



**MONTGOMERY  
COUNTY NY**

BUSINESS DEVELOPMENT CENTER

*Made of Something Stronger*

## Meeting Notice

**TO: Board Members**  
**FROM: Karl Gustafson Jr.**  
**DATE: July 13<sup>th</sup> , 2026**  
**RE: Planning Board Meeting**

The regular meeting of the Montgomery County Planning Board is scheduled for Monday July 13<sup>th</sup> , 2026 at 5:30 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 July 13<sup>th</sup>, 2026**

**5:30 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 Minden - Site Plan Review
- VII. Any other business

**Montgomery County Planning Board**  
**Meeting Minutes**  
**June 8<sup>th</sup>, 2026**  
**(meeting held in MCBDC, 113 Park Drive, Fultonville)**

**MEMBERS PRESENT:**

Mark Hoffman, Chairman  
Peter Lyden, Member  
Irene Collins, Member  
David Wiener, Vice Chairman  
Frank Szykowski, Member  
Wayne DeMallie, Alternate  
Angela Frederick, Member  
Betty Sanders, Alternate

**STAFF MEMBERS PRESENT:**

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

**ABSENT:**

Erin Covey, Member  
Frank Maphia- Member

**OTHERS PRESENT:**

**I. Call to Order**

The meeting was called to order by Chairman Mark Hoffman at 5:30 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, Frank Szykowski seconded. All members present were in favor.

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

David Wiener made a motion to accept previous meeting minutes; Frank Szykowski seconded the motion. The previous minutes were approved.

**V. Public Comment**

No public comment.

**VI. Town of Florida- Cell Tower- Site Plan Review**

Alex Kuttesch explained that this referral is a site plan review in the Town of Florida for a 165' tall cell tower on Sager Road.

Angela Frederick made a motion to approve the referral, seconded by David Wiener. All other members were in favor.

The referral was approved.

**VII. Town of Florida- Office Space- Site Plan Review**

Alex Kuttesch explained that this is a site plan review for an office space in the Town of Florida. The office will be located next to Vida Blend in the Florida Business Park. Alex explained that the office will also have some storage for materials in the back of the parcel.

Irene Collins made a motion to approve, Seconded by Frank Szykowski. All were in favor.

The referral was approved.

**VIII. Town of Mohawk- Local Law Adoption 1**

Alex Kuttesch explained that this referral is a local law adoption in the Town of Mohawk. The local law being adopted is a 6 month moratorium on battery storage facilities in the Town of Mohawk.

Frank Szykowski made a motion to approve, seconded by Betty Sanders. Peter Lyden abstained. All other members were in favor.

The referral was approved.

**IX. Town of Mohawk- Local Law Adoption 2**

Alex Kuttesch stated that this referral is a local law adoption in the Town of Mohawk. The local law being adopted is an amendment to their current tiered solar ordinance. The Town made some changes in some definitions in their current local law and made sure their setbacks and codes were clearly defined in their local law.

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

The referral was approved.

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

Alex Kuttesch presented to the board a site plan review in the Town of Amsterdam. This is for apartments located on Maple Avenue. This will be a 170 unit project. The same plot was approved for a similar project back in 2011, but nothing was done with it then. It will be 10 units per building. This project will be roughly 40 acres.

David Wiener made a motion to approve, seconded by Frank Szykowski. All were in favor.

The referral was approved.

**XI. Other Business**

There was no other business.

**XII. Adjournment**

David Wiener made a motion to adjourn the meeting at 6:00 p.m., seconded by Peter Lyden. All were in favor.

Respectfully submitted,

---

Karl Gustafson Jr.  
Economic Development Grant Assistant

SUPERVISOR  
518-993-3443

ASSESSORS  
518-993-4844

COURT  
518-993-3616



# Town of Minden

Municipal Building 134 State Highway 80, Fort Plain, NY 13339

TOWN CLERK  
518-993-3443

HIGHWAY SUPERINTENDENT  
518-993-3351

ZONING & CODES  
518-993-3443

June 22, 2026

Montgomery County Planning Board:

We are submitting the planning board application that we received for you for review. It was submitted on May 11, 2026.

We asked:

Parling lot size - new survey map to increase the lot size, shale, top dressed with millings

Where the storm water runoff would be - towards wooded area

How animals would be off loaded - chutes/loading docks

Water for livestock - tanks, possible pond in the future

Building Height - 35' max

Animal waste - will be collected and spread on farmland

Septic - Porta Pots

Food - food trucks

Garbage - dumpsters

Hours - 8:00am - 4:00pm (auction 10:00am - 4:00)

Noise Level - 55 decibels 8:00pm - 6:00am at property line

Portable generators - needs to be in a building to muffle the noise

Lighting - as of now not needed, if needed, down lighting to parking lots

Solar power - eventually

Entrance/Exit - only on Marshville Rd. Copy of driveway work permit attached

Public hearing was held on June 9, 2026, at 7:00pm. Two residents attended and were in support of the facility but had concerns about traffic entering St. Hwy 163 from Marshville Rd. due to the blind spot on St. Hwy 163 south of Marshville Rd. Contact NYS DOT for possible signage on St. Hwy 163 to help reduce the blind spot.

