Concentration (hr)	Curve Number	Receiving Reach	Sub-Area Description
ws1	19.64	0.139	82	Outlet	west - schohaire creek
ws2	8.47	0.175	83	Outlet	mid - schohaire creek
ws3	31.50	0.129	82	Outlet	east - n. chuctanunda
<hr/>					
Total Area:	59.61 (ac)				



Cristobald

BorregoSolar  
PostDevelopment  
Montgomery NRCC-B County, New York

Sub-Area Time of Concentration Details

Sub-Area Identifier/	Flow Length (ft)	Slope (ft/ft)	Mannings's n	End Area (sq ft)	Wetted Perimeter (ft)	Velocity (ft/sec)	Travel Time (hr)
ws1							
SHALLOW	1983	0.0600	0.050				0.139
						Time of Concentration	.139 =====
ws2							
SHALLOW	1440	0.0200	0.050				0.175
						Time of Concentration	.175 =====
ws3							
SHALLOW	1672	0.0500	0.050				0.129
						Time of Concentration	0.129 =====



Cristobald

BorregoSolar  
PostDevelopment  
Montgomery NRCC-B County, New York

Sub-Area Land Use and Curve Number Details

Sub-Area Identifier	Land Use	Hydrologic Soil Group	Sub-Area Area (ac)	Curve Number
-----				
ws1	Gravel (w/ right-of-way)	D	.269	91
	Industrial	D	.311	93
	Pasture, grassland or range	(fair) D	1.987	84
	Woods - grass combination	(fair) D	17.073	82
	Total Area / Weighted Curve Number		19.64	82
			=====	==
ws2	Industrial	D	.048	93
	Pasture, grassland or range	(fair) D	4.316	84
	Woods - grass combination	(fair) D	4.106	82
	Total Area / Weighted Curve Number		8.47	83
			=====	==
ws3	Gravel (w/ right-of-way)	D	1.149	91
	Industrial	D	.314	93
	Pasture, grassland or range	(good) D	3.85	80
	Woods - grass combination	(fair) D	26.187	82
	Total Area / Weighted Curve Number		31.5	82
			=====	==



# WinTR-55 Current Data Description

## --- Identification Data ---

User: Cristobald Date: 21/07/2021  
 Project: BorregoSolar Units: English  
 SubTitle: PreDevelopment Areal Units: Acres  
 State: New York  
 County: Montgomery NRCC-B  
 Filename: C:\Users\CDelgado\OneDrive - GHD\Proyectos\Borrego Solar Single Wind Turbine\02. Calculations\Pr

## --- Sub-Area Data ---

Name	Description	Reach	Area (ac)	RCN	Tc
ws1	west - schohaire creek	Outlet	19.64	82	.139
ws2	mid - schohaire creek	Outlet	8.47	83	.182
ws3	east - n. chuctanunda	Outlet	31.5	82	.129

Total area: 59.61 (ac)

## --- Storm Data --

### Rainfall Depth by Rainfall Return Period

2-Yr (in)	5-Yr (in)	10-Yr (in)	25-Yr (in)	50-Yr (in)	100-Yr (in)	1-Yr (in)
2.48	3.01	3.5	4.27	4.96	5.77	2.16

Storm Data Source: Montgomery NRCC-B County, NY (NRCS)  
 Rainfall Distribution Type: Type NR\_B  
 Dimensionless Unit Hydrograph: delmarva



Cristobald

BorregoSolar  
PreDevelopment  
Montgomery NRCC-B County, New York

Storm Data

Rainfall Depth by Rainfall Return Period

2-Yr (in)	5-Yr (in)	10-Yr (in)	25-Yr (in)	50-Yr (in)	100-Yr (in)	1-Yr (in)
2.48	3.01	3.5	4.27	4.96	5.77	2.16

Storm Data Source: Montgomery NRCC-B County, NY (NRCS)  
Rainfall Distribution Type: Type NR\_B  
Dimensionless Unit Hydrograph: delmarva



Cristobald

BorregoSolar  
PreDevelopment  
Montgomery NRCC-B County, New York

Watershed Peak Table

Sub-Area or Reach Identifier	Peak Flow by Rainfall Return Period		
	10-Yr (cfs)	100-Yr (cfs)	1-Yr (cfs)
-----			
SUBAREAS			
ws1	34.38	72.64	14.02
ws2	13.87	28.86	5.79
ws3	57.17	120.66	23.41
REACHES			
OUTLET	105.14	221.50	42.97



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PreDevelopment  
Montgomery NRCC-B County, New York

Hydrograph Peak/Peak Time Table

Sub-Area or Reach Identifier	Peak Flow 10-Yr (cfs) (hr)	Peak Flow 100-Yr (cfs) (hr)	Peak Time (hr) by Rainfall Return Period 1-Yr (cfs) (hr)
------------------------------------	-------------------------------------	--------------------------------------	---

SUBAREAS

ws1	34.38 12.14	72.64 12.14	14.02 12.16
-----	----------------	----------------	----------------

ws2	13.87 12.17	28.86 12.17	5.79 12.18
-----	----------------	----------------	---------------

ws3	57.17 12.14	120.66 12.15	23.41 12.15
-----	----------------	-----------------	----------------

REACHES

OUTLET	105.14	221.50	42.97
--------	--------	--------	-------



Cristobald

BorregoSolar  
PreDevelopment  
Montgomery NRCC-B County, New York

Sub-Area Summary Table

Sub-Area Identifier	Drainage Area (ac)	Time of Concentration (hr)	Curve Number	Receiving Reach	Sub-Area Description
ws1	19.64	0.139	82	Outlet	west - schohaire creek
ws2	8.47	0.182	83	Outlet	mid - schohaire creek
ws3	31.50	0.129	82	Outlet	east - n. chuctanunda
-----					
Total Area:	59.61 (ac)				



Cristobald

BorregoSolar  
PreDevelopment  
Montgomery NRCC-B County, New York

Sub-Area Time of Concentration Details

Sub-Area Identifier/	Flow Length (ft)	Slope (ft/ft)	Mannings's n	End Area (sq ft)	Wetted Perimeter (ft)	Velocity (ft/sec)	Travel Time (hr)
ws1							
SHALLOW	1983	0.0600	0.050				0.139
					Time of Concentration		.139 =====
ws2							
SHALLOW	1496	0.0200	0.050				0.182
					Time of Concentration		.182 =====
ws3							
SHALLOW	1672	0.0500	0.050				0.129
					Time of Concentration		.129 =====



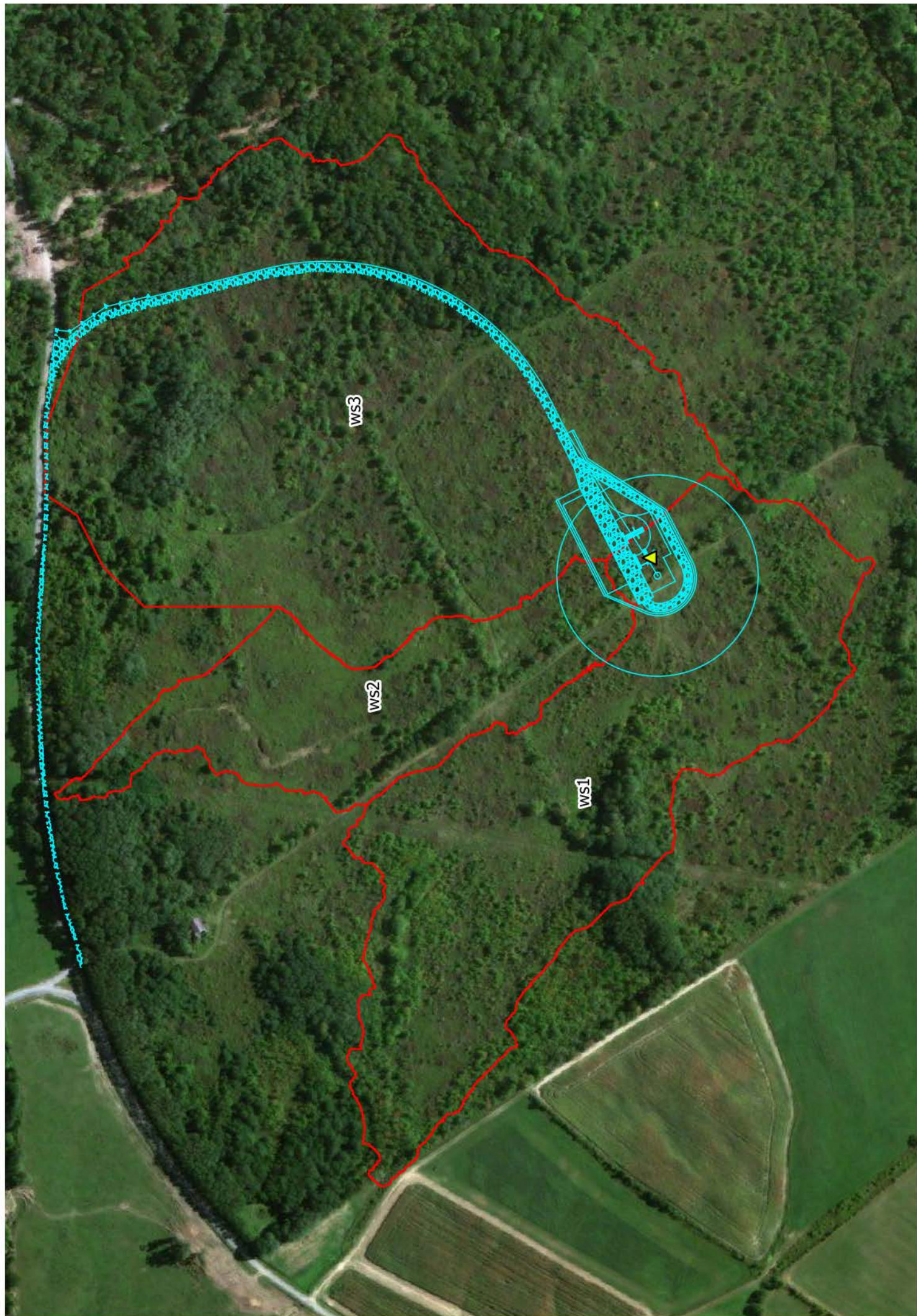
Cristobald

BorregoSolar  
PreDevelopment  
Montgomery NRCC-B County, New York

Sub-Area Land Use and Curve Number Details

Sub-Area Identifier	Land Use		Hydrologic Soil Group	Sub-Area Area (ac)	Curve Number
ws1	Pasture, grassland or range	(fair)	D	2.31	84
	Woods - grass combination	(fair)	D	17.33	82
	Total Area / Weighted Curve Number			19.64	82
				=====	==
ws2	Pasture, grassland or range	(fair)	D	4.32	84
	Woods - grass combination	(fair)	D	4.15	82
	Total Area / Weighted Curve Number			8.47	83
				=====	==
ws3	Pasture, grassland or range	(fair)	D	3.85	84
	Woods - grass combination	(fair)	D	27.65	82
	Total Area / Weighted Curve Number			31.5	82
				=====	==











