

**Town of Rotterdam
Planning Commission
Thursday, November 9, 2023**

Workshop

1. **Byron Diaz – 1696 Crane Street.** The applicant requests a Waiver of Site Plan review to convert an existing 3,074 square foot three (3) unit residential building to a four (4) units residential building.
2. **FG Rotterdam Holdings, LLC – N. Westcott Road (1450 Rotterdam Industrial Park).** The applicant requests a Waiver of Site Plan review for Jupiter Bach North America, Inc. to occupy ±43,000 square feet (Bay 5) of Building 14 for a wind turbine transloading operation, in the Rotterdam Corporate Park.
3. **Shoe Show, Inc. – 1400 – 1428 Altamont Avenue.** The applicant requests a Waiver of Site Plan review for Shoe Show, Inc. to occupy ±26,186 square feet for a retail shoe store in the Hannaford Plaza.

Agenda

Approval of the Summary of Minutes October 17, 2023

1. **DAIM Logistics (Contract Vendee) – 681 Mariaville Road.** Final Site Plan/Special Use Permit Public Hearing to construct a ±120,000 square foot multi-tenant warehouse building (up to 3 tenants of ±40,000 square feet) on an existing ±11.1-acre parcel. Engineer: Empire Engineering, PLLC.

WAIVER OF SITE PLAN REVIEW

Date: November 9, 2023

PC2023-W35

The Town Planning Commission Office has received the attached application and accompanying documents. The below-identified applicant requests a waiver of Article XVII "Site Plan Approval", stating that a site plan review and approval is unnecessary and would not serve the purpose of the Article.

APPLICANT: Byron Diaz
ADDRESS: 3561 Guilderland Avenue
Schenectady, NY 12306

PROJECT ADDRESS: 1696 Crane Street

APPLICANT IDENTIFIED AS: ☒ Owner ☐ Lessee ☐ Contract Vendee

REQUEST: The applicant requests a Waiver of Site Plan review to convert an existing 3,074 square foot three (3) unit residential building to a four (4) units residential building.

Action Taken by Commission:

In accordance with Chapter 270 of the Town of Rotterdam Zoning Ordinance, Article XVII, "Site Plan Approval", Section 270-130(C) the Planning Commission waives the requirements set forth in said Article, conditionally. Conditions imposed, if any, are as follows:

1. Fee in lieu of Parkland for residential developments not part of a subdivision \$1,000.00.
2. Compliance with all NYS Building and Fire Codes.
3. Applicant received approval for a Change of Zone from the Rotterdam Town Board on October 25, 2023.
4. Applicant must obtain a Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Inspector/Code Enforcement Officer.
5. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #2 for specifics.

The Commission action on the Waiver application took place at the Planning Commission meeting of November 9, 2023 and authorized the Commission Chairman to execute the Waiver. The issuance of this Waiver is contingent upon the applicant complying with all conditions as stated above. Failure to adhere to conditions may result in revocation of Waiver by the Town of Rotterdam Planning Commission and requirement of a full Site Plan.

Peter J. Comenzo
Senior Planner

Thomas P. Yuille, Chairman
Planning Commission



RECEIVED

OCT 26 2023

Town of Rotterdam
Waiver of Site Plan Review Application

TOWN OF ROTTERDAM
PUBLIC WORKS

The following applicant requests a Waiver of Site Plan Review. The following documentation is required for Planning Commission review:

1. Copy of Deed and/or executed lease agreement or contract to purchase.
2. Copy of Site Plan that identifies:
 - All structures on site.
 - All parking areas on site (parking spaces 9' x 18').
 - Handicap parking and accessibility as required by New York State Building Code.
 - Interior floor plan of usable area by applicant.
 - Proposed site improvements including parking, structural additions, landscaping and other pertinent information as identified in Section 270-132 of Town Code.
3. On a separate sheet of paper provide a descriptive narrative of use and activity occurring on the site including but not limited to the number of employees, exact nature of business, hours of operation and expected customers to the site daily.
4. A completed Commercial or Residential Building Permit Application.
5. \$100.00 application fee (cash or check – payable to the Town of Rotterdam). Fee in lieu of parkland for residential developments: \$600 per dwelling unit.
6. Does any Town officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? YES ☐ NO ☒. If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

PRESENT OWNER(S): BD UPDATE Construction Inc / Byron Diaz

APPLICANT(S)/LESSEE: Byron Diaz

MAILING ADDRESS: 3561 Guilderland Avenue

CITY: Schenectady, NY STATE: NY ZIP: 12306

DAYTIME TELEPHONE: (518) 455-309-5223 EMAIL ADDRESS: updateconstruction17@gmail.com

PROJECT ADDRESS: 1696 Crane Street Schenectady

APPLICANT IDENTIFIED AS: Owner ☒ Lessee ☐ Contract Vendee ☐

REQUEST: finishing storage space as a
2 bedroom Apartment

By signing the application, it is understood by the applicant that he/she must fully comply with the Town Code and obtain any required permits.

SIGNATURE OF APPLICANT

Byron Diaz

DATE 10/26/23

* The Planning Commission meets on the first and third Tuesday of each month. All pertinent information and fee(s) must be submitted to the Planning Commission Office at least ten (10) days prior to the meeting.

** All businesses located in the Town of Rotterdam must receive Planning Commission approval and a Certificate of Compliance issued by Building Inspector prior to occupancy.

[illegible]

PRIOR TO ANY EARTH
DISTURBANCE THE CONTRACTOR
SHALL CALL IN A TICKET TO
BIG SAFE NY AND OBTAIN A

IT IS A VIOLATION OF SECTION 7209 OF THE NYC EDUCATION LAW FOR ANY PERSON TO ALTER ANY ITEM ON THIS PLAN IN ANY WAY UNLESS HE/SHE IS ACTING UNDER THE DIRECT SUPERVISION OF A PROFESSIONAL ENGINEER.



