



## Meeting Notice

**TO: Board Members**  
**FROM: Andrew Santillo**  
**DATE: May 4, 2023**  
**RE: Planning Board Meeting**

The regular meeting of the Montgomery County Planning Board is scheduled for Monday, May 8, 2023 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**

**Monday, May 8, 2023**

**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 Amsterdam — Site Plan Review & Special Use Permit
- VII. Town of Minden — Site Plan Review & Special Use Permit
- VIII. Village of Fonda — Use Variance
- IX. Town of Mohawk — Local Law Adoption
- X. Any other business

**Montgomery County Planning Board**  
**Meeting Minutes**  
**March 13th, 2023**

**MEMBERS PRESENT:**

Frank Szykowski, Member  
Mark Hoffman, Chairman  
Wayne DeMallie, Alternate  
Angela Frederick, Member  
Irene Collins, Member

**STAFF MEMBERS PRESENT:**

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

**ABSENT:**

Betty Sanders, Alternate  
David Wiener, Vice Chairman  
Erin Covey, Member  
Ron Jemmott, Member

**OTHERS PRESENT:**

**I. Call to Order**

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

**II. Roll Call**

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

**III. Adoption of the Agenda**

Wayne DeMallie made a motion to adopt the agenda, Angela Frederick seconded. All members present were in favor.

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

Frank Szykowski made a motion to accept previous meeting minutes, Wayne DeMallie seconded the motion. The previous minutes were approved.

**V. Public Comment**

There was no public comments.

**VI. Town of Amsterdam- Site Plan Review (Log City Road)**

Alex Kuttesch stated that last month the board had reviewed the zoning change for the project. The developer wanted to resubmit the Site Plan just to make sure everything was in check. There were no site plan changes from the previous approval.

Angela made a motion to approve the referral, seconded by Frank Szykowski. All members were in favor.

The referral was approved.

**VII. Town of Amsterdam- Site Plan Review (Route 30)**

Alex Kuttesch explained that the Town of Amsterdam submitted a Site Plan review for an oil change facility on Route 30. The site is located in between Dunkin Donuts and Burger King. Irene Collins asked how much traffic it would have. It would roughly be 2 cars every hour, an estimate of about 30-40 cars on average per day.

Irene Collins made a motion to approve the referral, seconded by Mark Hoffman. All were in favor.

The referral was approved.

**VIII. Village of Canajoharie- Special Use Permit**

Alec Kuttesch stated that the referral is a special Use Permit for a detailing business in the Village of Canajoharie. The business is hoping to detail 2 cars a day. The business will be operating out of their garage. The board had multiple questions about time of operation, traffic, noise and chemicals being used.

Mark Hoffman made a motion to approve the referral with a modification to get answers about the time of operation, traffic, noise and chemicals being used, seconded by Angela Frederick. All were in favor.

The referral was approved.

**IX. Other Business**

There was no other business.



**X. Adjournment**

Angela Frederick made a motion to adjourn the meeting at 7:10 p.m., seconded by Irene Collins. All were in favor.

Respectfully submitted,

---

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 of Amsterdam  
Planning Board  
Referring Officer: Planning Board secretary  
Mail original resolution to Town of Amsterdam  
283 Manny's Corner Rd.  
Amsterdam, N.Y. 12010

1. Applicant: Robert Wojturski 2. Site Address: 280 State Hwy 67
3. Tax Map Number(s): 40.4-1-16 4. Acres: 3.1
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: vacant
9. Project Description: build a 6,000 sf warehouse

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: 5/3/23 Time: 6:55 pm Location: Town of Amsterdam  
283 Manny's Corner Rd.  
Amsterdam, N.Y. 12010

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: \_\_\_\_\_

Proposed Use: warehouse space

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: curb cut

15. ☒ Special Permit

Referring Board: Planning Board

Section of local zoning code that requires a special permit for this use: ARTICLE VII - Special permits-section 21

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

ARTICLE IV - Section 11-no3 warehouse

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.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.

Darlene Thibodeau

Name, Title & Phone Number of Person Completing this Form

4/20/23

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

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: Robert Wojturski Applicant's Representative: Same as Professional Advisor  
(must be property owner) (if applicable)  
Address: 778 State Highway 67 Address: \_\_\_\_\_

Amsterdam

Phone: ( ) \_\_\_\_\_ Phone: ( ) \_\_\_\_\_

Professional Advisor: ABD Engineer, LLP/ Other : \_\_\_\_\_  
(i.e. Engineer, Architect, Surveyor, etc.) (if appropriate, please specify)  
Address: 411 Union St. Address: \_\_\_\_\_

Schenectady NY, 12035

Phone: (518) 377-0315 Phone: ( ) \_\_\_\_\_

**Property Location**

Address: NYS Route 67

General Location: 45' +/- west of the NYS Route 67 & Manny Corners Road/Truax Road Intersection, on the  
southerly side of NYS Route 67.

Zoning District: B-1

Tax Parcel ID # (SBL) 40.4-1-16

**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

3/9/23

Applicant's Representative

Date

3/10/23

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

Appendix B ~Ag Data Statement

MONTGOMERY COUNTY AGRICULTURAL STATEMENT

Agricultural District Number:\_\_\_\_\_

Date of Statement Completion: \_\_\_\_\_

Date of Referral to Montgomery County Planning Board:\_\_\_\_\_

Date of Submission to Ag & Farmland Protection Board:\_\_\_\_\_

\*\*\*\*\*

Do Not Write Above This Line

APPLICANT: ITW International Inc. APPLICANT'S AGENT: Luigi A. Palleschi, P.E.

ADDRESS: 1406 Cosgrove Dr. ADDRESS: 411 State Street  
Schenectady, NY 12302 Schenectady, NY 12305

PHONE NO.: 518-588-1136<sup>518-728-3768</sup> PHONE NO.: 518-377-0315

TAX MAP NUMBER: 40.04-1-16  
TOWN: Amsterdam ROAD: NYS Rte 67

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

List all farm operations which are within an Agricultural District and are located within 500 feet of the boundary of the property which proposes a project.  
("FARM OPERATION" means the land used in agricultural production, farm buildings, equipment and farm residential buildings.).

NAME: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
_____	_____
Tax Map No. _____	Tax Map No. _____

NAME: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
_____	_____
Tax Map No. _____	Tax Map No. _____

(For: additional information, please use back of this sheet)



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: 3 / 8 / 2023

ZONE: B-1

APPLICATION #: FEB PD: TAX MAP NO.: 40.4-1-16

1.) PROPERTY/BUILDING LOCATION: State Highway 67 - approximately 450' west of NYS Route 87 and Manny Corners / Truax Road intersection

2.) PROPERTY OWNER'S NAME: Robert Wojturski TELEPHONE:

ADDRESS: 778 State Highway 87  
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 checked="" 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 type="checkbox"/> OTHER:                                                                        |                                                              |

☐ 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: 6,000 - Sf of warehouse space

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

A.) DIMENSIONS OF LOT: FRONTAGE 187' +/- REAR 180' +/- RIGHT SIDE 775' +/- LEFT SIDE 800' +/-  
ACREAGE 3.1 +/-

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 n/a

E.) ☐ SEWER OR ☐ PRIVATE SEPTIC n/a

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

F.) DISTANCE FROM LOT LINES: FRONT 50.5' REAR 613.5' RIGHT SIDE 75.6' LEFT SIDE 42.0'



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

STYLE: ☐ RANCH ☐ RAISED RANCH ☐ SPLIT LEVEL ☐ CAPE COD ☐ COLONIAL ☐ DUPLEX

☒ OTHER: warehouse

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: \_\_\_\_\_ DAY PHONE: (\_\_\_\_) \_\_\_\_\_

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

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

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

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

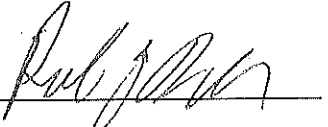
☐ DENIED AND REFERRED TO ZONING BOARD OF APPEALS

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

To whom it may concern:

As it pertains to the applications for zoning and or planning approval for the property that I own on Rt 67 in the town of Amsterdam, SBL# 40.4-1-16, I give permission to Jeremy Jordan and his agents to make applications as contract vendee to the Town of Amsterdam Planning Board and or Zoning Board.

  
Robert Wojturski

3/9/23

Dated March 9, 2023

**PROJECT NARRATIVE**  
**6,000-SF Warehouse**  
**270 NYS Route 67**  
**March 8, 2023**

**Project Location & Description**

The applicant JTW International, Inc. has the parcel 40.4-1-16 (280 NYS Route 67) under contract for purchase from the owner, Robert Wojturski, and is proposing to construct a 6,000-SF. warehouse building on the site. The parcel is located in the Town's B-1 Business zone. The applicant is looking to lease the warehouse to a commercial tenant, such as a landscaper, mason, roofer, builder, etc, that would use the space for bulk material & equipment storage.

Total project disturbance will be 0.72+/-acres.

**Water & Sewer**

The project will not require water and sewer services.

**Solid Waste**

A dumpster area is proposed at the south end of the warehouse for disposal of solid waste, as shown on the site plan. The owner will have a contract in place with a commercial solid waste management company to collect the waste as needed.

**Impact on Adjoining Property**

The 6,000-SF warehouse is a commercial use in the Town's B-1 Business zone. The adjacent properties to the west are commercial properties with commercial uses, while the adjacent property to the east is vacant with a farm stand that only operates during the summer months. Therefore, the warehouse will not have a negative impact on the adjoining properties.

**Impact on School District**

The 6,000-SF warehouse is a commercial use that will generate school tax revenue, therefore, will have a positive impact on the school district.

### **Traffic**

It is anticipated that the 6,000-SF warehouse building will generate an AM Peak trip generation of 4 trips and a PM peak trip generation of 4 trips, per the Institute of Transportation Engineers Trip Generation Manual, 7<sup>th</sup> Edition. Therefore, will not adversely impact the traffic on NYS Route 67.



*Short Environmental Assessment Form*  
*Part 1 - Project Information*

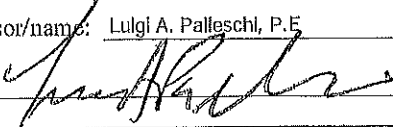
Instructions for Completing

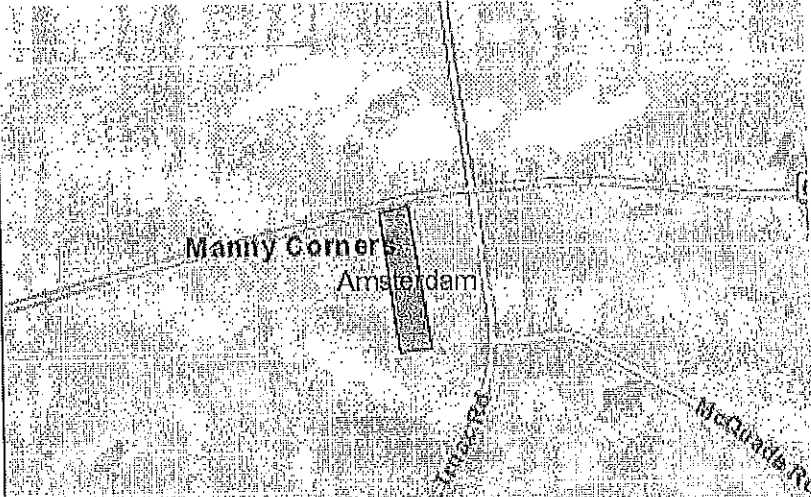
Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available.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

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

Part 1 – Project and Sponsor Information			
Name of Action or Project: 6,000 SF Warehouse space			
Project Location (describe, and attach a location map): 280 NYS Route 67 - approximately 450-feet west of NYS Route 67 and Manny Corners / Truax Road Intersection			
Brief Description of Proposed Action: to construct a 6,000-sf warehouse building			
Name of Applicant or Sponsor: JTW International, Inc.		Telephone: 518-728-3768 E-Mail: jeremy@jtwsales.com	
Address: 1406 Cosgrove Dr.			
City/PO: Schenectady		State: New York	Zip Code: 12302
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: Town of Amsterdam Planning Board Approval		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		3.1 acres 0.72+/- acres 3.1 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

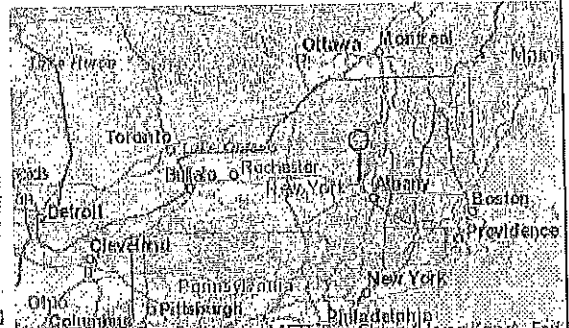
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation 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? If the proposed action will exceed requirements, describe design features and technologies: _____The project will meet or exceed current energy code requirements._____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ Project will not require water hook-up	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ Project will not require sewer hook-up	NO <input checked="" 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 checked="" type="checkbox"/>  <input type="checkbox"/>	YES <input type="checkbox"/>  <input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input type="checkbox"/>  <input checked="" type="checkbox"/>	YES <input checked="" type="checkbox"/>  <input type="checkbox"/>	 

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input checked="" type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NYS DOT drainage swales along NYS Route 67		
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 checked="" type="checkbox"/>	YES <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>Lulgi A. Palleschl, P.E.</u> Date: <u>March 8, 2023</u>		
Signature: <u></u> Title: <u>Engineer</u>		



Map showing a coastal area with labels 'Manny Corners' and 'Amsterdam'. The map is a satellite view with a grid overlay.

**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.



Map showing the Northeast United States, including parts of Canada and the United States. Major cities and state boundaries are labeled.

Map data provided by: USGS, Jetmap, INCREMENT, NRCan, Esri, Japan, METI, Esri, China (Hong Kong), Esri, Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No



DATE: MARCH 7, 2023

SCALE: 1" = 30'

DWG. 5584 - C1

SHEET OF 1

STATE OF NEW YORK

COUNTY OF MONTGOMERY

TOWN OF AMSTERDAM

280 NYS ROUTE 67

MANNY CORNERS WAREHOUSE

ENGINEERS, LLP

411 Union Street

Schenectady, NY 12305

518-377-0315 Fax 518-377-0379

www.dbeeng.com

ALTERATION OF THIS

DOCUMENT EXCEPT BY A

LICENSED PROFESSIONAL

ENGINEER IS ILLEGAL

LUKE A. PALLESCH, P.E.