Thank you,

Tammy Beauregard

Town Clerk

Planning Board Secretary

Zoning Board Secretary

# 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: Planning Board  
Referring Officer: Chairman Jim Welch  
Mail original resolution to: Town of Munden  
134 St Hwy 80  
Fort Plain NY 13339

1. Applicant: Christian Lapp 2. Site Address: 105 Marshville Rd Ft. Plain  
3. Tax Map Number(s): 61-2-30-1 4. Acres: 5  
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: Agriculture 8. Current Land Use: open field  
9. Project Description: Auction facility - Agri Business

### 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: 6/9/26 Time: 7:00pm Location: Town Office

### Referred Action(s)

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

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

13. ☐ Zone Change Referring Board: \_\_\_\_\_  
Proposed Zone District: \_\_\_\_\_ Number of Acres: \_\_\_\_\_

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

14. ☐ Site Plan ☐ Project Site Review Referring Board: \_\_\_\_\_  
Proposed Improvements: \_\_\_\_\_

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

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

Is a State or County DOT work permit needed? If Yes : ☐ State or ☐ County ☐ No  
Specify: \_\_\_\_\_

15. ☐ **Special Permit**

Referring Board:

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

Will the proposed project require a variance?

☐ Yes

☐ No

Type: ☐ Area

☐ Use

16. **Variance**

Referring Board:

☐ Area

☐ Use

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

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

**SEQR Determination**

Action:

Finding:

☐ Type I

☐ Type II

☐ Unlisted Action

☐ Exempt

☐ Positive Declaration – Draft EIS

☐ Conditional Negative Declaration

☒ Negative Declaration

☐ No Finding (Type II Only)

SEQR determination made by (Lead Agency): Town of Menden Planning Board

Date: 5/12/26

**REQUIRED MATERIAL**

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

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

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

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

Timothy Beauregard Town Clerk  
Planning Board Sect.  
Name, Title & Phone Number of Person Completing this Form 518-993-3443

June 22, 2026  
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

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

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

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

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

A completed Application must be filed at least ten (10) days prior to the meeting at which it is to be considered by the Planning Board, including all applicable attached information.

Applicant: Christian GappProperty Owner: \_\_\_\_\_  
(if different)Address: 105 Marshall Rd  
Fort Plain NY 13339

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

Phone: ( ) 518-949-1616

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

Professional  
Advisor: \_\_\_\_\_Other: \_\_\_\_\_  
(if appropriate, please specify)

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

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

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

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

**Property Location:**Address: 105 Marshall Rd Fort Plain NY 13339

General Location: \_\_\_\_\_

Zoning Districts: AgriculturalTax Parcel ID# (SBL): 61-2-30.1

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

Applicant Signature: \_\_\_\_\_

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

Property Owner's Signature: Christian Gapp  
(if different)Date: 5-11-26

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

**For Office Use Only**

Application Fee: \$ 250.00

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

Total Amount Received: \$ 250.00

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

Received By: T. Beauregard

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

\_\_\_\_\_  
(Code Enforcement Officer)

\*\*\*\*\*

**For Planning Board Use Only**

The Planning Board held a Public Hearing on 9 (day) of June (date),  
2026 (year) in consideration of this application.

The application is hereby:

- ☐ approved  
☐ approved with modifications  
☐ disapproved

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

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

\_\_\_\_\_  
Date

## AGRICULTURAL DATA STATEMENT

Per 305-a of the New York State Agriculture and Markets Law, any application for a special permit, site plan approval, use variance, or subdivision approval requiring municipal review and approval that would occur on property within a New York State Certified Agricultural District containing a farm operation or property with boundaries within 500 feet of a farm operation located in an Agricultural District shall include an Agricultural Data Statement.

A. Name of applicant:

Christian Lapp  
105 Marshall Rd

Mailing address:

Fort Plain NY 13339

B. Description of the

proposed project:

~~#6~~ Building Agri-Business  
- Auction Facility

C. Project site address:

Same

Town: Minden

D. Project site tax map number:

41.-2-3401

E. The project is located on property:

☒ within an Agricultural District containing a farm operation, or  
☒ with boundaries within 500 feet of a farm operation located in an Agricultural District

F. Number of acres affected by project:

5 acres

G. Is any portion of the project site currently being farmed?

☒ yes, if yes, how many acres 5 acres or square feet \_\_\_\_\_  
☐ no

H. Name and address of any owner of land containing farm operations within the Agricultural District and is located within 500 feet of the boundary of the property upon which the project is proposed.

Trumbles - Freysburg Farms Rt. 163 Ft. Plain  
Pail Hudson

I. Attach a copy of the current tax map showing the site of the proposed project relative to the location of farm operations identified in item H above

.....  
Prospective residents should be aware that farm operations may generate dust, odor, smoke, noise, vibration, and other conditions that may be objectionable to nearby properties. Local governments shall not unreasonably restrict or regulate farm operations within State Certified Agricultural Districts unless it can be shown that the public health or safety is threatened.