EMPIRE ENGINEERING, PLLC
1800 DUANE SBURG ROAD
DUANE SBURG, NY 12036
PH: (518) 838-4117
WWW.1CLONDOOENGINEERING.NET

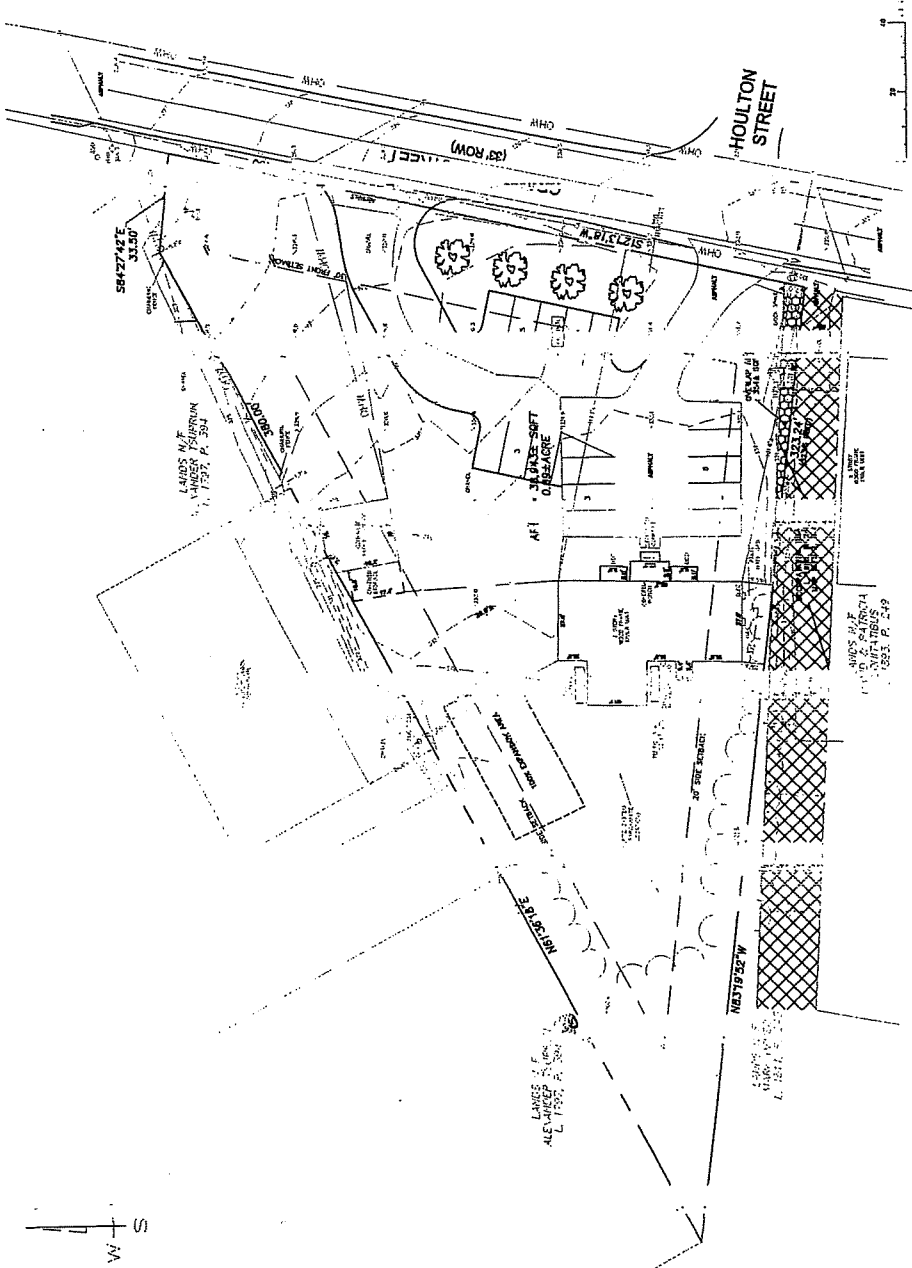
PROJECT
BD UPSTATE CONS.
1698 ORANE STREET
ROTTERDAM, NY

SEE BACK COVER

CONCEPT SITE PLAN

06/07/2023

1"=20'	23001
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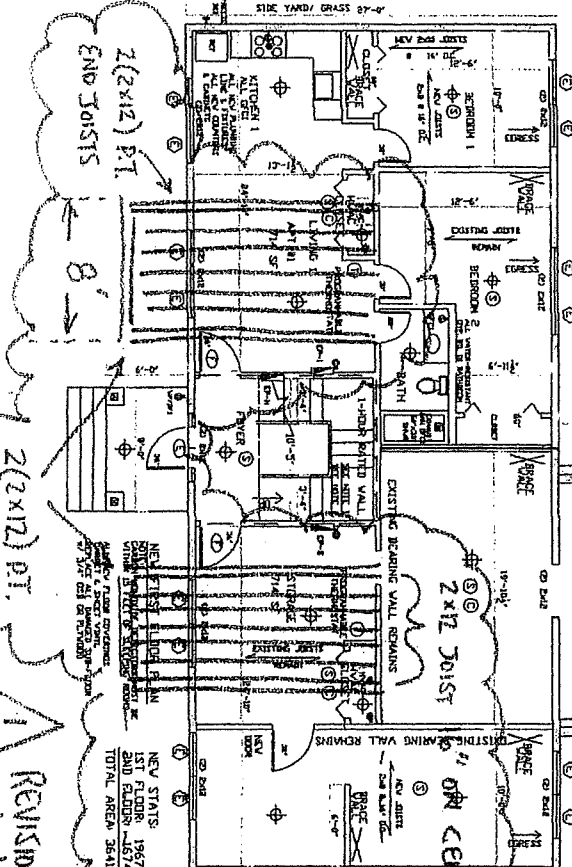
[illegible]

Notes:

The Property is constructed for
(4) Apartments with 2 Bedrooms each.

(3) apartments are completed.

We are just waiting for the okay
to convert 4th apartment from originally
a storage space.



UNION SCHEDULE							
UNIT	UNION	LOT	TYPE	UNIT SIZE	FLOOR/GRG. Vols	AREA	VOLUME
E	BA-3046	2	DM. EGRESS	375.207	33'-7/8"x24'-1/4"	47.2 SF	10.9 SF
						5.7 SF	14.8 SF

NOTE :
ALL JOIST ARE FULL
LENGTH TO CENTER
BEARING WALL, PRESSURE
TREATED 2x12 @ 20'

2(2x12) PT.
Box

REVISION w/ 4 PARTO DOOR
INSTEAD OF WINDOWS.
RAILINGS MUST BE TO CODE.

4 ADDITIONAL DECKS



DATE: MAY 11, 2022 DRAWN BY: [Signature] SCALE: 1/4" = 1'-0" SHEET: 7 TOTAL SHEETS: 7	RENOVATION & ADDITION: 1696 CRANE STREET ROTTERDAM, NY	KEITH A. CRAMER, ARCHITECT 95 HURST AVE, ALBANY, NY 12208 (518) 438-8352 cramerkeith@msn.com
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WAIVER OF SITE PLAN REVIEW

Date: November 9, 2023

PC2023-W2

The Town Planning Commission Office has received the attached application and accompanying documents. The below-identified applicant requests a waiver of Article XVII "Site Plan Approval", stating that a site plan review and approval is unnecessary and would not serve the purpose of the Article.

APPLICANT: FG Rotterdam Holdings, LLC
ADDRESS: 695 Rotterdam Industrial Park
(55 Duanesburg Road)
Schenectady, NY 12306

PROJECT ADDRESS: N. Westcott Road (TMN: 58.-1-7) (1450 Rotterdam Industrial Park)

APPLICANT IDENTIFIED AS: ☒ Owner ☐ Lessee ☐ Contract Vendee

REQUEST: The applicant requests a Waiver of Site Plan review for Jupiter Bach North America, Inc. to occupy ±43,000 square feet (Bay 5) of Building 14 for a wind turbine transloading operation, in the Rotterdam Corporate Park.

Action Taken by Commission:

In accordance with Chapter 270 of the Town of Rotterdam Zoning Ordinance, Article XVII, "Site Plan Approval", Section 270-130(C) the Planning Commission waives the requirements set forth in said Article, conditionally. Conditions imposed, if any, are as follows:

1. Approvals are contingent upon compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Safety Inspector and/or Building Inspector/Code Enforcement Officer prior to operation.
3. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.
4. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #6 for specifications.

The Commission action on the Waiver application took place at the Planning Commission meeting of November 9, 2023 and authorized the Commission Chairman to execute the Waiver. The issuance of this Waiver is contingent upon the applicant complying with all conditions as stated above. Failure to adhere to conditions may result in revocation of Waiver by the Town of Rotterdam Planning Commission and requirement of a full Site Plan.

Peter J. Comenzo
Senior Planner

Thomas P. Yuille, Chairman
Planning Commission



RECEIVED

OCT 30 2023

**Town of Rotterdam
Waiver of Site Plan Review Application**

**TOWN OF ROTTERDAM
PUBLIC WORKS**

The following applicant requests a Waiver of Site Plan Review. The following documentation is required for Planning Commission review:

1. Copy of Deed and/or executed lease agreement or contract to purchase.
2. Copy of Site Plan that identifies:
 - All structures on site.
 - All parking areas on site (parking spaces 9' x 18').
 - Handicap parking and accessibility as required by New York State Building Code.
 - Interior floor plan of usable area by applicant.
 - Proposed site improvements including parking, structural additions, landscaping and other pertinent information as identified in Section 270-132 of Town Code.
3. On a separate sheet of paper provide a descriptive narrative of use and activity occurring on the site including but not limited to the number of employees, exact nature of business, hours of operation and expected customers to the site daily.
4. A completed Commercial or Residential Building Permit Application.
5. \$100.00 application fee (cash or check – payable to the Town of Rotterdam). Fee in lieu of parkland for residential developments: \$600 per dwelling unit.
6. Does any Town officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? YES ____ NO _____. If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

PRESENT OWNER(S): FG Rotterdam Holdings LLC

APPLICANT(S)/LESSEE: same as above

MAILING ADDRESS: 220 Harborside Drive, Suite 300

CITY: Schenectady STATE: NY ZIP: 12306

DAYTIME TELEPHONE: 518-356-4445 EMAIL ADDRESS: dahl@galesi.com

PROJECT ADDRESS: 1450 Rotterdam Industrial Park

APPLICANT IDENTIFIED AS: Owner X Lessee ____ Contract Vendee ____

REQUEST: Waiver of site plan review for permitted use
as described on the attached narrative.

By signing the application, it is understood by the applicant that he/she must fully comply with the Town Code and obtain any required permits.

SIGNATURE OF APPLICANT [Signature] DATE 10/30/23

* The Planning Commission meets on the first and third Tuesday of each month. All pertinent information and fee(s) must be submitted to the Planning Commission Office at least ten (10) days prior to the meeting.

** All businesses located in the Town of Rotterdam must receive Planning Commission approval and a Certificate of Compliance issued by Building Inspector prior to occupancy.