NYS LICENSE NO. 94676

PROFESSIONAL ENGINEER

OWNER:  
ROBERT & PATRICIA WOJNISKI  
778 STATE HIGHWAY 67  
AMSTERDAM NY 12010

APPLICANT:  
JTM INTERNATIONAL, INC.  
1408 COSGROVE DRIVE  
SCHENECTADY, NY 12302

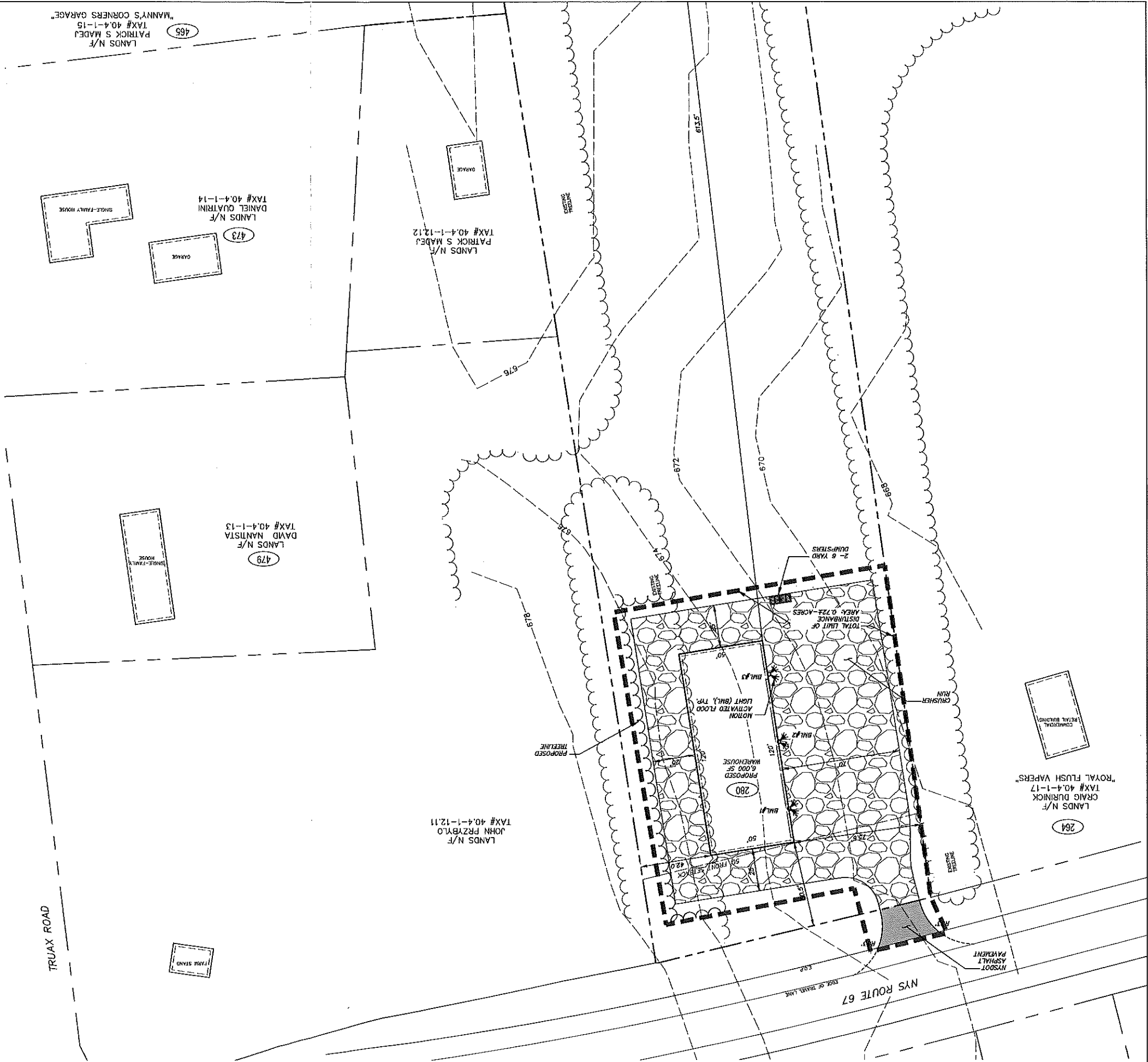
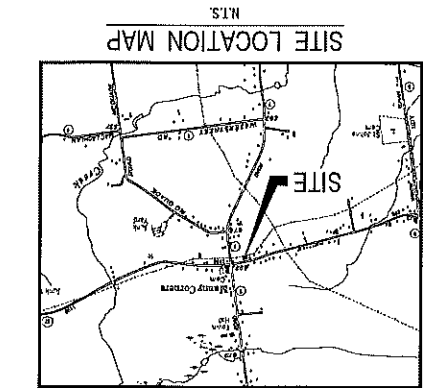
TAX MAP ID# 40.4-1-16

COVERAGE STATISTICS: PROPOSED	
BUILDINGS: 28% MAX	6,000-SF 4.4%
PAVEMENT: 14.2%	19,211-SF 81.3%
GREEN SPACE: 109,826-SF	135,036-SF (3.1 ACRES) 100%
TOTAL AREA OF DISTURBANCE: 0.77% ACRES	

ZONING: B-1 (WAREHOUSE USE)	
REQUIRED	PROVIDED
LOT SIZE: NO MIN. OR MAX.	3.1-AC.
LOT WIDTH: NO MIN. OR MAX.	167.0'
LOT DEPTH: NO MIN. OR MAX.	4.4%
SETBACKS: FRONT: 50' MIN. SIDE: 25.0' / 42.4' REAR: 0' MIN.	50.0' / 613.5'
BUILDING HEIGHT: NO MAX.	28'-0"
LOT COVERAGE: 25% MAX.	167.0'
LOT AREA: NO MIN. OR MAX.	167.0'
LOT AREA: NO MIN. OR MAX.	167.0'

NOTE: 1. BASE MAPING PREPARED FROM GIS LIDAR MAPING.

2. THE PLANS SHOW SOME KNOWN STRUCTURE, ABOVEGROUND STRUCTURES AND/OR UTILITIES BELIEVED TO EXIST IN THE WORKING AREA. EXACT LOCATION OF WHICH MAY VARY FROM THE LOCATION INDICATED. IN PARTICULAR, THE CONTRACTOR IS WARNED THAT THE EXACT OR EVEN APPROXIMATE LOCATION OF SUCH PIPE LINES, SUBSURFACE STRUCTURES AND/OR UTILITIES IN THE AREA MAY BE DIFFERENT FROM THAT SHOWN OR MAY NOT BE SHOWN AND IT SHALL BE HIS RESPONSIBILITY TO PROCEED WITH GREAT CARE IN EXECUTING ANY WORK. 48 HOURS BEFORE YOU DIG, DRILL OR BLAST, CALL U.P.P.O. (1-800-982-7962), TOLL FREE.



**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. According to State Law, the notice of public hearing and complete SEQR documents must be mailed to MCPB at least 10 days before a public hearing for site plan or special use permit, or at least 5 days before a public hearing for a variance.

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

**FROM:** Municipality: Town of Minden  
Legislative Board ☐ Board of Appeals ☐ Planning Board ☒ (check one only)

**PROJECT NAME:** Zook - Equipment Rental Business

**PUBLIC HEARING:** Date: 4-10-23 Time: 7:PM Location: Ft. Plain Senior Center  
No Comment From Public

**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
- The completed Environmental Assessment Form (EAF) as well as all other materials used by the referring body to make a determination of significance under State Environmental Quality Review Act (SEQRA).

**ACTION:** New Zoning Law ☐ Site Plan Review ☒ Area Variance ☐  
Zoning Map Amendment ☐ Special Use Permit ☒ Use Variance ☐  
Zoning Text Amendment ☐ Other (specify) \_\_\_\_\_

1. This case is forwarded to your office for review in compliance with Sections 239-1 and 239-m of Article 12-B of General Municipal Law, New York State.
2. This material is sent to you for review and recommendation because the property affected is located within 500 feet of a:
  - ☐ Municipal boundary.
  - ☐ Boundary of any existing or proposed County or State park or other recreation area.
  - ☒ Right-of-way of any existing or proposed County or State parkway, thruway, expressway, road or highway.
  - ☐ Existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines.
  - ☐ Existing or proposed boundary of any County or State-owned land on which a public building or institution is situated.
  - ☐ Farm operation within an Agricultural District (does not apply to area variances.)

4-10-23  
Date

Jim Welch (James Welch)  
Signature of Referring Officer  
Title: Chairman

Recommendations by MCPB shall be made to the Referring Body within thirty days of receipt of the Full Statement.

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, Planning and Tourism

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

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

Project Name: \_\_\_\_\_

**Town of Minden  
Planning Board  
Special Use Permit/Site Plan Application**

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: Jonas Zack

Property Owner: \_\_\_\_\_  
( if different)

Address: 684 Paris RD  
FOR Plain NY 13339

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

Phone: ( ) 518-993-3026

Phone: ( ) \_\_\_\_\_

Professional  
Advisor: \_\_\_\_\_

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

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

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

Phone: ( ) \_\_\_\_\_

Phone: ( ) \_\_\_\_\_

**Property Location:**

Address: N/A

General Location: Paris RD / 53 West Property is on corner. The  
driveway will be on 55.

Zoning Districts: \_\_\_\_\_

Tax Parcel ID# (SBL): 29-2-4

-The Applicant must submit (with this application) all the required information as described on the Site Plan Submission Requirement Checklist (see attached). This checklist is intended to be a guide to the applicant, for specifics on submission requirements, procedures, timeframes, ect., the applicant should refer to the applicable Town Zoning Law, and or State Law ( SEQR, Ag & Markets, ect. ).

Applicant Signature: 

Date: 2-13-2023

Property Owner's Signature: \_\_\_\_\_  
(if different)

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

Application #: \_\_\_\_\_  
Date: \_\_\_\_\_  
Project Name: \_\_\_\_\_

### For Office Use Only

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

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

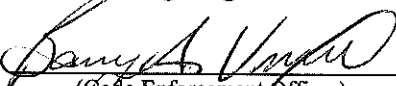
Total Amount Received: \$ \_\_\_\_\_

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

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

\*\*\*\*\*

**Code Enforcement Officer's certification that application is complete and in conformance with Zoning Regulations.**

  
(Code Enforcement Officer)

\*\*\*\*\*

### For Planning Board Use Only

The Planning Board held a Public Hearing on Monday (day) of April 10 (date),  
2023 (year) in consideration of this application.

The application is hereby:

approved  
approved with modifications  
disapproved

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

\_\_\_\_\_  
Chairperson, Town of Minden Planning Board

\_\_\_\_\_  
Date

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

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

Project Name: \_\_\_\_\_

## Town of Minden

### 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 graphic 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 all 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:

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

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

Project Name: \_\_\_\_\_

- 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) Zoning District boundaries within 200 feet of the sites perimeter shall be drawn and identified on the plan.
- ☒ 17) 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.
- ☒ 18) 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
  - \_\_\_\_\_ 19) Elevation plans at a scale of 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 Minden  
Site Plan Approval Checklist**