Christian Lapp  
Name and Title of Person completing form

6-12-26  
Date

## MONTGOMERY COUNTY AGRICULTURAL DATA STATEMENT

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

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

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

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

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

Do Not Write Above This Line

APPLICANT: Christian Lapp

APPLICANT'S AGENT: \_\_\_\_\_

ADDRESS: 105 Marshall Rd  
Fort Plain, NY 13339

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

PHONE NO.: 518 949 1616

PHONE NO.: \_\_\_\_\_

### LOCATION OF PROPOSED PROJECT:

TAX MAP NUMBER: 61-2-30.1

TOWN: Menden

ROAD: Marshall Rd.

Description of Proposed Project: Agri-Business

Auction Facility

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

NAME: Freyssbach Farm

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

ADDRESS: 626 S. Hwy 163  
Fort Plain, NY 13339

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

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

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

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

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

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

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

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

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

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

# 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: <i>Christian happ</i>                                                                                                                                                           |  |                                |                                            |
| Project Location (describe, and attach a location map):<br><i>Agri-Business / Auction Facility</i>                                                                                                         |  |                                |                                            |
| Project Location (describe, and attach a location map):<br><i>105 Marshall Rd.</i>                                                                                                                         |  |                                |                                            |
| Brief Description of Proposed Action:<br><i>Construction of an Auction Facility For the selling of Small animals and livestock - (large animals)</i>                                                       |  |                                |                                            |
| Name of Applicant or Sponsor:<br><i>Christian Bess</i>                                                                                                                                                     |  | Telephone: <i>518-949-1616</i> |                                            |
|                                                                                                                                                                                                            |  | E-Mail:                        |                                            |
| Address:<br><i>105 Marshall Rd</i>                                                                                                                                                                         |  |                                |                                            |
| City/PO:<br><i>Fort Plain NY</i>                                                                                                                                                                           |  | State:<br><i>NY</i>            | Zip Code:<br><i>13339</i>                  |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?                                                                     |  |                                | NO<br><input type="checkbox"/>             |
| 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. |  |                                | YES<br><input checked="" type="checkbox"/> |
| 2. Does the proposed action require a permit, approval or funding from any other government Agency?                                                                                                        |  |                                | NO<br><input type="checkbox"/>             |
| If Yes, list agency(s) name and permit or approval: <i>Mont. Co. Planning</i>                                                                                                                              |  |                                | YES<br><input checked="" type="checkbox"/> |
| 3. a. Total acreage of the site of the proposed action? <i>5.5</i> <del>1.5</del> acres                                                                                                                    |  |                                |                                            |
| b. Total acreage to be physically disturbed? <i>1.5</i> acres                                                                                                                                              |  |                                |                                            |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? <i>20</i> acres                                                                     |  |                                |                                            |
| 4. Check all land uses that occur on, are adjoining or near the proposed action:                                                                                                                           |  |                                |                                            |
| <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)    |  |                                |                                            |
| <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):                                                  |  |                                |                                            |
| <input type="checkbox"/> Parkland                                                                                                                                                                          |  |                                |                                            |

|                                                                                                                                                                                                                                                                                                                                                                                      |  |                                     |                                     |                          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-------------------------------------|-------------------------------------|--------------------------|
| 5. Is the proposed action,                                                                                                                                                                                                                                                                                                                                                           |  | NO                                  | YES                                 | N/A                      |
| a. A permitted use under the zoning regulations?                                                                                                                                                                                                                                                                                                                                     |  | <input checked="" 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                                 |                          |
| b. Are public transportation services available at or near the site of the proposed action?                                                                                                                                                                                                                                                                                          |  | <input checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 9. Does the proposed action meet or exceed the state energy code requirements?                                                                                                                                                                                                                                                                                                       |  | NO                                  | YES                                 |                          |
| If the proposed action will exceed requirements, describe design features and technologies:<br>_____<br>_____                                                                                                                                                                                                                                                                        |  | <input checked="" type="checkbox"/> | <input 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: <u>Private</u>                                                                                                                                                                                                                                                                                                                   |  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 11. Will the proposed action connect to existing wastewater utilities?                                                                                                                                                                                                                                                                                                               |  | NO                                  | YES                                 |                          |
| If No, describe method for providing wastewater treatment: <u>Porta Pot</u>                                                                                                                                                                                                                                                                                                          |  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? |  | NO                                  | YES                                 |                          |
|                                                                                                                                                                                                                                                                                                                                                                                      |  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?                                                                                                                                                                  |  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                          |
| 13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?                                                                                                                                                                                             |  | NO                                  | YES                                 |                          |
|                                                                                                                                                                                                                                                                                                                                                                                      |  | <input checked="" type="checkbox"/> | <input 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: _____<br>_____<br>_____                                                                                                                                                                                                                                                                 |  |                                     |                                     |                          |