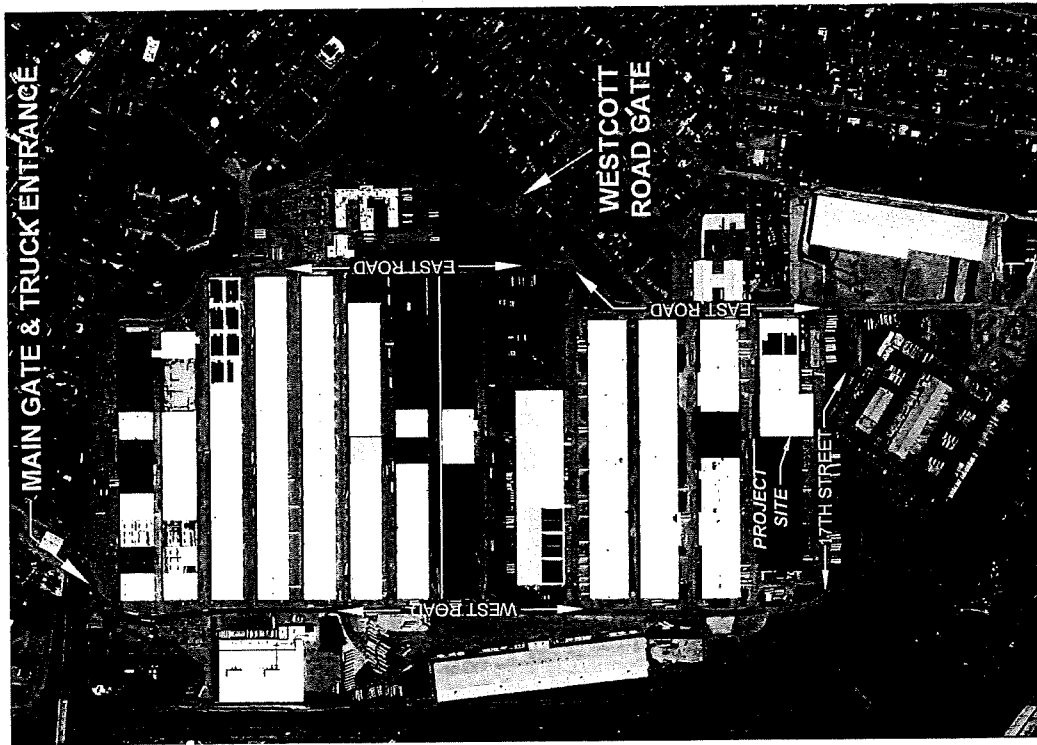
Waiver of Site Plan Review-Project Narrative

Applicant: FG Rotterdam Holdings, LLC

Project Location: Rotterdam Corporate Park, Building 14 Bay 5

Applicant requests a waiver of site plan review to allow for a new tenant to occupy the above referenced Project Location.

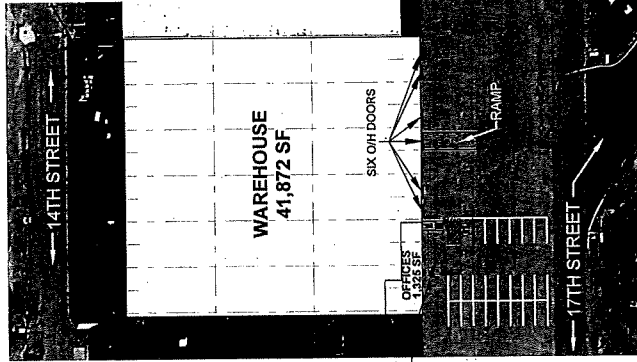
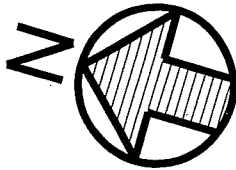
The proposed new tenant, Jupiter Bach North America, Inc. will utilize approximately 43,000 SF. of existing light-industrial space for a wind turbine transloading operation. Jupiter Bach will employ approximately 4 workers at this location to start, with significant growth planned. They will be in operation on weekdays during the hours of 7:00am-3:30pm.



ROTTERDAM CORPORATE PARK KEY PLAN
SCALE: NTS



BUILDING 14 KEY PLAN
SCALE: NTS



NOTE: ALL PARKING SPACES
TO BE 9' WIDE x 18' DEEP

SITE & PARKING PLAN (23 SPACES, 1 H'CAP)
SCALE: 1" = 40'

GENERAL NOTE:
THIS DOCUMENT HAS BEEN PREPARED BASED UPON VARIOUS INFORMATION, TYPICALLY INCLUDING
EXISTING AERIAL PHOTOGRAPHS, AERIAL PHOTOGRAPHS, ETC., PROVIDED BY OTHERS. THE ENGINEERING
DEPARTMENT HAS NOT VERIFIED THE ACCURACY OR COMPLETENESS OF THE INFORMATION.
AND SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS THAT MAY BE DISCOVERED AS A
RESULT OF ENGINEERING INFORMATION PROVIDED BY OTHERS. IN CERTAIN INSTANCES, WHEN THERE IS
CONFLICTING INFORMATION, THE DRAWING SHALL BE GIVEN PRIORITY OVER ANY OTHER INFORMATION
TAKEN FROM THE MOST RECENT DOCUMENT IF BOTH DOCUMENTS ARE DATED ON (OR) THAT
DATE. INFORMATION WHICH APPEARS MOST CONSISTENTLY WITH GENERALLY ACCEPTED CONSTRUCTION
PRACTICES.

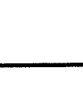
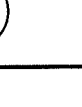
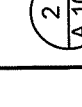
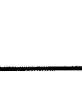
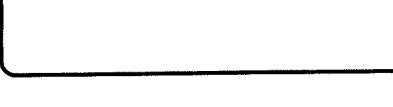


GALESI GROUP
ENGINEERING DEPARTMENT
665 ROTTERDAM INDUSTRIAL PARK
SCHENECTADY, NY 12306
PH: 518.558.9150 FX: 518.558.2532

DATE	REVISIONS

SCALE: AS NOTED BY: BDN
CHK:
DATE: 10/25/23
ROTTERDAM CORPORATE PARK
SITE & PARKING PLAN
BUILDING 14 - BAY 5

SHEET NO.
C 101



WAIVER OF SITE PLAN REVIEW

Date: November 9, 2023

PC2023-W37

The Town Planning Commission Office has received the attached application and accompanying documents. The below-identified applicant requests a waiver of Article XVII "Site Plan Approval", stating that a site plan review and approval is unnecessary and would not serve the purpose of the Article.

APPLICANT: Shoe Show, Inc.
ADDRESS: Attn: Crystal Green
2201 Trinity Church Road
Concord, NC 28027

PROJECT ADDRESS: 1400 – 1428 Altamont Avenue

APPLICANT IDENTIFIED AS: Owner ☒ Lessee ☐ Contractor

REQUEST: The applicant requests a Waiver of Site Plan review for Shoe Show, Inc. to occupy ±26,186 square feet for a retail shoe store in the Hannaford Plaza.

Action Taken by Commission:

In accordance with Chapter 270 of the Town of Rotterdam Zoning Ordinance, Article XVII, "Site Plan Approval", Section 270-130(C) the Planning Commission waives the requirements set forth in said Article, conditionally. Conditions imposed, if any, are as follows:

1. Compliance with all NYS Building and Fire Codes.
2. Applicant must obtain a Fire Inspection and/or Building Permit and be issued a Certificate of Occupancy from the Town of Rotterdam Building Inspector/Code Enforcement Officer prior to operation.
3. Applicant to comply fully with Town Sign Code and obtain a building permit for any signage.
4. Owner/applicant shall install Knox box for emergency personnel. Please contact Fire District #3 for specifics.
5. No outdoor display of merchandise is permitted.

The Commission action on the Waiver application took place at the Planning Commission meeting of November 9, 2023 and authorized the Commission Chairman to execute the Waiver. The issuance of this Waiver is contingent upon the applicant complying with all conditions as stated above. Failure to adhere to conditions may result in revocation of Waiver by the Town of Rotterdam Planning Commission and requirement of a full Site Plan.

Peter J. Comenzo
Senior Planner

Thomas P. Yuille, Chairman
Planning Commission

RECEIVED



RECEIVED

NOV 02 2023

Town of Rotterdam

NOV 02 2023

Waiver of Site Plan Review Application

TOWN OF ROTTERDAM
PUBLIC WORKS

TOWN OF ROTTERDAM
PUBLIC WORKS

The following applicant requests a Waiver of Site Plan Review. The following documentation is required for Planning Commission review:

1. Copy of Deed and/or executed lease agreement or contract to purchase.
2. Copy of Site Plan that identifies:
 - All structures on site.
 - All parking areas on site (parking spaces 9' x 18').
 - Handicap parking and accessibility as required by New York State Building Code.
 - Interior floor plan of usable area by applicant.
 - Proposed site improvements including parking, structural additions, landscaping and other pertinent information as identified in Section 270-132 of Town Code.
3. On a separate sheet of paper provide a descriptive narrative of use and activity occurring on the site including but not limited to the number of employees, exact nature of business, hours of operation and expected customers to the site daily.
4. A completed Commercial or Residential Building Permit Application.
5. \$100.00 application fee (cash or check – payable to the Town of Rotterdam). Fee in lieu of parkland for residential developments: \$600 per dwelling unit.
6. Does any Town officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? YES ☐ NO ☒. If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

PRESENT OWNER(S): HANNAFORD PLAZA - WOODSTONE IV HOLDINGS ROTTERDAM LLC

APPLICANT(S)/LESSEE: SHOE SHOW

MAILING ADDRESS: 2201 TRINITY CHURCH RD

CITY: CONCORD STATE: NC ZIP: 28027

DAYTIME TELEPHONE: 704-782-4143 x1592 EMAIL ADDRESS cgreen@shoeshow.com

PROJECT ADDRESS: 1400 ALTAMONT AVE, SUITE 3, SCHENECTADY, NY 12303

APPLICANT IDENTIFIED AS: Owner ☐ Lessee ☒ Contract Vendee ☐

REQUEST: Waiver of site review. Project is a tenant space interior remodel only for retail shoe store. All exterior and site are existing to remain.