**Applicant:** \_\_\_\_\_

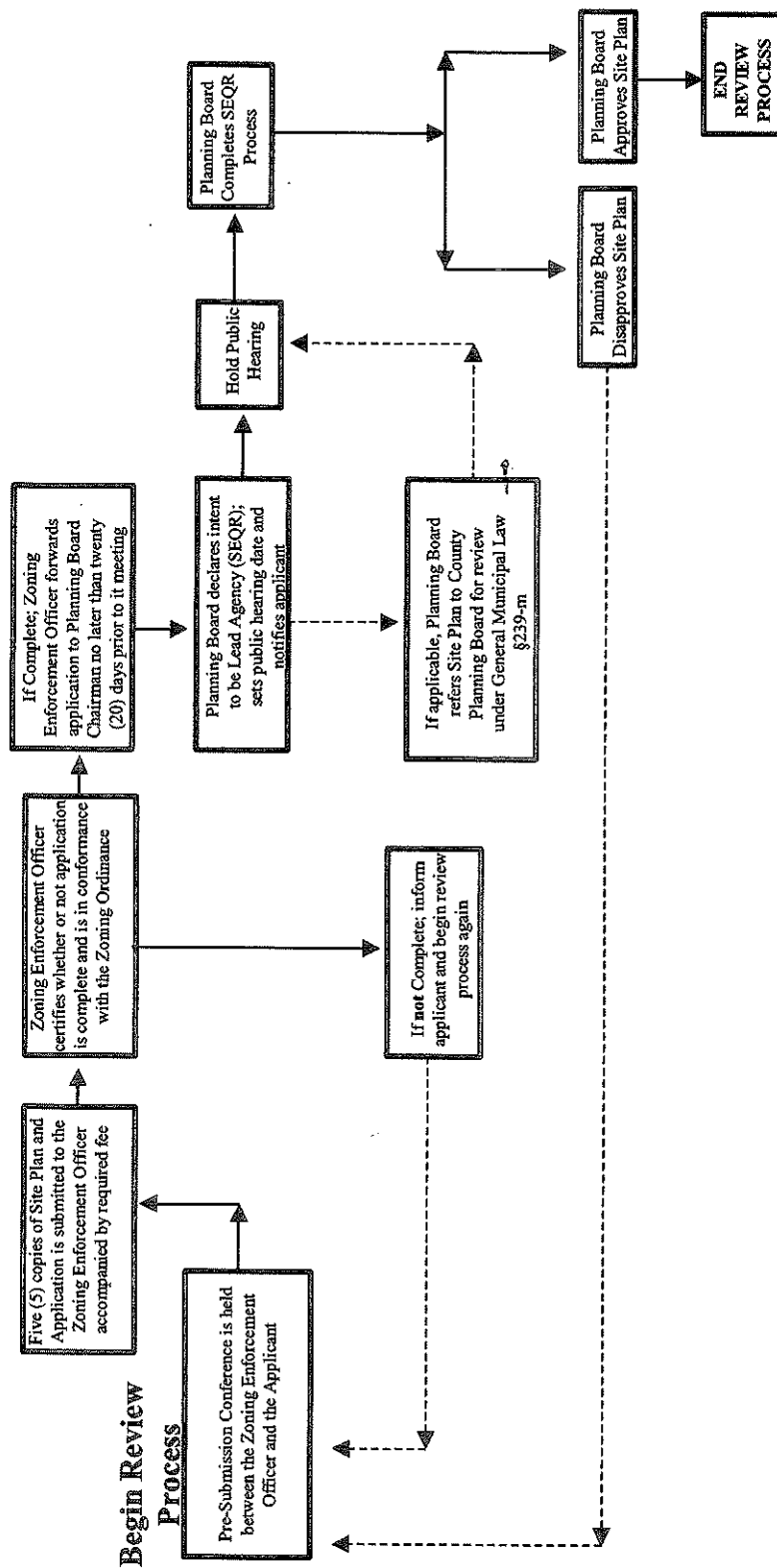
**Date  
Completed**

- |                          |                                                                                                                                                                                  |                |
|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| <input type="checkbox"/> | Pre-Submission Conference is held between the Zoning Enforcement Officer and the Applicant                                                                                       | <u>1-25-23</u> |
| <input type="checkbox"/> | Five (5) copies of Site Plan and Application is submitted to the Zoning Enforcement Officer accompanied by required fee                                                          | <u>2-13-23</u> |
|                          | <b>Zoning Enforcement Officer:</b> _____<br>(signature)                                                                                                                          |                |
| <input type="checkbox"/> | Within ten (10) days of submission by the applicant, Zoning Enforcement Officer certifies whether or not application is complete and is in conformance with the Zoning Ordinance | <u>2-13-23</u> |
| <input type="checkbox"/> | Zoning Enforcement Officer forwards complete application to Planning Board Chairman no later than twenty (20) days prior to its meeting                                          | <u>2-13-23</u> |
| <input type="checkbox"/> | Planning Board reviews Site Plan Application and declares intent to be Lead Agency (SEQR); sets public hearing date and notifies applicant                                       | <u>3-13-23</u> |
| <input type="checkbox"/> | Planning Board refers Site Plan to County Planning Board (if applicable)                                                                                                         | <u>4-10-23</u> |
| <input type="checkbox"/> | Hold Public Hearing                                                                                                                                                              | <u>4-10-23</u> |
| <input type="checkbox"/> | Planning Board completes SEQR process, and files all documents as required by law                                                                                                | <u>3-13-23</u> |
| <input type="checkbox"/> | Planning Board approves, conditionally approves, disapproves Site Plan                                                                                                           | _____          |
| <input type="checkbox"/> | Planning Board files all documents as necessary                                                                                                                                  | _____          |



Application#: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Project Name: \_\_\_\_\_

# Town of Minden Site Plan Approval Flow Chart



## **Appendix A - Agricultural Data Statement Compliance**

### **PROCESSING AN AGRICULTURAL DATA STATEMENT**

**(Pursuant to Section 305-a of the Agriculture and Markets Law)**

- Any application requiring: **Special Use Permit  
Site Plan Approval  
Use Variance or  
Subdivision Approval**

Which requires approval by: **A Planning Board  
Zoning Board of Appeals  
Town Board or  
Village Board of Trustees**

Must submit an Agricultural Data Statement (ADS) if the proposed project occurs on property within an agricultural district containing a farm operation or on property with boundaries within 500 feet of a farm operation located within an agricultural district.

- Content of an Agricultural Data Statement requires:
  - Name and address of applicant,
  - Description of the proposed project and its locations,
  - Name and address of any owner of land within the agricultural district, which land contains farm operations and is located within 500 feet of the boundaries of the property upon which the project is proposed,
  - A tax map or other map showing the site of the proposed project relative to the location of the farm operations identified in the ADS.
- The Clerk of the appropriate governmental entity is required to mail a written notice containing a description of the proposed project and its location to owners of land as identified by the applicant in the ADS.
- The local reviewing board must evaluate and consider the ADS to determine the possible impacts of the proposed project may have on the functioning of farm operations within the subject agricultural district.

## **Appendix A - Agricultural Data Statement Compliance**

### **Procedural Considerations**

- A map of the Town's Agricultural District(s) should be well displayed within the municipal office where land use applications are submitted. The map will benefit both the applicant and municipal review officer in determining the location of the subject parcel. An Agricultural District Map can be obtained from either the County Planning Department or Clerk of the County Legislative Body. Tax map identification numbers of all parcels within a district are listed and are on file at either the County Real Property Tax Office or the County Clerk's Office.
- The local reviewing board should ascertain present and future farming conditions to ensure the proposed land use does not conflict with current or future farming activities. A farmer's knowledge of local agricultural conditions is fundamental for the local reviewing board's evaluation and determination of appropriate mitigation measures and whether the action proposed will conflict with farming practices.
- The County Agricultural and Farmland Protection Board may assist local reviewing boards in project evaluation. Members of the Board include the County Planning Directors, a County Cooperative Extension Agent and the Chair of the County Soil and Water Conservation District's Board of Directors.
- A copy of the completed ADS and action by the local reviewing board should be submitted for its records to: Montgomery County Agricultural and Farmland Protection Board, PO Box 1500, County Annex Building, Fonda, NY 12068.

# MONTGOMERY COUNTY AGRICULTURAL DATA STATEMENT

Agricultural District Number: \_\_\_\_\_

Date Of Statement Completion: \_\_\_\_\_

Date of Referral to Montgomery County Planning Board: \_\_\_\_\_

Date of Submission to Ag & Farmland Protection Board: \_\_\_\_\_

\*\*\*\*\*  
\*\*\*\*\*

Do Not Write Above This Line

APPLICANT: Jones Zook APPLICANT'S AGENT: \_\_\_\_\_

ADDRESS: 684 Paris RD ADDRESS: \_\_\_\_\_

Fort Plain NY 13333

PHONE NO.: 518-993-3076 PHONE NO.: \_\_\_\_\_

LOCATION OF PROPOSED PROJECT:

TAX MAP NUMBER: 29-2-4

TOWN: Minden

ROAD: State Route 55

Description of Proposed Project: A rental store with parking lot.

List all farm operations which are within an Agricultural District and are located within 500 feet of the boundary of the property which proposes a project. ("FARM OPERATION" means the land used in agricultural production, farm buildings, equipment and farm residential buildings.)

NAME: Jones Zook

ADDRESS: 684 Paris Rd.

Ft. Plain, N.Y. 13339

Tax Map No. 29-2-4

NAME: Raymond Oldick

ADDRESS: St. Hwy 55

Ft. Plain, N.Y.

Tax Map No. 13339

NAME: Brian Trumbull

ADDRESS: St Hwy 55

Ft. Plain, N.Y. 13339

Tax Map No. \_\_\_\_\_

NAME: \_\_\_\_\_

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

Tax Map No. \_\_\_\_\_

(For additional information, please use back of this sheet)

**SEQR**  
**State Environmental Quality Review Act**  
**6 NYCRR PART 617**

The basic purpose of SEQR is to incorporate the consideration of environmental factors into the existing planning, review and decision-making processes of state, regional and local government agencies at the earliest possible time. To accomplish this goal, SEQR requires that all agencies determine whether the actions they directly undertake, fund or approve may have significant adverse impact on the environment, and, if it is determined that the action may have a significant adverse impact, prepare or request an environmental impact statement.

With this in mind the Town of Minden recognizes its obligation to uphold the intent of the SEQR law. Any application to the Planning Board is subject to SEQR as a matter of law. Along with the Town's responsibility an applicant also has responsibilities in completing the SEQR process. The depth of the review is based on the project as proposed by the applicant. The initial stage of the review is defined in 6 NYCRR PART 617. Any action (project) on the TYPE 1 list must complete part one of a Full EAF (attached), any action (project) on the Type 2 list is not subject to SEQR, and any action (project) not listed (UNLISTED) must complete Part One of a Short EAF (attached).

As the review is conducted by the Planning Board certain environmental impacts may be identified. If these impacts are significant the Planning Board will need to mitigate those through project change. The SEQR process must be completed prior to the issuance of a permit or approval.

Any cost incurred by the Town in completing the SEQR process is the responsibility of the applicant.

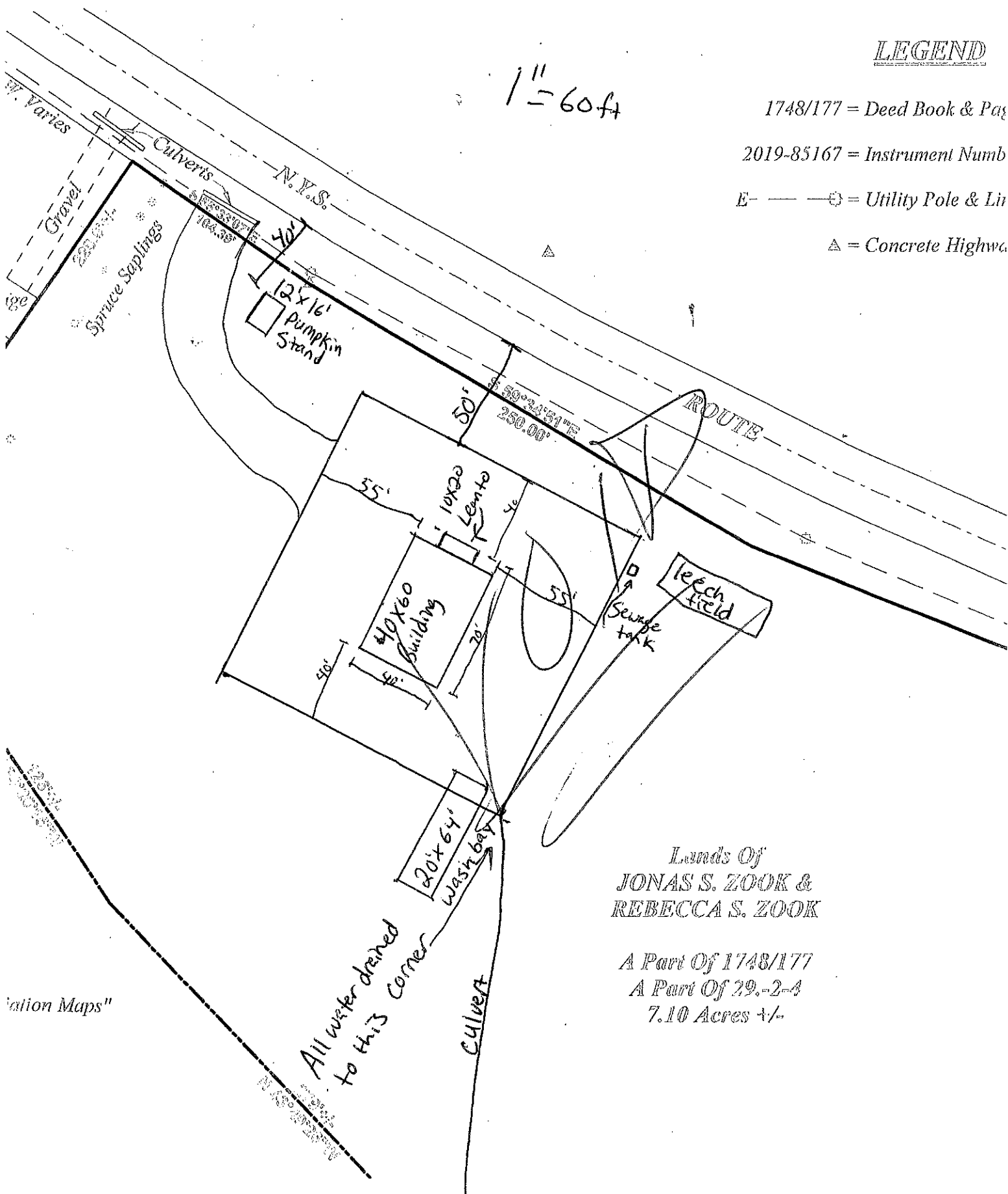
# LEGEND

1748/177 = Deed Book & Page

2019-85167 = Instrument Number

E- — — — ⊙ = Utility Pole & Line

△ = Concrete Highway



# WALZ CONSULTING AND ENGINEERING

January 7, 2023

RE: Daniel Zook  
Paris Road  
Fort Plain, New York 13339

To Whom It May Concern,

Being the engineer of record for the above-mentioned building design, I approve the design change listed below.

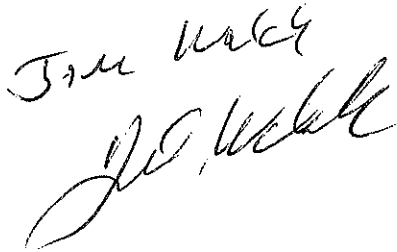
- Building length extended to 100'-0" in length from the original length of 60'-0"

I am available to discuss. If you have any questions, please do not hesitate to contact me.

Respectfully Submitted

  
Charles W. Walz IV, P.E.

I called Mr. Walz on 2-13-23 at 12:22 and  
he confirmed that the plans submitted under Benwei Zook's  
name with the design change under Daniel Zook name  
is for Jonas Zook's new building on S-S.  
He apologized for the incorrect name on the Design Change.

Jon Walz  




Charles W. Walz IV, P.E.