|                                                                                                                                                                                                                                                                                     |                                     |                          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------|
| 14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:                                                                                                                                                          |                                     |                          |
| <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional<br><input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban |                                     |                          |
| 15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?                                                                                                              | NO                                  | YES                      |
|                                                                                                                                                                                                                                                                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 16. Is the project site located in the 100-year flood plan?                                                                                                                                                                                                                         | NO                                  | YES                      |
|                                                                                                                                                                                                                                                                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources?<br>If Yes,                                                                                                                                                                       | NO                                  | YES                      |
|                                                                                                                                                                                                                                                                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a. Will storm water discharges flow to adjacent properties?                                                                                                                                                                                                                         | <input type="checkbox"/>            | <input type="checkbox"/> |
| b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?<br>If Yes, briefly describe:                                                                                                                                                | <input type="checkbox"/>            | <input type="checkbox"/> |
| _____                                                                                                                                                                                                                                                                               |                                     |                          |
| _____                                                                                                                                                                                                                                                                               |                                     |                          |
| 18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?<br>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?<br>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?<br>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>Christian B Lapp</u> Date: <u>6-12-26</u>                                                                                                                                                                                                                |                                     |                          |
| Signature: <u>Christian B Lapp</u> Title: <u>5-12-26</u> <span style="float: right;">owner<br/>Applicant</span>                                                                                                                                                                     |                                     |                          |

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

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

## **Short Environmental Assessment Form**

### **Part 2 - Impact Assessment**

**Part 2 is to be completed by the Lead Agency.**

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

|                                                                                                                                                                            | No, or<br>small<br>impact<br>may<br>occur | Moderate<br>to large<br>impact<br>may<br>occur |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|------------------------------------------------|
| 1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?                                                                | <input checked="" type="checkbox"/>       | <input type="checkbox"/>                       |
| 2. Will the proposed action result in a change in the use or intensity of use of land?                                                                                     | <input checked="" type="checkbox"/>       | <input checked="" type="checkbox"/>            |
| 3. Will the proposed action impair the character or quality of the existing community?                                                                                     | <input checked="" type="checkbox"/>       | <input type="checkbox"/>                       |
| 4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?                      | <input checked="" type="checkbox"/>       | <input type="checkbox"/>                       |
| 5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?            | <input checked="" type="checkbox"/>       | <input checked="" type="checkbox"/>            |
| 6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? | <input checked="" type="checkbox"/>       | <input type="checkbox"/>                       |
| 7. Will the proposed action impact existing:                                                                                                                               |                                           |                                                |
| a. public / private water supplies?                                                                                                                                        | <input checked="" type="checkbox"/>       | <input type="checkbox"/>                       |
| b. public / private wastewater treatment utilities?                                                                                                                        | <input checked="" type="checkbox"/>       | <input type="checkbox"/>                       |
| 8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?                                   | <input checked="" type="checkbox"/>       | <input type="checkbox"/>                       |
| 9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?                     | <input checked="" type="checkbox"/>       | <input type="checkbox"/>                       |
| 10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?                                                            | <input checked="" type="checkbox"/>       | <input type="checkbox"/>                       |
| 11. Will the proposed action create a hazard to environmental resources or human health?                                                                                   | <input checked="" type="checkbox"/>       | <input type="checkbox"/>                       |

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

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

### Short Environmental Assessment Form Part 3 Determination of Significance

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

- (5) (2) increase in traffic on day of Auction  
Present - 2 Auctions a month  
Future - 1 Auction weekly
- (2) land use from Farm Production to Retail  
Merchandising of livestock

|                                                                                                                                                                                                |                                                                                                                                                                                                                                                                              |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/>                                                                                                                                                                       | Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required. |
| <input checked="" type="checkbox"/>                                                                                                                                                            | Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.                                                             |
| <div> <div>Town of Mendon Planning Board</div> <div>Name of Lead Agency</div> </div> <div> <div>5-12-26</div> <div>Date</div> </div>                                                           |                                                                                                                                                                                                                                                                              |
| <div> <div>Jim Welch</div> <div>Print or Type Name of Responsible Officer in Lead Agency</div> </div> <div> <div>Chairman</div> <div>Title of Responsible Officer</div> </div>                 |                                                                                                                                                                                                                                                                              |
| <div> <div>Jim Welch</div> <div>Signature of Responsible Officer in Lead Agency</div> </div> <div> <div></div> <div>Signature of Preparer (if different from Responsible Officer)</div> </div> |                                                                                                                                                                                                                                                                              |

Montgomery County  
Department of Public Works**DRIVEWAY WORK PERMIT**CR# 86

Estimated Completion Date \_\_\_\_\_

|                                     |               |
|-------------------------------------|---------------|
| <input checked="" type="checkbox"/> | Cash          |
| <input type="checkbox"/>            | Check # _____ |
| <input type="checkbox"/>            | MO # _____    |

Permit Fee \$ 50.00☐ Deposit☒ Paid in FullPermittee Chris LappAddress 105 Marshville RdCity Fort PlainState NYZip 13339