By signing the application, it is understood by the applicant that he/she must fully comply with the Town Code and obtain any required permits.

SIGNATURE OF APPLICANT [Signature] DATE 10-31-2023

* The Planning Commission meets on the first and third Tuesday of each month. All pertinent information and fee(s) must be submitted to the Planning Commission Office at least ten (10) days prior to the meeting.

** All businesses located in the Town of Rotterdam must receive Planning Commission approval and a Certificate of Compliance issued by Building Inspector prior to occupancy.

SHOPPING CENTER LEASE

THIS LEASE is made and entered into as of the 5th day of September, 2023 (the "Effective Date"), by and between **WOOD STONE IV HOLDINGS ROTTERDAM LLC**, a New York limited liability company ("Landlord") and **SHOE SHOW, INC.**, a North Carolina corporation ("Tenant").

ARTICLE 1
REFERENCE PROVISIONS, PREMISES AND COMMENCEMENT DATE

1.1 Reference Provisions

(a) **PREMISES and SHOPPING CENTER** – The "Premises" shall be the cross hatched area and/or the area designated as space **11** having a storefront footage of **90** linear feet, and containing approximately **26,186** square feet located in the Shopping Center located at **1400 Altamont Avenue, Schenectady, New York** as shown in Exhibit A attached hereto ("Shopping Center"). Landlord represents that to its knowledge the Shopping Center will contain at the time of delivery of the Premises to Tenant at least **212,000** square feet of leasable space for use by retail tenants.

(b) **TERM** – The Lease Term shall be for a period of approximately **ten (10)** years. The expiration date shall be the **tenth (10th)** anniversary of the last day of the calendar month in which the Commencement Date occurs, as the same may be extended as hereinafter provided.

Tenant shall have the right, at Tenant's option, to extend the Term of this Lease for **two (2)** additional period(s) of **five (5)** years each. Each such option shall be exercised by giving written notice to Landlord of Tenant's election thereof not less than one hundred eighty (180) days prior to the expiration of the then current Term (including any extensions thereof); provided, however that in the event Tenant is in default of any of the provisions of this Lease requiring the payment of money (beyond any applicable notice and/or cure periods) at the expiration of the then current Term (including any extensions thereof) Tenant's right to extend this Lease shall be null and void, and Landlord shall not be bound thereby. Such extension shall be upon the same terms and conditions as set forth herein, except (i) there shall be no further right to extend beyond the last of such options, and (ii) for the rent adjustments set forth in Section 1.1 (e) below. Any reference in this Lease to the "Lease Term" or "Term" shall include any such extensions.

(c) **COMMENCEMENT DATE** – As determined under Section 1.3.

(d) **RENT COMMENCEMENT DATE** – The Rent Commencement Date means the Commencement Date.

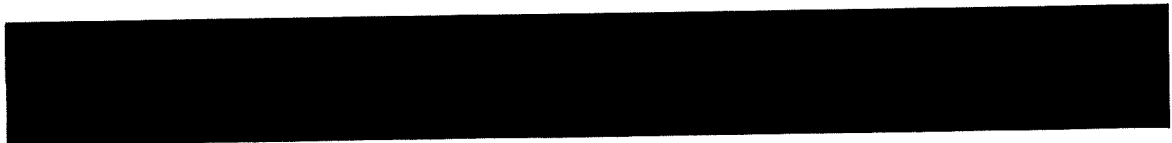
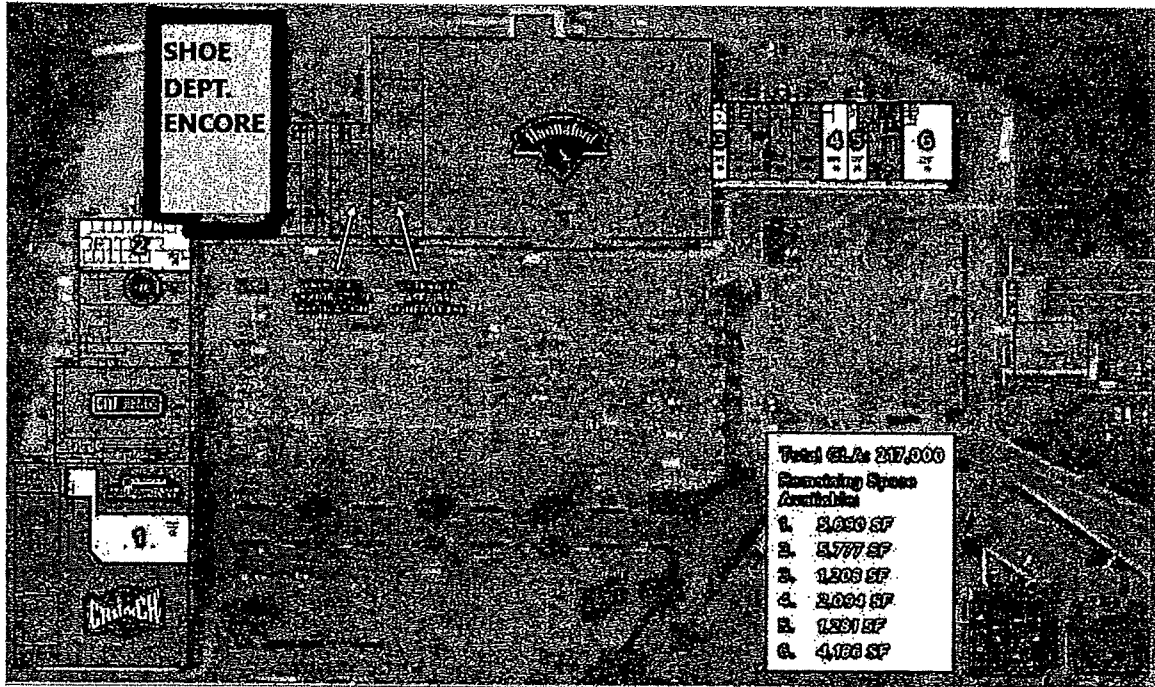
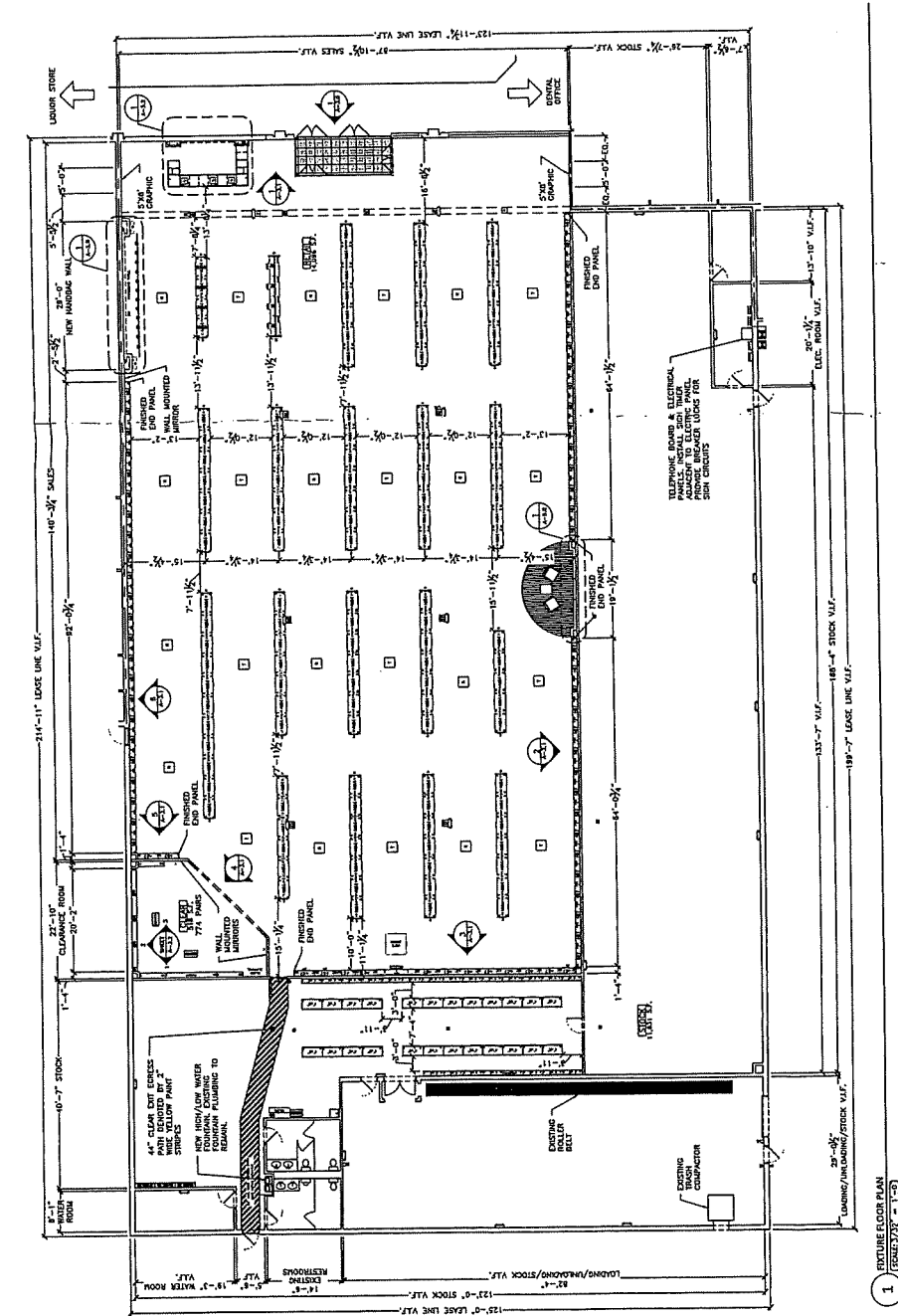