2 Johnson Avenue Mohawk, New York (315)-868-0105

**BENJAMIN M. GALLUP**  
**PROFESSIONAL LAND SURVEYOR**

*55 East Main Street  
PO Box 407  
Nelliston, New York, 13410  
518-993-3541  
sandgsurvey@gmail.com*

*5 January 2023*

**LEGAL DESCRIPTION OF A 7.10 ACRE +/- PARCEL OF LAND FOR JONAS S. ZOOK & REBECCA S. ZOOK:**

*All that parcel of land situated in the Town of Minden, County of Montgomery and State of New York beginning at the intersection of the southwesterly bounds of N.Y.S. Route 5s with the westerly bounds of Paris Road;*

*Thence along the westerly bounds of Paris Road the following five (5) bearings and distances:*  
*S 14-46-33 W, 60.06 feet,*  
*S 14-28-01 W, 98.62 feet,*  
*S 11-56-15 W, 103.91 feet,*  
*S 14-12-27 W, 101.36 feet and*  
*S 19-01-36 W, 118.6 feet, more or less, to the center of a*  
*small stream;*

*Thence up and along the center of a small stream and through a parcel of land conveyed by David Ray and Jo Anne Ray to Jonas S. Zook and Rebecca S. Zook by deed dated 14 May 2009 and recorded in the Montgomery County Clerks Office in deed book 1748, page 177 the following five (5) bearings and distances:*      *N 48-06-29 W, 128 feet, more or less,*

*N 61-04-00 W, 331 feet, more or less,*  
*N 43-49-26 W, 279 feet, more or less,*  
*N 34-20-15 W, 126 feet, more or less, and*  
*N 34-57-30 W, 81 feet, more or less;*

*Thence continuing through the above referenced Ray to Zook parcel (1748/177) and then along the southeasterly bounds of Bennett & Brown (2019-85167) N 34-33-53 E, 228.6 feet, more or less to the southwesterly bounds of N.Y.S. Route 5s;*

*Thence along the southwesterly bounds of N.Y.S. Route 5s the following three (3) bearings and distances:*      *S 55-33-07 E, 104.39 feet,*



*S 59-34-51 E, 250.00 feet and  
S 68-19-23 E, 419.00 feet to the point of beginning and  
containing 7.10 Acres of land, more or less.*

*Being a part of the above referenced Ray to Zook parcel (1748/177).*

*Above bearings are New York State Plane grid bearings.*

*Excepting and reserving any rights and/or easements of record.*

617.20  
Appendix B  
Short Environmental Assessment Form

**Instructions for Completing**

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

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

Part 1 - Project and Sponsor Information																		
Name of Action or Project: <div style="font-family: cursive; font-size: 1.2em;">Jonas Zook new store for Empire Rentals</div>																		
Project Location (describe, and attach a location map): <div style="font-family: cursive; font-size: 1.2em;">On corner of Paris RD + Route 55. Driveways will be at top of shell.</div>																		
Brief Description of Proposed Action: <div style="font-family: cursive; font-size: 1.2em;">A store will be built with storage/parking lot.</div>																		
Name of Applicant or Sponsor: <div style="font-family: cursive; font-size: 1.2em;">Jonas Zook</div>		Telephone: <div style="font-family: cursive; font-size: 1.2em;">518-993-3026</div>																
Address: <div style="font-family: cursive; font-size: 1.2em;">684 Paris RD</div>		E-Mail:																
City/PO: <div style="font-family: cursive; font-size: 1.2em;">Fort Plain NY</div>		State: <div style="font-family: cursive; font-size: 1.2em;">NY</div>	Zip Code: <div style="font-family: cursive; font-size: 1.2em;">13339</div>															
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"><tr><th style="width: 50%;">NO</th><th style="width: 50%;">YES</th></tr><tr><td style="text-align: center;"><input checked="" type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr></table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>											
NO	YES																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>																	
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"><tr><th style="width: 50%;">NO</th><th style="width: 50%;">YES</th></tr><tr><td style="text-align: center;"><input checked="" type="checkbox"/></td><td style="text-align: center;"><input type="checkbox"/></td></tr></table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>											
NO	YES																	
<input checked="" type="checkbox"/>	<input type="checkbox"/>																	
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?																		
<div style="font-family: cursive; font-size: 1.2em;">7.10</div> acres <div style="font-family: cursive; font-size: 1.2em;">1255 then 1</div> acres <div style="font-family: cursive; font-size: 1.2em;">7.10</div> acres																		
4. Check all land uses that occur on, adjoining and near the proposed action. <table style="width: 100%;"><tr><td><input type="checkbox"/> Urban</td><td><input checked="" type="checkbox"/> Rural (non-agriculture)</td><td><input type="checkbox"/> Industrial</td><td><input type="checkbox"/> Commercial</td><td><input type="checkbox"/> Residential (suburban)</td></tr><tr><td><input type="checkbox"/> Forest</td><td><input checked="" type="checkbox"/> Agriculture</td><td><input type="checkbox"/> Aquatic</td><td colspan="2"><input type="checkbox"/> Other (specify): _____</td></tr><tr><td><input type="checkbox"/> Parkland</td><td colspan="4"></td></tr></table>				<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				
<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, a. A permitted use under the zoning regulations?		NO	YES	N/A
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO YES		
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____		NO YES		
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO YES		
		<input type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?		<input type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?		<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 YES		
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: <u>Spring development from a creek</u>		NO YES		
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: <u>Drainage to a creek</u>		NO YES		
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?		NO YES		
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO YES		
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input 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 plain?		NO YES		
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES If Yes, briefly describe: <u>Property will be drained into adjoining creek</u>		NO YES		
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor name: <u>James S Zark</u> Date: <u>2-13-23</u> Signature: <u>[Signature]</u>		

**Part 2 - Impact Assessment.** The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Part 3 - Determination of significance.** The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

level of traffic will be a little more than existing traffic existing onto Rt. 55

The use of the land with change from Agricultural to Commercial but is allowed in our zoning laws. MR. Zook has been operating a rental business for several years located on Paris Rd.

The intent of moving the business is to ease the traffic on Paris Rd. and give his business better public visibility.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
<u>Town of Lincoln Planning Dept</u>	
<u>James Welch</u>	
<u>3-13-23</u>	
<u>Chairman</u>	
<u>[Signature]</u>	
<u>[Signature]</u>	

PRINT

Town of Minden  
Planning Board  
134 St Hwy 80  
Fort Plain NY 13339

Public Hearing Notice

A Public Hearing will be held on April 10, 2023 at the Fort Plain Senior Center located on Canal St. in Fort Plain NY.

The purpose of this hearing is in regards to a Special Use Permit Application submitted by Mr. Jonas Zook for an Agri Business rental business to be located on the corner of Paris Rd. and Route 5s. Mr. Zook wants to move his established rental business from Paris Rd to the new location on 5s to ease the traffic situation on Paris Rd. and to give his business better public visibility.

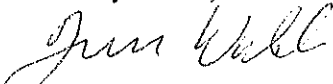
The Department of Transportation has visited the Site and is drawing up specifications for the driveway entrances.

This is a permitted use by the Town by obtaining a Special Use Permit Approval from the Planning Board.

At this time you'll be able to address the Board with any comments that you may have.

You are receiving this notice as required by NYS Law regarding Agricultural Districts.

Sincerely Yours,



James Welch  
Chairman

CC; Jonas Zook ✓  
Ramon Oldick ✓  
Brenda Lohmeyer ✓  
Joshua Bennet ✓  
Brian Trumbull ✓  
Jeanette Salerno ✓  
Ryan Lohmeyer ✓  
Dillon Vanston ✓  
Codey Milne ✓  
Haralambos Garautos ✓  
Humphrey Memorials ✓  
Barry Vickers - CEO ✓



SHEET

15

1

**SITE PLAN FOR:**  
**JONAS S. AND REBECCA S. ZOOK**  
**STATE ROUTE 55**  
**TOWN OF MINDEN**  
**MONTGOMERY COUNTY, N.Y.**

Designed By	FDT	Drawn By	Drawn By	Scale	AS NOTED
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**GIALLARINO ENGINEERING, PLLC:**  
8051 W. THOMAS STREET  
ROME, N.Y. 13440  
(315) 534-2527

**T**  
**TALLARINO** —  
*English*

PROJECT SUPERVISOR \_\_\_\_\_

PROJECT MANAGER \_\_\_\_\_

[illegible]

GENERAL APPLICATION INFORMATION:

THE INFORMATION CONTAINED HEREIN IS TO SUPPORT PLANNING BOARD APPROVAL BY THE TOWN OF WARREN

PARCEL DESCRIPTION: - APPROVAL TO RELOCATE A BUSINESS PROSPECTING RETAIL SALES AND EQUIPMENT RENTAL AT THE SUBJECT PROPERTY TO THE EAST SIDE OF THE TOWN OF WARREN

- GRADE SITE AND IMPROVE GRAVEL FILL FOR PARKING

- CONSTRUCT 4,000'S SQUARE FOOTAGE TO INCLUDE GARAGE AND OFFICE SPACE

- CONSTRUCT NEW HOT APPROVED GROUNDWATER APPROVAL

- INSTALL ON SITE WASTEWATER SYSTEM

- INSTALL NEW BUSINESS SIGNAGE

- INSTALL STORMWATER AREA

PARCEL DESCRIPTION: - THE FIRST PARCEL IS FORMALLY KNOWN AS ROUTE 55, TOWN OF WARREN

PARCEL ID NUMBER: 28-5-4

OWNER'S NAMES: S. AND REBECCA S. ZOOK

PARCEL SIZE: 310 ACRES

USE AND OCCUPANCY:

CURRENT ZONING: CONFORMING

WASTEWATER TREATMENT SYSTEM -

SEPTIC TANK - 1000 GALLON PLASTIC TANK (NEW)

USAGE - 100 GALLONS/DAY

WATER SUPPLY -

PRIVATE SPRING-

## GRAPHIC SCALE

(四) 附註

1. 224 - 30

IS A VIOLATION OF ARTICLE 14.5 SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THOSE PLANS IN ANY WAY. IF ALTERATIONS TO THOSE PLANS ARE NECESSARY, THE ALTERING ENGINEER SHALL AFFIX TO THE PLAN HIS SEAL AND THE INDICATION "AUTHORIZED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION AND A SPECIFIC DESCRIPTION OF THE ALTERATION.



# 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: Village of Fonda Board of Trustees  
Referring Officer: Mayor William Peeler  
Mail original resolution to: Village of Fonda  
Attn: Village Clerk, PO Box 447, 8 East Main St.,  
Fonda, New York 12068

1. **Applicant:** Village of Fonda 2. **Site Address:** 22 Broadway, Fonda, New York 12068  
3. **Tax Map Number(s):** 35.11-1-22 4. **Acres:** 0.24  
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:** Commercial/Residential 8. **Current Land Use:** 411 Apartment (Multiple)  
9. **Project Description:** Converting existing vacant (10 years plus) commercial space (former dentist office) into a residential apartment.

### 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: \_\_\_\_\_ 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:** Village of Fonda Board of Trustees

Proposed Improvements: Renovate vacant former dentist office in an apartment building and turn it into a 4th residential rental apartment

Proposed Use: Residential Apartment Building with 4 residential Apartments

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

Specify: The present property square footage footprint and side yard setbacks only allow for 3 apartments, we are asking for relief as to the required square footage and side yard so as to allow a 4th apartment.

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: Village of Fonda Board of Trustees

☒ Area ☐ Use

Village of Fonda Code, Chapter 142: Structure and Property Requirements; Section 142-1 Requirements; F. (2), and Section 142-4 Residential Lot Sizes (Attached)

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

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

To have 4 Apartments the Owner needs 3 Area Variances and relief from the Code requirements because the required square footage is 12,500 sq ft and the owners have 10,454 sq feet, short 2046 sq ft, the required road frontage is 95 linear feet, the owners have 87 linear feet, short by 8 feet, the required side yard setbacks total 28 feet and the owner has 25, short by 3 feet. No changes to the exterior of the building and has the required parking spaces.

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): Village of Fonda Board of Trustees Date: 04/13/2023

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 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.

Stanley F. Waddle Cell: (518)-774-0420

04/29/2023

Name, Title & Phone Number of Person Completing this Form

Transmittal Date

Village of Fonda Building Code Enforcement Official

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

William F. Peeler  
Mayor

Lynn E. Dumar  
Timothy F. Healey  
Scott Sprague  
Board of Trustees

## Village of Fonda



PO Box 447 ❖ 8 E. Main Street ❖ Fonda NY 12068

Voice (518) 853-4335 ❖ FAX (518) 853-4555 ❖ [www.villageoffonda.ny.gov](http://www.villageoffonda.ny.gov) ❖ email: [villageclerk@villageoffonda.ny.gov](mailto:villageclerk@villageoffonda.ny.gov)

Christine Kearns  
Clerk Treasurer

Chris Weaver  
Street and Water Commissioner

Stan Waddle  
Code Enforcement

### APPLICATION TO THE VILLAGE BOARD OF APPEALS

FILE # 23-4-10-1

DATE ACCEPTED: 04/10/2023

APPLICATION IS HEREBY MADE TO THE ZONING BOARD OF APPEALS FOR:

(CHECK APPROPRIATE BOX)

- ( ☐ ) SPECIAL PERMIT; (COMPLETE SECTION A, B-1, B-2, F AND G)
- ( ☐ ) USE VARIANCE; (COMPLETE SECTION A, B, F AND G)
- ( ☒ ) AREA VARIANCE; (COMPLETE SECTION A, B-2, C, F AND G)
- ( ☐ ) REVIEW OF A DECISION OF THE ZONING/ADMINISTRATIVE OFFICIAL;  
(COMPLETE SECTIONS A, D, F AND G)
- ( ☐ ) INTERPRETATION OF THE VILLAGE CODE ORDINANCE; (COMPLETE SECTIONS E  
AND G)

X A.1. S.B.L. #, DESCRIPTION, ADDRESS LOCATION OF THE PREMISES INVOLVED:

35.11-1-22 APARTMENT HOUSE

22 BROADWAY, FONDA, NEW YORK

PROPERTY CLASS 483-CONVERTED RESIDENCE

X 2. THE APPLICANT HAS OWNED OR WILL OWN THE SUBJECT PROPERTY AS  
OF 7/2020 (DATE)

X 3. THE APPLICANT CERTIFIES OWNERSHIP OF ANY OF THE FOLLOWING ADJOINING  
PROPERTY: NONE



**B. 1. THE APPLICANT PROPOSES TO USE THE PREMISES FOR THE FOLLOWING PURPOSES: (GIVE DETAILS)**

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X **2. THE APPLICANT CONTENTS THAT THE PROPOSED USE WILL NOT BE INJURIOUS TO THE CHARACTER OF THE NEIGHBORHOOD FOR THE FOLLOWING REASONS:**

NO EXTERIOR MODIFICATIONS

THERE ARE OTHER MULTIPLE RESIDENT APARTMENTS IN THE AREA AND ON  
TO THE NORTH IS A CHURCH, TO THE EAST IS A COMMERCIAL FUEL DEPOT, WITH GARAGE  
AND ONE OCCUPIED APARTMENT, TO THE SOUTH IS A VACANT APARTMENT  
AND TO THE WEST ARE MULTIPLE COMMERCIAL BUILDINGS.

OUR ADDING 1 MORE APARTMENT TO OUR BUILDING WILL NOT CHANGE THE CHARACTER.

**3. THE APPLICANT CONTENTS THAT NO PERMISSIBLE USE OF HIS PROPERTY WILL PERMIT A REASONABLE RETURN FOR THE FOLLOWING REASONS:**

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X **C. 1. THE APPLICANT REQUEST RELIEF FROM THE ZONING ORDINANCE PROPERTY RESTRICTIONS AS EXPLAINED BELOW:**

REQUEST IS FOR ONE ADDITIONAL APARTMENT

AT THE ADDRESS Village of Fonda Code, Chapter 142: Structure and Property  
Requirements; Section 142-4 Residential Lot Sizes; To have. 4 Apartments, the size of our property  
lot needs to be 12,500 sq ft., road frontage needs be 95 Linear feet, and required minimum side  
yard setbacks needs to be 28 feet.

