



**MONTGOMERY**  
**COUNTY**  
BUSINESS DEVELOPMENT CENTER  
*Made of Something Stronger*

## Meeting Notice

**TO: Board Members**  
**FROM: Andrew Santillo**  
**DATE: September 5, 2024**  
**RE: Planning Board Meeting**

The regular meeting of the Montgomery County Planning Board is scheduled for Monday, September 9, 2024 at 6:30 p.m. at the Montgomery County Business Development Center, 113 Park Drive, Fultonville, 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, September 9, 2024**

**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 — Local Law Amendment
- VII. Village of Canajoharie — Site Plan Review
- VIII. Any other business

**Montgomery County Planning Board**  
**Meeting Minutes**  
**June 3<sup>rd</sup>, 2024**  
**(meeting held in MCBDC, 113 Park Drive, Fultonville)**

**MEMBERS PRESENT:**

Mark Hoffman, Chairman  
David Wiener, Vice Chairman  
Irene Collins, Member  
Frank Szykowski, Member  
Peter Lydon, Member  
Frank Maphia, Member  
Angela Frederick, Member  
Betty Sanders, Alternate

**STAFF MEMBERS PRESENT:**

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

**ABSENT:**

Wayne DeMallie, Alternate  
Erin Covey, 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**

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

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

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

**V. Public Comment**

There was no public comment.

## **VI. Town of Minden- Site Plan Review & Special Use Permit**

Karl Gustafson explained that this referral is a site plan review and special use permit for Mohawk Valley Produce Auction on Fordsbush Road. The site plan is for a 100' x 200' addition to their current facility, with an additional 120' x 200' parking lot.

Angela Frederick had a concern with the traffic flow on Fordsbush Road stating that the number of people that go to the auction every year will increase with the new addition planned. The entire board agreed with this assessment and recommended a traffic study and possible turn lane into the site.

Angela Frederick made a motion to approve with modifications that a traffic study be conducted and possible turn lane be considered for the project, Frank Maphia seconded. All were in favor.

The referral was approved.

## **VII. Town of Mohawk- Area Variance**

Karl stated that this referral is an area variance in the Town of Mohawk. Town of Minden requires 300' road frontage for single family dwellings in an agricultural zone. The applicant is asking to reduce it to 73'. Mark Hoffman stated that it came to the zoning board and the board had no concerns at all.

Peter Lyden made a motion to approve the referral, seconded by Irene Collis. Mark Hoffman abstained. All were in favor.

The referral was approved.

## **VIII. Other Business**

There was no other business.

## **IX. Adjournment**

Angela Frederick made a motion to adjourn the meeting at 7 p.m., seconded by Frank Maphia. 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, Town Board  
Referring Officer: Tom DiMezza Town Supervisor  
Mail original resolution to: Linda Bartone-Hughes, Town Clerk  
283 Manny's Corners Road, Amsterdam, NY 12010

1. **Applicant:** Town of Amsterdam, Town Board 2. **Site Address:** All lands within the Town of Amsterdam boundary

3. **Tax Map Number(s):** [multiple] 4. **Acres:** N/A

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:** [multiple] 8. **Current Land Use:** [multiple]

9. **Project Description:** Adoption of zoning text amendments relating to battery energy storage systems (BESS). Smale-scale BESS, defined generally as BESS with storage capacity of 600 kW or less, would be allowed as accessory uses in all zoning districts, in accordance with a new set of supplementary regulations, which also would be enacted; utility-scale BESS (600 kW capacity or more) would be defined as a Prohibited Use; and certain other changes relating to energy storage systems and public utility stations or structures would also be enacted.

### 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: 8/21/2024 Time: 6:30 pm Location: Town of Amsterdam Town Hall

### Referred Action(s)

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

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

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

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

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

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

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

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

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

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

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

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

**15. ☐ Special Permit**

**Referring Board:**

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

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

**16. Variance**

**Referring Board:**

☐ Area ☐ Use

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

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

**SEQR Determination**

**Action:**

**Finding:** TBD - neg dec anticipated

☒ 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):** \_\_\_\_\_ **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.

Adam Yagelski, Senior Planner, Delaware Engineering (TDE)

August 15, 2024

Name, Title & Phone Number of Person Completing this Form

Transmittal Date

518-452-1290

This side to be completed by Montgomery County Planning.