EXHIBIT A
Shopping Center and the Premises





GENERAL SHEET NOTES

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

6. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

7. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

8. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

9. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

10. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

SPECIALTIES LEGEND

SYMBOL	DESCRIPTION
SW	SWITCH
D	DOOR
M	MIRROR
LB	LEADER

OTTOMAN LEGEND

COLOR	COUNT
RED	12
BLUE	12
WHITE	24
TOTAL	48

SHOE CAPACITY

PAIRS	PERCENTAGE
7200	90%
4000	50%
1000	12.5%
TOTAL	14374

CLEARANCE FROM BENCHES: 2

STOCK ROOM NOTES

1. SEE SHEET 14 FOR STOCK ROOM BENCHING DETAILS.

2. INITIAL PRE-RETAINMENT MOOR BENCHING TO SECURE BENCHING TO WALL.

3. BRIDGE ALL BENCHES TO WALL.

4. REMOVE EMPLOYEE ONLY TOILET ROOM BENCH.

STORE NUMBER
1508

PROJECT TYPE E-A-RELOCATION

CLIENT SHOE DEPT. ENCORE
1400 ALTA MOUNT AVE.
SCHENECTADY, NY 12303

DATE 06/01/2023

DESIGNER MAR

APPROVAL DATES
10/08/23
11/01/23
11/01/23

REV. DATE

SHOE SHOW

2801 BRINTY CHURCH ROAD
T.O. BOX 648-20028
SCHENECTADY, NY 12303
PH (704) 762-4113
FAX (704) 762-4113

HELI DESIGN

ARCHITECTURAL FIRM
CORPORATE IDENTITY
C.O. HALL, ARCHITECT & INTERIOR DESIGN
CORPORATION 200 WEST 10TH STREET

REVISION DATES

REV. DATE

PROJECT

06/01/2023

SHEET NUMBER
A-1.0

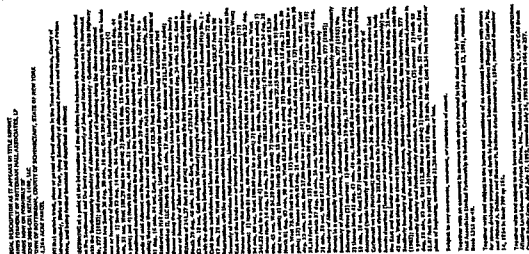
SPACE 111

RECEIVED

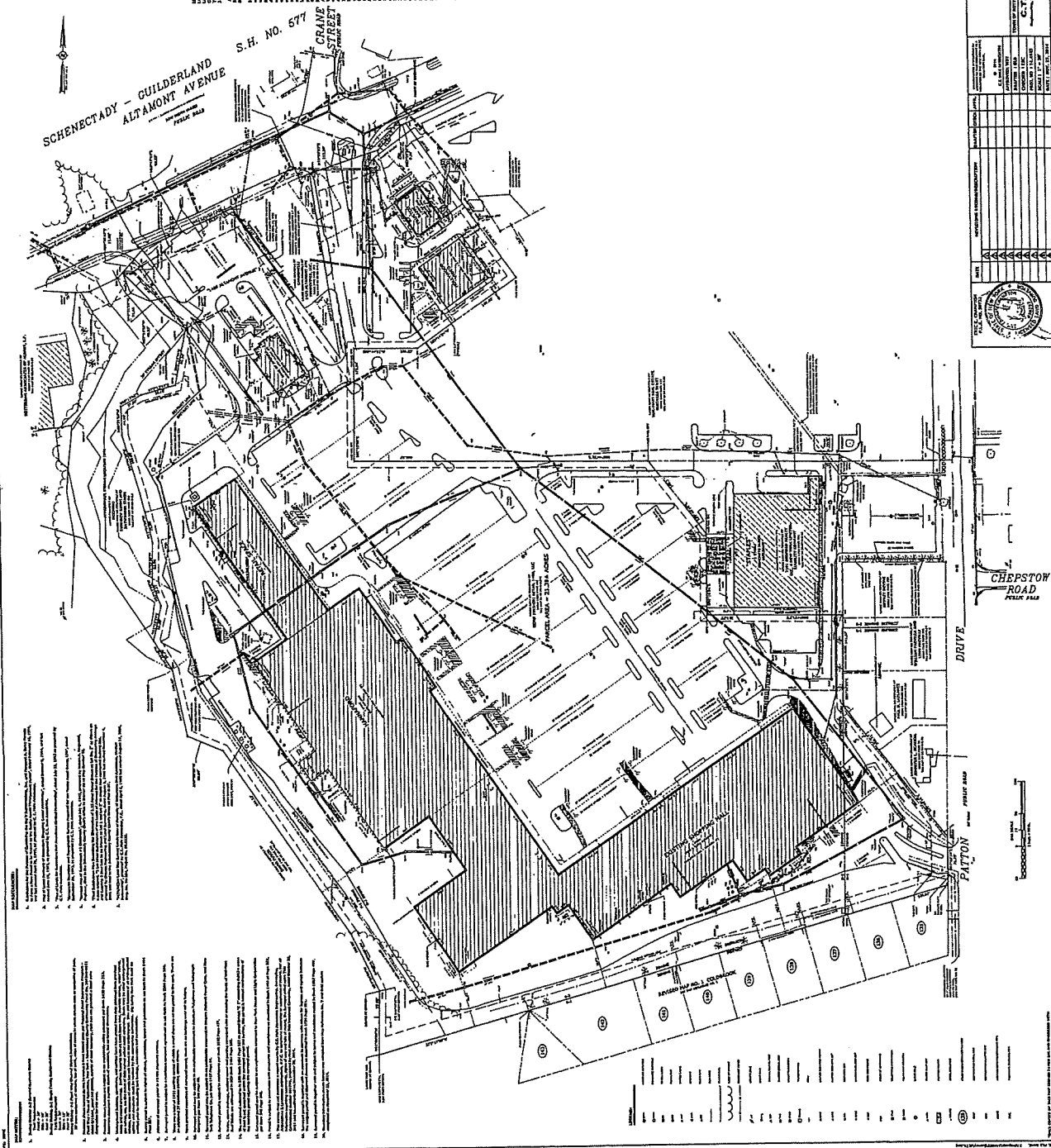
NOV 02 2023

TOWN OF ROTTERDAM
PUBLIC WORKS

1. FUTURE FLOOR PLAN
GENERAL NOTES 1-15



NOV 02 2023
TOWN OF ROTTERDAM
PUBLIC WORKS

[illegible]

DPW Comments
November 19, 2023

- 1. DAIM Logistics (Contract Vendee) – 681 Mariaville Road.** Final Site Plan/Special Use Permit Public Hearing to construct a $\pm 120,000$ square foot multi-tenant warehouse building (up to 3 tenants of $\pm 40,000$ square feet) on an existing ± 11.1 -acre parcel. Engineer: Empire Engineering, PLLC.