X **2. THE APPLICANT CERTIFIES THAT THE FOLLOWING SPECIAL CIRCUMSTANCES APPLY TO THIS PROPERTY BUT DO NOT APPLY GENERALLY TO LAND OR BUILDINGS IN THE NEIGHBORHOOD:**

SEE PREVIOUS CORRESPONDANCE PROVIDED  
DURING MAY 2022 BOARD MEETING WITH  
FULL DETAILS AND DRAWINGS OF THE  
PROJECT (ATTACHED)

X **3. THE APPLICANT CERTIFIES THAT THE RELIEF REQUESTED IS THE MINIMUM VARIANCE WHICH WILL ENABLE REASONABLE USE OF THIS PROPERTY FOR THE FOLLOWING REASONS:**

SEE PREVIOUS CORRESPONDANCE

To have 4 Apartments we need 3 Area Variances and relief from the Code requirements because the required square footage is 12,500 sq ft and we have 10,454 sq feet, short 2046 sq ft, the required road frontage is 95 linear feet, we have 87 linear feet, short by 8 feet, the required side yard setbacks total 28 feet and we have 25, short by 3 feet. No changes to the exterior of the building and have the required parking spaces. We cannot purchase more land, we tried to buy the vacant building next door and were denied.

**D.1. THE APPLICANT REQUEST RELIEF FROM THE ACTION OF THE ZONING/ADMINISTRATIVE OFFICIAL WITH RESPECT TO THE FOLLOWING SECTION/SECTIONS OF THE ZONING ORDINANCE:**

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**2. THE APPLICANT REQUESTS A REVERSAL OF THE ZONING/ADMINISTRATIVE OFFICIAL DECISION REGARDING DOCUMENT NUMBER: \_\_\_\_\_**  
**(ATTACH A COPY OF DENIED BUILDING PERMIT IF APPLICABLE)**

**E. 1. AN INTERPRETATION IS REQUESTED OF THE ZONING ORDINANCE PERTAINING TO: (COMPLETE EACH ITEM THAT MAY APPLY)**

ARTICLE: \_\_\_\_\_ SECTION: \_\_\_\_\_ PARAGRAPH NO: \_\_\_\_\_

PAGE NO: \_\_\_\_\_ TABLE NO: \_\_\_\_\_ MAP NO: \_\_\_\_\_

COMMENTS: \_\_\_\_\_

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- X F. 1. SUBMIT A MAP SHOWING: PROPERTY LINES; EXISTING AND PROPOSED STRUCTURES, WATER SUPPLY AND SEWAGE LINES; ALL WITH PROPER DIMENSIONS.

(LIST AND IDENTIFY ACCURATELY)

CERTIFY SURVEY PREVIOUSLY SENT

SEE ATTACHED SURVEY, TAX PARCEL MAP, PARCEL DESCRIPTION AND GOOGLE MAP

2. ESTIMATED COST OF PROJECT: \$25,000
3. ESTIMATED TIME OF COMMENCEMENT: JUNE 2022
4. ESTIMATED TIME OF COMPLETION: APRIL 2023



G.

APPLICANT INFORMATION

1. NAME: MICHELLE FONG WADSWORTH

2. ADDRESS 138 SEVERINE LA, AMSTERDAM, NY 12010

\*\*\*\*\*

OWNER INFORMATION (IF OTHER THAN APPLICANT)

3. NAME: Same

4. ADDRESS: \_\_\_\_\_

\*\*\*\*\*

I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT ALL APPLICABLE FEDERAL AND STATE STATUTES HAVE BEEN COMPLIED WITH. I HAVE READ THE FOREGOING APPLICATION AND THE CONTENTS THEREOF ARE TRUE TO MY OWN KNOWLEDGE.

APPLICANT SIGNATURE: [Signature]

DATE: 4/10/2023

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

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

(ONLY IF NOT SAME AS APPLICANT)

NOT REQUIRED BY THE FONDA BOARD OF TRUSTEES FOR THIS APPLICATION. sfw  
\*NOTE: THE APPLICANT SHALL NOTIFY BY CERTIFIED MAIL, RETURN RECEIPT REQUIRED, ALL LANDOWNERS WITHIN 500 FEET OF THE APPLICANT'S PARCEL.

RECEIVED BY: [Signature]

DATE: 4/10/2023

VILLAGE BOARD OF APPEALS RECEIVED: 04/10/2023 sfw

FEE PAID: N/A



# Property Description Report For: 22 Broadway, Municipality of V. Fonda

No Photo Available

**Status:** Active  
**Roll Section:** Taxable  
**Swis:** 273201  
**Tax Map ID #:** 35.11-1-22  
**Property Class:** 483 - Converted Res  
**Site:** COM 1  
**In Ag. District:** No  
**Site Property Class:** 483 - Converted Res  
**Zoning Code:** CONF - Conforming  
**Neighborhood Code:** 27005 - village comm  
**Total Assessment:** 2021 - \$75,000  
**School District:** Fonda-Fultonville  
**Legal Property Desc:**  
**Deed Page:** 89473  
**Grid North:** 1501610

**Land Assessment:** 2021 - \$25,300  
**Total Acreage/Size:** 0.24  
**Full Market Value:** 2021 - \$83,705  
**Deed Book:** 2020  
**Grid East:** 525107

## Owners

Douglas B Wadsworth  
138 Severine Ln  
Amsterdam NY 12010

Michele L Wadsworth  
138 Severine Ln  
Amsterdam NY 12010

## Sales

Sale Date	Price	Property Class	Sale Type	Prior Owner	Value Usable	Arms Length	Addl. Parcels	Deed Book	Deed Page
8/26/2020	\$67,500	483 - Converted Res	Land & Building	Bialobok, Joseph S	Yes	Yes	No	2020	89473
12/1/1982	\$39,000	483 - Converted Res	Land Only	Bowe, Dr William	Yes	Yes	No	435	803

## Utilities

**Sewer Type:** Comm/public  
**Utilities:** Gas & elec

**Water Supply:** Comm/public

## Inventory

**Overall Eff Year Built:** 1980  
**Overall Grade:** Economy

**Overall Condition:** Normal  
**Overall Desirability:** 3

## Buildings

AC%	Sprinkler%	Alarm%	Elevators	Basement Type	Year Built	Condition	Quality	Gross Floor Area (sqft)	Stories
43	0	0	0	Unfinished	1980	Fair	Economy	3946	2.00

## Site Uses



Use	Rentable Area (sqft)	Total Units
Non-contrib	3,484	0
Walk-up off	1,707	0

## Improvements

Structure	Size	Grade	Condition	Year
Porch-enclsd	10 × 24	Economy	Fair	1980
Canpy-w/slab	13 × 22	Economy	Fair	1980

## Land Types

Type	Size
Primary	0.24 acres

## Special Districts for 2021

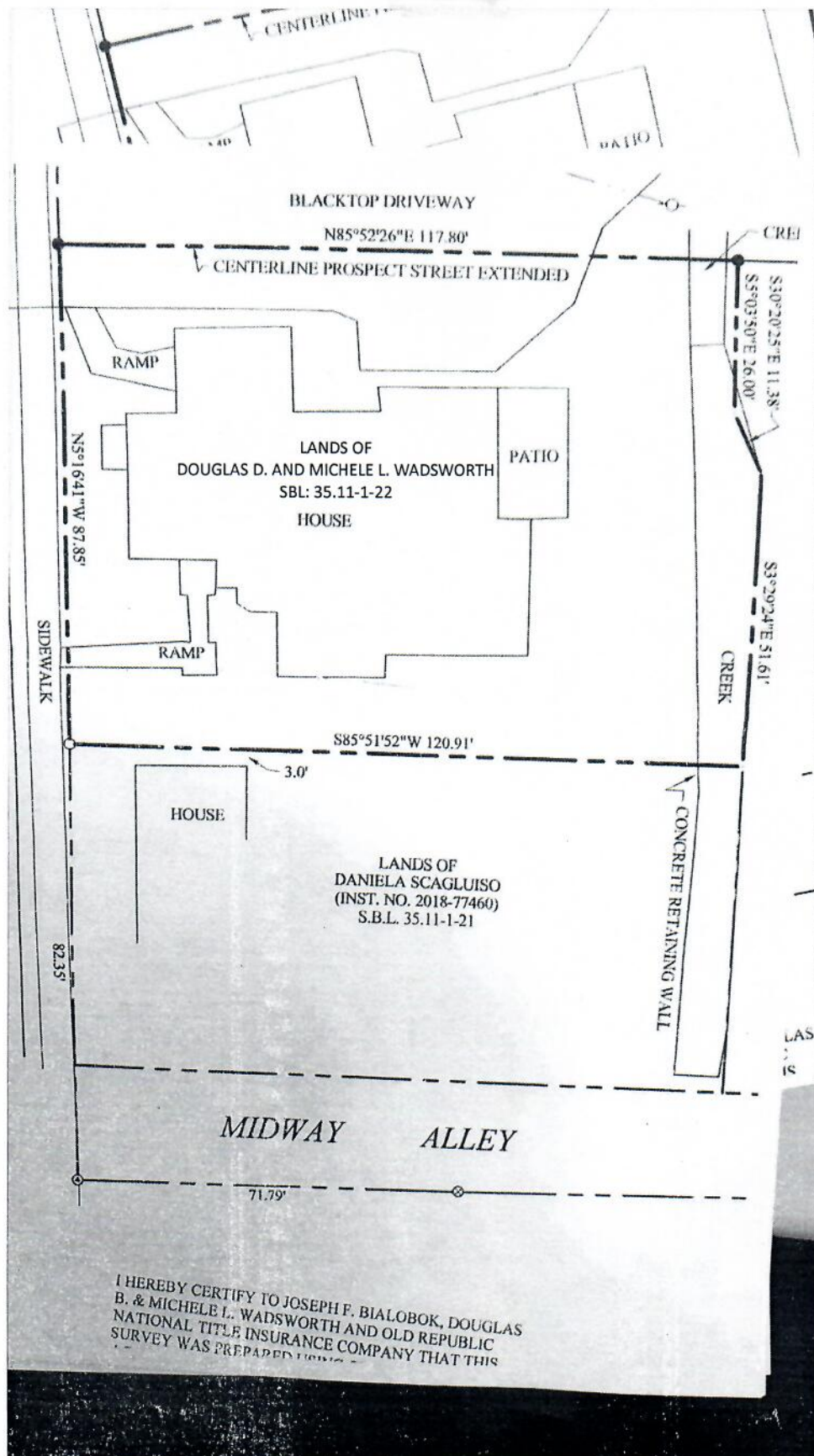
Description	Units	Percent	Type	Value
Mohawk fire	0	0		0

## Exemptions

Year	Description	Amount	Exempt %	Start Yr	End Yr	V Flag	H Code	Own %
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SBL: 35.11-1-22 22 BROADWAY SURVEY