# **Appendix G**

## **Notice of Termination**







**New York State Department of Environmental Conservation  
Division of Water  
625 Broadway, 4th Floor  
Albany, New York 12233-3505**

\*(NOTE: Submit completed form to address above)\*

**NOTICE OF TERMINATION** for Storm Water Discharges Authorized  
under the SPDES General Permit for Construction Activity

**Please indicate your permit identification number:** NYR \_\_\_\_ \_

**I. Owner or Operator Information**

1. Owner/Operator Name:

2. Street Address:

3. City/State/Zip:

4. Contact Person:

4a. Telephone:

4b. Contact Person E-Mail:

**II. Project Site Information**

5. Project/Site Name:

6. Street Address:

7. City/Zip:

8. County:

**III. Reason for Termination**

9a. ☐ All disturbed areas have achieved final stabilization in accordance with the general permit and SWPPP. \***Date final stabilization completed** (month/year): \_\_\_\_\_

9b. ☐ Permit coverage has been transferred to new owner/operator. Indicate new owner/operator's permit identification number: NYR \_\_\_\_ \_

(Note: Permit coverage can not be terminated by owner identified in I.1. above until new owner/operator obtains coverage under the general permit)

9c. ☐ Other (Explain on Page 2)

**IV. Final Site Information:**

10a. Did this construction activity require the development of a SWPPP that includes post-construction stormwater management practices? ☐ yes ☐ no (If no, go to question 10f.)

10b. Have all post-construction stormwater management practices included in the final SWPPP been constructed? ☐ yes ☐ no (If no, explain on Page 2)

10c. Identify the entity responsible for long-term operation and maintenance of practice(s)?

\_\_\_\_\_



**NOTICE OF TERMINATION for Storm Water Discharges Authorized under the  
SPDES General Permit for Construction Activity - continued**

10d. Has the entity responsible for long-term operation and maintenance been given a copy of the operation and maintenance plan required by the general permit?    ☐ yes    ☐ no

10e. Indicate the method used to ensure long-term operation and maintenance of the post-construction stormwater management practice(s):

- ☐ Post-construction stormwater management practice(s) and any right-of-way(s) needed to maintain practice(s) have been deeded to the municipality.
- ☐ Executed maintenance agreement is in place with the municipality that will maintain the post-construction stormwater management practice(s).
- ☐ For post-construction stormwater management practices that are privately owned, a mechanism is in place that requires operation and maintenance of the practice(s) in accordance with the operation and maintenance plan, such as a deed covenant in the owner or operator's deed of record.
- ☐ For post-construction stormwater management practices that are owned by a public or private institution (e.g. school, university or hospital), government agency or authority, or public utility; policy and procedures are in place that ensures operation and maintenance of the practice(s) in accordance with the operation and maintenance plan.

10f. Provide the total area of impervious surface (i.e. roof, pavement, concrete, gravel, etc.) constructed within the disturbance area? \_\_\_\_\_  
(acres)

11. Is this project subject to the requirements of a regulated, traditional land use control MS4?    ☐ yes  
☐ no

(If Yes, complete section VI - "MS4 Acceptance" statement

**V. Additional Information/Explanation:**

(Use this section to answer questions 9c. and 10b., if applicable)

**VI. MS4 Acceptance - MS4 Official (principal executive officer or ranking elected official) or Duly Authorized Representative** (Note: Not required when 9b. is checked -transfer of coverage)

I have determined that it is acceptable for the owner or operator of the construction project identified in question 5 to submit the Notice of Termination at this time.

Printed Name:

Title/Position:

Signature:

Date:



**NOTICE OF TERMINATION** for Storm Water Discharges Authorized under the  
SPDES General Permit for Construction Activity - continued

**VII. Qualified Inspector Certification - Final Stabilization:**

I hereby certify that all disturbed areas have achieved final stabilization as defined in the current version of the general permit, and that all temporary, structural erosion and sediment control measures have been removed. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name:

Title/Position:

Signature:

Date:

**VIII. Qualified Inspector Certification - Post-construction Stormwater Management Practice(s):**

I hereby certify that all post-construction stormwater management practices have been constructed in conformance with the SWPPP. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name:

Title/Position:

Signature:

Date:

**IX. Owner or Operator Certification**

I hereby certify that this document was prepared by me or under my direction or supervision. My determination, based upon my inquiry of the person(s) who managed the construction activity, or those persons directly responsible for gathering the information, is that the information provided in this document is true, accurate and complete. Furthermore, I understand that certifying false, incorrect or inaccurate information is a violation of the referenced permit and the laws of the State of New York and could subject me to criminal, civil and/or administrative proceedings.

Printed Name:

Title/Position:

Signature:

Date:

(NYS DEC Notice of Termination - January 2015)









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## Parks, Recreation, and Historic Preservation

KATHY HOCHUL  
Governor

ERIK KULLESEID  
Commissioner

June 16, 2022

Lauren Haberland  
Borrego Solar  
30 Century Hill Drive, Suite 301  
Latham, NY 12110

Re: DEC  
YMCA Road Wind Project/4 MW  
153 YMCA Rd., Town of Florida, Montgomery County, NY  
20PR04320

Dear Lauren Haberland:

Thank you for continuing to consult with the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the submitted materials in accordance with the New York State Historic Preservation Act of 1980 (section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6NYCRR Part 617).

We have reviewed the Cultural Resource Viewshed Analysis received June 3, 2022. Based upon that review, it is the OPRHP's opinion that the proposed construction of one wind turbine, as described, will have No Adverse Impact on historic and archaeological resources.

If you have any questions, please feel free to reach out via email.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sara McIvor".

Sara McIvor  
Historic Preservation Technical Specialist  
E-mail: [sara.mcivor@parks.ny.gov](mailto:sara.mcivor@parks.ny.gov)

cc: D. Strong – Borrego Solar  
J. Geraghty – Hartgen  
J. DiVirgilio - Hartgen





## SHADOW FLICKER MODELING REPORT

---

### YMCA Road Wind Project Montgomery County, New York

*Prepared for:*

***Borrego Solar Systems, Inc***  
30 Century Hill Drive, Suite 301  
Latham, NY 12110

*Prepared by:*



***Epsilon Associates, Inc.***  
3 Mill & Main Place, Suite 250  
Maynard, MA 01754

May 24, 2022



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## 1.0 EXECUTIVE SUMMARY

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The YMCA Road Wind Project (the Project) is a proposed wind power generation facility expected to consist of one (1) wind turbine in Montgomery County, New York. The Project is being developed by Borrego Solar Systems, Inc. (Borrego). Epsilon Associates Inc. (Epsilon) has been retained by Borrego to conduct a shadow flicker modeling study for this Project. This report presents results of the shadow flicker modeling of the proposed wind turbine in Montgomery County.

Shadow flicker modeling was conducted for one Vestas wind turbine. The purpose of this analysis is to predict the annual durations of wind turbine shadow flicker at nearby receptors.

The maximum expected annual duration of shadow flicker at a modeling receptor resulting from the operation of the proposed wind turbine is 18 hours, 37 minutes. The modeling results are conservative in that modeling receptors were treated as “greenhouses” (i.e. having windows on all sides) and the surrounding area was assumed to be without vegetation or structures (“bare earth”).

Borrego is considering two possible wind turbine models for the Project, a Vestas V150-4.3 or a GE 3.4-140. Both potential wind turbines utilize a 120m hub height. This report presents results for the Vestas wind turbine. If the GE wind turbine was selected, predicted expected shadow flicker durations would be lower at all modeled locations due to the unit’s shorter blade length.



## 2.0 INTRODUCTION

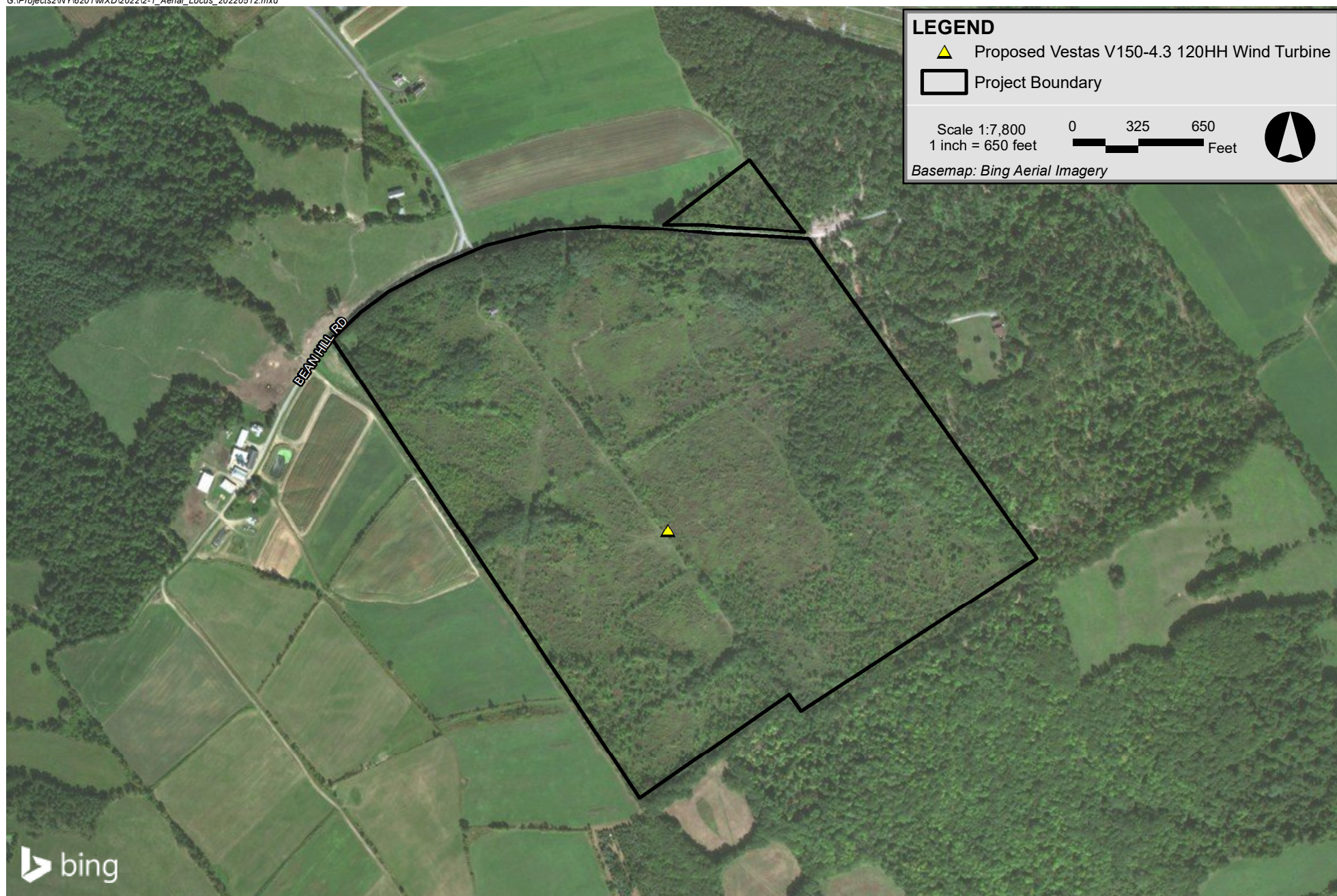
---

The proposed Project will consist of one (1) wind turbine. The proposed wind turbine is a Vestas V150-4.3 unit with a hub height of 120 meters. Figure 2-1 shows the locations of the wind turbine in Montgomery County over aerial imagery.