## **REFERRAL FORM**

### **MONTGOMERY COUNTY PLANNING BOARD**

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

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

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

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

\_\_\_\_\_  
Date

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

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

**Instructions for Completing Part 1**

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

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

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

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

Name of Action or Project: Adoption of Local Law No. ____ of 2024 to Amend the Town of Amsterdam Zoning Law with respect to Battery Energy Storage Systems		
Project Location (describe, and attach a general location map): Town of Amsterdam		
Brief Description of Proposed Action (include purpose or need): The Town Board is considering adopting a local law that would enact certain changes to the Town's Zoning Law relating to battery energy storage systems (BESS). Small-scale BESS, defined generally as BESS with storage capacity of 600 kW or less, would be allowed as accessory uses in all zoning districts, in accordance with a new set of supplementary regulations, which also would be enacted; utility-scale BESS (600 kW capacity or more) would be defined as a Prohibited Use; and certain other changes relating to energy storage systems and public utility stations or structures would also be enacted.		
Name of Applicant/Sponsor: Town of Amsterdam	Telephone: 518-842-7961 E-Mail: <a href="mailto:tdimezza@townofamsterdam.org">tdimezza@townofamsterdam.org</a>	
Address: 283 Manny's Corners Road		
City/PO: Amsterdam	State: NY	Zip Code: 12010
Project Contact (if not same as sponsor; give name and title/role): Tom DiMezza, Town Supervisor	Telephone: 518-842-7961 E-Mail: <a href="mailto:tdimezza@townofamsterdam.org">tdimezza@townofamsterdam.org</a>	
Address: 283 Manny's Corners Road		
City/PO: Amsterdam	State: NY	Zip Code: 12010
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:



**B. Government Approvals**

<b>B. Government Approvals, Funding, or Sponsorship.</b> ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
<b>Government Entity</b>	<b>If Yes: Identify Agency and Approval(s) Required</b>	<b>Application Date (Actual or projected)</b>
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Town of Amsterdam Town Board	February 2024 [initiate local law adoption process] March-April 2024 [consider adopting]
b. City, Town or Village <input type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission		
c. City, Town or <input type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input checked="" type="checkbox"/> Yes <input 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 1</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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, identify the plan(s): Mohawk Valley Heritage Area	
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): Agricultural and Farmland Protection Plan Montgomery County, NY (Oct. 2017)	

<b>C.3. Zoning</b>	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? (A) Agriculture, Business (B-1), Restricted Business (B-2), (R-1) Residential, (R-2) Residential, (R-M) Mobile Home Residential, and Manufacturing/Mixed Use (M-1)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the use permitted or allowed by a special or conditional use permit?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action? If Yes, i. What is the proposed new zoning for the site? Floating Zone	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>C.4. Existing community services.</b>	
a. In what school district is the project site located? Greater Amsterdam; Broadalbin-Perth; Fonda-Fultonville	
b. What police or other public protection forces serve the project site? Montgomery County Sheriff; NYSP	
c. Which fire protection and emergency medical services serve the project site? Greater Amsterdam Volunteer Ambulance; Tribes Hill FD; Ft Johnson FD; Cranesville FD	
d. What parks serve the project site? No parks lie within the areas involved in the proposed zoning amendments	

#### D. Project Details

<b>D.1. Proposed and Potential Development</b>	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?	
<div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> b. 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> <div style="width: 35%;"> <div style="text-align: right;">acres</div> <div style="text-align: right;">acres</div> <div style="text-align: right;">acres</div> </div> </div>	
c. Is the proposed action an expansion of an existing project or use? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> 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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____ ii. Is a cluster/conservation layout proposed? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> iii. Number of lots proposed? _____ iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will the proposed action be constructed in multiple phases? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> i. If No, anticipated period of construction: _____ months ii. If Yes: <ul style="list-style-type: none"> <li>• Total number of phases anticipated _____</li> <li>• Anticipated commencement date of phase I (including demolition) _____ month _____ year</li> <li>• Anticipated completion date of final phase _____ month _____ year</li> <li>• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____</li> </ul>	

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

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

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

**D.2. Project Operations**

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

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

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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

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

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

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*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.

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

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

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

\_\_\_\_\_

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

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

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

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

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

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

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

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

If Yes:

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

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

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

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

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

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

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

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

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

a. Existing land uses.

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

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

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

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

b. Land uses and covertypes on the project site.

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



<p>c. Is the project site presently used by members of the community for public recreation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>i. If Yes: explain: _____</p>	
<p>d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes,</p> <p>i. Identify Facilities: _____</p> <p>_____</p>	
<p>e. Does the project site contain an existing dam? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Dimensions of the dam and impoundment:</p> <ul style="list-style-type: none"> <li>• Dam height: _____ feet</li> <li>• Dam length: _____ feet</li> <li>• Surface area: _____ acres</li> <li>• Volume impounded: _____ gallons OR acre-feet</li> </ul> <p>ii. Dam's existing hazard classification: _____</p> <p>iii. Provide date and summarize results of last inspection: _____</p> <p>_____</p>	
<p>f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Has the facility been formally closed? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <ul style="list-style-type: none"> <li>• If yes, cite sources/documentation: _____</li> </ul> <p>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____</p> <p>_____</p> <p>iii. Describe any development constraints due to the prior solid waste activities: _____</p> <p>_____</p>	
<p>g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____</p> <p>_____</p>	
<p>h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> Yes – Spills Incidents database  <input type="checkbox"/> Yes – Environmental Site Remediation database  <input type="checkbox"/> Neither database         </div> <div style="width: 50%;">           Provide DEC ID number(s): _____            Provide DEC ID number(s): _____         </div> </div> <p>ii. If site has been subject of RCRA corrective activities, describe control measures: _____</p> <p>_____</p> <p>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes, provide DEC ID number(s): _____</p> <p>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____</p> <p>_____</p> <p>_____</p>	