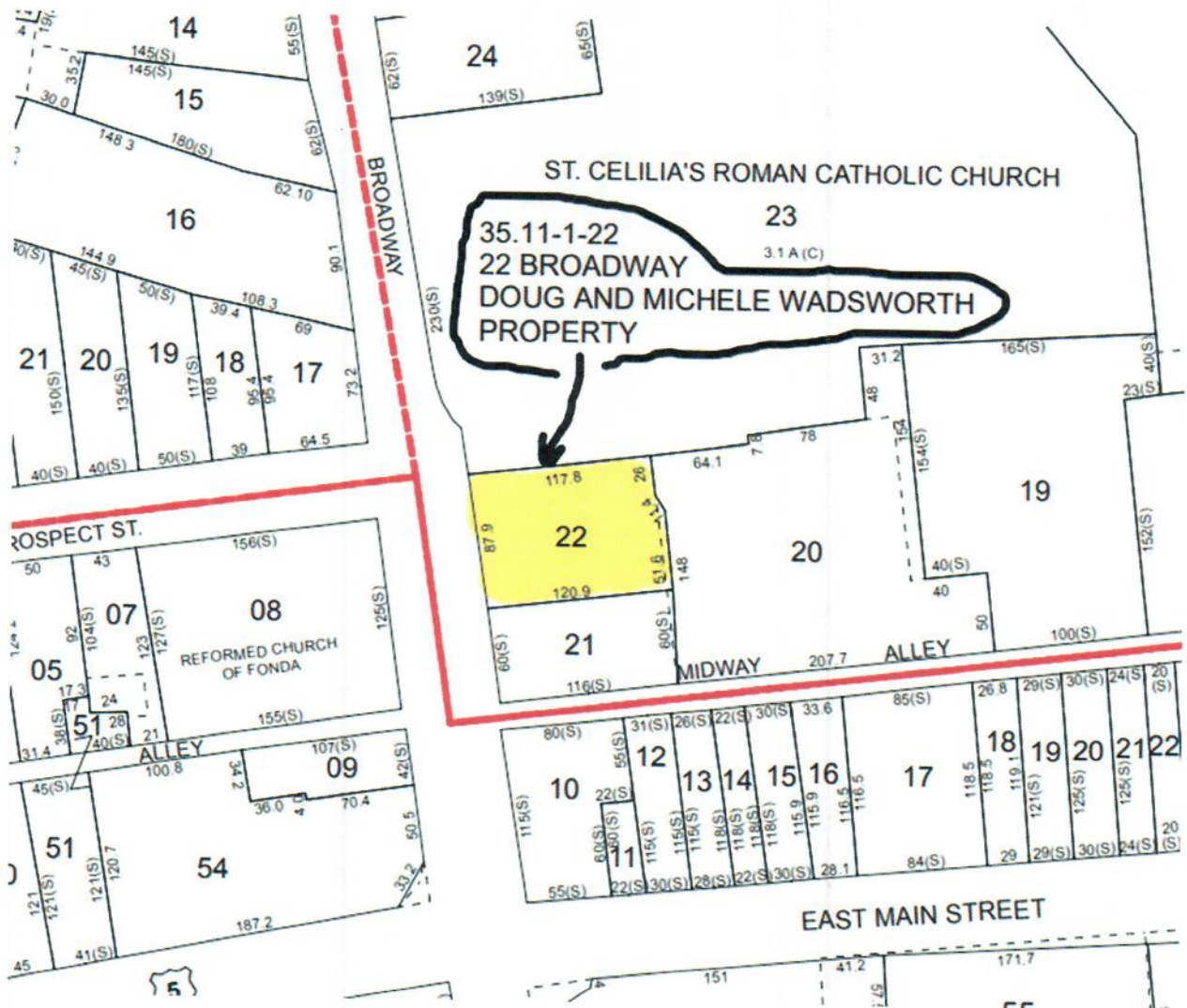
PRESENT OWNERS: DOUDLAS B. AND MICHELE L. WADSWORTH



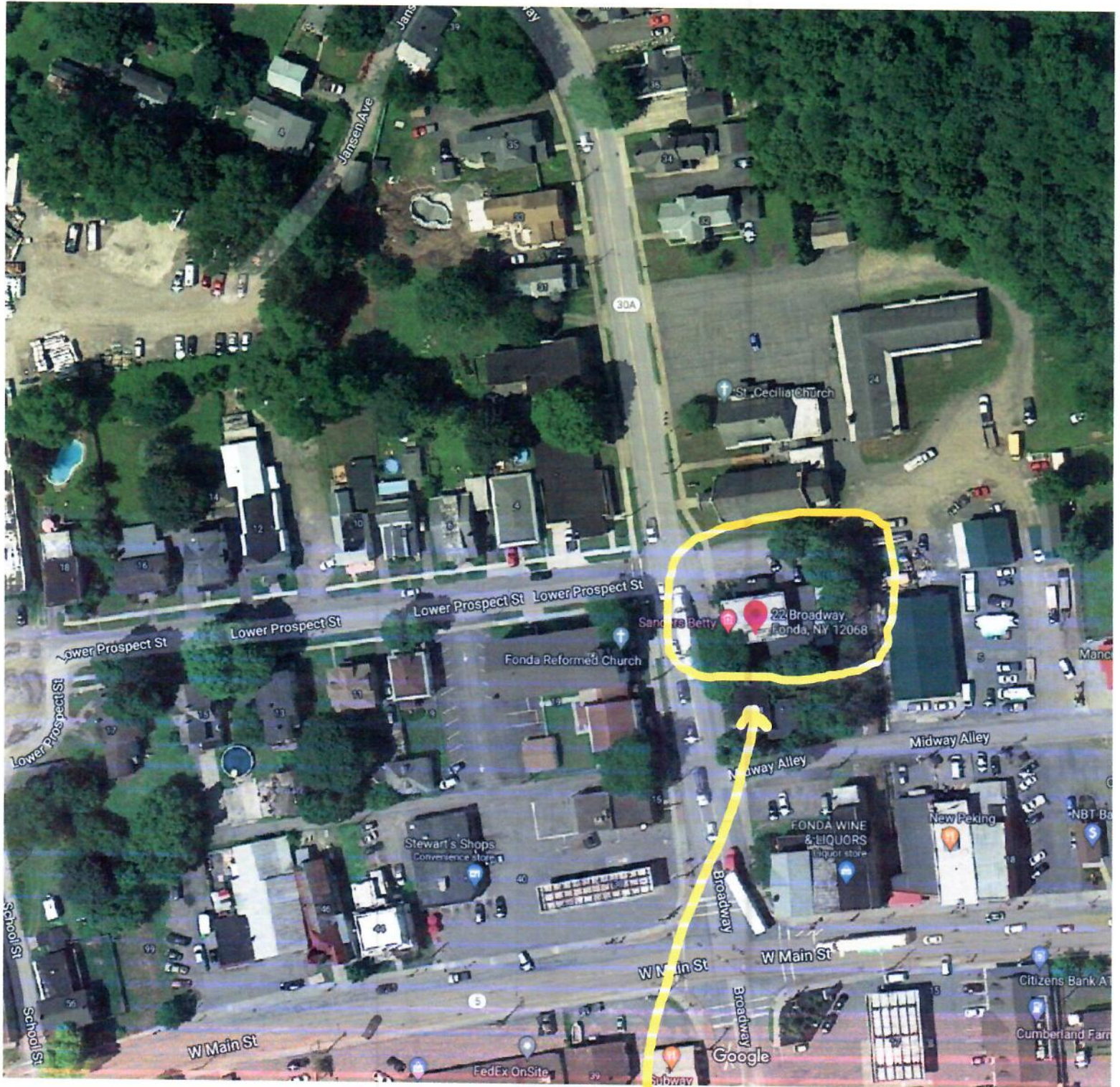












Imagery ©2022 Maxar Technologies, New York GIS, Map data ©2022 50 ft



35.11-1-22  
22 BROADWAY  
FONDA, NEW YORK 12068  
OWNERS;  
DOUGLAS B. AND MICHELE L. WADSWORTH



## Chapter 142. Structure and Property Requirements

[HISTORY: Adopted by the Board of Trustees of the Village of Fonda at time of adoption of Code (See Ch. 1, General Provisions, Art. I). Amendments noted where applicable.]

### GENERAL REFERENCES

Building code administration and enforcement — See Ch. 23.

Numbering of buildings — See Ch. 28.

Unsafe buildings — See Ch. 33.

Flood damage prevention — See Ch. 54.

Property maintenance — See Ch. 112.

Site plan review — See Ch. 134.

Wood-burning furnaces — See Ch. 166.

### § 142-1. Requirements.

- A. In the Village of Fonda no building, structure, or land shall be occupied and no building shall be erected or altered unless such action complies with the requirements of this chapter.
- B. All present or future buildings within the Village having toilet facilities of any kind shall be connected with the Village sewer and water system.
- C. No junkyards shall be permitted anywhere within Village limits; nor shall there be any dumping of refuse, used or discarded materials, or matter of any kind within the limits of the Village.
- D. No single-wide mobile homes shall be permitted within Village limits.
- E. Maximum height shall be 35 feet, exceptions shall apply to farm buildings, church spires, chimneys, or other structures built above the roof and not devoted to human occupancy.
- F. **Certification of occupancy issued by the Village Code Enforcement Officer is required for properties and structures within the Village of Fonda corporate limits.**
  - (1) New construction. All new structures erected within the corporate limits of the Village of Fonda shall require a certificate of occupancy prior to use or occupancy.
  - (2) **Property conversions and expansions. All properties that are converted from or to commercial or residential use or changes to the number of living units within a structure requires a certificate issued by the Code Enforcement Officer.**
  - (3) Sale of property. Any property wherein a transfer of ownership has occurred within the Village of Fonda requires a certificate.
  - (4) Unoccupied properties. Any property that has not been occupied for a period of 12 months or longer shall require a certificate of occupancy.
  - (5) Manufactured structures. All structures that are manufactured must apply and receive a certificate of occupancy every three years.
  - (6) Multiple dwelling and use. Properties with more than more than one family dwelling, or wherein the occupied property is used for multiple purposes of living and commercial use, requires renewal of occupancy every three years.



A residential dwelling, including mobile homes, must have a total living space that is climate controlled of no less than 900 square feet per living unit.

### § 142-3. Mobile homes.

No mobile home or trailer shall be brought within Village limits without the express permission of the Village Board and only upon a permit directed to be issued by said Board to the Enforcement Officer and meeting the following requirements:

- A. All mobile homes shall be for single-family occupancy with no less than 900 square feet of living space;
- B. Mobile homes must be double-wide;
- C. Mobile homes must be certified as meeting the Mobile Home Construction and Safety Standards of the United States Department of Housing and Urban Development. Used mobile homes must be under six years old and be in excellent condition;
- D. Mobile homes shall be located on single family lots which meet minimum lot size;
- E. The mobile home should appear to face the street. Meaning that the long axis will be parallel to the public street.
- F. All mobile homes shall be on a permanent foundation of either poured concrete or blocks of at least three blocks above grade that must form a complete enclosure under exterior walls. No exposed building paper, wallboard or other unfinished materials will be permitted for this purpose, or for other additions such as storage space and carports;
- G. The main body of the mobile home should be a rectangle, not be less than 24 feet narrow in its least dimension. Rectilinear form may be relieved by breaks in facade, and apparent size may be increased by adding an attached garage at the end;
- H. The exterior walls should look like wood or masonry, regardless of their actual construction;
- I. If the mobile home complies with the provisions of this section and all building requirements, a certificate of occupancy shall be issued, which certificate shall be renewed every three years. Renewal may be withheld if violations of local, state or federal codes exist.

### § 142-4. Residential lot sizes.

(FROM CODE OF VILLAGE OF FONDA)

All properties which are primarily used for residential living space must meet the requirements of this section:

- A. Lot size of not less than 5,000 square feet for a single-family home;
- B. Lot size of not less than 2,500 square feet for each additional living unit within the same structure;
- C. A width of not less than 50 linear feet for a single-family home;
- D. Additional width of 15 feet per additional living unit within the same structure;
- E. For a single-family residence, there shall be two side yards with a total width of not less than 24 feet. The minimum width of any one side yard shall not be less than eight feet;
- F. For a two-family dwelling, there shall be two side yards with a total width of 24 feet, and the minimum width of one side yard shall not be less than 10 feet.
- G. For dwellings of three or more dwelling units, there shall be two side yards of a total width of not less than 24 feet, plus an additional four feet for each dwelling unit in excess of three contained in the building. The width of the narrower of the two side yards shall not be less than 12 feet.

### § 142-5. Penalties for offenses.

Any person committing an offense against any provision of this chapter shall, upon conviction thereof, be guilty of a violation, punishable by a minimum fine of \$100 and not exceeding \$500 or by imprisonment for a term not exceeding 15 days, or by both such fine and imprisonment. The continuation of an offense against the provisions of this chapter shall constitute, for each day the offense is continued, a separate and distinct violation hereunder.



DRAFT

**Mayor Peeler** discussed the request by the owners of 22 Broadway for a variance for the number of allowed units per the property's square footage.

**Motion** by Mayor Peeler, seconded by Trustee Dumar with all in favor to grant the variance to the owners of the property located at 22 Broadway to allow a maximum of 4 units and to forward all information to Montgomery County for review.

**Mayor Peeler** stated if the variance is approved by Montgomery County the matter will be returned to the Village for final approval by Resolution.

**Mayor Peeler** discussed replacing and/or buying new playground equipment. Commissioner Weaver stated the NYMIR, our insurance company, said all the "fall zone" needs to be replaced in all areas. Trustee Sprague said he looked at the equipment and said the only piece that needs replacing is the merry go round. Mayor Peeler showed examples of playground equipment and rubber mulch for the fall zone. Commissioner Weaver asked who would be installing the equipment and mulch, Mayor Peeler stated our DPW crew would. Commissioner Weaver said NYMIR recommends the swings have a plastic covering, possibly need new seats. Mayor Peeler asked if there were any other suggestions for equipment, Trustee Sprague suggested a teeter totter. Mayor Peeler said he would price out a merry go round, teeter totter and the rubber mulch and see what was left of the budgeted \$25,000 for another piece of equipment. Clerk Treasurer Kearns asked how the material to install new equipment and mulch will be purchased, Mayor Peeler stated with the \$25,000 budgeted for the playground equipment. Will be ordering 5 light poles and fixtures for the waterfront and park area. Need to run conduit for camera system at the waterfront before paving even if we don't get the cameras right away.

**Motion** by Mayor Peeler, seconded by Trustee Dumar with all in favor, to approve the Mayor to purchase a teeter totter, merry go round, rubber mulch and a "multi trick" playground apparatus with the remaining funds, not to exceed \$25,000.00, for the playground project.

**Next meeting(s)** Special Meeting – Budget Adoption: Thursday, April 27, 2023, 5:30 pm  
Regular Monthly Meeting: Monday, May 8, 2023, 6:30 pm

**Adjournment** Motion by Mayor Peeler, seconded Trustee Healey with all in favor at 8:33 pm

Respectfully submitted,

Christine Kearns  
Clerk Treasurer

# 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 MOHAWK TOWN BOARD  
Referring Officer: TOWN SUPERVISOR-Janet DePalma  
Mail original resolution to: TOWN OF MOHAWK  
ATTEN: TOWN CLERK, PO BOX: 415, 2-4 PARK ST.  
FONDA, NEW YORK 12068

TOWN OF MOHAWK, MONTGOMERY COUNTY, FONDA, NY

1. **Applicant:** TOWN OF MOHAWK 2. **Site Address:** 2-4 PARK ST., FONDA, NEW YORK 12068

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:** PUD - PLANNED UNIT DEVELOPMENT LAW LOCAL # 2, 2023

The Town of Mohawk Board wants to adopt this new Planned Unit Development Law, such that when coordinated with the Town's municipal comprehensive plan, planned unit development can be an effective tool for guiding development in ways that support community goals and priorities. Provides a means by which different land uses within an area covered by a single development plan may be combined to achieve compatibility among such uses. Unattainable with traditional municipal zoning techniques, planned unit development provides flexibility in the regulation of land use.

### 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: 04/13/2023 Time: 7:00 PM Location: TOWN OF MOHAWK TOWN HALL  
2-4 PARK ST.  
FONDA, NEW YORK 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 or County DOT work permit needed? If Yes : ☐ State or ☐ County ☐ No



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:**

☒ Type I

☐ Type II

☐ Unlisted Action

☐ Exempt

**Finding:**

☐ Positive Declaration – Draft EIS

☐ Conditional Negative Declaration

☒ Negative Declaration

☐ No Finding (Type II Only)

SEQR determination made by (Lead Agency): TOWN OF MOHAWK TOWN BOARD Date: 04/13/2023

**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.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.

STANLEY F. WADDLE (518)-774-0420

Name, Title & Phone Number of Person Completing this Form

BUILDING AND ZONING CODE ENFORCEMENT OFFICIAL

zoning@townofmohawk.net

04/28/2023

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



JANET DePALMA  
Supervisor

KIMBERLY M. SULLIVAN  
Town Clerk

WILLIAM D. HOLVIG  
Highway Superintendent

## TOWN OF MOHAWK

P.O. Box 415 / 2-4 Park Street  
Fonda, New York 12068-0415  
Phone: 518-853-3031 / Fax: 518-853-3081  
Court: 518-853-8865 / Fax: 518-853-4730

Montgomery County, New York, Planning Board  
RE: Town of Mohawk Proposed Local Law # 2 2023  
Planned Unit Development - PUD  
State Environmental Quality Review  
Town Board Declared Lead Agency  
Proposed Local Law – Planned Unit Development-PUD  
Town of Mohawk, Fonda NY 12068

April 27, 2023

Dear Montgomery County New York Planning Board:

The Town of Mohawk Board wants to adopt this new Planned Unit Development Law, such that when coordinated with the Town's municipal comprehensive plan, planned unit development can be an effective tool for guiding development in ways that support community goals and priorities.