Shadow flicker can be defined as an intermittent change in the intensity of light in a given area resulting from the operation of a wind turbine due to its interaction with the sun. An indoor observer experiences repeated changes in the brightness of the room as shadows cast from the wind turbine blades briefly pass by windows as the blades rotate. In order for this to occur, the wind turbine must be operating, the sun must be shining, and the window must be within the shadow region of the wind turbine, otherwise there is no shadow flicker. A stationary wind turbine only generates a stationary shadow similar to any other structure.

This report presents the findings of a shadow flicker modeling study for the Project. The wind turbine was modeled with the WindPRO software package using information provided by Borrego. The expected annual duration of shadow flicker was calculated at modeling receptors and shadow flicker isolines for the area surrounding the Project were generated. The results of the modeling are found within this report.





YMCA Road Wind Montgomery County, New York



## 3.0 SHADOW FLICKER MODELING

---

### 3.1 Modeling Methodology

Shadow flicker was modeled using a software package, WindPRO version 3.4. WindPRO is a software suite developed by EMD International A/S and is used for assessing potential environmental impacts from wind turbines. Using the Shadow module within WindPRO, worst-case shadow flicker in the area surrounding the wind turbine was calculated based on data inputs including: location of the wind turbine, location of discrete receptor points, wind turbine dimensions, flicker calculation limits, and terrain data. Based on these data, the model was able to incorporate the appropriate sun angle and maximum daily sunlight for this latitude into the calculations. The resulting worst-case calculations assume that the sun is always shining during daylight hours and that the wind turbine is always operating. The WindPRO Shadow module can be further refined by incorporating sunshine probabilities and wind turbine operational estimates by wind direction over the course of a year. The values produced by this further refinement are known as the “expected” shadow flicker. Both worst-case and expected annual shadow flicker durations are presented in this section.

This analysis is for the wind turbine array provided to Epsilon on June 30, 2021. The location of the wind turbine is shown in Figure 3-1 and the coordinates are provided in Appendix A. The wind turbine is a Vestas V150-4.3 unit with a 150-meter rotor diameter and a hub height of 120 meters. The wind turbine has the following characteristics based on the technical data provided by Borrego:

		<u>V150-4.3</u>
◆ Rated Power	=	4,300 kW
◆ Hub Height	=	120 meters
◆ Rotor Diameter	=	150 meters
◆ Cut-in Wind Speed	=	3 m/s
◆ Cut-out Wind Speed	=	24.5 m/s

To-date, there are no federal, state, or local regulations regarding the maximum radial distance from a wind turbine to which shadow flicker should be analyzed applicable to this Project. In the United States, shadow flicker is commonly evaluated out to a distance of ten times the rotor diameter. According to the Massachusetts Model Bylaw for wind energy facilities, shadow flicker impacts are minimal at and beyond a distance of ten rotor diameters.<sup>1</sup> Defining the shadow flicker calculation area has also been addressed in Europe where the ten times rotor diameter approach

---

<sup>1</sup> Massachusetts Department of Energy Resources, “Model As-of-Right Zoning Ordinance or Bylaw: Allowing Use of Wind Energy Facilities” 2009.



has been accepted in multiple European countries.<sup>2</sup> Some jurisdictions conservatively require a larger calculation area. The New Hampshire Site Evaluation Committee through rulemaking docket 2014-04 adopted rules on December 15, 2015 outlining application requirements and criteria for energy facilities, including wind energy facilities. As part of these revised regulations, Site 301.08(a)(2) requires an evaluation distance of at least 1 mile from a wind turbine.<sup>3</sup> Section 16-50j-94, part (g), of the Regulations of Connecticut State Agencies identifies the components required in a shadow flicker evaluation report which includes the calculation of shadow flicker from each proposed wind turbine to any off-site occupied structure within a 1.25 mile radius.<sup>4</sup> For this Project, ten times the largest rotor diameter of the proposed wind turbine corresponds to a distance of 0.93 miles (1,500 m). Conservatively, this analysis includes shadow flicker calculations out to 1.25 miles (2,012 m) from each wind turbine in the model for the proposed layout.

A modeling receptor kmz dataset was provided by Borrego dated June 30, 2021. This dataset included 15 receptors which were input into the WindPRO model. Each modeling point was assumed to have a window facing all directions (“greenhouse” mode) which yields conservative results. All modeling receptors are identified in Figure 3-1. The model was set to limit calculations to 2,012 meters from a wind turbine, the equivalent of 1.25 miles. Consequently, shadow flicker at any of the 15 modeling receptors greater than the corresponding limitation distance from a wind turbine was zero. In addition to modeling discrete points, shadow flicker was calculated at grid points in the area surrounding the modeled wind turbine to generate flicker isolines. A 20-meter spacing was used for this grid as shown in Figure 3-2.

The terrain height contour elevations for the modeling domain were generated from elevation information derived from the National Elevation Dataset (NED) developed by the U.S. Geological Survey. Conservatively, obstacles, i.e. buildings and vegetation, were excluded from the analysis. This is effectively a “bare earth” scenario which is conservative. When accounted for in the shadow flicker calculations, such obstacles may significantly mitigate or eliminate the flicker effect depending on their size, type, and location. In addition, shadow flicker durations were calculated only when the angle of the sun was at least 3° above the horizon.

Monthly sunshine probability values were input for each month from January to December. These numbers were obtained from a publicly available historical dataset for Albany, New York from the National Oceanic and Atmospheric Administration’s (NOAA) National Centers for Environmental

---

<sup>2</sup> Parsons Brinckerhoff, “Update of UK Shadow Flicker Evidence Base” Prepared for Department of Energy and Climate Change, 2011.

<sup>3</sup> State of New Hampshire Site Evaluation Committee Site 300 Rules (2015), available at [http://www.gencourt.state.nh.us/rules/state\\_agencies/site100-300.html](http://www.gencourt.state.nh.us/rules/state_agencies/site100-300.html) Accessed in July 2021.

<sup>4</sup> State of Connecticut CSC Wind Regulations (2014), available at [https://eregulations.ct.gov/eRegsPortal/Browse/RCSA?id=Title\\_16Subtitle\\_16-50jSection\\_16-50j-94&content=shadow%20flicker/](https://eregulations.ct.gov/eRegsPortal/Browse/RCSA?id=Title_16Subtitle_16-50jSection_16-50j-94&content=shadow%20flicker/) Accessed in July 2021.



Information (NCEI).<sup>5</sup> Table 3-1 shows the percentage of sunshine hours by month used in the shadow flicker modeling. These values are the percentages that the sun is expected to be shining during daylight hours.

The number of hours the wind turbine is expected to operate for the 16 cardinal wind directions was input into the model. An hourly dataset for a one year period of wind directions and scaled wind speed was provided by Borrego for a height of 120 meters. Epsilon used this data to calculate the typical annual number of operational hours per wind direction sector. These hours per wind direction sector are used by WindPRO to estimate the “wind direction” and “operation time” reduction factors. Based on this dataset, the wind turbine would operate 87% of the year. Table 3-2 shows the distribution of operational hours for the 16 wind directions.

---

<sup>5</sup> NCEI (formerly NCDC), <http://www1.ncdc.noaa.gov/pub/data/ccd-data/pctpos15.dat>. Accessed in July 2021.







**Table 3-1 Monthly Percent of Possible Sunshine**

Month	Possible Sunshine
January	46%
February	52%
March	51%
April	55%
May	53%
June	55%
July	62%
August	58%
September	54%
October	46%
November	33%
December	36%

**Table 3-2 Operational Hours per Wind Direction Sector**

Wind Sector	Operational Hours
N	110
NNE	117
NE	302
ENE	353
E	312
ESE	269
SE	320
SSE	327
S	229
SSW	240
SW	313
WSW	502
W	1601
WNW	2092
NW	414
NNW	148
Annual	7649