v. Is the project site subject to an institutional control limiting property uses? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
<ul style="list-style-type: none"> <li>• If yes, DEC site ID number: _____</li> <li>• Describe the type of institutional control (e.g., deed restriction or easement): _____</li> <li>• Describe any use limitations: _____</li> <li>• Describe any engineering controls: _____</li> <li>• Will the project affect the institutional or engineering controls in place? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>• Explain: _____</li> </ul>	
<b>E.2. Natural Resources On or Near Project Site</b>	
a. What is the average depth to bedrock on the project site? _____ feet	
b. Are there bedrock outcroppings on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: _____ %	
_____ %	
_____ %	
d. What is the average depth to the water table on the project site? Average: _____ feet	
e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____ % of site	
<input type="checkbox"/> Moderately Well Drained: _____ % of site	
<input type="checkbox"/> Poorly Drained _____ % of site	
f. Approximate proportion of proposed action site with slopes: <input type="checkbox"/> 0-10%: _____ % of site	
<input type="checkbox"/> 10-15%: _____ % of site	
<input type="checkbox"/> 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes, describe: _____	
h. Surface water features.	
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
ii. Do any wetlands or other waterbodies adjoin the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
<ul style="list-style-type: none"> <li>• Streams: Name _____ Classification _____</li> <li>• Lakes or Ponds: Name _____ Classification _____</li> <li>• Wetlands: Name _____ Approximate Size _____</li> <li>• Wetland No. (if regulated by DEC) _____</li> </ul>	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If yes, name of impaired water body/bodies and basis for listing as impaired: _____	
i. Is the project site in a designated Floodway? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
j. Is the project site in the 100-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
k. Is the project site in the 500-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes:	
i. Name of aquifer: _____	

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

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>
g. Have additional archaeological or historic site(s) or resources been identified on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles.
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6 NYCRR Part 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>

#### F. Additional Information

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

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

#### G. Verification

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

Applicant/Sponsor Name Tom DiMezza Date \_\_\_\_\_

Signature \_\_\_\_\_ Title Town Supervisor

**PRINT FORM**

## **Town of Amsterdam**

### **PROPOSED LOCAL LAW NO. \_\_\_\_ OF THE YEAR 2024**

#### **A LOCAL LAW TO AMEND THE TOWN OF AMSTERDAM ZONING LAW TO ADD A NEW SECTION 37 SMALL-SCALE BATTERY ENERGY STORAGE SYSTEMS TO ARTICLE VIII SUPPLEMENTARY REGULATIONS AND ENACT OTHER PROVISIONS RELATED TO BATTERY ENERGY STORAGE SYSTEMS**

##### **Section 1. Legislative Intent**

It is the intent of this local law to amend the Town of Amsterdam Zoning Law, as the same may have been amended from time to time, to enact provisions providing for small-scale battery energy storage system (BESS) installations in the Town, as defined in this local law through addition of a new section, Section 37 Battery Energy Storage Systems, to Article VIII (Supplementary Regulations) of the Town of Amsterdam Zoning Law. It is further the intent and purpose of this local law to, in accordance with the Town of Amsterdam Comprehensive Plan, prohibit the development of utility-scale BESS within the Town. Accordingly, this local law modifies certain use definitions relating to prohibited uses, energy storage systems, and public utilities.

##### **Section 2. Authority**

This local law is adopted by the Town Board of Town of Amsterdam (hereinafter referred to as the “Town Board”) pursuant to its authority to adopt local laws under Article IX of the New York State Constitution; Articles 2 and 3 of the Municipal Home Rule Law; Article I of the Town Zoning Law, particularly Section 2 which authorize the Town to adopt zoning provisions that promote health and general welfare, encourage the most appropriate use of land throughout the Town, encourage development in accordance with a comprehensive plan and professional planning techniques, and improve the quality of life throughout the Town.

##### **Section 3. Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

##### **Section 4. Short Title**

This local law may be cited and referred to as the “Town of Amsterdam Energy Storage System Local Law.”

### **Section 5. Effective Date**

This local law shall take effect immediately, upon filing with the Secretary, as provided under NYS law.

### **Section 6. Article II- Definitions Section 4 Amendments**

Article II- Definitions Section 4 of the Town of Amsterdam Zoning Law is hereby amended to add the following definitions:

**BATTERY(IES):** A single cell or a group of cells connected together electrically in series, in parallel, or a combination of both, which can charge, discharge, and store energy electrochemically. For the purposes of this law, batteries utilized in consumer products are excluded from these requirements.

**BATTERY ENERGY STORAGE SYSTEM:** One or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery, an electric motor vehicle, or a portable energy storage system for temporary use. A battery energy storage system is classified as follows:

- A. Small-Scale Battery Energy Storage Systems have an aggregate energy capacity less than or equal to 600kWh and, if in a room or enclosed area, consist of only a single energy storage system technology. Ground-Mounted Small Scale Battery Energy Storage System are further defined as those which may be installed in a dedicated-use building, within a cabinet, and/or a walk-in unit.
- B. Utility-Scale Battery Energy Storage Systems have an aggregate energy capacity greater than 600kWh, are comprised of more than one storage battery technology in a room or enclosed area, or are co-located with Solar Energy Systems and other energy generation facilities designed primarily to produce energy for offsite consumption.