- | | | |
|--------------------|--------------------|----------|
| 1) Final Fees Due: | Final Site Plan | \$350.00 |
| | Special Use Permit | \$500.00 |
| | Advertising | \$ 34.15 |
- 2) See point by point letter from Empire Engineering dated October 30, 2023 responding to the CT Male and Associates letter dated October 20, 2023.
- 3) See attached email dated September 28, 2023 from James Harrington with NYSDOT addressing site distances and access.
- 4) Approval is conditioned upon applicant addressing all Town Designated Engineer (TDE) and Rotterdam Department of Public Works (DPW) comments and full and final approval of the TDE and DPW.
- 5) Final approval is contingent upon the applicant receiving permits (site development and building) from the DPW Building Inspector.
- 6) Prior to Chairman's Signature on the Final Site Plan, the applicant shall provide evidence to the Town the existing access easement for Vertical Bridge, LLC has been extinguished and the new easement as depicted on the site plan has been filed with Schenectady County.
- 7) Prior to Chairman's Signature on the Final Site Plan, the applicant must receive full and final approvals by the Town Designated Engineer and Town Stormwater Manager of the Stormwater Pollution Prevention Plan (SWPPP) as prepared by Empire Engineering, P.E., PLLC.
- 8) Prior to the issuance of site development permits, the applicant shall file a Notice of Intent with the New York State Department of Environmental Conservation in order to gain coverage under the SPDES General Permit for stormwater discharges from construction activities for the project. Proof of permit coverage must be submitted to the Town prior to site work. Weekly SWPPP inspection reports will need to be sent to the Town Stormwater Manager. A schedule for when land disturbing activities will commence is required and notification to the Town Stormwater Manager when land disturbance begins. A deed covenant for the property is required for the for post-construction maintenance of the stormwater management facilities in accordance with the approved Operation and Maintenance guide. These documents need to be established and submitted to the Town before Certificate of Occupancy (CO) is issued.
- 9) Final approval is contingent upon Town DPW Water Department review and approval of the proposed water supply for the project and the issuance of permits to connect to municipal water.

- 10) Prior to issuance of utility permits to connect to Town water, the applicant must receive Highway Work Permits from the New York State DOT for utility work onto Mariaville Road (SR-159). Copies of all correspondence with the NYSDOT shall be provided to the Town.
- 11) Add note to site plan: "Owner/applicant shall install a Knox Box for emergency personnel onto the building. Check with Fire District #6 for specifications."
- 12) Add note to site plan: "Sign permits shall be obtained for the proposed project identification signage including any proposed pylon or monument signage."
- 13) Restricted Development Area and revised access easement needs to be added and clearly depicted on the final site plan maps Sheet C101. The supplied Radio Tower Aerial View map information needs to be transferred to the plan set and certified by the engineer.
- 14) Add heavy duty bollards to protect new hydrant at the Mariaville Road entrance and detail on final maps.
- 15) The proposed dumpster enclosure is made of fencing and appears to be in an impractical location and should be removed.
- 16) Add note to site plan: "If it is determined that a dumpster is needed for a tenant(s), it shall be masonry and be constructed in accordance with the site details Sheet 501." (replace chain link fence enclosure detail with masonry with interior bollards on final site plan).
- 17) The applicant shall provide the Town of Rotterdam DPW paper and electronic AutoCAD file copies of the utility "As-Built Record Drawings" upon completion and testing of the utilities.
- 18) Add note to plan: "No stockpiling or burying of debris, slash, stumps, or construction material is permitted."
- 19) Add note to plan: "All fill material to be utilized on site shall meet the requirements of Chapter 17 and Chapter 18 of the New York State Building Code and verified by the Rotterdam Building Inspector."
- 20) Change fire hydrant detail Sheet 502 to Watrous Pacer Model WB-67-250 with two 2 ½ inch National Standard and 4" Storz in Safety Yellow and add reflective flag. DPW to confirm detail prior to Chairman's Signature on the final site plan.
- 21) Prior to the issuance of Site Development and/or Building Permit(s) by the Town of Rotterdam, the applicant shall attend a pre-construction meeting with the Building Inspector and DPW staff to confirm the completion of the above stated conditions.

DPW Comments from September 5, 2023

1. DPW comments from July 18, 2023 have not been fully addressed (see below).
2. See attached review letter from CT Male dated August 31, 2023.
3. See attached minutes from the July 18, 2023 meeting.
4. Traffic Study should be revised to address comments from Town Engineer dated September 1, 2023 (attached).
5. Engineer's Report dated August 10, 2023 indicates that existing water pressures are insufficient to service the project and a 300,000-gallon water tank is being proposed for fire suppression service. Applicant will need to run a water analysis to determine impacts to the system for the proposed use. Existing 8" main located in Mariaville Road may not provide enough volume/pressure to support this project without negatively affecting other existing users. Suppression system has not been designed and no details provided.
6. Add water metering pit and detail.
7. Building Elevations do not match site plan. Doorways and loading docks are inconsistent. Please revise and resubmit.
8. Eastern building elevation is 520' long expanse. Revised elevations should include additional/larger eyebrow windows, color variation, and vertical treatments to visually enhance the building view from Mariaville Road. Northern elevation should also receive additional vertical treatments.
9. Show fall zone for WGY tower clearly on-site plan with cross-hatch patten. Reference clearly in notes.
10. Show proposed easement to WGY tower clearly on plan with cross-hatch patten and add meets and bounds on site plan. Reference clearly in notes.
11. Additional landscaping boulders or bollards should be added to the septic island to prevent trucks from backing into this area.
12. Add wayfinding signage to existing shared driveway and detail. There may be an issue with trucks stopping at the entrance with rear of trailer still in the roadway in order to determine where they are going.
13. Add a sheet to the plan set clearly indicating the proposed sequencing of development. Phasing should indicate what infrastructure is to be installed on each particular phase of development if the applicant wishes to occupy a portion of the building prior to full build-out.
14. End sections of proposed guiderail should be rounded off and reflective material added.
15. Striping for tenant parking needs to be reestablished on latest prints and made darker. Appears to be CAD related.

DPW Comments from July 18, 2023

1. See attached minutes from the March 7, 2023 meeting.
2. Since initial concept meeting the applicant's engineer has worked with the TDE and developed more refined sketch plans which was submitted on June 14, 2023. See comment letter from CT Male dated June 30, 2023 on the June 14, 2023 submittal.
3. Provide phasing plan for construction.
4. Confirm that parking is adequate for the proposed use.
5. Confirm that fire truck access is adequate to accommodate the South Schenectady FD #6 aerial ladder truck.

6. Add spot elevations for pavement and concrete areas.
7. Add stop signs at all new intersections and provide detail.
8. A sprinkler system needs to be added for proposed landscaping around the building and parking areas.
9. Planning Commission may wish to consider fencing for the stormwater management areas.
10. Provide status of the Tower easement relocation.
11. Applicant needs to provide a traffic study and site distance analysis and include full build-out conditions. This traffic study will need to be transmitted to NYSDOT and confirmation received from the agency that access is conceptually approved for the proposed use.
12. Proposed hydrant at entrance should be reviewed by Fire District #6. As the driveway is shared, it should be in a location that can be utilized for both this project and the adjoining warehouse/manufacturing facility.
13. Curbing should be provided for sidewalk and parking areas. Provide detail.
14. A water report should be prepared to confirm that there is adequate water supply and pressure for the proposed full build-out of the project.

DPW Comments March 7, 2023

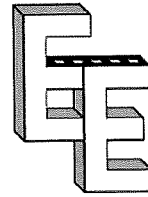
1. Site Plan was previously approved on June 14, 2022 for Carejon Realty LLC to construct a ±21,750 square foot material handling/forklift sales and service warehouse facility. Carejon Realty has decided it will not be moving forward with this project.
2. Planning Commission should authorize the Chairman to enter into an agreement with a Town Designated Engineer to assist in the review of this project.
3. Limits of clearing should be clearly delineated. Applicant should consider preservation of wooded area located at the rear of the property.

SEQR Requirement: 6 NYCRR 617 Type 1 Action. Rotterdam Planning Commission declare lead agency on March 7, 2023. Attached is a Draft Negative Declaration as prepared by the Town Planner for your consideration.

Involved/Interested Agencies

Schenectady County Economic Development and Planning
Schenectady County Department of Health
Schenectady County Department of Public Works
New York State Department of Environmental Conservation – Region #4
New York State Department of Transportation
Metroplex Development Authority
Schenectady County Industrial Development Agency
Fire District #6

EMPIRE ENGINEERING, PLLC



October 30, 2023

Town of Rotterdam
1100 Sunrise Boulevard
Rotterdam, New York 12306
Attn: Peter Comenzo, Senior Planner

Dear Mr. Comenzo,

Empire Engineering, PLLC has received the letter from C.T. Male Associates dated October 20th regarding the DAIM Logistics Site Plan Application for **681 Mariaville Road** in the Town of Rotterdam. Please find response to comments **in bold** and additional clarifications below:

Town Designated Engineer Comments:

Full EAF

1. *New Comment – Phasing and disturbance notes have been added to the plan, but a phasing plan was not provided. A phasing plan is recommended for projects of this size.*
A Phasing Plan has been incorporated into the Erosion & Sediment Control Plan sheet along with relative notes if over 5 acres of disturbance is required at one time.

Sheet C105 – Lighting & Landscape

2. *New comment – The plans have been revised to show the lighting levels as requested. However, there is minor light spillage to the south onto the neighboring commercial site and some areas are still a bit dark near the rear of the building and northwest portion of the site. The applicant should clarify why additional lighting is not necessary.*
The proposed lighting is all the anticipated lighting the site requires. The minimum lighting necessary is the goal as the project will have on-road vehicles routinely operating on the site which will be equipped with working lights, should they be necessary during nighttime conditions.