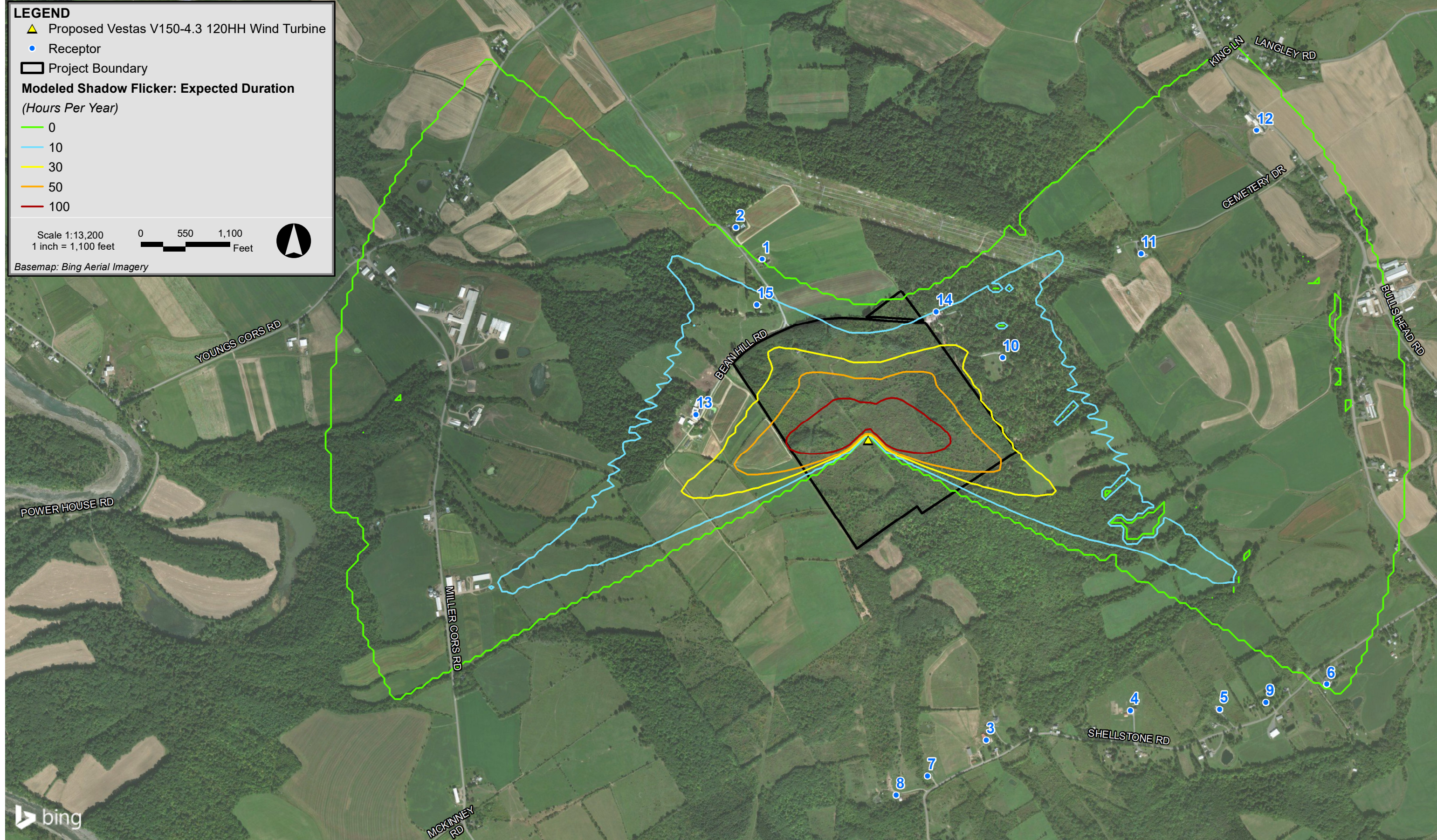
## 3.2 Shadow Flicker Modeling Results

Following the modeling methodology outlined in Section 3.1, WindPRO was used to calculate shadow flicker at the 15 discrete modeling receptor points. In addition to the discrete modeling points, shadow flicker isolines were generated based on the grid calculations for the Project.

Table B-1 in Appendix B presents the modeling results, both worst-case and expected values are presented. The modeled worst-case annual shadow flicker duration for all the 15 receptors ranged from 0 hours, 0 minutes per year to 66 hours, 35 minutes per year. The maximum flicker modeled occurs at receptor (#15).

The predicted expected annual shadow flicker duration ranged from 0 hours, 0 minutes per year to 18 hours, 43 minutes per year for all 15 receptors. The maximum expected flicker modeled occurs at receptor (#10). Eight of the fifteen receptors were predicted to experience no annual shadow flicker. Three receptors were predicted to experience some shadow flicker but less than 10 hours per year. The modeling results showed that four receptors would be expected to have between 10 hours and 30 hours of shadow flicker per year. Zero (0) receptors are expected to have over 30 hours of flicker per year. Figure 3-2 displays the modeled flicker isolines (expected hours per year) over aerial imagery in relation to modeled wind turbine and modeling receptors.







## **Appendix A**

---

### **Wind Turbine Coordinates**



Table A-1: Wind Turbine Coordinates

Wind Turbine ID	Wind Turbine Type	Hub Height (m)	Coordinates NAD83 UTM Zone 18N (meters)	
			X (Easting)	Y (Northing)
1	Vestas V150-4.3	120	562871.59	4746631.57



---

**Shadow Flicker Modeling Results: Modeling Receptors**



**Table B-1: Shadow Flicker Modeling Results at Discrete Points - Sorted by Receptor ID**

Receptor ID	Coordinates UTM NAD83 Zone 18N		Worst Case Shadow Flicker Hours per Year	Expected Shadow Flicker Hours per Year
	X (Easting)	Y (Northing)	(HH:MM/year)	(HH:MM/year)
1	562474.28	4747310.08	0:00	0:00
2	562376.20	4747429.21	0:00	0:00
3	563314.54	4745507.48	0:00	0:00
4	563853.35	4745618.57	0:00	0:00
5	564187.93	4745623.29	0:00	0:00
6	564589.72	4745716.70	1:21	0:28
7	563094.10	4745373.70	0:00	0:00
8	562976.58	4745301.57	0:00	0:00
9	564361.65	4745648.68	0:00	0:00
10	563375.65	4746941.03	63:02	18:43
11	563893.97	4747331.42	16:21	4:28
12	564326.27	4747792.83	11:25	2:45
13	562226.66	4746727.21	44:06	16:33
14	563126.54	4747112.72	55:55	10:18
15	562454.96	4747138.97	66:35	13:54



## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Natural Heritage Program  
625 Broadway, Fifth Floor, Albany, NY 12233-4757  
P: (518) 402-8935 | F: (518) 402-8925  
[www.dec.ny.gov](http://www.dec.ny.gov)

August 5, 2020

Jessie Robinson  
Borrego Solar  
30 Century Hill Drive, Suite 301  
Latham, NY 12110

Re: Wind turbines, Bean Hill Rd  
County: Montgomery    Town/City: Florida

Dear Jessie Robinson:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

We have no records of rare or state-listed animals or plants, or significant natural communities at the project site or in its immediate vicinity.

The absence of data does not necessarily mean that rare or state-listed species, significant natural communities, or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information that indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other resources may be required to fully assess impacts on biological resources.

This response applies only to known occurrences of rare or state-listed animals and plants, significant natural communities, and other significant habitats maintained in the Natural Heritage database. Your project may require additional review or permits; for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the NYS DEC Region 4 Office, Division of Environmental Permits, at [dep.r4@dec.ny.gov](mailto:dep.r4@dec.ny.gov).

Sincerely,



Heidi Krahling  
Environmental Review Specialist  
New York Natural Heritage Program



**Town of Florida, New York**  
**Site Plan Application Documents Review**  
**Special Permit Application for a WECS**



2423 S. Orange Ave #317  
Orlando, FL 32806  
Tel: 877.438.2851 Fax: 877.220.4593

July 21, 2022

Mr. Stephen B. Le Fevre, P.G., C.P.G.  
Senior Managing Hydrogeologist  
Barton & Loguidice  
10 Airline Drive, Suite 200  
Albany, NY 12205

**APPLICANT:** Borrego Solar Systems  
**ADDRESS:** 153 YMCA Road, Town of Florida, New York  
**STRUCTURE:** Single Wind Turbine Generator, 650 feet (Blade Tip Height)

Dear Mr. Le Fevre,

At your request, on behalf of the Town of Florida ("Town"), CityScape Consultants, Inc. ("CityScape"), in its capacity as telecommunications consultant for the Town, has considered the report provided by Comsearch, an engineering company in Sterling, Virginia, whom Borrego Solar Systems ("Applicant") engaged to perform communications studies to determine the potential effects of the Applicant's proposed single wind turbine generator on radio and over-the-air TV communications services in the area as per Section 45.4 – Wind Turbine Facilities Law in the Town Ordinance. The turbine would be located at 153 YMCA Road. The blade tip height of the turbine would be 198 meters (650 feet) above ground level and the rotor diameter would be 150 meters wide.

CityScape has reviewed Comsearch's documents to confirm that the methodology employed by Comsearch's assessments of potential impact to area radiofrequency (RF) communications and the conclusions drawn from the assessments regarding possible interference by the turbine are based on generally-accepted engineering standards and principles. I personally am well qualified to review and comment on Comsearch's reports, as I have two decades worth of experience and knowledge in the field of RF signal disruption by wind turbines, and prior to joining CityScape had also prepared numerous assessment reports similar in many respects to Comsearch's reports.

The Comsearch reports are broken down according to the particular categories of over-the-air RF communications services and are as follows:

- 1) Microwave Study
  - 2) AM and FM Radio Report
  - 3) Off-Air Television Report
  - 4) Mobile Phone Carrier Report
  - 5) Communication Tower Study
  - 6) Land Mobile and Emergency Services Report
-



There are two primary modes of potential interference to RF services caused by wind turbines: 1) unintended RF emissions from electrical components inside the nacelle of the turbine tower and the ground-level transformer near the tower base, both of which can cause interference to RF receivers, and 2) RF energy transmitted over-the-air from a radio or TV station and reflected by the tower and rotor blades; the undesired reflected signals can cause interference to the desired direct signals from the station to the intended receiver, thereby causing interference in the receiver. These modes of interference are noted in the Comsearch report. The following are our analyses of the Comsearch reports previously named.

## 1. MICROWAVE STUDY

### Background

To conduct a microwave study, the *First Fresnel Zone* (FFZ) normally is calculated for each microwave path crossing an area of interest. The Fresnel Zone is an ellipse-shaped area aligned along the direct path between transmitter and receiver. The mid-point of a microwave path is the location where the widest Fresnel zone radius  $R$  occurs, which is calculated for a path using the following formula:

$$R \cong 8.65 \sqrt{\frac{D}{F_{\text{GHz}}}}$$

where  $D$  is the microwave path length in kilometers and  $F_{\text{GHz}}$  is the frequency in gigahertz. We refer to  $R$  as the Worst Case Fresnel Zone radius.

The First Fresnel Zone is the space where the siting of obstructions should be avoided so that the microwave link signal presented to the receiver end of the link is not adversely affected.

### Methodology Used

Comsearch searched the FCC microwave database and identified two separately licensed microwave links within two miles of the proposed turbine site. These two identified links actually traverse the same path with the same end-points, transmitting in opposite directions. Comsearch employed the generally accepted method of calculating the First Fresnel Zone of the microwave path and determining this as the “no-build” zone for wind turbines. Neither the turbine tower nor the rotor blades should penetrate the Fresnel Zone of the microwave path.

### Conclusions Drawn

Comsearch concludes that the wind turbine would not obstruct the Fresnel Zone of the microwave path. CityScape agrees with this determination. The microwave path is approximately 1.9 kilometers from the proposed turbine. Being that the proposed rotor radius is 75 meters and the Fresnel Zone radius of the path is only 16.3 meters, there is no possibility for the turbine causing interference to the microwave link.

---



## **2. AM & FM RADIO REPORT**

### Background

Large metallic structures such as wind turbines can adversely affect the transmitted signals of AM broadcast stations (which operate at frequencies between 540 KHz and 1700 KHz) up to the maximum FCC-required notification distance of three kilometers from the AM station transmitter to the nearest turbine. Even when the notification distance is exceeded, occasionally, depending upon ground conditions, local AM receivers may experience slight signal changes due to local effects, but such anomalies are not recognized by the FCC or the standards of good engineering practice as having an unduly adverse effect.

Real-world experience with wind farms has shown that FM broadcast station signals (88 to 108 MHz) are fairly insensitive to wind turbines, even in cases where the FM transmitting antenna is surrounded by turbines that are higher than the FM antenna. Because of the “capture effect” supported by the “discriminator” in FM receivers, significant disruptions to FM radio reception are not expected. Although the received signal level may vary with the blade rotation at some receiver locations in the immediate area, good quality FM radios should factor out such time-varying signals.