**ENERGY CODE:** The New York State Energy Conservation Construction Code adopted pursuant to Article 11 of the Energy Law, as currently in effect and as hereafter amended from time to time.

**FIRE CODE:** The fire code section of the New York State Uniform Fire Prevention and Building Code adopted pursuant to Article 18 of the Executive Law, as currently in effect and as hereafter amended from time to time.

**TOWN OF AMSTERDAM BATTERY ENERGY STORAGE SYSTEM PERMIT:** The Town’s minimum submittal requirements for electrical and structural plan review applicable to small-scale battery energy storage systems with an aggregate energy capacity

less than or equal to 600kWh, based on the 2020 NYSERDA Battery Energy Storage System Model Permit, as may be amended.

UNIFORM CODE: the New York State Uniform Fire Prevention and Building Code adopted pursuant to Article 18 of the Executive Law, as currently in effect and as hereafter amended from time to time.

The following definitions are hereby replaced in their entirety and amended, as follows:

**PUBLIC UTILITY STATION OR STRUCTURE:** A facility other than a Personal Wireless Service Facility, Solar Energy Equipment and Systems, or Battery Energy Storage System for the provision of public utility services, including facilities constructed, altered or maintained by utility corporations, either public or privately owned, or government agencies, necessary for the provision of electricity, gas, steam, heat, communication, water, sewage, collection of other such services to the general public. Such facilities shall include poles, wires, mains, drains, sewers, pipes, conduits, cables, alarms and call boxes and other similar equipment, but shall not include offices or administration buildings. For purposes of the Zoning Law, Personal Wireless Services Facility, defined separately in the Zoning Law, shall not be governed by the Zoning regulations which apply to the broader definition of Public Utility station or structures but shall be governed by the regulations of the Personal Wireless Services Facilities Overlay District which specifically regulates this category of public utilities.

**SOLAR ENERGY EQUIPMENT AND SYSTEMS:** Solar collectors, controls, heat pumps, heat exchangers, and or other materials, hardware or equipment necessary to the process by which solar radiation is collected, converted into another form of energy, stored, protected from unnecessary dissipation and distributed. Solar systems include solarthermal, photovoltaic and concentrated solar. For energy storage devices, refer to Battery Energy Storage System in this Section.

## **Section 7. Utility-Scale Battery Energy Storage Systems a Prohibited Use**

**Section 7(a).** With respect to Utility-Scale Battery Energy Storage Systems, as defined in Section 6 of this local law, the Town Board makes the following findings:

1. Utility-Scale Battery Energy Storage System (UBESS) failure has the potential to undermine public health, safety and welfare, will potentially be situated in locations without access to water supply for fire suppression, and will overtax the Town's first responders. BESS failure and ensuing thermal runaway and fire can produce a range of toxic gasses and particulates, including several highly toxic compounds including benzene, toluene, styrene, biphenyl, hydrogen fluoride and many others. That the probability of occurrence of such failures is not small was demonstrated during the summer of 2023, during which UBESS facilities in Jefferson, Orange and Suffolk Counties in NYS burned. There is also widespread uncertainty about the potential environmental effects of toxic emissions that are likely to be released due to fires at UBESS facilities.

2. The Town Board, therefore, finds that allowing UBESS in the Town would be inconsistent with the following goals and objectives set forth in the Town of Amsterdam Comprehensive Plan:
  - Allowing UBESS as a permitted use anywhere in the Town is contrary to the overall goal set forth in the Comprehensive Plan, which is to “Promote land uses that complement and enhance the Town’s existing development patterns and are consistent with the Town’s rural character, while recognizing natural resources and constraints on development,” for the following reasons: failure of UBESS present serious safety risks to adjacent land uses and to the natural environment and UBESS, as industrial energy storage facilities, are inconsistent with the Town’s rural character.
  - Allowing UBESS as a permitted use in the Town’s Agriculture, R-1 Residential, and R-2 Residential districts is contrary to the stated goal to “Preserve the Town’s Rural Character and Open Spaces” and its objectives and implementation, i.e., to “Encourage and enhance the preservation of open space in the Town” and “Limit commercial and industrial development to areas proximate to existing development, where it will have the least impact on the rural character of the community,” as UBESS facilities represent commercial and industrial development that would consume open space in a way that is detrimental to the Town’s rural character.
  - Allowing UBESS as a permitted use in the Town is not consistent with the stated goal to “Preserve the Natural Environment,” as UBESS failure carries serious risks due to potential emission and environmental release of toxic substances, and their deposition on land and in water. The stated objective associated with this goal is to “Protect and preserve the natural resources of the Town through land use regulations and enforcement,” which is to be implemented by “Prohibit[ing] uses that are detrimental to the natural environment.” Catastrophic failure of UBESS poses analogous risks as failure of open petroleum or chemical tank farms, which are Prohibited Uses in the Town, and therefore, are similarly detrimental to the natural environment.
3. In addition, the Planning Board further finds that UBESS would be contrary to the purposes of the future land use plan and zoning districts, as identified in the Town’s Comprehensive Plan and Zoning Law.
  - R-1 Residential District, R-2 Residential District, R-M Mobile Home Residential District. UBESS are non-residential, industrial energy storage facilities, the catastrophic failure of which poses significant public health, safety, and welfare



risks. Therefore, UBESS are inconsistent with stated purposes each of these residential districts, which are as follows:

- R-1: “to preserve established single-family residential neighborhoods. This district will permit only single-family homes, home occupations, family and group family day care homes, community parks and public buildings”;
  - R-2: “to create areas for higher density residential development. These districts are located to buffer single-family residential areas from commercial development”; and
  - R-M: “preserve the community character of the Town.”
- B-1 Business District. UBESS are industrial energy storage facilities, the catastrophic failure of which poses significant public health, safety, and welfare risks, and do not involve high-traffic retail or other types of business or commercial activity. The stated purpose of this district is to “provide a location for high-traffic retail uses along the existing commercial corridors of Route 30 and 67E, and a smaller strip in Tribes Hill.”
  - B-2 Business District. The intent of this district is to provide “a mix of smaller scale commercial and residential uses. These districts are located to buffer existing R-1 residential neighborhoods from intensive commercial and manufacturing uses.” As large-scale industrial facilities that may occupy tens or 100’s of acres, UBESS are not “smaller scale” or commercial or residential uses. In addition, UBESS are industrial energy storage facilities that are inappropriate as buffers to residential areas due to the health and safety risks their failure poses.
  - M-1 Manufacturing/Mixed Use District. UBESS are industrial-scale energy storage facilities the failure of which is associated with a high catastrophic potential and are, therefore, inconsistent with the stated purpose of this zone to “allow compatible light industrial, commercial and professional businesses to be intermixed in a planned.

Section 7(b). In accordance with the findings set forth in this Section, Article II- Definitions Section 4 of the Town of Amsterdam Zoning Law is hereby repealed and replaced, as follows:

USE, PROHIBITED: Within a district, a use that is not listed as a permitted or special permit use is a prohibited use. In addition, uses that are detrimental to the natural environment are specifically prohibited within the Town, including landfills, open mining, strip mining, open composting, salvage or junkyards, debris dumping, open petroleum or chemical tank farms, and utility-scale battery energy storage systems.

## **Section 8. Article VIII- Supplementary Regulations Amendments**

Article VIII- Supplementary Regulations of the Town of Amsterdam Zoning Law is hereby amended to add a new Section 37 as follows:

### **1. Applicability**

- A. The requirements of this Zoning Law shall apply to all battery energy storage systems permitted, installed, or modified in the Town of Amsterdam after the effective date of applicable amendments to this Section, excluding general maintenance and repair.
- B. Battery energy storage systems constructed or installed prior to the effective date of applicable amendments to this Zoning Law shall not be required to meet the requirements of this Section.
- C. Modifications to, retrofits or replacements of an existing battery energy storage system that increase the total battery energy storage system designed discharge duration or power rating shall be subject to this Section.

## **2. General Requirements**

- A. A building permit and an electrical permit shall be required for installation of all battery energy storage systems. The building permit shall be administered in accordance with Town requirements, including this Zoning Law.
- B. Issuance of permits and approvals under this Zoning Law shall include review pursuant to the State Environmental Quality Review Act, as appropriate.
- C. All Battery Energy Storage Systems, all Dedicated Use Buildings, and all other buildings or structures that (1) contain or are otherwise associated with a battery energy storage system and (2) are subject to the Uniform Code and/or the Energy Code shall be designed, erected, installed, and operated in accordance with all applicable provisions of the Uniform Code, all applicable provisions of the Energy Code, and all applicable provisions of the codes, regulations, and industry standards as referenced in the Uniform Code, the Energy Code, Fire Code, and the Town Code.
- D. Application fees. Application for construction of a battery energy storage system shall be subject to the payment of fees in amounts indicated in the Town Schedule of Fees as adopted by the Town Board.

## **3. Permitting Requirements for Small-Scale Battery Energy Storage Systems**

- A. Small-Scale Battery Energy Storage Systems shall be permitted in all zoning districts, subject to the Uniform Code and the Town of Amsterdam Battery Energy Storage System Permit, and exempt from site plan review (except as noted in Section 37(3)(B)(iii), below).
- B. Ground-mounted Small-Scale Battery Energy Storage Systems are permitted as accessory structures and are subject to the following requirements:
  - i. The ground-mounted Small-Scale Battery Energy Storage System must be located in a side or rear yard.
  - ii. The ground-mounted Small-Scale Battery Energy Storage System shall comply with Article VIII Section 24 with respect to minimum setbacks for accessory structures.
  - iii. Where site plan approval is required elsewhere in the regulations of the Town for the principal use, the Small-Scale Battery Energy Storage System shall be subject to site plan review. In its review of the site plan, the Planning Board shall apply the standards and procedures set forth at Art. VI – Site Plan Review of this local law. Site plan review of Small-Scale Battery Energy Storage System development shall include review of the adequacy, location, arrangement, size, design, screening, accessibility for emergency

- response purposes, and general site compatibility of proposed ground-mounted Small-Scale Battery Energy Storage System.
- iv. The Planning Board, in its sole discretion, may require submission of a noise analysis, an emergency response plan as part of the site plan application, and/or a decommissioning plan. The Planning Board may require a performance guarantee, in accordance with the provisions of this local law, including Art. VI Section 20(9).
  - v. The Planning Board may, in its sole discretion, and after consultation with the responding fire district and/or Town fire marshal, require that the Applicant and/or Operator of the Small-Scale Battery Energy Storage System to provide safety and first responder training. The Town may, from time to time, require training of new personnel, and funding, or other mechanism to cause such training to be provided, as determined by the Town, shall be provided by the owner/operator upon request by the responding fire district.

