


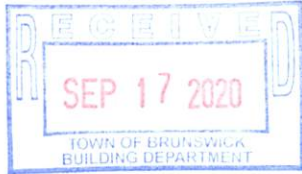


Town of Brunswick
Zoning Board of Appeals
336 Town Office Road, Troy, New York 12180

Application for a Variance

| | |
|---------------------------|---|
| Application Number | <u>ZB 2020 - 0189</u> |
| Date Application Received | <u>9-17-20</u> |
| Hearing Scheduled Date | _____ |
| Application Fee | <u>300 pd</u>  |
| Approved Date | _____ |
| Conditions (y/n) | _____ |
| Denial Date | _____ |
| Withdrawn Date | _____ |
| Zoning Chairperson | <u>Ann Clemente</u> |

General Information



Applicant:

Name: Dave Leon

Property Owner:

Name: same

Company: _____

Address: 141 West Campbell Road
Schenectady NY 12306

Phone:  _____

Applicant is: Owner Builder Lessee Architect/Engineer Agent Other
If Other, Explain: _____

Lot Information

Street Address of Lot 658-664 Hoosick Road

Parcel ID Number 101.8-9-7, 101.8-9-6.11, 101.8-9-2, 101.8-7-16 Zoning District R-9, B-15, R-25

Irregular Shape of Lot (Y or N) Y Corner Lot (Y or N) Y

Existing: Lot Area 21.98+/- AC Frontage _____ Depth _____
Setbacks: Front _____ Rear _____ Left _____ Right _____

Proposed: Lot Area _____ Frontage _____ Depth _____
Setbacks: Front _____ Rear _____ Left _____ Right _____

Type of Water Service: public Type of Sanitary Disposal: public

Describe Existing Use:

Currently there is an existing gym and parking lot, the remainder of the land is vacant

Type of Request: Area Variance Use Variance

Briefly describe the proposal:

Reconfiguration of existing tax lots to create 4 parcels. Parcel one proposes a fast food restaurant (KFC) with drive-thru. The second parcel will contain an existing gym (Planet Fitness), a proposed fast food restaurant with drive-thru (Wendy's), and a proposed grocery store (ALDI). The third parcel will be created with legal frontage on Ferdinand Ave. The fourth parcel is to dedicate to the Town for the existing Hillcrest Avenue. An area variance is to reduce the front parking setback at the Wendy's fast food restaurant from 10' to 3'-7" for the drive-thru lane.

Abutters-Adjacent Property Owners

List the name and address for each adjacent property owners. Use additional paper if needed.

| | Name: | Address: | Property Use |
|-------|--------------|----------|--------------|
| Front | see attached | | |
| Rear | | | |
| Left | | | |
| Right | | | |

Required Submittals

- A plot plan showing all dimensions of buildings, yard (front, side and rear setbacks of building(s) (proposed and existing)), lot size, and streets.
- Part 1 of the State Environmental Quality Review Act (SEQRA) Short Environmental Assessment Form
- Application fee \$300.00

NOTE: Additional submittals may be required by the Zoning Board of Appeals. Failure to submit all required documents may result in a delay in the processing or denial of the application.

Have there been any other variances issued for this property? (Y or N) Y

If yes, explain: several variances were issued for a previously approved Taco Bell at this site

For any Area Variance Request, please complete the following:

Proposed use / construction: commercial buildings
(Single family home, commercial building, addition, deck, pool, accessory building, sign, fence, etc.)

see attached Zoning Analysis Table on Variance Plan

Lot Size:
 Width at set back:
 Front Setback:
 Rear Setback:
 Left Side Setback:
 Right Side Setback:
 Maximum Lot Coverage:
 Maximum Height:

| REQUIRED | PROPOSED |
|----------|----------|
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

For Multi-family Residential / Non-Residential Area Variances, please complete the following:

Number of Parking Spaces:
 Buffer:
 Units per Acre:

| REQUIRED | PROPOSED |
|----------|----------|
| 220 | 231 |
| | |
| | |

Area Variance Continued

1. Explain how no undesirable change will be produced in the character of the neighborhood; nor a detriment to nearby properties created by granting the Area Variance.

Allowing the drive-thru lane within the 10' parking setback will not change the character of the neighborhood as the paving is aligned with the adjacent car wash paving.

2. Explain why the benefit sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue, other than an Area Variance.

The drive-thru width can be reduced but doesn't allow for the by-pass lane in the drive-thru, which is a requirement by Wendy's.

3. Describe whether the requested Area Variance is substantial.

The front parking setback variance is not substantial as it will be of further distance from the property line than the existing pavement.