### Methodology Used

Comsearch searched the FCC broadcast AM and FM transmitter databases and determined the distances from the proposed turbine to the AM and FM stations within 30 kilometers of the project site, which is an acceptable approach. The FCC-defined notification zone for AM stations is up to 3 kilometers from the transmitter. There is no FCC-defined notification zone for FM stations. The nearest AM station transmitter is that of WVTM in Amsterdam, New York, located 4.54 kilometers away, and the nearest FM station transmitter is that of W284BZ<sup>1</sup>, 4.52 kilometers away.

### Conclusions Drawn

Comsearch concludes that since the nearest AM station is greater than the maximum notification distance of 3 kilometers and that the nearest FM station is 4.52 kilometers away, neither station would be adversely affected. CityScape agrees with this determination for reasons explained previously.

## **3. OFF-AIR TELEVISION ANALYSIS**

### Background

The rotating blades of a wind turbine have the potential to disrupt over-the-air broadcast TV reception within two or more miles of the turbine, especially when the direct path from the

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<sup>1</sup> W284BZ is a low-power station that re-transmits the programming of AM station WVTM on the FM band.

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viewer's residence is obstructed by terrain. Interference is caused when signals reflected by the blades arrive at the viewer's TV antenna along with the direct signal. This is known as "multipath interference." However, as turbine manufacturers have replaced all-metal blades with blades constructed of mostly nonmetallic materials, this effect has been reduced. Also, the new generation of HDTV receivers is better equipped to deal with minor multipath interference (which is manifested by "pixilating" or "freezing" of the digital picture) than analog TV sets, as special circuitry is employed to suppress the weaker reflected signal. Occasionally, however, multipath interference from one or more turbines can cause video failure in HDTV receivers, especially if the receiver location is in a valley or other place of low elevation.

There is some possibility of signal disruption for residences that have to point their outdoor antennas through the turbine area, or that utilize "rabbit ear" antennas and/or older HDTV receivers. Most of this effect should be dissipated for locations three or more miles from a turbine, but some residual problems could be noted for HDTV receivers that receive direct signals from the TV station that, due to significant terrain attenuation over the long distance between the transmitter and the receiver, are weaker than the received signals reflected from the turbine blades.

#### Methodology Used

Comsearch searched the FCC broadcast TV database to compile a list of TV stations within 150 kilometers of the proposed turbine, which would include stations likely to have receivable signals in the vicinity of the turbine. This list was narrowed down to 18 facilities (six low-power stations and 12 conventional high power stations) that may experience degradation of their signals, caused by multipath interference, at locations within 10 kilometers of the proposed turbine due to having "clear line-of-sight (LOS) to a proposed turbine but not to the respective station." This is an acceptable approach; however, it would have been useful to confirm that all 18 TV stations serve some or all of the 10-kilometer radius area with a minimum acceptable signal level based on their FCC-defined service contour areas.

#### Conclusions Drawn

Comsearch acknowledges that turbine interference to received TV signals is possible, but, in their opinion, is unlikely. They describe technical means to mitigate the interference, should it occur, at the TV receiver locations such as to replace an inferior indoor or outdoor antenna with a better-quality outdoor antenna, or offer cable or satellite TV to residents that are demonstrably experiencing turbine-related interference. All of Comsearch's suggested solutions are acceptable and are relatively low-cost means to mitigate this type of interference<sup>2</sup>. However, since turbine interference to received TV broadcast signals is a known and well-documented occurrence, CityScape suggests considering engaging an engineering firm to conduct pre- and post-construction TV field strength measurements at various locations within the potential interference area.

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<sup>2</sup> Often the wind energy developer proposing the turbines offers to pay or reimburse affected residents for the cost of these mitigation measures.

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#### **4. MOBILE PHONE CARRIER REPORT**

##### Background

There is no credible evidence known to this writer to suggest that cell phone reception has been a problem in and around wind turbines. Since cell phone service is mobile by design, operation of personal mobile devices in the area should theoretically not be significantly affected. Cellular networks employ redundant coverage and multiple transceiver locations to compensate for disruptions at any one location.

##### Methodology Used

Comsearch has compiled a list of personal wireless services available in the market area that includes Montgomery County, New York, but the list does not include services operating or licensed on the new mid-band frequencies between 2.5 and 6 gigahertz. It is possible that mid-band service has not yet reach this area. Also, Comsearch identified one individually-licensed wireless base station site 8.85 kilometers from the proposed turbine. As Comsearch points out, most wireless base station sites are licensed by the FCC on a market basis, not on a site location basis. Thus, it is possible that wireless base stations other than those listed in the Comsearch report exist not far from the proposed turbine site.

Comsearch addresses the potential of RF interference caused by unintended RF signals emitted by the turbine itself, as described earlier in this report. Using the emission limits prescribed in Paragraph 15.109, Part 15 of the FCC Rules and Regulations as the benchmark, Comsearch has calculated setback distances for both personal wireless handsets, which are mobile, and personal wireless base stations which are fixed. The engineering equations used by Comsearch, detailed in their report, to determine the setbacks appear to CityScape to be correct.

##### Conclusions Drawn

The setbacks determined by Comsearch are: 1) no setback needed beyond 3 meters from a mobile handset, and 2) a minimum setback of 77 meters from the nearest wireless base station. Comsearch opines that, other than observing the recommended setbacks, turbine interference to personal wireless operation is not expected to be a problem that requires mitigation, and CityScape agrees.

CityScape recommends that Solar Systems be requested to provide information, if it exists, that describes expected unintended RF emission levels from the proposed wind turbines on frequencies that may be in use in the area, both commercial and non-commercial. Also, consideration should be given to pre- and post-construction field strength measurements if there are emissions that fall in the frequency bands used for public safety or used by a public utility in the area.

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## 5. COMMUNICATION TOWER STUDY

### Background

The purpose of conducting a *Communication Tower Report* is to identify communications towers that may support communications that have not been identified in searches conducted specifically for the broadcast, personal wireless and land mobile services. However, some towers are not documented in accessible databases, and the transmitting antennas mounted on them could also be undocumented. Also, most towers under 200 feet in height are not required to be registered in the FCC Antenna Structure Registry. These are reasons why a site visit is often suggested as part of the due diligence process to look for such exceptions.

### Methodology Used

Comsearch searched for communication towers in the FCC Antenna Structure Registration (ASR) database (and other sources) within two miles of the proposed turbine. This is an adequate search distance for communications towers<sup>3</sup> No towers were found in the mentioned data sources, but two communication sites were identified that are beyond 2 kilometers and both support land mobile facilities, one of which is operated by the Town of Florida. The other station is operated by a construction contractor, presumably for construction operations.

### Conclusions Drawn

The Comsearch report has no recommendations concerning the communication tower analysis results, which is understandable. Generally for any tower site that is known to support only multi-directional or wide-area coverage transmitting facilities (such as base station wireless antennas) but the equipment specifications are unknown, a reasonable and safe rule-of-thumb setback is 500 meters, which takes into account the radius of the rotor blades. Since the distances to the two tower sites are more than 2 kilometers, no interference to any multi-directional or wide-area coverage facilities that may be located on these towers, including the land mobile services, is expected.

## 6. LAND MOBILE & EMERGENCY SERVICES REPORT

### Background

Land mobile stations are licensed to and operated mostly by business, industrial, power and water, public safety and other non-commercial entities. There have been very few, if any, documented cases of wind turbines interfering with land mobile transmitting facilities beyond 500 meters from the nearest turbine; however, many local ordinances do address emergency services (E911) as a special concern and have put in place special use permit conditions to address it. Land mobile stations, with few exceptions, are multi-directional or wide area coverage

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<sup>3</sup> To do a search for undocumented microwave facilities, however, this search distance should be extended to include both ends of the microwave path.

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facilities and not microwave point-to-point links as described in Section 1 of this report, and thus are less likely to be affected by wind turbines.

### Methodology Used

Comsearch compiled a list of land mobile facilities derived from FCC databases, and found only two fixed land mobile sites within 2 miles of the proposed wind turbine, the same land mobile stations identified in Section 5 of the Comsearch report. Thus, no undue impact is expected to be caused to these stations, as stated previously.

Comsearch also compiled a list of 42 public safety operations serving Public Safety Region #30 which includes Montgomery County. The licenses are regionally based, not site based. Also in the report is a list of 441 mobile licenses whose service areas overlap the area of interest. These areas are defined by a certain radius from the fixed transmitting station or another designated reference point.

### Conclusions Drawn

Comsearch states that land mobile stations, including public safety stations, “are typically unaffected by the presence of wind turbines, and we do not anticipate any significant harmful effect to these services.” This is generally true. The possible exception, as noted by Comsearch, is when the turbine is close to the fixed base station, or the mobile radio receiving transmissions from the base station, so as to cause interference due to unintended RF emissions from the turbine. In that case, Comsearch recommends using the same recommended minimum setback as for the personal wireless base stations (77 meter), although we are not certain whether that setback is appropriate for all land mobile stations since the transmitting and receiving equipment is not the same as for personal wireless. Comsearch notes the redundancy of coverage provided by some land mobile services, but this doesn’t apply to land mobile stations that operate singularly rather than being part of a network of base station sites. In many wind turbine reports I wrote in the past, I recommended a worst-case setback distance of 500 meters from any land mobile transmitter.

## **CONCLUSIONS AND RECOMMENDATIONS**

In conclusion, CityScape finds that the Comsearch report generally relies on accepted analysis methods, engineering principals and standards, with exceptions noted in our report.

CityScape makes the following recommendations concerning the wind turbine project:

- 1) A due diligence site inspection should be conducted to check for communications sites in the area of interest that are not identified in the Comsearch report;
  - 2) Consideration should be given to hiring an engineering firm to conduct pre- and post-construction broadcast TV field strength measurements at various locations within the potential interference area;
-



3) Solar Systems should provide information, if it exists, that describes predicted or measured unintended RF emission levels from the proposed wind turbine model on frequencies that may be in use in the area, both commercial and non-commercial; also, consideration should be given to pre- and post-construction field strength measurements if there are emissions that fall in the frequency bands used for public safety or used by a public utility in the area.

If you have any questions concerning our report, please don't hesitate to call.

Sincerely,



B. Benjamin Evans  
Senior Project Engineer  
CityScape Consultants, Inc.



**Project 20PR04320: YMCA Road Wind Project/4 MW (T3D8XTY2WJD7)**

Please accept the following information below as the consolidated response from NYS SHPO for the above referenced submission.

## Review Responses

Reviewer	Review Type	Response
Jessica Schreyer	Archaeology	No archaeological concerns. No archaeological survey is warranted.