# 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 Canajoharie Planning Board  
Referring Officer: Kylie Ferguson, Chairperson  
Mail original resolution to: Village of Canajoharie Planning Board  
75 Erie Blvd., Canajoharie, NY 13317

1. **Applicant:** Arkell Hall Foundation 2. **Site Address:** Erie Boulevard, Canajoharie, NY 13317  
3. **Tax Map Number(s):** 63.14-1-12.1 4. **Acres:** 4.02

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

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

7. **Current Zoning:** 331-Commerical Vacant 8. **Current Land Use:** Commercial Vacant

9. **Project Description:** The applicant is proposing the construction of an 18,540 square foot community center with 2 indoor basketball courts and a lobby/entrance.

10. **MCPB Jurisdiction:**

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

X a municipal boundary.

X 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: UNKNOWN YET**

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. X **Site Plan** X **Project Site Review** **Referring Board:**

Proposed Improvements: 18,540 square foot building

Proposed Use: Community center with 2 indoor basketball courts

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

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

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

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

**15. ☐ Special Permit**

**Referring Board:**

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

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

**16. Variance**

**Referring Board:** ☐ Area ☐ Use

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

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

**SEQR Determination**

**Action: UNKNOWN AS OF YET**

**Finding: UNKNOWN AS OF YET**

☐ 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):** \_\_\_\_\_ **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-countyplanning-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.

518-774-8341 Kylie Ferguson, Planning Board Chairperson  
Name, Title & Phone Number of Person Completing this Form

08/27/24  
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

**Notice of Intent to Serve as Lead Agency under SEQRA  
And  
Request for Comment on Proposed Action**

**Notice to Involved Agencies  
Lead Agency Must be designated within 30 Calendar Days**

**Notice to Involved and Interested Agencies  
Comments Requested within 30 Calendar Days**

Date Issued: August 27, 2024

Issuing Agency: Village of Canajoharie, Planning Board  
75 Erie Blvd.  
Canajoharie, New York 13317

Project: Proposed Recreation Facility, Arkell Hall Foundation Inc.

**Notice of Intent to Serve as Lead Agency under SEQRA**

This Notice of Intent is issued pursuant to a motion on August 20, 2024 by the Village of Canajoharie Planning Board and Part 617 of the Implementing Regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law for the purposes of designating a lead agency for environmental quality review of the following action.

The proposed action consists of Site Plan Review of a proposal to develop and operate an 18,500 ft., multi-use facility on Erie Boulevard. The facility will serve as a recreational/community function space for the residents of the area. The facility will consist of 15,500 square foot, open-span structure with 25-foot interior ceiling height suitable for sports and an attached 3,000 square foot service structure containing a lobby, restrooms and general service functions.

In accordance with the procedures and in consideration of the application of the applicable standards set forth at Title 6 Part 617 NYCRR, the Village of Canajoharie Planning Board has concluded that it should be designated as lead agency for review of the proposed action.

Therefore, this Notice is being sent to you and all other involved agencies or prospective involved agencies with request for consent in writing to the Village of Canajoharie Planning Board for them to serve as lead agency. Should you not respond within thirty (30) calendar days from the date of this Notice, your silence will be interpreted as a statement of your consent to the Village of Canajoharie Planning Board serving as lead agency. In either case, the Village of Canajoharie Planning Board will continue to notify you of all SEQRA determinations made in this matter and the scheduling of any related proceedings and hearings. Copies of all subsequent environmental documents will also be made available to you. Should you not agree with the Village of Canajoharie Planning Board's designation as lead agency, you are advised to timely follow the procedures outlined in Title 6 Part 617.

## **Request for Comments on Proposed Action**

In addition to the consideration of lead agency designation by each of the involved agencies, the Village of Canajoharie Planning Board would welcome any comments either the involved agencies or the interested agencies may have regarding the Proposed Action.

Thank you for your consideration.

### **Distribution**

#### **Notice Sent to the following Involved Agencies or potentially Involved Agencies:**

- Montgomery County Planning Board  
Attn: Mark Hoffman, Chair  
113 Park Drive  
Fultonville, New York 12072

#### **Copies of this Notice sent to the following potentially Interested Agencies:**

- New York State Office of Parks, Recreation and Historic Preservation  
Field Services Bureau, Pebbles Island Complex  
P.O. Box 189  
Waterford, New York 12196
- Canajoharie Volunteer Fire Department  
Attn: Frank Nestle
- Village of Canajoharie Public Works Department  
109 Old Fort Plain Road  
Canajoharie, New York 13317
- Village of Canajoharie Water Works  
239 Groff Road  
Palatine Bridge, New York 13428



## PROPOSAL

ARKELL HALL FOUNDATION INC.  
COMMUNITY RECREATION FACILITY  
Erie Boulevard, Village of Canajoharie NY

Enclosed documents :

1. Narrative of the intended purpose of the development.
2. Description of site development proposal (Environmental Design Partnership).
3. Proposed site development map.
4. Short Environmental Assessment form.
5. Preliminary renderings of the project.