This permit is issued pursuant to Article 6, Section 136 of the Highway Laws of the State of New York, and the Policy & Standards for Driveway Installations, as set forth by the Montgomery County Department of Public Works. Permission is hereby granted to the Permittee for the construction of a driveway

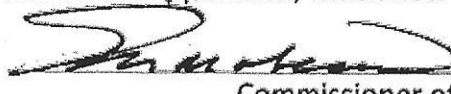
No pipe neededon CR# 86, Marshville Rd, at mile point 0.070, on Right sidein the Town of Minden \*\*\*Please build headwalls on each end of pipe\*\*\*

pursuant to the restrictions and conditions as set forth on this permit and the Conditions and Responsibilities of Permittee as set forth on the application, which now forms a part of this agreement.

Date

5/28/26

By



Commissioner of Public Works

Eric M. Mead

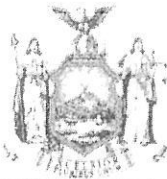
**\*\*\*IMPORTANT\*\*\***

THIS PERMIT, WITH APPLICATION AND DRAWING ATTACHED, SHALL BE PLACED IN THE HANDS OF  
THE CONTRACTOR BEFORE ANY WORK IS STARTED

NOTICE – It is absolutely necessary that the Permittee notify this Department whose address is 113 Park Drive, Fultonville, NY 12072, telephone (518) 853-3814, before work is started, and upon its completion.

The Department reserves the right to suspend or revoke this permit, at its discretion, without a hearing or the necessity of showing cause, either before or during the operations authorized. The Permittee will cause an approved copy of the application to be and remain attached hereto, until all work under this permit is satisfactorily completed, in accordance with the terms of the attached application.

(SEE OTHER SIDE)



STATE OF NEW YORK  
**DEPARTMENT OF AGRICULTURE AND MARKETS**  
10B AIRLINE DRIVE  
ALBANY, NEW YORK 12235

DIVISION OF ANIMAL INDUSTRY  
(518) 457-3502

**PERMIT NOTICE**

The lower portion of this notice is the permit for this establishment. Sign the permit immediately upon receipt. If you have any questions, call the Division of Animal Industry (518) 457-3502.

The applicant has consented to the free entry and free access to the licensed premises, buildings, and offices to the Commissioner and his agents, and inspectors in pursuance of the Commissioner's duty to supervise and regulate the production storage, sale and use of articles subject to the Commissioner's jurisdiction.

**PLEASE POST THE PERMIT PORTION OF THIS NOTICE CONSPICUOUSLY**

License No.: 652361

NEW YORK STATE  
DEPARTMENT OF AGRICULTURE AND MARKETS  
ALBANY, NY 12235

Expires: 11/20/2027

Fee Paid \$50.00

Receipt No.: 416

**DOMESTIC ANIMAL HEALTH PERMIT**

Pursuant to Article 5 of the Agriculture and Markets Law, the licensee is authorized to perform those activities for which it has Applied to be performed at the following address or at another authorized location.

This license cannot be sold or transferred.

This permit is not valid until signed by the licensee. **LICENSEE SIGNATURE:** \_\_\_\_\_

LAPP CHRISTIAN LAPP AUCTION SERVICES

105 MARSHVILLE ROAD  
FORT PLAIN, NY 13339

  
Richard A. Ball  
Commissioner



Town of Minden  
134 State Highway 80  
Fort Plain, NY 13339 - 4036  
(518) 993-3443

## **RECEIPT**

### **#Special Use**

05/18/2026

Lapp, Christian B.  
105 Marshville Rd.  
Fort Plain, NY 13339

Received \$ 250.00 for Building Permit Application, on 05/18/2026. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Tammy Beauregard

Town Clerk

SUPERVISOR  
518-993-3443

ASSESSORS  
518-993-4844

COURT  
518-993-3616



# Town of Minden

Municipal Building 134 State Highway 80, Fort Plain, NY 13339

TOWN CLERK  
518-993-3443

HIGHWAY SUPERINTENDENT  
518-993-3351

ZONING & CODES  
518-993-3443

## Public Hearing Notice – Planning Board

May 27, 2026

Christian Lapp  
105 Marshville Rd  
Fort Plain, NY 13339

A Public Hearing will be held on June 9, 2026, at 7:00pm in the Town of Minden Municipal offices at 134 St Hwy 80, Fort Plain, NY 13339. The purpose of this hearing is regarding a Special Use application submitted by Christian Lapp of 105 Marshville Rd, Fort Plain, NY. The Special Use Permit is for the operation of an Auction Barn Facility.