## Information Requests

Status	Reviewer	Review Type	Request Type	Request Entity	Request Item	Request Description
No Request Records						

## Attachments

Attachment	Reviewer	Review Type	Type	Name	Description
No Attachment Records					





## SOUND LEVEL MODELING REPORT

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### **YMCA Road Wind Project Montgomery County, New York**

*Prepared for:*

***Borrego Solar Systems, Inc***  
30 Century Hill Drive, Suite 301  
Latham, NY 12110

*Prepared by:*



***Epsilon Associates, Inc.***  
3 Mill & Main Place, Suite 250  
Maynard, MA 01754

May 24, 2022



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## 1.0 EXECUTIVE SUMMARY

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The YMCA Road Wind Project (the Project) is a proposed wind power generation facility expected to consist of one (1) wind turbine in the Town of Florida, Montgomery County, New York. The Project is being developed by Borrego Solar Systems, Inc (Borrego). Epsilon Associates Inc. (Epsilon) has been retained by Borrego to conduct a sound level modeling study for this Project. This report presents results of the sound level modeling from the proposed wind turbine in the Town of Florida, NY.

This sound level assessment includes computer modeling to predict worst-case future  $L_{eq}$  sound levels from the Project, and a comparison of operational sound levels to regulatory limits. The analysis includes one (1) GE 3.4-140 wind turbine. This Project is required to comply with the Town of Florida, New York ByLaws (ByLaws) which are presented in Section 4 of this report. The ByLaws limit sound produced by wind energy conversion systems (WECS) to 50 dBA at any parcel boundary line not owned by the Project.

The worst-case  $L_{eq}$  sound levels produced by the Project were predicted through modeling. The worst-case Project Only 50 dBA sound contour is contained within the Project Parcel. Therefore, the project meets the Ordinance sound limit of 50 dBA.

Borrego is considering two possible wind turbine models for the Project, a Vestas V150-4.3 or a GE 3.4-140. Both potential wind turbines utilize a 120m hub height. This report presents results for the GE wind turbine. If the Vestas wind turbine was selected, predicted sound levels would be lower at all modeled locations due to the unit's lower sound power level.



## 2.0 INTRODUCTION

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The proposed Project will consist of one (1) wind turbine. The proposed wind turbine is a GE 3.4-140 unit with a hub height of 120 meters. Figure 2-1 shows the location of the wind turbine in Montgomery County over aerial imagery.

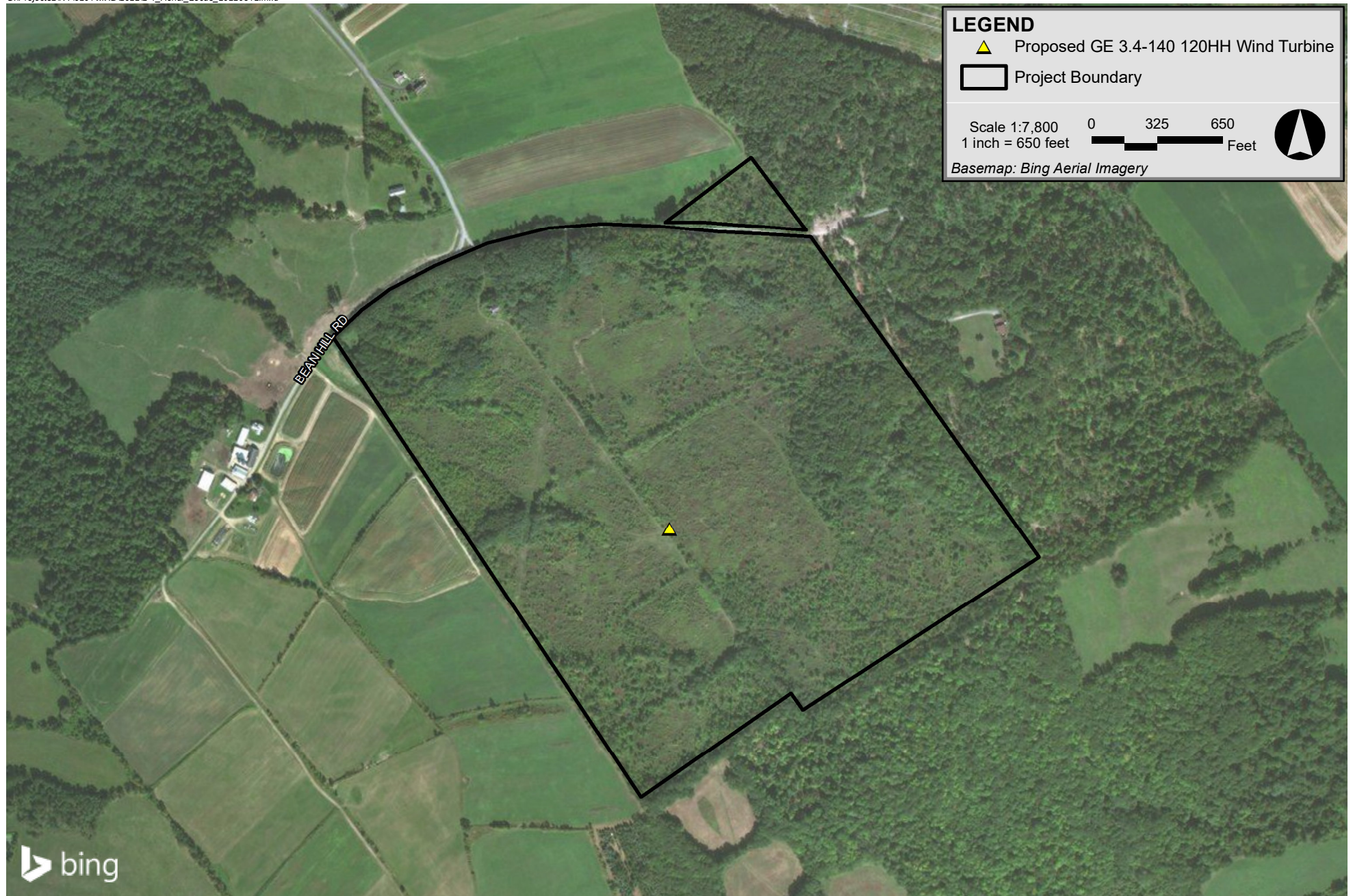
A detailed discussion of sound from wind turbines is presented in a white paper prepared by the Renewable Energy Research Laboratory.<sup>1</sup> A few points are repeated herein. Wind turbine sound can originate from two different sources: mechanical sound from the interaction of turbine components, and aerodynamic sound produced by the flow of air over the rotor blades. Prior to the 1990's, both were significant contributors to wind turbine sound. However, recent advances in wind turbine design have greatly reduced the contribution of mechanical sound. Aerodynamic sound has also been reduced from modern wind turbines due to slower rotational speeds and changes in materials of construction. Aerodynamic sound, in general, is broadband (has contributions from a wide range of frequencies). It originates from encounters of the wind turbine blades with localized airflow inhomogeneities and wakes from other turbine blades and from airflow across the surface of the blades, particularly the front and trailing edges. Aerodynamic sound generally increases with increasing wind speed up to a certain point, then typically remains constant, even with higher wind speeds. However, sound levels in general also increase with increasing wind speed with or without the presence of wind turbines.

This report presents the findings of a sound level modeling analysis for the Project. The Project wind turbine was modeled in CadnaA using sound data from GE technical reports. The results of this analysis are found within this report.

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<sup>1</sup> Renewable Energy Research Laboratory, Department of Mechanical and Industrial Engineering, University of Massachusetts at Amherst, Wind Turbine Acoustic Noise, June 2002, amended January 2006.





YMCA Road Wind Montgomery County, New York



### 3.0 SOUND TERMINOLOGY

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There are several ways in which sound levels are measured and quantified. All of them use the logarithmic decibel (dB) scale. The following information defines the sound level terminology used in this analysis.

The decibel scale is logarithmic to accommodate the wide range of sound intensities found in the environment. A property of the decibel scale is that the sound pressure levels of two or more separate sounds are not directly additive. For example, if a sound of 50 dB is added to another sound of 50 dB, the total is only a 3-decibel increase (53 dB), which is equal to doubling in sound energy, but not equal to a doubling in decibel quantity (100 dB). Thus, every 3-dB change in sound level represents a doubling or halving of sound energy. The human ear does not perceive changes in the sound pressure level as equal changes in loudness. Scientific research demonstrates that the following general relationships hold between sound level and human perception for two sound levels with the same or very similar frequency characteristics<sup>2</sup>:

- ◆ 3 dBA increase or decrease results in a change in sound that is just perceptible to the average person,
- ◆ 5 dBA increase or decrease is described as a clearly noticeable change in sound level, and
- ◆ 10 dBA increase or decrease is described as twice or half as loud.

Another mathematical property of decibels is that if one source of sound is at least 10 dB louder than another source, then the total sound level is simply the sound level of the higher-level source. For example, a sound source at 60 dB plus another sound source at 47 dB is equal to 60 dB.

A sound level meter (SLM) that is used to measure sound is a standardized instrument.<sup>3</sup> It contains “weighting networks” (e.g., A-, C-, Z-weightings) to adjust the frequency response of the instrument. Frequencies, reported in Hertz (Hz), are detailed characterizations of sounds, often addressed in musical terms as “pitch” or “tone”. The most commonly used weighting network is the A-weighting because it most closely approximates how the human ear responds to sound at various frequencies. The A-weighting network is the accepted scale used for community sound level measurements; therefore, sounds are frequently reported as detected with a sound level meter using this weighting. A-weighted sound levels emphasize middle frequency sounds (i.e., middle pitched – around 1,000 Hz), and de-emphasize low and high frequency sounds. These sound levels are reported in decibels designated as “dBA”. The C-weighting network has a nearly flat response for frequencies between 63 Hz and 4,000 Hz and is noted as dBC. Z-weighted sound

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<sup>2</sup> Bies, David, and Colin Hansen. 2009. *Engineering Noise Control: Theory and Practice*, 4<sup>th</sup> Edition. New York: Taylor and Francis.

<sup>3</sup> *American National Standard Specification for Sound Level Meters*, ANSI S1.4-1983 (R2006), published by the Standards Secretariat of the Acoustical Society of America, Melville, NY.