Planned unit development provides a means by which different land uses within an area covered by a single development plan may be combined to achieve compatibility among such uses. Unattainable with traditional municipal zoning techniques, planned unit development provides flexibility in the regulation of land use development in order to encourage innovation in land use variety and design, in the layout and type of new structures and in their integration with existing structures. This will enhance efficiency in the use of land, natural resources, energy, community services and utilities. To encourage open space preservation and protection of natural resources, historic sites and structures. To facilitate the provision of housing and improved residential environments to enhance the ability of the municipality to promote business and employment opportunities.

Based on a review of 6 NYCRR Part 617.4, the Town Board determined that the proposed project is a Type 1 action under SEQR requiring a coordinated review to be conducted.

The Town of Mohawk Town Board has declared itself as Lead Agency for the environmental review of this action.

The Town of Mohawk has completed the State Environmental Quality Review (SEQR) process and has prepared Part 1, Part 2 and Part 3 of the Full Environmental Assessment Form. The Town of Mohawk Town Board gave the proposed PUD Local Law # 1 a Negative Declaration.

The Public Hearing on the Proposed PUD Planned Unit Development Local Law #2 2023 was held April 13, 2023 and then the Town of Mohawk Town Board made the motion to refer this to the Montgomery County New York Planning Board, Minutes attached.

After your review, please advise us of your decision.

Sincerely,

Janet De Palma  
Town of Mohawk  
Town Supervisor  
(518)-853-3031  
[supervisor@townofmohawk.net](mailto:supervisor@townofmohawk.net)

Attachments:  
Minutes from 04/13/2023 PUD Public Hearing  
Montgomery County Referral Form.  
Copy of the proposed PUD Planned Unit Development Local Law #2 2023  
Parts 1, 2, and 3 of the Full Environmental Assessment Form.  
Town of Mohawk Zoning Map.



Public Hearing  
Town of Mohawk  
April 13<sup>th</sup>, 2023  
7:00pm

The Public Hearing was held on April 13, 2023 at the Richard A. Papa Office Building, 2-4 Park St. Fonda NY 12068. The purpose of the hearing was to discuss the proposed PUD Local Law..

The meeting was called to order by Supervisor Janet DePalma and opened with a flag salute.

Public to speak: Mary Lou Coughlin asked if DEC has any input. Attorney Braymer said they have been notified. Stan Waddle, Zoning Officer explained next steps are being worked on the current applicant. Every applicant would submit their plan and we would hold a public hearing. The current mining proposal is approximately 140 acres which is currently B2 & Agriculture- not all projects submitted are allowable in those zones, which is the purpose of this law.

We did the entire SEQRA review.

*A motion for a Negative Declaration was made by Murray and seconded by Paton. All present voting in favor, motion passed.*

*A motion to send this on to Montgomery County Planning was made by Bruno and seconded by Parslow. All present voting in favor, motion passed.*

There was no further business.

A motion to close the Public Hearing at 7:36pm was made by Paton and seconded by Murray. All present voting in favor, motion passed.

**DRAFT**  
**TOWN OF MOHAWK PROPOSED LOCAL LAW # 2 2023**

**PLANNED UNIT DEVELOPMENT - PUD**

**I. Legislative Purpose.**

The Town of Mohawk hereby finds and determines that:

- (a) When coordinated with the municipal comprehensive plan, planned unit development can be an effective tool for guiding development in ways that support community goals and priorities.
- (b) Planned unit development provides a means by which different land uses within an area covered by a single development plan may be combined to achieve compatibility among such uses. Unattainable with traditional municipal zoning techniques, planned unit development provides flexibility in the regulation of land use development in order to:
  - (i) Encourage innovation in land use variety and design, in the layout and type of new structures and in their integration with existing structures.
  - (ii) Enhance efficiency in the use of land, natural resources, energy, community services and Utilities.
  - (iii) Encourage open space preservation and protection of natural resources, historic sites and Structures.
  - (iv) Facilitate the provision of housing and improved residential environments; and
  - (v) Enhance the ability of municipalities to promote business and employment opportunities.

**II. Definitions.**

As used herein:

- (a) **“AUTHORIZED BOARD OR BODY”**: Means the Town Planning Board or other body designated by the legislative body to review and act on final planned unit development plans.
- (b) **“PLANNED UNIT DEVELOPMENT”**: Means a site upon which residential, commercial, industrial or other land uses or any combination thereof may be authorized in a flexible manner so as to achieve the goals of the municipal comprehensive plan.
- (c) **“PLANNED UNIT DEVELOPMENT DISTRICT”**: Means an independent, freestanding zoning district, wherein the zoning regulations need not be uniform for each class or type of land use, but where the use of land shall be in accordance with a preliminary planned unit development plan approved by the legislative body.
- (d) **“PRELIMINARY PLANNED UNIT DEVELOPMENT PLAN”**: Means a proposal for a planned unit development prepared in a manner prescribed by local regulation showing the layout of the proposed project including, but not limited to, maps, plans, or drawings relating to proposed land uses, approximate location and dimensions of buildings, all proposed facilities unsized, including preliminary plans and profiles, at suitable scale and in such detail as is required by local regulation; architectural features, lot sizes, setbacks, height limits, buffers, screening, open space areas, lighting, signage, landscaping, parking and loading, traffic circulation, protection of natural resources, public or private amenities, adjacent land uses and physical features, and such other elements as may be required by local regulation.
- (e) **“PRELIMINARY PLANNED UNIT DEVELOPMENT PLAN APPROVAL”**: Means the approval with conditions, if any, of the layout of a proposed planned unit development as set forth in a preliminary



## **DRAFT**

plan and the simultaneous amendment of the zoning local law or ordinance by the legislative body to create and map a planned unit development district encompassing the preliminary plan; subject to the approval of the plan in final form pursuant to the provisions of this local law.

**(f) “FINAL PLANNED UNIT DEVELOPMENT PLAN”:** Means an approved preliminary planned unit development plan prepared at such additional detail and showing information as is required by local regulation, and the modifications, if any, required by the legislative body at the time of approval of the preliminary planned unit development plan, if such preliminary plan has been so approved.

**(g) “FINAL PLANNED UNIT DEVELOPMENT PLAN APPROVAL”:** Means the signing of a final plan by a duly authorized officer of the authorized board or body pursuant to a resolution granting final approval to the plan or after conditions, if any, specified in said resolution granting conditional approval of the plan are completed. Such final approval qualifies the plan for filing in the office of the clerk as provided herein.

### **III. Authority.**

In addition to any other powers and authority to plan and regulate by zoning, the Town of Mohawk hereby enacts requirements for the review of planned unit development plans and the establishment and simultaneous mapping of planned unit development districts pursuant to the provisions of this local law.

### **IV. Elements.**

To be approved by the Town Board, each proposal for the establishment of a planned unit development district must demonstrate that:

(a) The legislative purposes, as set forth in Section I above, supporting the creation of a planned unit development district, are satisfied taking into consideration the land uses, structures and development density proposed, and the proposal for the planned unit development district must include, as appropriate, provisions relating to cluster development to protect open space, natural resources, and historic structures and areas.

(b) The minimum acreage necessary for the establishment of a planned unit development district has been included in the proposal and that the applicant(s) have an ownership interest in the land.

(c) The proposal contains, as appropriate, provisions for multi-year approvals of final planned unit development plans in phases, including a schedule for the completion of buildings, public and private facilities and site improvements.

(d) There are procedures for amending final planned unit development plans, including public notice and hearing provisions for such amendments.

(e) The preliminary and final planned unit development plans are consistent with the municipal comprehensive plan.

(f) There are provisions whereby approval of a preliminary and/ or final planned unit development plan may lapse or be withdrawn upon failure of the applicant to proceed with the development or otherwise fail to meet conditions of approval.

(g) There are provisions that designate the authorized board or body to review and act upon final planned unit development plans after preliminary approval is granted by the Town Board.



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### **V. Compliance with state environmental quality review act.**

In its review and approval of applications to create planned unit development districts pursuant to this local law, the legislative body shall comply with the provisions of the state environmental quality review act under article eight of the environmental conservation law and its implementing regulations.

### **VI. Procedure for review.**

- (a) Upon the receipt of an application and preliminary plan for the establishment of a planned unit development district, the legislative body shall review the application and preliminary plan in consultation with the authorized board or body;
- (b) Within ninety days of receiving the application, and prior to acting on a zoning amendment to create a planned unit development district, the legislative body shall hold one or more public hearings on such proposed preliminary plan and amendment. Notice of the public hearing should be published in a newspaper of general circulation at least ten calendar days in advance of the hearing and notice to the adjoining landowners within 500 feet of the boundary of the proposed planned unit development. The proposed zoning amendment and preliminary plan should be made available for public review at the office of the clerk and may be made available at any other public place;
- (c) At least ten days before the public hearing on the application and proposed amendment to the zoning ordinance to create a planned unit development district, the legislative body shall mail notices thereof to the applicant and to the county planning board, as required by section two hundred thirty-nine-m of the general municipal law, which notice shall be accompanied by a full statement of such proposed action, as defined in subdivision one of section two hundred thirty-nine-m of the general municipal law.
- (d) Within one hundred twenty days of receiving the application and after holding public hearings, the legislative body shall act to approve, approve with modifications and/or conditions or deny the application, and if approved amend the local law or zoning ordinance to establish and map a planned unit development district. Upon taking such action, the legislative body shall advise the applicant, the authorized board or body and the county planning board or agency, in writing of its determination within five business days after such action is taken and place a copy of such letter on file in the office of the clerk.
- (e) A final planned unit development plan shall be submitted by the applicant to the authorized board or body for review and approval, or approval with modifications and/or conditions. Review of the final planned unit development plan by the authorized board or body shall take into consideration the preceding action of the legislative body on the preliminary planned unit development plan; and
- (f) The authorized board or body's determination on the final planned unit development plan shall be filed in the office of the clerk within five business days after such decision is rendered, and a copy thereof mailed to the applicant.

### **VII. Effective Date.**

This act shall take effect upon its filing in the office of the Secretary of State of the State of New York and the clerk is hereby directed to file such local law immediately.



**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 Proposed Local Law # 2023 Planned Unit Development - PUD		
Project Location (describe, and attach a general location map): Within the Municipal boundaries of the Town of Mohawk, Montgomery County, New York		
Brief Description of Proposed Action (include purpose or need): The Town of Mohawk Board wants to adopt this new Planned Unit Development Law, such that when coordinated with the Town's municipal comprehensive plan, planned unit development can be an effective tool for guiding development in ways that support community goals and priorities. Planned unit development provides a means by which different land uses within an area covered by a single development plan may be combined to achieve compatibility among such uses. Unattainable with traditional municipal zoning techniques, planned unit development provides flexibility in the regulation of land use development in order to encourage innovation in land use variety and design, in the layout and type of new structures and in their integration with existing structures. This will enhance efficiency in the use of land, natural resources, energy, community services and utilities. To encourage open space preservation and protection of natural resources, historic sites and structures. To facilitate the provision of housing and improved residential environments to enhance the ability of the municipality to promote business and employment opportunities.		
Name of Applicant/Sponsor: Janet De Palma Town Supervisor		Telephone: 518-853-3031 E-Mail: supervisor@townofmohawk.net
Address: PO Box 415, 2-4 Park Street		
City/PO: Fonda	State: New York	Zip Code: 12068
Project Contact (if not same as sponsor; give name and title/role): Stanley F. Waddle Building and Zoning Code Enforcement		Telephone: 518-774-0420 E-Mail: zoning@townofmohawk.net
Address: PO Box 415, 2-4 Park Street		
City/PO: Fonda	State: New York	Zip Code: 12068
Property Owner (if not same as sponsor):		Telephone: E-Mail:
Address:		
City/PO:	State:	Zip Code:

## B. Government Approvals

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

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	TOWN BOARD	
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	MONTGOMERY COUNTY PLANNING BD	
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	
<ul style="list-style-type: none"> <li>If Yes, complete sections C, F and G.</li> <li>If No, proceed to question C.2 and complete all remaining sections and questions in Part I</li> </ul>	
<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 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): Remediation Sites: B00138, NYS Heritage Areas: Mohawk Valley Heritage Corridor	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? <input 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?  
AGRICULTURE, R-1 RESIDENTIAL, R-2 RESIDENTIAL, B-1 BUSINESS OFFICES, B-2 RETAIL BUSINESS, B-3 NEIGHBORHOOD BUSINESS,  
R-M - MOBILE HOME RESIDENTIAL, M-1 - MANUFACTURING, M-2 - MANUFACTURING, N-P - NATURAL PRODUCTS
- 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? PLANNED UNIT DEVELOPMENT

### 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 AND NYS POLICE
- c. Which fire protection and emergency medical services serve the project site?  
TOWN OF MOHAWK FIRE DEPARTMENT AND TRIBES HILL FIRE DEPARTMENT
- d. What parks serve the project site?  
TOM TRIBES HILL PARK AND VILLAGE OF FONDA CANAL PARK

### D. Project Details

#### D.1. Proposed and Potential Development

- a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?
- b. 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 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? ☐ Yes ☐ No  
 If Yes, show numbers of units proposed.

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

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

i. Total number of structures \_\_\_\_\_

ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length

iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

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

i. Purpose of the impoundment: \_\_\_\_\_

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: \_\_\_\_\_

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

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

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

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

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**D.2. Project Operations**

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

If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): \_\_\_\_\_
- Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_

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

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

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

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

viii. Will the excavation require blasting? ☐ Yes ☐ No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_

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

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_



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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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? If Yes:  <ul style="list-style-type: none"> <li>• Describe extensions or capacity expansions proposed to serve this project: _____</li> </ul> </li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
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>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
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>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<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>		
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? 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>	<input type="checkbox"/> Yes <input type="checkbox"/> No	
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>		<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No

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

If Yes:

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

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

---

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

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

---

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

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend  
☐ Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

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

---

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

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

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

---

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No

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

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

---

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

If Yes:

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

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

---

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

---

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

i. During Construction:	ii. During Operations:
• Monday - Friday: _____	• Monday - Friday: _____
• Saturday: _____	• Saturday: _____
• Sunday: _____	• Sunday: _____
• Holidays: _____	• Holidays: _____



m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☐ No  
 If yes:  
 i. Provide details including sources, time of day and duration: \_\_\_\_\_

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

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

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

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

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

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☐ No  
 If Yes:  
 i. Describe proposed treatment(s): \_\_\_\_\_

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

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐ No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 • Operation: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: \_\_\_\_\_  
 • Operation: \_\_\_\_\_

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

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

If Yes:

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

ii. Anticipated rate of disposal/processing: \_\_\_\_\_

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

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

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

If Yes:

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

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

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

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

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

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

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

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

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

a. Existing land uses.