4. Explain how the proposed Area Variance will not have an adverse effect on the physical or environmental conditions in the neighborhood or district.

Allowing the reduction in the front parking setback for the Wendy's drive-thru lane will not adversely effect the neighborhood, as the pavement is in line with abutting neighbors.

5. Explain whether the difficulty is self-created. (Consideration is relevant, but shall not necessarily preclude the granting of the Area Variance)

The size and shape of the parcel has determined the placement of the building. In order to allow for a by-pass lane at the drive-thru, an area variance must be obtained.

For Use Variance Applications, please complete the following:

Describe the requested use: _____

1. Explain why the applicant cannot realize a reasonable return from the property without the Use Variance, as demonstrated by competent financial evidence.

2. Explain how the alleged hardship relating to the property is unique, and does not apply a substantial portion of the district or neighborhood.

3. Describe why granting the requested Use Variance will not alter the essential character of the neighborhood.

4. Explain whether the alleged hardship has been self-created.

Certification and Authorization

I certify that the information contained in this application is true to the best of my knowledge and I authorize the Town of Brunswick to process this application as provided by law.

I also authorize the Town of Brunswick Building Department and Zoning Board of Appeals to enter the property that is the subject of this application for the purpose of inspection and consideration of the application documents.

Applicant:

Property Owner:

Name: Dave Leon

Signature: 

Date: 9-15-20

Abutter List

| Name | Address | Property Use | Parcel ID |
|---|--|---------------------|------------------|
| John & Rosemary Seabury | 3 Watson Ave Troy NY 12180 | Residential | 102.5-7-4 |
| William & Monika Bove | 3 Windsor Ave Troy NY 12180 | Residential | 102.5-6-2 |
| Patricia Mitola | 17 Woodward Ave Troy NY 12180 | Vacant Land | 102.5-2-7.1 |
| Robert & Susan Sheffer | 70 Oriole Ave West Sand Lake NY 12196 | Vacant Land | 102.5-2-17.2 |
| Caroline Ciraulo | 40 Sky Moore Lane West Hurley NY 12491 | Vacant Land | 102.5-2-17.11 |
| Alfred & Edward Oechsner | 12 Langmore Ln Troy, NY 12180 | Vacant Land | 102.5-2-6 |
| Ruben Jay Miracle & Phuong Thach | 45 Goodman Ave Troy, NY 12180 | Residential | 102.0-1-3.2 |
| Ralph Liporace | 12 Riccardi Lane Troy, NY 12180 | Vacant Land | 102.0-1-3.23 |
| Ruth Forcinella & Donna Rotelli | 3 Gallant Fox Ln Wynantskill NY 12198 | Vacant Land | 101.8-11-6 |
| Niagra Mohawk Power Corporation | Real Esate Tax Dept. 300 Erie Blvd West Bldg D-M Syracuse NY 13202 | Public Utilities | 102.0-1-4 |
| Hoffman Realty Troy LLC | 1747 Central Ave Albany NY 12205 | Commercial | 101.8-9-6.12 |
| ARAX Properties LLC Cumberland Farms Corp | C/o Tax Dept. 165 Flanders Road Westborough, MA 01581 | Commercial | 101.8-10-5.1 |
| Joan & Dennis Ballard | 217 Hillcrest Ave Troy NY 12180 | Residential | 101.8-9-13 |
| William Mulligan | C/o Mary Jean Fox 880 Eighth Ave. Troy, NY 12182 | Vacant Land | 101.8-9-12 |
| Michael Duncan | 124 Lord Ave Troy, NY 12180 | Apartment | 101.8-8-2 |
| Mouawad Majid | 219 Verbeck Ave Schaghticoke, NY 12154 | Commercial | 101.8-8-3 |

**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: 660 Hoosick Site Plan | | |
| Project Location (describe, and attach a general location map): 660 Hoosick Road Brunswick NY | | |
| Brief Description of Proposed Action (include purpose or need): Reconfiguration of existing tax lots to create 4 parcels. Parcel one proposes a fast food restaurant with drive-through. The second parcel will contain an existing gym (Planet Fitness), a proposed fast food restaurant with drive-through, and a proposed grocery store. The third parcel will be created with legal frontage on Ferdinand Ave., the fourth parcel is to dedicate to the Town for the existing Hillcrest Avenue. | | |
| Name of Applicant/Sponsor: Dave Leon | Telephone: [REDACTED] | E-Mail: Dave.Leon.pf@gmail.com |
| Address: 141 West Campbell Road | | |
| City/PO: Schenectady | State: NY | Zip Code: 12306 |
| Project Contact (if not same as sponsor; give name and title/role): James Easton, PE MJ Engineering | Telephone: 518-371-0799 | E-Mail: jeaston@mjels.com |
| Address: 1533 Crescent Road | | |
| City/PO: Clifton Park | State: NY | Zip Code: 12065 |
| Property Owner (if not same as sponsor): | Telephone: | E-Mail: |
| Address: | | |
| City/PO: | State: | Zip Code: |