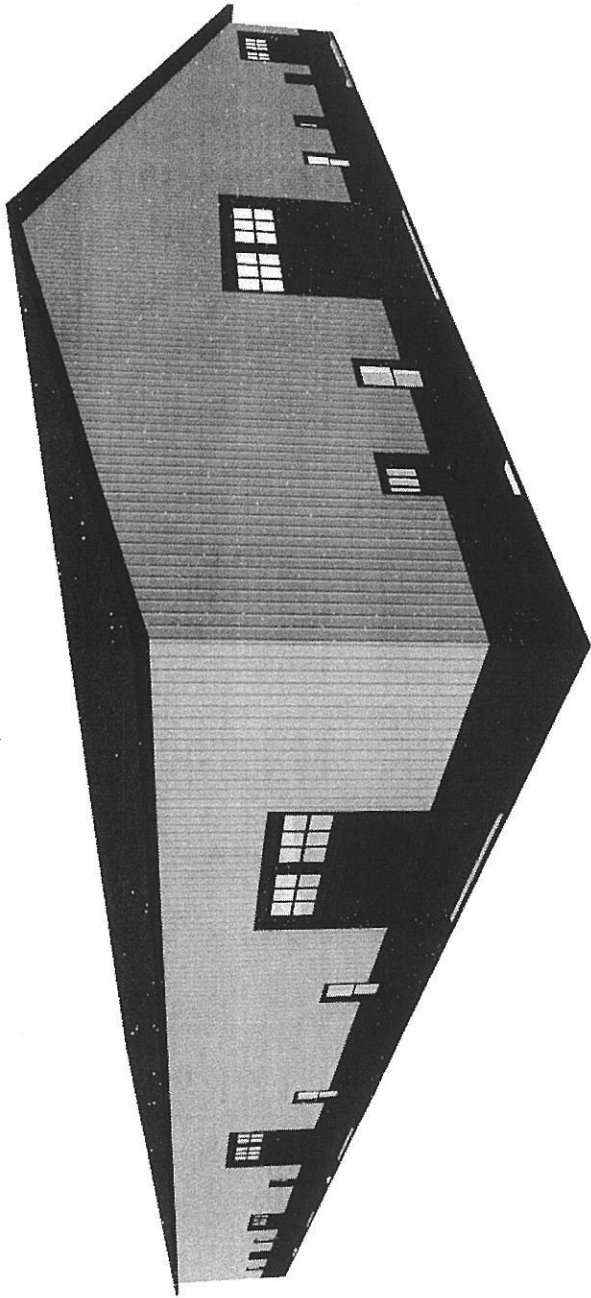
At this time, you will be able to address the Board with any questions or comments that you may have.

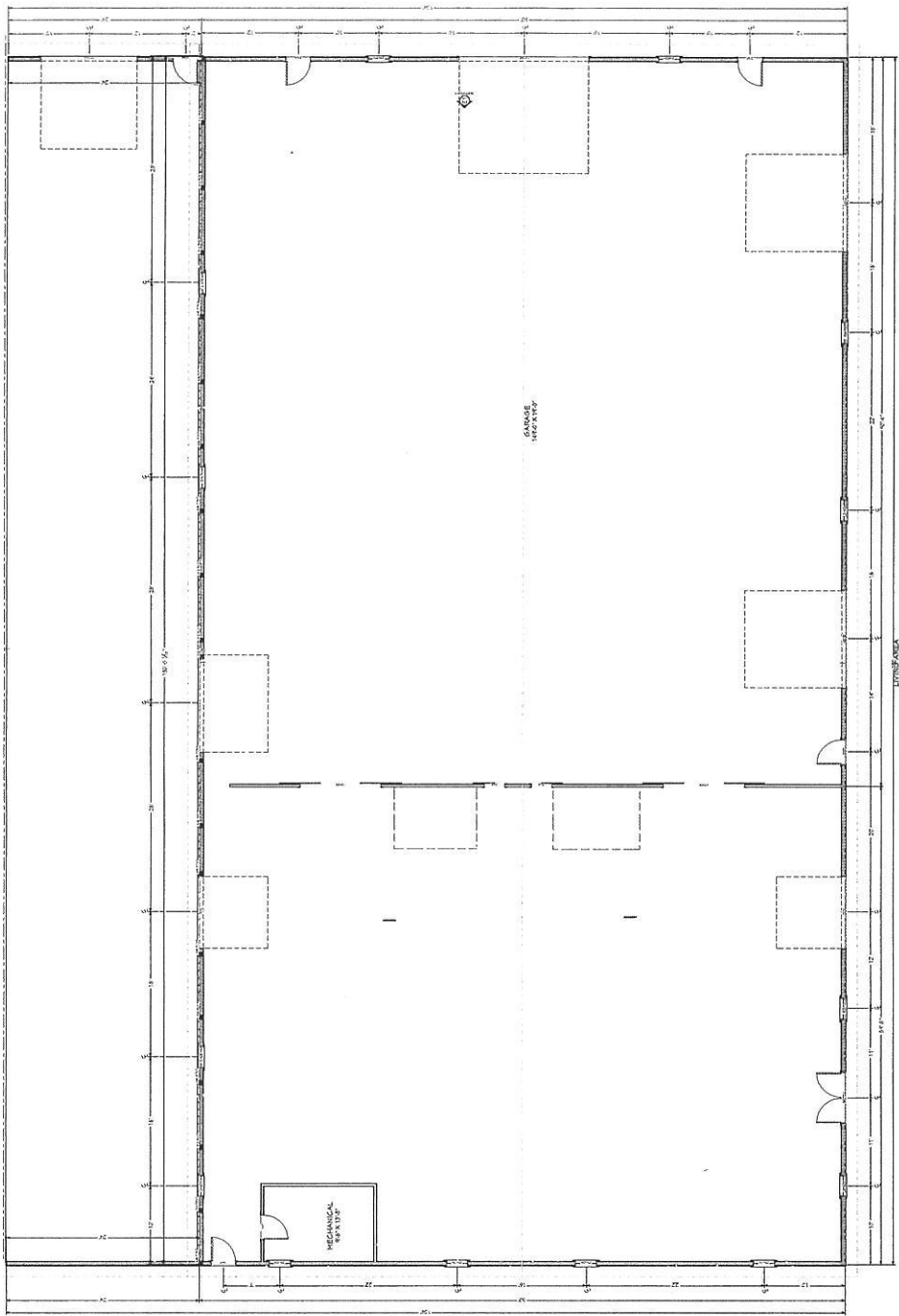
You are receiving this notice as required by NYS Law regarding Agricultural Districts.