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

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

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

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

b. Land uses and covertypes on the project site.

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



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

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

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

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

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

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☒ Yes ☐ No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☒ Yes ☐ No  
☐ Yes – Spills Incidents database  
☒ Yes – Environmental Site Remediation database  
☐ Neither database  
Provide DEC ID number(s): \_\_\_\_\_  
Provide DEC ID number(s): B00138  
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): B00138, 429003  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): \_\_\_\_\_



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

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

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**E.2. Natural Resources On or Near Project Site**

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

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

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

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

e. Drainage status of project site soils: ☐ Well Drained: \_\_\_\_\_ % of site  
☐ Moderately Well Drained: \_\_\_\_\_ % of site  
☐ Poorly Drained: \_\_\_\_\_ % of site

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

g. Are there any unique geologic features on the project site? ☐ Yes ☒ No  
If Yes, describe: \_\_\_\_\_

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h. Surface water features.

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

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

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

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

- Streams: Name 876-12, 876-249, 876-193, 876-246, 876-254.1, 8... Classification B, C, AA(T), D
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name Federal Waters, NYS Wetland, Federal Waters, Fe... Approximate Size NYS Wetland (in a...
- Wetland No. (if regulated by DEC) R-10, R-12, R-11, R-2, R-5,...

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

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

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

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

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



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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): \_\_\_\_\_  
 Calcareous Cliff Community, Calcareous Talus Slope Woodland

ii. Source(s) of description or evaluation: \_\_\_\_\_

iii. Extent of community/habitat:

- Currently: \_\_\_\_\_ 80.0, 50.0 acres
- Following completion of project as proposed: \_\_\_\_\_ acres
- Gain or loss (indicate + or -): \_\_\_\_\_ acres

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

If Yes:

i. Species and listing (endangered or threatened): \_\_\_\_\_  
 Northern Long-eared Bat, Timber Rattlesnake, Upland Sandpiper, Bald Eagle

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

If Yes:

i. Species and listing: \_\_\_\_\_

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

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

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

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

If Yes, provide county plus district name/number: MONT002, FULT001

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

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

ii. Source(s) of soil rating(s): \_\_\_\_\_

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

If Yes:

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

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

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

If Yes:

i. CEA name: \_\_\_\_\_

ii. Basis for designation: \_\_\_\_\_

iii. Designating agency and date: \_\_\_\_\_

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

If Yes:

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

ii. Name: Eligible property: Fonda Cemetery, Eligible property: Evergreen Cemetery, Eligible property: RESIDENCE, Eligible property: ...

iii. Brief description of attributes on which listing is based: \_\_\_\_\_

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f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☒ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No

If Yes:

i. Describe possible resource(s): \_\_\_\_\_

ii. Basis for identification: \_\_\_\_\_

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h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☐ No

If Yes:

i. Identify resource: \_\_\_\_\_

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): \_\_\_\_\_

iii. Distance between project and resource: \_\_\_\_\_ miles.

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i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☒ No

If Yes:

i. Identify the name of the river and its designation: \_\_\_\_\_

ii. Is the activity consistent with development restrictions contained in 6 NYCRR Part 666? ☐ Yes ☐ No

#### F. Additional Information

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

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

#### G. Verification

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

Applicant/Sponsor Name Janet De Palma Date 3/27/23

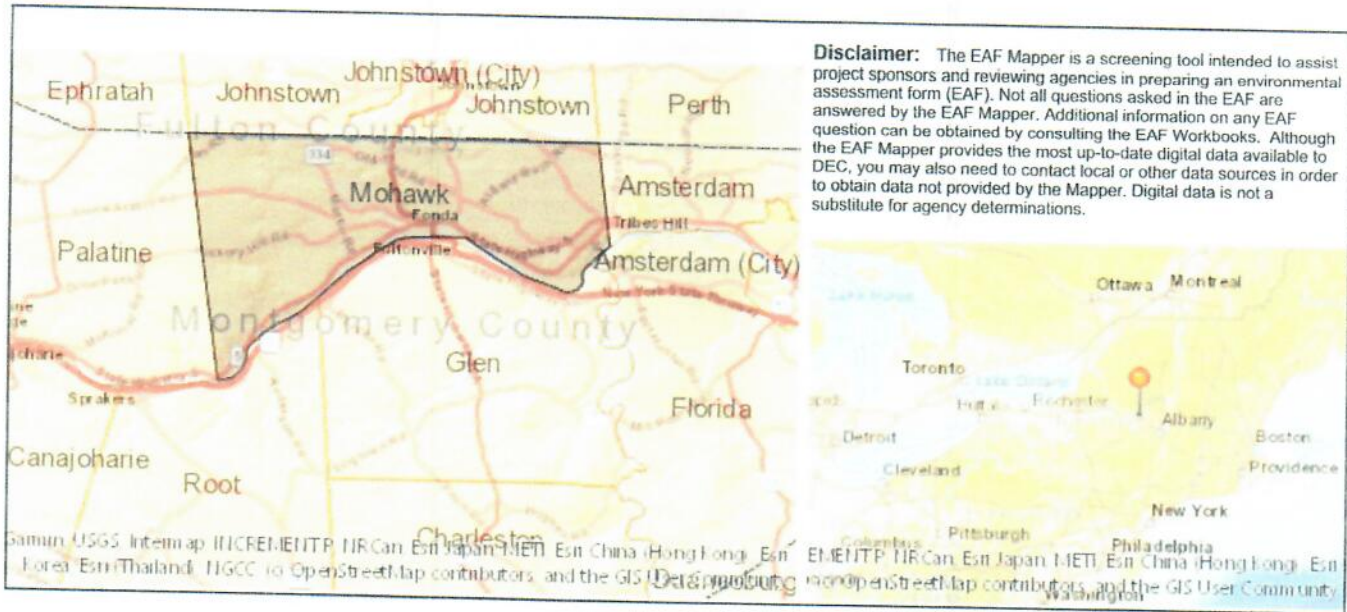
Signature Janet De Palma Title Town Supervisor

PRINT FORM



# EAF Mapper Summary Report

Wednesday, March 29, 2023 12:12 AM



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]	Remediation Sites: B00138, NYS Heritage Areas: Mohawk Valley Heritage Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Yes - Digital mapping data for Spills Incidents are not available for this location. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Yes
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Yes
E.1.h.i [DEC Spills or Remediation Site - DEC ID Number]	B00138
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	B00138, 429003
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	876-12, 876-249, 876-193, 876-246, 876-254.1, 876-244, 876-245, 876-247, 876-191, 876-11, 876-238, 876-248, 876-198, 876-188, 876-187, 876-189, 876-186, 876-10, 876-180, 879-1
E.2.h.iv [Surface Water Features - Stream Classification]	B, C, AA(T), D



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

Agency Use Only [If applicable]  
 Project : TOM Proposed Local Law #2 2023 PUD  
 Date : 04/13/2023

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



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



1. 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) If "Yes", answer questions a - h. If "No", move on to Section 5.			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input checked="" 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) If "Yes", answer questions a - g. If "No", move on to Section 6.			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>



g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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## 6. Impacts on Air

The proposed action may include a state regulated air emission source.  
(See Part 1. D.2.f., D.2.h, D.2.g)

☒ NO

☐ YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO <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"/>

## 7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.)

☐ NO

☐ YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>



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 type="checkbox"/> NO <input checked="" type="checkbox"/> YES <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input checked="" 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 type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input checked="" 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 checked="" 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 checked="" type="checkbox"/> <input checked="" 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 checked="" type="checkbox"/> <input checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input checked="" 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 type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>



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

<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.) If "Yes", answer questions a - e. If "No", go to Section 12.			
		<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) If "Yes", answer questions a - c. If "No", go to Section 13.			
		<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.

☐ NO☒ YES

(See Part 1. D.2.j)

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

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

**14. Impact on Energy**

The proposed action may cause an increase in the use of any form of energy.

☐ NO☒ YES

(See Part 1. D.2.k)

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input checked="" 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 checked="" 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.

☐ NO☒ YES

(See Part 1. D.2.m., n., and o.)

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

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



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

#### 16. Impact on Human Health

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

☒ NO

☐ YES

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



**17. Consistency with Community Plans**

The proposed action is not consistent with adopted land use plans.  
(See Part 1. C.1, C.2. and C.3.)

☒ NO

☐ YES

If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input 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"/>

**18. Consistency with Community Character**

The proposed project is inconsistent with the existing community character.  
(See Part 1. C.2, C.3, D.2, E.3)

☒ NO

☐ YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input 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"/>

**PRINT FULL FORM**

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

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

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

**Reasons Supporting This Determination:**

To complete this section:

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

The Town Board discussed potential future direct and indirect impacts of the adoption of the local law, including the potential likelihood of adverse impacts from projects that may be proposed pursuant to the proposed Planned Unit Development law. The Town Board found that the adoption of the local law will not result in a significant adverse environmental impact.

**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  
Town of Mohawk Town Board as lead agency that:

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

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

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

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

Name of Action: 2023 Local Law #2 PUD Law

Name of Lead Agency: Town of Mohawk Town Board

Name of Responsible Officer in Lead Agency: Hon. Janet DePalma

Title of Responsible Officer: Town Supervisor

Signature of Responsible Officer in Lead Agency: Janet DePalma Date: 4/23/23

Signature of Preparer (if different from Responsible Officer) Stanley F. Waddell Date: 4/27/2023

**For Further Information:**

Contact Person: Kim Sullivan

Address: 2 Park Street, Fonda NY 12068

Telephone Number: (518) 853-3031

E-mail: townclerk@townofmohawk.net

**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)

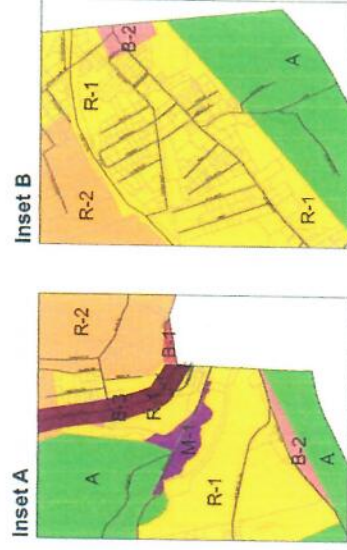
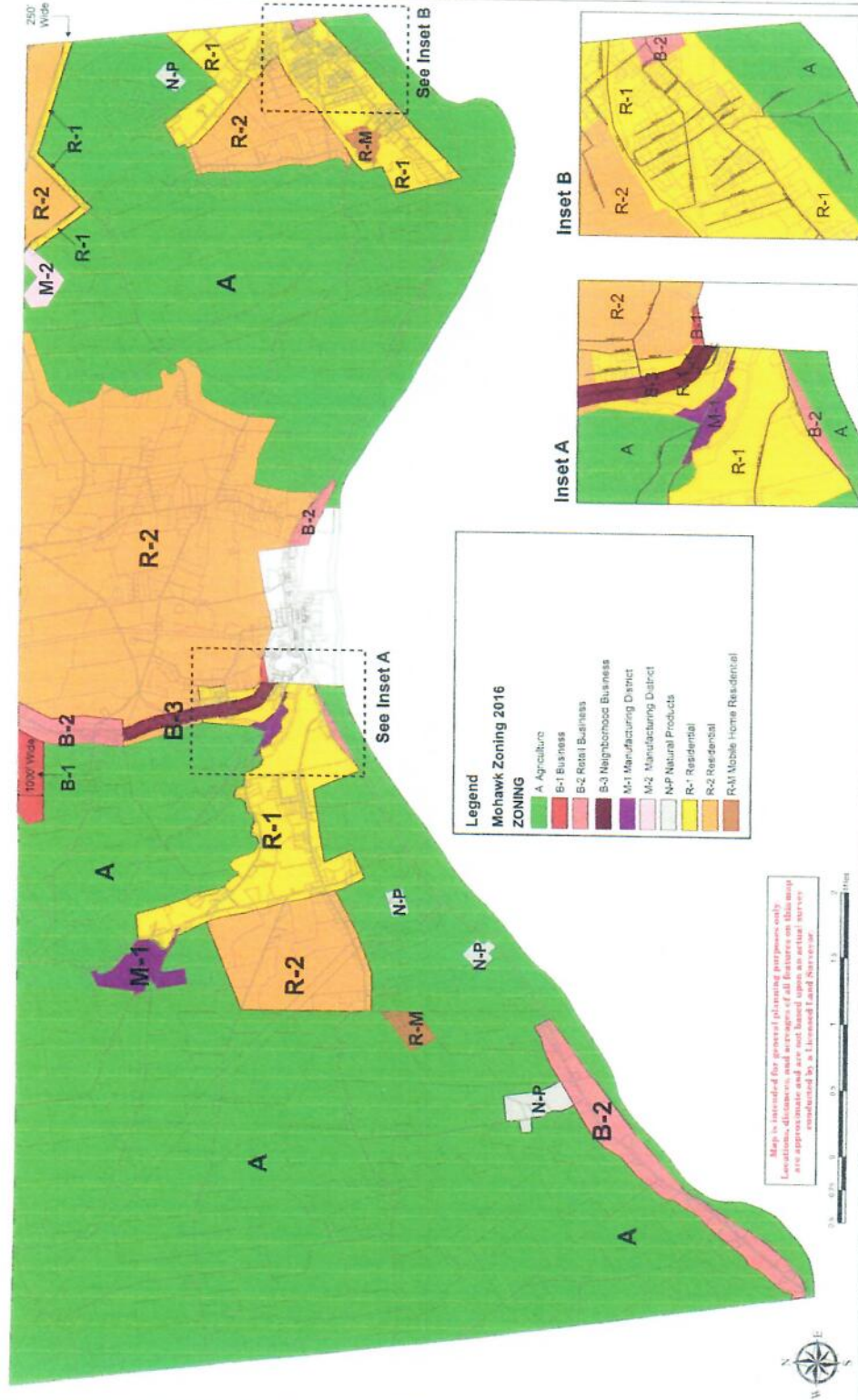
Other involved agencies (if any)

Applicant (if any)

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

**PRINT FULL FORM**

# MONTGOMERY COUNTY, NEW YORK



## Town of Mohawk Zoning Map

Source:  
Montgomery  
County  
GIS

Montgomery County  
Department of Economic  
Development & Planning  
9 Park St., P.O. Box 1500  
Fonda, NY 12068-1500