SWPPP

3. *Previous and New Comment - Please provide calculations showing the amount of pretreatment for each practice.*
The water quality calculations are included within Appendix I of the SWPPP.

General Comments

4. *Truck turning paths have been added to the plan at several locations on-site. We note that a truck turning into the site from Mariaville Road and making an immediate right turn will use the entire width of the northerly access road and would conflict with any trucks leaving this area of site. This potential conflict could cause incoming trucks to have to stop in the area between the northerly access road and Mariaville Road. The applicant should review if a larger radius at the north access road would eliminate this concern.*

The first radius of the Northern interior driveway has been extended to allow for a wider turn for incoming truck traffic.

5. *The applicant has indicated that plans have been to the NYSDOT for review. Any NYSDOT comments/requirements should be a condition of approval and shown in the final plans.*

Enclosed is the initial review response from NYSDOT dated September 28, 2023. Future correspondence will be forwarded to the Town upon receipt.

6. *As discussed at the September Planning Commission meeting regarding the filling of the 300,000 gallon water storage tank and the need to coordinate that with the Town Department of Public Works to ensure filling the tank does not reduce water pressure and impact the surrounding users. A note should be added to the utility plans and/or a condition of approval to indicate this coordination requirement. We understand that Albany Fire Protection, Inc. is designing the system and developing a protocol to slowly fill the tank initially to avoid potential adverse impacts to the town water system and the ability for the fire department to fight fires.*

A note has been added to the Utility Plan Sheet C103.

7. *New Comment – The applicant has indicated that the easement relocation is ongoing.*
The applicant's Attorney has provided documentation regarding the easement relocation, see enclosed email.

8. *The proposed building appears to be within a 3' of the radio tower fall zone based on the information provided by the applicant. The accuracy of this information has not been confirmed by the Town or the Town Designated Engineer. However, a 3' separation from a 625' tall tower allows for only a 0.48% tolerance of error and essentially not factor of safety.*

The 625' fall zone was reviewed using aerial imagery and a map is enclosed. It appears that the land which has been deed restricted encompasses an area outside the actual 625' radius using straight lines for metes and bounds. The restriction only applies to the hatched area within the metes and bounds and the applicant should not be subject to providing additional distance outside this restriction. Relatively, the development of other surrounding uses are also generally up to the fall zone radius as indicated on the enclosed map.

9. *A recent discovery of an existing underground grounding array serving the adjacent radio tower may exist on the project site in the same approximate vicinity as the tower fall zone. The applicant should investigate if this grounding array is in fact on-site and if it still in use and if the location impacts the proposed site design.*

Enclosed is an email correspondence from the applicant's Attorney indicating that the adjoining property owner is satisfied with the proposed site development and that it will not impact their grounding field.

10. *A NYSDOT Utility Permit will be required for the water service and associated directional drilling within the Mariaville Road NYS road right-of-way.*

Comment noted.

11. *Schenectady County DOH approval will be required for the proposed onsite wastewater treatment system. (OWWTS)*

Comment noted.

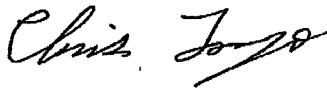
12. *Potential conditions of approval for the Planning Commissions consideration include the following:*

1. *Filling of the private onsite water storage tank shall be accomplished under the supervision of the Town DPW and Fire Department to ensure no adverse impacts to the Town water infrastructure or ability for fire protection.*
2. *NYS DOT review and approval of the Traffic Assessment.*
3. *NYS DOT review and approval of utility work permit.*
4. *Schenectady County DOH review and approval for OWWTS.*
5. *Hold harmless agreement to The Town of Rotterdam and the Town Designated Engineer for potential impacts to the WGY Tower and appurtenances.*

Not objection taken on the proposed conditions.

In addition to these responses please find the enclosed Plans and Reports. If there are any questions or comments, please feel free to contact me.

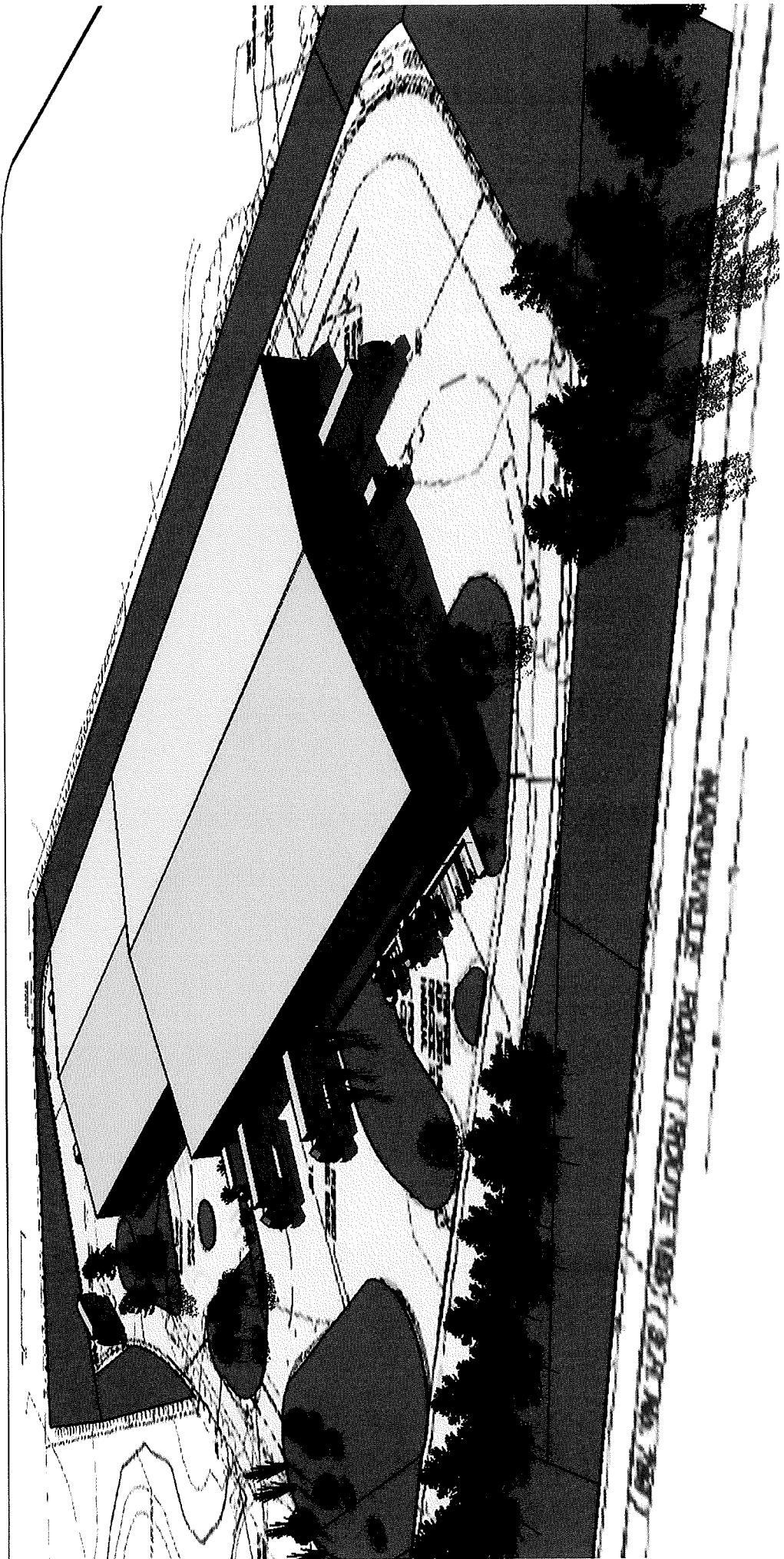
Sincerely,



Christopher Longo, PE
Civil Engineer

Encl: Site Plan Set rev 10/27/23
Email Correspondence from NYS DOT 9/28/23
Email Correspondence from Attorney 10/17/23
Radio Tower Fall Zone Plan 10/30/23
Email Correspondence from Attorney 10/25/23
Building Elevation Renderings 9/21/23

Cc: Pat Oare, DAIM Logistics



ZONING COORDINATION REFERRAL

SCHENECTADY COUNTY DEPT. OF ECONOMIC DEVELOPMENT & PLANNING
Recommendations shall be made within 30 days after receipt of a full statement of the proposed action.