B. Government Approvals

| B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.) | | |
|---|---|---|
| Government Entity | If Yes: Identify Agency and Approval(s) Required | Application Date (Actual or projected) |
| a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees | Town Board (paper street) | |
| b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Planning Board | |
| c. City, Town or Village Zoning Board of Appeals <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | ZBA | |
| d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | RCDOH, RC Bureau of Economic Development & Planning | |
| f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | NYSDEC, NYSDOT | |
| h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | ACOE | |
| i. Coastal Resources. | | |
| i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| iii. Is the project site within a Coastal Erosion Hazard Area? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

C. Planning and Zoning

| C.1. Planning and zoning actions. | |
|--|---|
| Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| <ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 | |
| C.2. Adopted land use plans. | |
| a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? | <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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| If Yes, identify the plan(s): | |
| _____ | |
| _____ | |
| _____ | |
| 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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| If Yes, identify the plan(s): | |
| _____ | |
| _____ | |
| _____ | |

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
 If Yes, what is the zoning classification(s) including any applicable overlay district?
 B-15 Commercial District, R-9 Residential 9,000 District and R-25 Residential 25,000

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

c. Is a zoning change requested as part of the proposed action? Yes No
 If Yes,
 i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Troy City SD

b. What police or other public protection forces serve the project site?
Rensselaer County Sheriff Department, NY State Police

c. Which fire protection and emergency medical services serve the project site?
Brunswick No. 1

d. What parks serve the project site?
Frear Park

D. Project Details

D.1. Proposed and Potential Development

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

b. a. Total acreage of the site of the proposed action? 22.15+/- acres
 b. Total acreage to be physically disturbed? 7+/- acres
 c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 22.15+/- acres

c. Is the proposed action an expansion of an existing project or use? Yes No
 i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % 150 Units: building square feet

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
 If Yes,
 i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
commercial
 ii. Is a cluster/conservation layout proposed? Yes No
 iii. Number of lots proposed? 4
 iv. Minimum and maximum proposed lot sizes? Minimum 0.03 AC Maximum 15.35 AC

e. Will the proposed action be constructed in multiple phases? Yes No
 i. If No, anticipated period of construction: 15 months
 ii. If Yes:
 • Total number of phases anticipated _____
 • Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
 • Anticipated completion date of final phase _____ month _____ year
 • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

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

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

i. Total number of structures 3

ii. Dimensions (in feet) of largest proposed structure: 29.8 height; 153 width; and 120 length

iii. Approximate extent of building space to be heated or cooled: 19,000+/- square feet

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

i. Purpose of the impoundment: stormwater

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: stormwater runoff

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

iv. Approximate size of the proposed impoundment. Volume: 0.08 million gallons; surface area: 0.50 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? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

i. What is the purpose of the excavation or dredging? general cut/fill for site construction

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

- Volume (specify tons or cubic yards): +/- 5,000 CY
- Over what duration of time? 3 months

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.
Excess cut material will be hauled off-site to a site that requires fill material.

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

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

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

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

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

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

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): ACOE wetland impacts of approx. 0.17 acres

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:
wetland disturbance for the creation of a roadway

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

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

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

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No

If Yes:

i. Total anticipated water usage/demand per day: _____ 3,954 +/- 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: Brunswick Water District and Troy Water Supply
- 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: _____
An 8" water line through project site from Hoosick Rd to Woodward is proposed to service the proposed 3 comm. pads and 1 ex. building
- Source(s) of supply for the district: Brunswick Water District

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No

If, Yes:

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

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

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

d. Will the proposed action generate liquid wastes? Yes No

If Yes:

i. Total anticipated liquid waste generation per day: _____ 3,954 +/- 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): _____
sanitary wastewater

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

If Yes:

- Name of wastewater treatment plant to be used: Rensselaer County Sewer District 1 Wastewater Treatment Plant
- Name of district: Rensselaer County Sewer 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

• Do existing sewer lines serve the project site? Yes No
 • Will a line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____
 An 8" gravity sewer extension within Project site will be installed for the proposed and existing buildings.