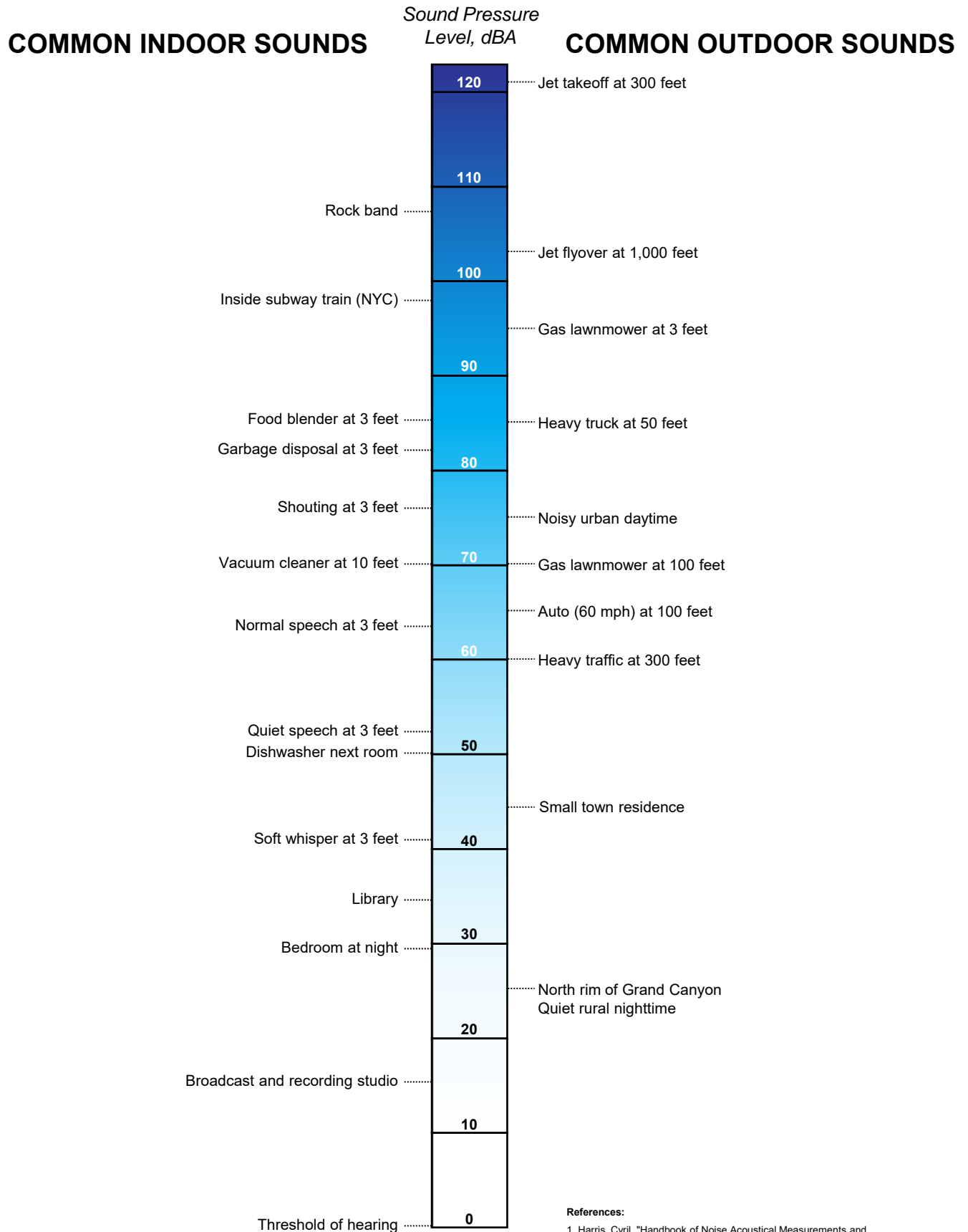


levels are measured sound levels without any weighting curve and are otherwise referred to as “unweighted”. Sound pressure levels for some common indoor and outdoor environments are shown in Figure 3-1.

Because the sounds in our environment vary with time they cannot simply be described with a single number. Two methods are used for describing variable sounds. These are exceedance levels and the equivalent level, both of which are derived from some number of moment-to-moment A-weighted sound level measurements. Exceedance levels are values from the cumulative amplitude distribution of all of the sound levels observed during a measurement period. Exceedance levels are designated  $L_n$ , where  $n$  can have a value between 0 and 100 in terms of percentage. Several sound level metrics that are commonly reported in community sound level monitoring are described below.

- ◆  $L_{10}$  is the sound level exceeded only 10 percent of the time. It is close to the maximum level observed during the measurement period. The  $L_{10}$  is sometimes called the intrusive sound level because it is caused by occasional louder sounds like those from passing motor vehicles.
- ◆  $L_{50}$  is the sound level exceeded 50 percent of the time. It is the median level observed during the measurement period. The  $L_{50}$  is affected by occasional louder sounds like those from passing motor vehicles; however, it is often found comparable to the equivalent sound level under relatively steady sound level conditions.
- ◆  $L_{90}$  is the sound level exceeded 90 percent of the time during the measurement period. The  $L_{90}$  is close to the lowest sound level observed. It is essentially the same as the residual sound level, which is the sound level observed when there are no obvious nearby intermittent sound sources.
- ◆  $L_{eq}$ , the equivalent level, is the level of a hypothetical steady sound that would have the same energy (*i.e.*, the same time-averaged mean square sound pressure) as the actual fluctuating sound observed. The equivalent level is designated  $L_{eq}$  and is typically A-weighted. The equivalent level represents the time average of the fluctuating sound pressure, but because sound is represented on a logarithmic scale and the averaging is done with linear mean square sound pressure values, the  $L_{eq}$  is mostly determined by loud sounds if there are fluctuating sound levels.





**References:**

1. Harris, Cyril, "Handbook of Noise Acoustical Measurements and Noise Control", p 1-10., 1998
2. "Controlling Noise", USAF, AFMC, AFDTTC, Elgin AFB, Fact Sheet, August 1996
3. California Dept. of Trans., "Technical Noise Supplement", Oct, 1998



## **4.0 NOISE REGULATIONS**

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### **4.1 Town of Florida, NY ByLaws**

The Project, located within the Town of Florida, NY is required to comply with the Town ByLaws, which state:

#### **Section 45.4 Wind Turbine Facilities Law – Special Permit Criteria**

- i. The applicant must provide proof that all WECS shall be located with relation to property lines so that the level of noise produced during wind turbine operation shall not exceed 50 decibels (db) measured at the boundaries of all of the closest parcels that are owned by non-site owners, and, that abut either the site parcel(s) or any other parcels adjacent to the site parcel held in common by the owner of the site parcel as those boundaries exist at the time of the issuance of any special permit for such facilities.



## 5.0 MODELED SOUND LEVELS

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### 5.1 Sound Sources

#### 5.1.1 *Project Wind Turbine*

The sound level analysis for the Project includes one (1) wind turbine. The Project will consist of one GE 3.4-140 unit with LNTE blades.

The GE 3.4-140 wind turbine has a rotor diameter of 140 meters. The wind turbine has a hub height of 120 meters. A technical report from GE<sup>4</sup> was provided to Epsilon which documented the expected sound power levels associated with the GE 3.4-140 under normal operation.

### 5.2 Modeling Methodology

The sound impacts associated with the proposed wind turbine were predicted using the CadnaA sound level calculation software developed by DataKustik GmbH. This software uses the ISO 9613-2 international standard for sound propagation.<sup>5</sup> The benefits of this software are a more refined set of computations due to the inclusion of topography, ground attenuation, multiple building reflections (if applicable), drop-off with distance, and atmospheric absorption. The CadnaA software allows for octave band calculation of sound from multiple sources as well as computation of diffraction.

Inputs and significant parameters employed in the model are described below.

- ◆ *Project Layout:* This analysis is for the wind turbine array provided to Epsilon by Borrego. The proposed Project layout is identified in Figure 5-1 and location coordinates are provided in Appendix A.
- ◆ *Modeling Receptor Locations:* a modeling receptor dataset including 15 receptors was provided by Borrego and input into the sound level model. All modeling receptors were input as discrete points at a height of 1.5 meters above ground level to mimic the ears of a typical standing person.

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<sup>4</sup> General Electric Company, Technical Documentation Wind Turbine Generator Systems Sierra 140 – 60 Hz Product Acoustic Specifications, 2021.

<sup>5</sup> *Acoustics – Attenuation of sound during propagation outdoors – Part 2: General method of calculation*, International Standard ISO 9613-2:1996 (International Organization for Standardization, Geneva, Switzerland, 1996).



- ◆ *Modeling Grid:* A modeling grid with 20-meter spacing was calculated for the entire Project Area and the surrounding region. The grid was modeled at a height of 1.5 meters above ground level for consistency with the discrete modeling points. This modeling grid allowed for the creation of sound level isolines.
- ◆ *Terrain Elevation:* Elevation contours for the modeling domain were directly imported into CadnaA which allowed for consideration of terrain shielding where appropriate. The terrain height contour elevations for the modeling domain were generated from elevation information derived from the National Elevation Dataset (NED) developed by the U.S. Geological Survey.
- ◆ *Source Sound Levels:* Sound power levels used in the modeling were described in Section 5.1. Documentation from GE provided levels that represent “worst-case” operational sound level emissions for the Project’s proposed wind turbine.
- ◆ *Meteorological Conditions:* A temperature of 10°C (50°F) and a relative humidity of 70% was assumed in the model.
- ◆ *Ground Attenuation:* Spectral ground absorption was calculated using a G-factor of 0 which corresponds to “hard ground” consisting of a hard ground surface. The model, consistent with the standard, allows inputs between 0 (hard ground) and 1 (porous ground). This is a conservative approach as the vast majority of the area is actually agricultural.

Octave band sound power levels corresponding to the highest available wind turbine broadband sound power level for the wind turbine were input into CadnaA to model wind turbine generated broadband sound pressure levels during conditions when worst-case sound power levels are expected. Sound pressure levels were modeled at 15 receptors within the vicinity of the Project. In addition to modeling at discrete points, sound levels were also modeled throughout a large grid of points, each spaced 20 meters apart to allow for the generation of sound level isolines.