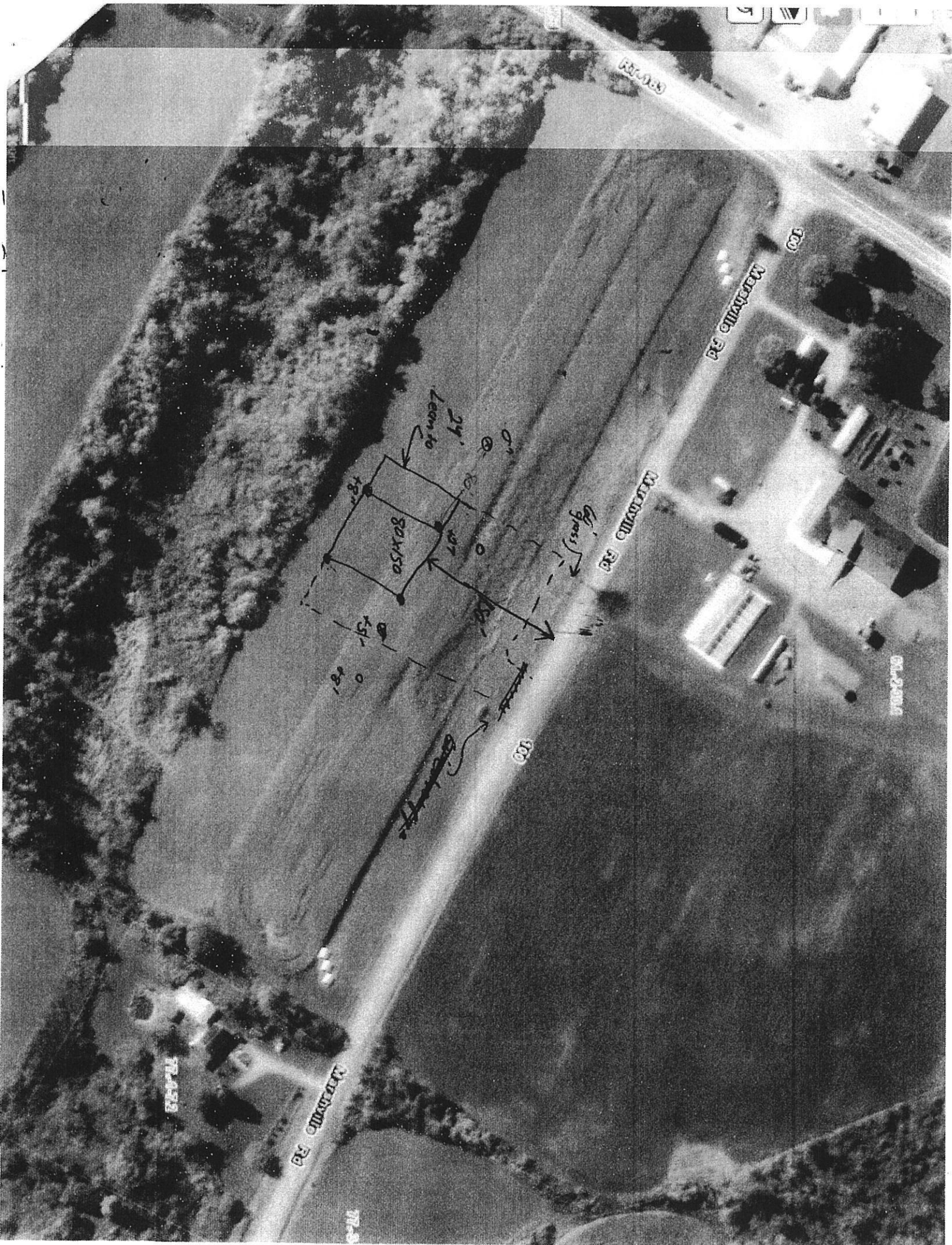
Sincerely Yours,

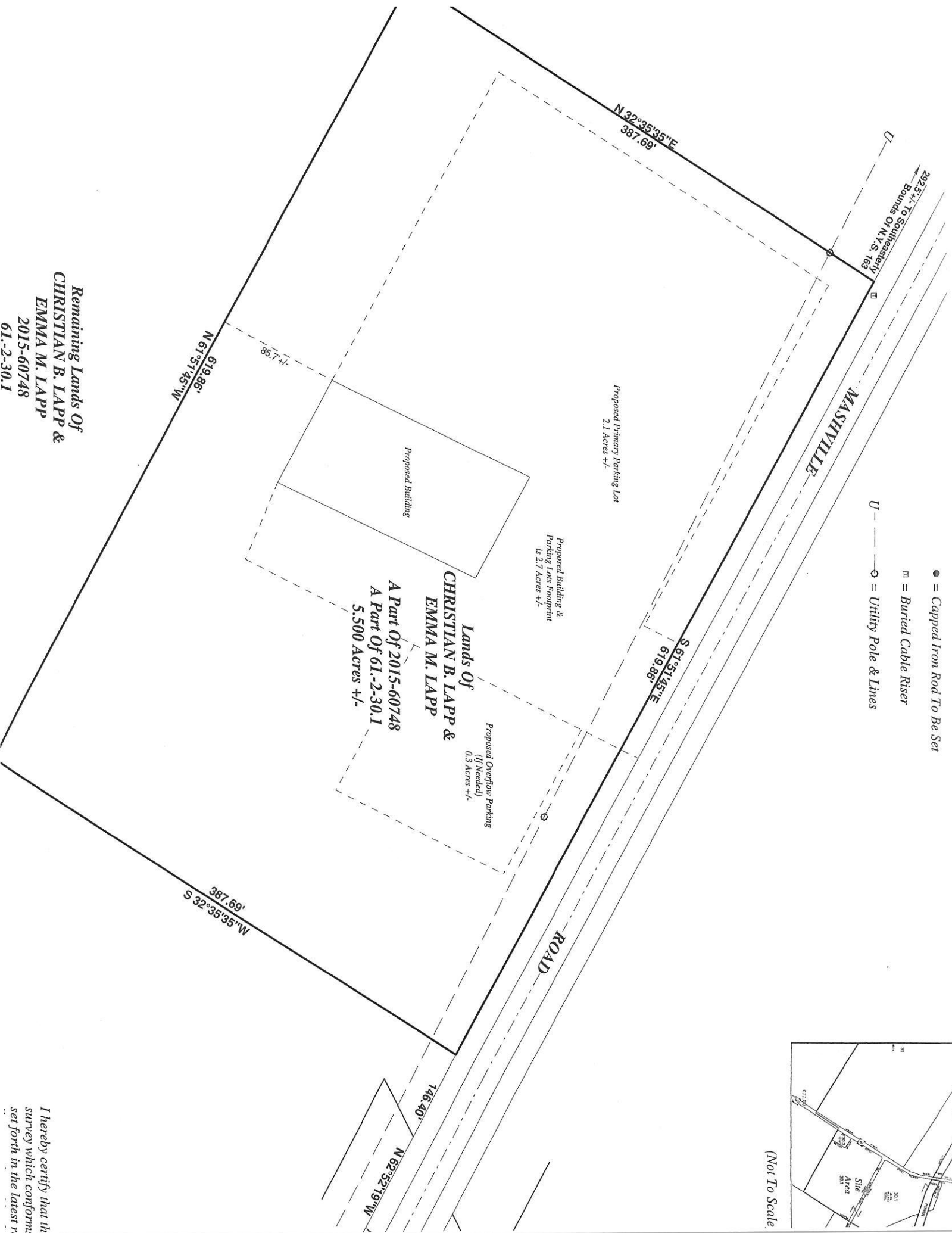
Tammy Beauregard  
Secretary

CC: Freysbush Farms, LLC  
Laurence Michalik Family Trust  
Kenneth & Angela Frank  
Paul Hudson  
Mark W. Tompson  
Terry & Wendy Hudson  
Levi & Elizabeth Stoltzfus  
James S. Auken  
Jim Castrucci - CEO

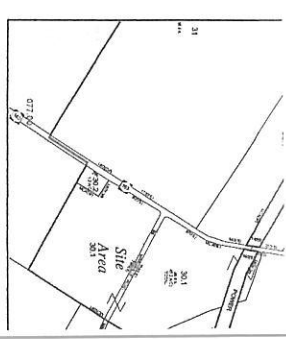








- = Capped Iron Rod To Be Set
- ▣ = Buried Cable Riser
- U — ○ — = Utility Pole & Lines



(Not To Scale)

Remaining Lands Of  
CHRISTIAN B. LAPP &  
EMMA M. LAPP  
2015-60748  
61.-2-30.1

I hereby certify that the  
survey which conforms  
set forth in the latest re