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____
 v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

 vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or 4.6 acres (impervious surface) including existing to remain
 _____ Square feet or 22.15 acres (parcel size) combined parcels
 ii. Describe types of new point sources: roadways, sidewalks, buildings

 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)?
on-site stormwater management facility

 • If to surface waters, identify receiving water bodies or wetlands: _____
Stormwater discharge will be directed to ACOE wetlands

 • Will stormwater runoff flow to adjacent properties? Yes No
 iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

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? Yes No
 If Yes:
 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) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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

If Yes:

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

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

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

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

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

If Yes:

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

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____
 food delivery trucks - approx. 3 per day

iii. Parking spaces: Existing 113 Proposed 233 Net increase/decrease +120

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

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:
 A proposed road will connect with Woodward Ave by the installation of Ferdinand Ave, an ex. paper street. Also, an entrance will be created at Hillcrest Av

vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No

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

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

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

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
 1,000,000 kwh

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

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

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

i. During Construction:

- Monday - Friday: 7 am - 7 pm
- Saturday: 7 am - 7 pm
- Sunday: 7 am - 7 pm
- Holidays: _____

ii. During Operations:

- Monday - Friday: 24 hours
- Saturday: 24 hours
- Sunday: 24 hours
- Holidays: 24 hours

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:

i. Provide details including sources, time of day and duration:
 Construction of buildings/site will result in increase noise level between 7 am and 7pm for approximately 15 months

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: Tree clearing near property line could result in increased noise from site.

n. Will the proposed action have outdoor lighting? Yes No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
Parking lights per town code

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

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

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? Yes No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No

If Yes:

i. Describe proposed treatment(s):

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

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

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

Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

| Land use or Covertype | Current Acreage | Acreage After Project Completion | Change (Acres +/-) |
|--|-----------------|----------------------------------|--------------------|
| • Roads, buildings, and other paved or impervious surfaces | 3 +/- | 4.6 +/- | + 1.6 +/- |
| • Forested | 9 +/- | 7 +/- | -2 +/- |
| • Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural) | 7 +/- | 8.6 +/- | |
| • Agricultural (includes active orchards, field, greenhouse etc.) | | | |
| • Surface water features (lakes, ponds, streams, rivers, etc.) | | | |
| • Wetlands (freshwater or tidal) | 2 +/- | 1.8 +/- | -0.2 +/- |
| • Non-vegetated (bare rock, earth or fill) | 1 +/- | 0 | - 1 +/- |
| • Other Describe: _____ | | | |

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

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

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

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

iii. Describe any development constraints due to the prior solid waste activities: _____

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

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): 1412050
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):
vacant _____

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

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

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ 5 feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ 4 %

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

| | | |
|--------------------------------|-------|--------|
| Bernardston gravelly silt loam | _____ | 25 % |
| Nassau-Rock outcrop complex | _____ | 27 % |
| Scriba silt loam | _____ | 28.5 % |

d. What is the average depth to the water table on the project site? Average: _____ 5 feet

e. Drainage status of project site soils:

| | |
|--|-----------------|
| <input type="checkbox"/> Well Drained: | _____ % of site |
| <input type="checkbox"/> Moderately Well Drained: | _____ % of site |
| <input checked="" type="checkbox"/> Poorly Drained | 100 % of site |

f. Approximate proportion of proposed action site with slopes:

| | |
|---|--------------------|
| <input checked="" type="checkbox"/> 0-10%: | _____ 40 % of site |
| <input checked="" type="checkbox"/> 10-15%: | _____ 30 % of site |
| <input checked="" type="checkbox"/> 15% or greater: | _____ 30 % of site |

g. Are there any unique geologic features on the project site? Yes No
 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)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

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

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

| | | |
|-------------------------------------|------------------|---|
| • Streams: | Name _____ | Classification _____ |
| • Lakes or Ponds: | Name _____ | Classification _____ |
| • Wetlands: | Name <u>ACOE</u> | Approximate Size <u>total of 2+/- acres</u> |
| • Wetland No. (if regulated by DEC) | _____ | |

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

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

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

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

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No

If Yes:

i. Name of aquifer: _____



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

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? Yes No
 If Yes:
 i. Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? Yes No
 If Yes:
 i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

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

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
 If Yes, provide county plus district name/number: RENS002

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? Yes No
 If Yes:
 i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District
 ii. Name: _____
 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? Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No
 If Yes:
 i. Describe possible resource(s): _____
 ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No
 If Yes:
 i. Identify resource: Frear Park, Prospect Park, Peebles Island State Park
 ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): local park, state park
 iii. Distance between project and resource: _____ less than 2 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No
 If Yes:
 i. Identify the name of the river and its designation: _____
 ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