Several modeling assumptions inherent in the ISO 9613-2 calculation methodology, or selected as conditional inputs by Epsilon, were implemented in the CadnaA model to ensure conservative results (i.e., higher sound levels), and are described below:

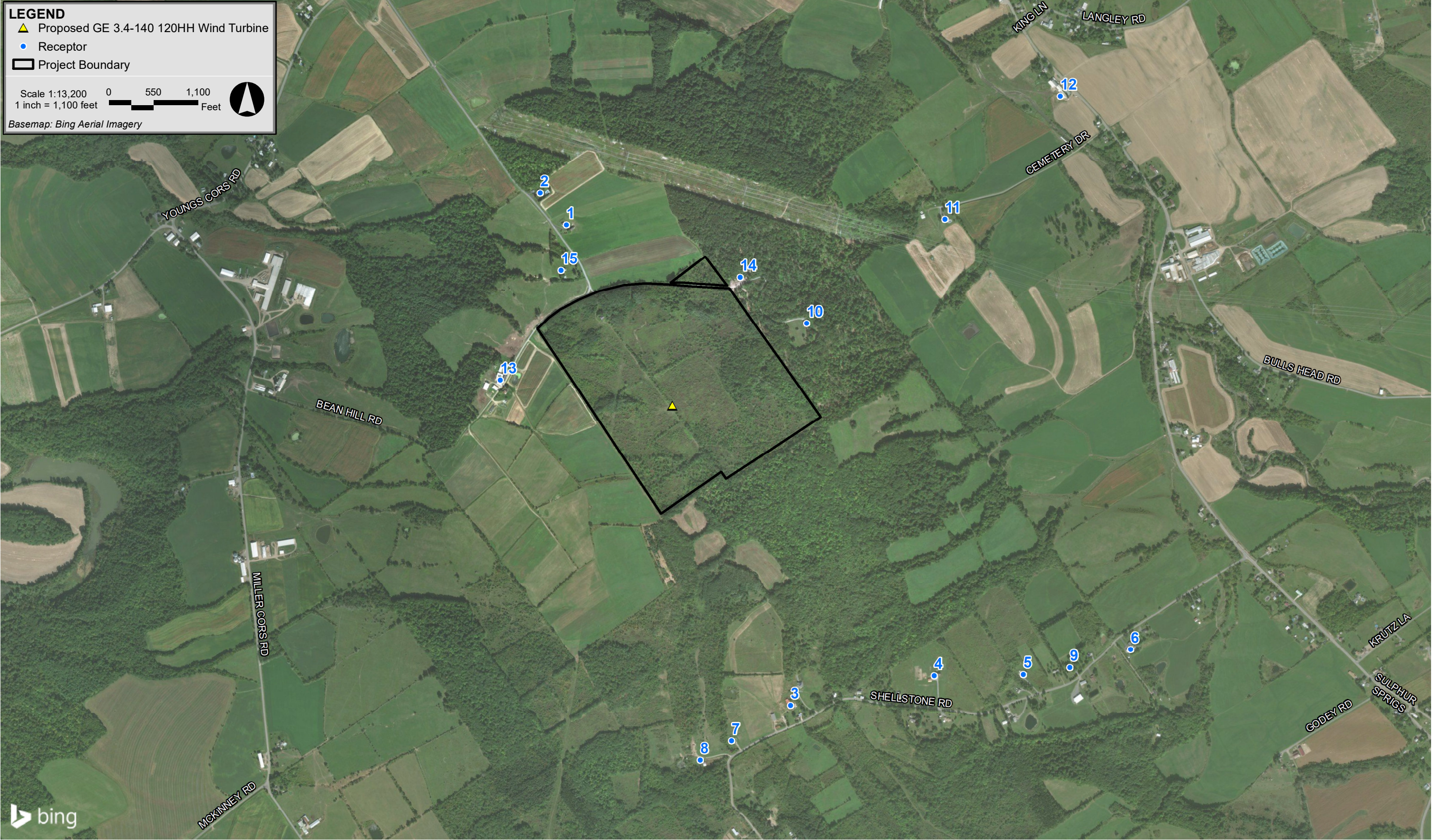
- ◆ All modeled sources were assumed to be operating simultaneously and at the design wind speed corresponding to the greatest sound level impacts.
- ◆ As per ISO 9613-2, the model assumed favorable conditions for sound propagation, corresponding to a moderate, well-developed ground-based temperature inversion, as might occur on a calm, clear night or equivalently downwind propagation.
- ◆ Meteorological conditions assumed in the model (T=10°C/RH=70%) were selected to minimize atmospheric attenuation in the 500 Hz and 1 kHz octave bands where the human ear is most sensitive.
- ◆ No additional attenuation due to tree shielding, air turbulence, or wind shadow effects was considered in the model.



**LEGEND**  
▲ Proposed GE 3.4-140 120HH Wind Turbine  
● Receptor  
▭ Project Boundary

Scale 1:13,200  
1 inch = 1,100 feet  
0 550 1,100 Feet

Basemap: Bing Aerial Imagery



YMCA Road Wind    Montgomery County, New York



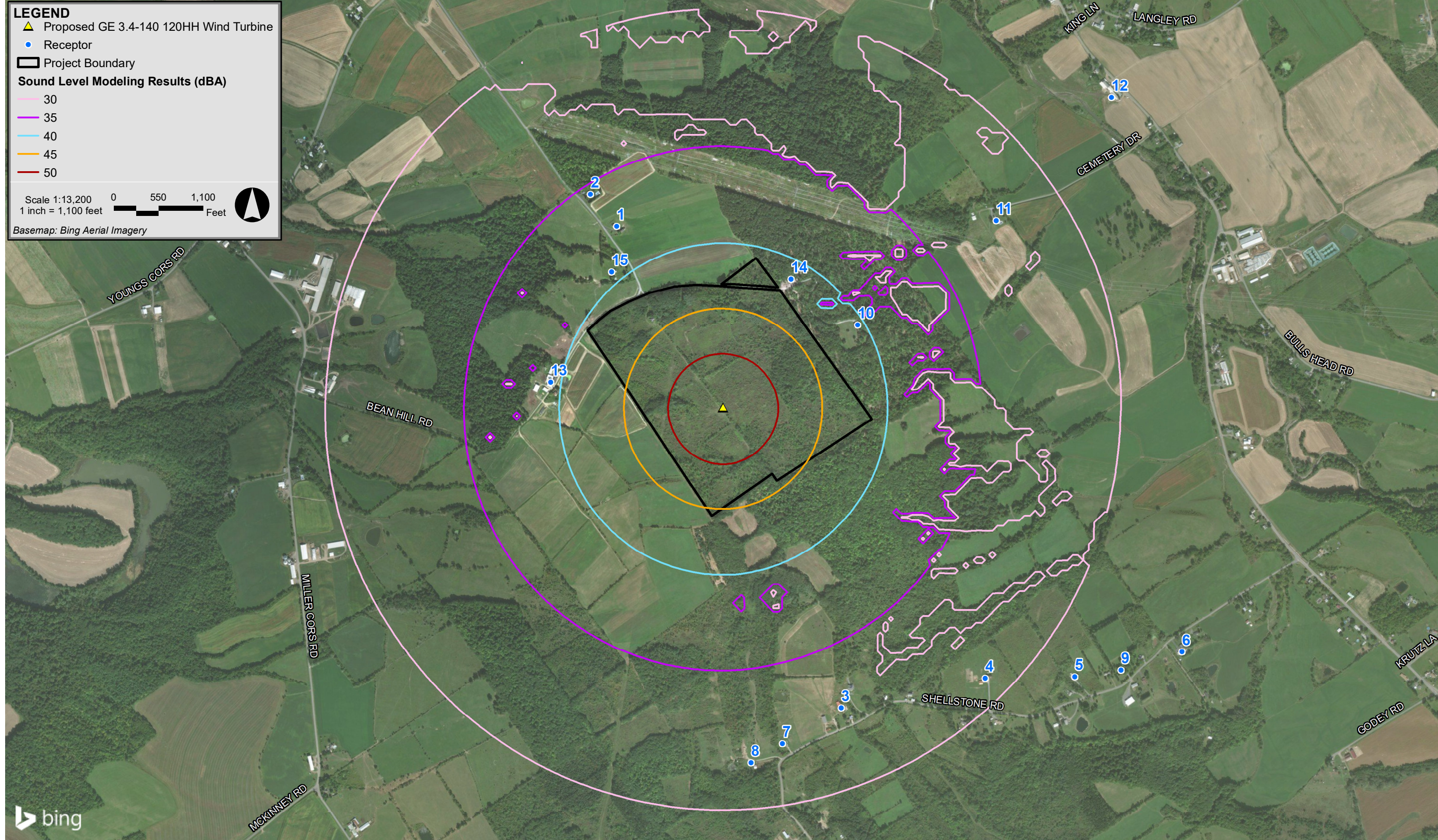
### 5.3 Sound Level Modeling Results

All modeled sound levels, as output from CadnaA are A-weighted equivalent sound levels ( $L_{eq}$ , dBA). Calculations were conducted at the 15 receptors modeled within the project area. In addition to the discrete modeling points, sound level isolines were generated from the modeling grid.

#### 5.3.1 *Project Only Results*

Table B-1 in Appendix B shows the predicted “Project Only” broadband ( $L_{eq}$ , dBA) sound levels at the 15 receptors modeled in the vicinity of the Project. These broadband sound levels range from 27 to 41 dBA and represent the worst-case sound levels produced solely by the Project. The highest predicted sound level of 41 dBA occurs at receptor #14. In addition to the discrete modeling points, sound level isolines generated from the modeling grid are presented in Figure 5-2.







## 6.0 EVALUATION OF SOUND LEVELS

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The proposed YMCA Road Wind Project within Montgomery County, New York is required to comply with the sound level requirements in the Town of Florida ByLaws. The ByLaws limit sound levels from wind turbines to 50 dBA at the property line. Therefore, the property line has been evaluated against the sound level limit of 50 dBA in this analysis.

All modeled sound levels, as output from Cadna/A, are A-weighted equivalent sound levels ( $L_{eq}$ , dBA). These levels may be used in evaluating measured sound pressure levels over typical averaging durations, (i.e., 10 minutes or 1 hour). The worst-case Project Only 50 dBA sound contour is contained within the Project parcel; therefore, the Project meets the requirements with respect to sound in the ByLaws.



## 7.0 CONCLUSIONS

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A comprehensive sound level modeling assessment was conducted for the proposed YMCA Road Wind Project. A total of one (1) wind turbine is included for this Project. Sound levels resulting from the operation of this wind turbine were calculated at fifteen (15) discrete modeling points, and isolines were generated from a grid encompassing the area surrounding the wind turbine using the provided layout. The predicted sound levels show that the 50 dBA sound contour line is contained within the project parcel. Therefore, the Project meets the requirements with respect to sound in the Town of Florida ByLaws.



## **Appendix A**

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### **Wind Turbine Coordinates**



Table A-1: Wind Turbine Coordinates

Wind Turbine ID	Wind Turbine Type	Hub Height (m)	Coordinates NAD83 UTM Zone 18N (meters)	
			X (Easting)	Y (Northing)
1	GE 3.4-140	120	562871.59	4746631.57



## **Appendix B**

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### **Project Only Sound Level Modeling Results at Discrete Points**



Table B-1: Sound Level Modeling Results Sorted by Receptor ID

Receptor ID	Coordinates UTM NAD83 Zone 18N		Source Only L <sub>eq</sub> Broadband Sound Level (dBA)
	X (m)	Y (m)	
1	562474.28	4747310.08	37
2	562376.20	4747429.21	35
3	563314.54	4745507.48	33
4	563853.35	4745618.57	31
5	564187.93	4745623.29	29
6	564589.72	4745716.70	27
7	563094.10	4745373.70	32
8	562976.58	4745301.57	32
9	564361.65	4745648.68	28
10	563375.65	4746941.03	40
11	563893.97	4747331.42	32
12	564326.27	4747792.83	27
13	562226.66	4746727.21	39
14	563126.54	4747112.72	41
15	562454.96	4747138.97	39