PROPOSED CANAJOHARIE RECREATION FACILITY  
Erie Boulevard, Village of Canajoharie NY

Owner/Developer/Operator: Arkell Hall Foundation Inc. (Arkell)

Contact: Joseph Santangelo, President and CEO    Tel: 518.673.5417

Program: Develop and operate an 18,500 +/- square foot, multi-use facility on Erie Boulevard in downtown Canajoharie on the site of the former Canajoharie High School. The facility will serve as a recreational/community function space for the residents of the area. It will be operated as a component of, and under the Certificate of Incorporation of Arkell Hall Foundation Inc. as a not-for-profit organization. The facility will be available to organizations, groups and individuals with preference given to those serving a not-for-profit or volunteer community purpose.

- The facility will consist of: (1) A 15,500 square foot, open-span structure with 25-foot interior ceiling height suitable for sports such as volleyball and basketball and; (2) An attached 3,000 square foot service structure containing lobby, restrooms and general service functions.
- Construction to be performed by BBL Construction Services of Albany NY.
- The main structure will consist of prefabricated concrete panels on concrete footings with integrated insulation meeting or exceeding building code requirements. Roof will consist of membrane roofing and rigid insulation over a steel deck and frame. The support structure will consist of metal framing and cementitious siding.
- The exterior treatment of the building will be such as to complement the existing adjacent structures.
- The building will have full safety and environmental services including heat, air conditioning and fire sprinkler.
- A geotechnical survey of the site was conducted and completed in March 2024 by Renaissance Geotechnical Engineering. A considerable amount of (non-hazardous) material will be removed from the site and suitable fill will be imported to create a finished floor elevation of 306' (+/- one foot above the Canajoharie Library and Art Gallery elevation).
- The former Canajoharie High School was demolished, and all materials were mitigated and removed from the site in 2002.
- It is anticipated that two F.T.E. employment positions will be created.
- Arkell is currently developing a usage agreement with Community Youth Center Inc. to make the facility available on a regular basis to CYC for their programming purposes.
- **Final construction documents are anticipated in October. Final grading plans are anticipated prior to the end of September. In light of the amount of site work necessary for the project it is hoped that site work will be allowed to begin in October. Completion of the project will be approximately 8 months after work begins.**



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## **PROJECT NARRATIVE**

### **Arkell Community Center Erie Boulevard Village of Canajoharie**

**DATE:** August 13, 2024

**APPLICANT:** Arkell Hall Foundation  
68 Front Street  
Canajoharie, NY 12186

The applicant is proposing an 18,540 SF Community Center on Erie Boulevard in the Village of Canajoharie, NY. The site area is approximately 4.02 acres and is identified as tax map parcel number 63.14-1-12.1. The property is currently developed and includes an existing stormwater management area, two large earth berms and an asphalt parking lot with sidewalks. The property is currently zoned B-1 Core Business and the proposed land use is permitted with site plan approval.

The site has approximately 380 feet of frontage on Erie Boulevard and 775 feet of frontage along the New York State Thruway. Access to the site is provided by two existing full access driveways which connect to an existing parking lot with approximately 50 spaces. The existing parking lot will remain undisturbed other than a new sidewalk connection to the proposed community center building. Additional sidewalks are proposed around the front and west side of the building for pedestrian access. The proposed community center will connect to both public sewer and water located on the south side of the building. The total proposed lot coverage for the 4.02 acre site is approximately 1.20 acres or 30%, and the overall site disturbance for the project is approximately 1.30 acres. Since the lot development will disturb more than one acre the project must gain coverage under General Permit GP-0-20-001 and a Stormwater Pollution Prevention Plan will be prepared. Existing storm drainage modifications and on-site stormwater management are both proposed as part of the project.

~~Building description and usage language to be inserted here.~~



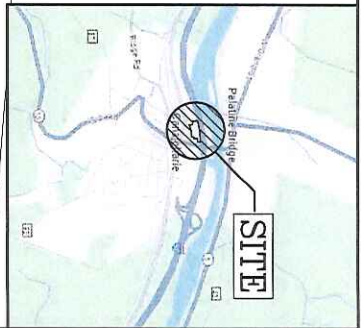
SITE STATISTICS	
EXISTING ZONING	B-1 CORE BUSINESS
PARCEL AREA	4.02± ACRES
TOTAL BUILDING AREA	18,540 SF
PROPOSED LAND USE	COMMUNITY CENTER
PARKING	49 SPACES
LOT COVERAGE	30%
MINIMUM BUILDING SETBACKS	
FRONT YARD	REQUIRED 25 FT
REAR YARD	25 FT
SIDE YARD	10 FT
WATER	PROPOSED 32 FT
SEWER	32 FT
STORMWATER	VILLAGE OF CANAJOHARIE ON-SITE



NEW YORK STATE THRUWAY  
(INTERSTATE ROUTE 90)