F. Additional Information

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

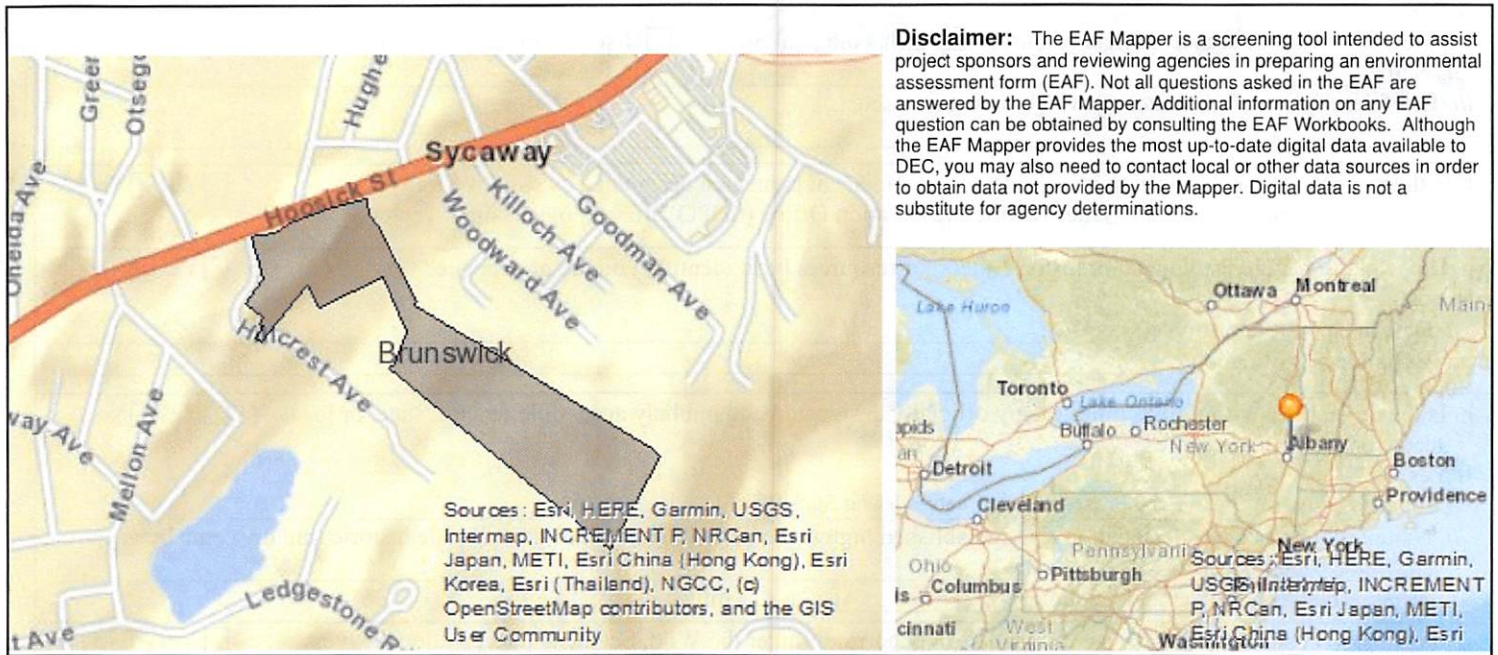
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name James Easton Date 8/28/20

Signature  Title Engineer



| | |
|--|---|
| B.i.i [Coastal or Waterfront Area] | No |
| B.i.ii [Local Waterfront Revitalization Area] | No |
| C.2.b. [Special Planning District] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.1.h [DEC Spills or Remediation Site - Potential Contamination History] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.1.h.i [DEC Spills or Remediation Site - Listed] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.1.h.iii [Within 2,000' of DEC Remediation Site] | No |
| E.2.g [Unique Geologic Features] | No |
| E.2.h.i [Surface Water Features] | No |
| E.2.h.ii [Surface Water Features] | Yes |
| E.2.h.iii [Surface Water Features] | Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook. |
| E.2.h.v [Impaired Water Bodies] | No |
| E.2.i. [Floodway] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.2.j. [100 Year Floodplain] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.2.k. [500 Year Floodplain] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.2.l. [Aquifers] | No |
| E.2.n. [Natural Communities] | No |
| E.2.o. [Endangered or Threatened Species] | No |

| | |
|--|--|
| E.3.a. [Agricultural District] | Yes |
| E.3.a. [Agricultural District] | RENS002 |
| E.3.c. [National Natural Landmark] | No |
| E.3.d [Critical Environmental Area] | No |
| E.3.e. [National or State Register of Historic Places or State Eligible Sites] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.3.f. [Archeological Sites] | No |
| E.3.i. [Designated River Corridor] | No |