LANDS N/E OF  
THE NEW YORK STATE THRUWAY AUTHORITY

SITE LOCATION MAP  
SCALE: 1" = 800'



**ARKELL COMMUNITY CENTER**  
OWNER: ARKELL HALL FOUNDATION

ERIE BOULEVARD  
VILLAGE OF CANAJOHARIE  
MONTGOMERY COUNTY, NEW YORK

TAX MAP ID: 63.14-1-12.1  
AUGUST 13, 2024

**EDP**  
ENVIRONMENTAL DESIGN  
PARTNERSHIP, LLP.  
980 Route 146 Canajoharie, New York 13605  
(315) 251-1001

1 of 1  
SITE PLAN

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing


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

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

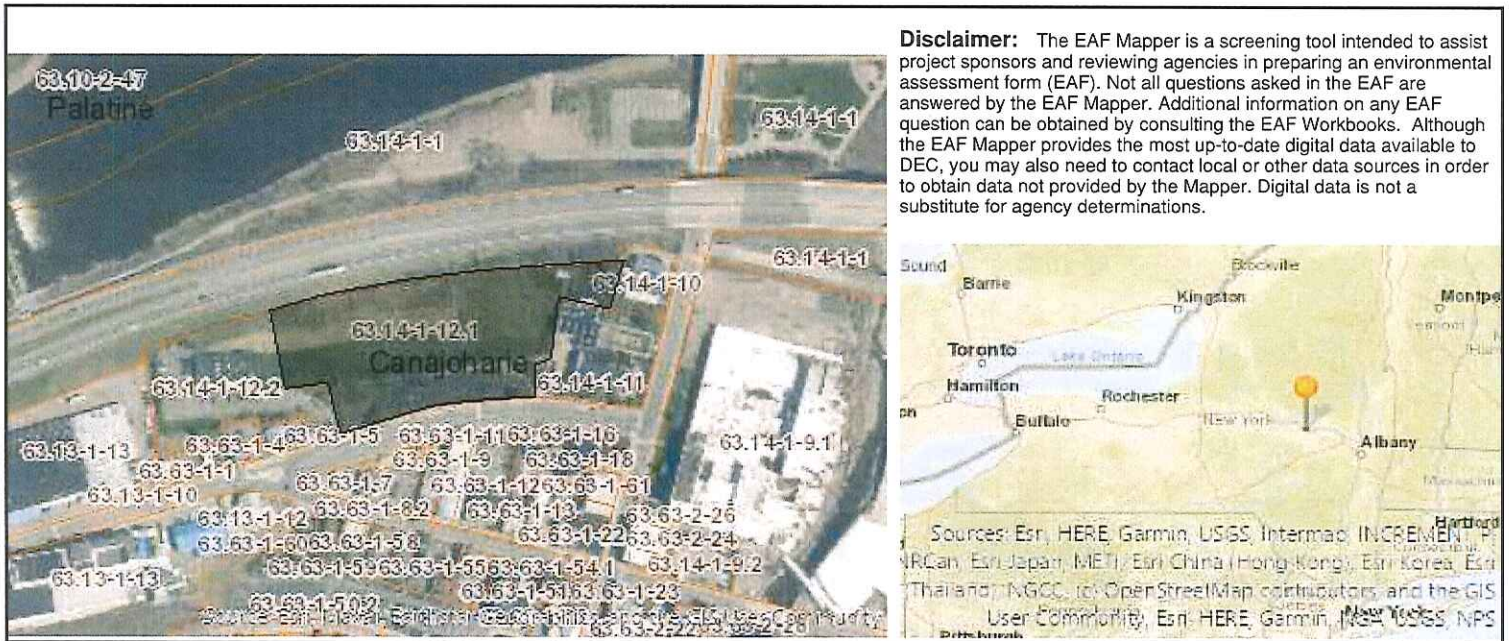
<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Arkell Community Center			
Project Location (describe, and attach a location map): Erie Blvd Village of Canajoharie			
Brief Description of Proposed Action: The applicant is proposing the construction of an 18,540 square foot community center with 2 indoor basketball courts and a lobby/entrance. The parcel is 4.02 acres and includes an existing stormwater management area, two large earth berms and an asphalt parking lot with sidewalks. The proposed project will be served by public water and sanitary sewer.			
Name of Applicant or Sponsor: Arkell Hall Foundation		Telephone: 518-673-5417	
		E-Mail: joe.arkell@gmail.com	
Address: 68 Front Street			
City/PO: Canajoharie		State: NY	Zip Code: 13317
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input 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: Montgomery County Planning (site plan)			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? <span style="float: right;">4.02 acres</span> b. Total acreage to be physically disturbed? <span style="float: right;">1.30 acres</span> c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <span style="float: right;">4.02 acres</span>			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other(Specify): Community services <input type="checkbox"/> Parkland			



5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input 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?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Northern Long-eared Bat	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Existing parking lot drainage will continue to be directed to existing storm basin and new building runoff will be directed to proposed storm basin on-site.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: <u>Gavin Vuillaume (sponsor)</u> Date: <u>8/12/2024</u>  Signature: <u></u> Title: <u>Landscape Architect</u>		





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