For Use By SCDEDP

Received 7-25-23
Case No. 13-11-23
Returned 8-8-23

FROM: ☐ Legislative Body
☐ Zoning Board of Appeals
☒ Planning Board

Municipality:
Town of Rotterdam

TO: Schenectady County Department of Economic Development and Planning
Schaffer Heights, 107 Nott Terrace, Suite 303
Schenectady, NY 12308

Received
(tel.) 386-2228
(fax) 382-5539
Schenectady County
JUL 25 2023

ACTION: ☐ Zoning Code/Law Amendment
☐ Zoning Map Amendment
☐ Subdivision Review
☒ Site Plan Review
☐ Special Permit
☐ Use Variance
☐ Area Variance
☐ Other (specify) _____

**Economic Development
and Planning Dept.**

PUBLIC HEARING OR MEETING DATE: August 15, 2023

SUBJECT: DAIM Logistics (Contract Vendee) – 681 Mariaville Road. Site Plan review to construct a ±120,000 square foot warehouse building on an existing ±11.1-acre parcel. Engineer: Empire Engineering, PLLC.

REQUIRED ENCLOSURES: 1. Public hearing notice & copy of the application.
2. Map of property affected. (Including Tax Map I.D. number if available)
3. Completed environmental assessment form and all other materials required by the referring body in order to make its determination of significance pursuant to the state environmental quality review act.

1. This zoning case is forwarded to your office for review in compliance with Sections 239-l, 239-m and 239-n of Article 12-B of the General Municipal Law, New York State.
2. This material is sent to you for review and recommendation because the property affected by the proposed action is located within 500 feet of the following:
 - ☐ the boundary of any city, village or town;
 - ☐ the boundary of any existing or proposed County or State park or other recreation area;
 - ☐ the right-of-way of any existing or proposed County or State parkway, thruway, expressway, road or highway;
 - ☐ the existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines;
 - ☐ the existing or proposed boundary of any County or State-owned land on which a public building or institution is situated;
 - ☐ the boundary of a farm operation located in an agricultural district, as defined by Article 25-AA of the agriculture and markets law. The referral requirement of this subparagraph shall not apply to the granting of area variances.

SUBMITTED BY:

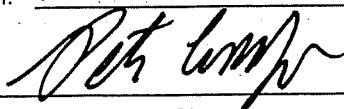
Name: Peter Comenzo

Title: Sr. Planner

Address: 1100 Sunrise Boulevard Schenectady, NY 12306

E-mail: pcomenzo@rotterdamny.org

Phone: 518-355-7575 Ext 338



Signature

Date: 7 19 23



PLANNING & ZONING COORDINATION REFERRAL

Case No. R-11-23

Applicant DAIM Logistics

Referring Officer Peter Comenzo

Municipality Rotterdam

Considerations: Regarding a vacant 11.1 acre parcel, requesting site plan approval to construct a 120,000 SF warehouse building with 1,800 SF of office space. Municipal water is provided. Individual septic is proposed. Located on the south side of Mariaville Road (SR 159) approximately 1,000' west of Burdeck Street.

RECOMMENDATION

Receipt of zoning referral is acknowledged on July 25, 2023. Please be advised that the undersigned Commissioner of Economic Development and Planning of the County of Schenectady (having under the Schenectady County Charter the powers and duties of a County Planning Board) has reviewed the proposed action stated on the opposite side of this form and makes the following recommendations:

- ☒ ***Approve of the proposal.**
- ☐ **Defer to local consideration (No significant county-wide or inter-community impact)**
- ☐ **Modify/Conditionally Approve. Conditions:**

☐ **Advisory Note:**

☐ **Disapprove. Reason:**

*A recommendation of approval should not be interpreted that the County has reviewed all local concerns and/or endorses the project; rather the proposed action has met certain County considerations.

Section 239-m of the general Municipal Law requires that within 30 days after final action, the referring body shall file a report of the final action it has taken with the Schenectady County Department of Economic Development and Planning. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

8/7/23
Date

Ray Gillen
Ray Gillen, Commissioner
Economic Development and Planning

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 4

1130 North Westcott Road, Schenectady, NY 12306-2014

P: (518) 357-2069 | F: (518) 357-2593

www.dec.ny.gov

September 5, 2023

RECEIVED

SEP 05 2023

TOWN OF ROTTERDAM
PUBLIC WORKS

Peter Comenzo, Senior Planner
Town of Rotterdam Public Works
1100 Sunrise Boulevard
Rotterdam, NY 12306

Emailed to: pcomenzo@rotterdamny.org

**Re: Lead Agency Coordination Response
Peters Properties Holdings, LLC
Construction of Warehouse and Offices
681 Mariaville Road, South side of
Mariaville Road, West of the intersection
with Burdeck Street.
Town of Rotterdam, Schenectady County**

Dear Peter Comenzo:

This letter responds to your correspondence received on July 24, 2023, regarding lead agency coordination for the project referenced herein, under Article 8 (State Environmental Quality Review – SEQR) of the Environmental Conservation Law and 6 NYCRR Part 617. The New York State Department of Environmental Conservation (the DEC) has the following interest in this project:

Name of Action: Construction of a Warehouse Building With Offices

DEC Contact Person: Kate Kornak, Regional Permit Administrator

SEQR Classification: ☒ Type I ☐ Unlisted ☐ Type II

DEC Position: Based on the information provided:

The Department has no objection to your agency assuming lead agency status for this action.
****The DEC must be notified immediately if the project/proposed action scope changes, or the EAF is revised.***

Possible DEC Permitting Requirements

A review of NYS protected resources near or within the project site was performed using existing GIS data (see enclosed Project Location and NYS Resources Map). Please note that jurisdictional maps are meant to provide approximate sizes and locations of resources. Actual field conditions may vary from those depicted on the maps. The following provides a



summary of potential State permitting requirements for the project based on the results of the protected resources review and project information submitted with your correspondence.

SPDES General Permit for Construction Activities Stormwater Discharge

Any project which results in a disturbance of one acre or more of land, must be in compliance with the State Pollutant Discharge Elimination System (SPDES) Phase II regulations for Stormwater Discharges Associated with Construction Activities. Information regarding the SPDES General Permit for Stormwater Discharges can be found on the DEC's website at <http://www.dec.ny.gov/chemical/8468.html>.

SPDES Wastewater Discharge

A SPDES permit is required for any facility that has a surface discharge (i.e., wastewater discharges to a surface water such as a stream) or discharges more than 1,000 gallons per day of sewage/wastewater into ground waters of the State (i.e., septic system). Information regarding wastewater discharges approval requirements can be found on the DEC's website at <http://www.dec.ny.gov/permits/6054.html>.

Additional Information

Cultural Resources

Your project site appears to be located within an area of potential historical or archeological significance. If approvals/permits are ultimately needed from this DEC, consultation with the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) will likely be required in order to better evaluate this project's impacts on these resources. To initiate consultation with OPRHP, please visit their project submission website at <https://cris.parks.ny.gov/>. Please add Mandy Wislous at mandy.wislous@dec.ny.gov to the list of contacts for your project.

Please note that construction activities that have the potential to affect historic and/or archeological resources are not eligible for coverage under the SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001) unless documentation of satisfactory compliance with Section 106 of the National Historic Preservation Act is received from OPRHP for the project site.

Northern Long-eared Bats

The proposed project area does not fall within documented occupied habitat for the state and federally endangered northern long-eared bat; therefore, the Department would not impose any restrictions. However, please note: The northern long-eared bat (NLEB) may be found in forested habitat in virtually any county in New York during their active season (April 1-Oct 31). Because it is the disease (white-nose syndrome) and not habitat that is currently limiting

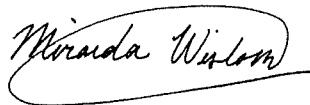


Department of
Environmental
Conservation

the population, removal of trees from the landscape is generally not considered harmful unless there are potentially bats within the trees during the time they are harvested or otherwise removed from the landscape. We do not have perfect information on where NLEB occur. To protect NLEB from unintentional harm, the Department encourages the voluntary implementation of all tree-cutting activities (trees equal to or greater than 3in DBH) during the hibernation period-November 1 through March 31-when bats are not expected to be present on the landscape and are hibernating in caves/mines. Please feel free to contact Nicole Campbell with any further threatened and endangered wildlife species questions at Nicole.campbell@dec.ny.gov or by phone at 518-357-2156.

Please feel free to contact me by e-mail at mandy.wislous@dec.ny.gov or by telephone at (518) 357-2447 if you have any questions.

Sincerely,



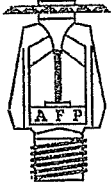
Mandy T. Wislous
Environmental Analyst Trainee

Encl.: Project Location & NYS Resources Map

ecc: Nicole Campbell, R4 Wildlife



Department of
Environmental
Conservation



ALBANY FIRE PROTECTION, INC.

DESIGN - INSTALLATION - SERVICE
AVENUE B P.O. BOX 429
WATERVLIET, NEW YORK 12189
(518) 274-1405 FAX 274-0294

September 27, 2023

DIAM Logistics
128 Park Drive
Fultonville, NY 12072

RECEIVED

SEP 27 2023

Attention: Paul Orr

**TOWN OF ROTTERDAM
PUBLIC WORKS**

Reference: FIRE PROTECTION SYSTEM
Proposed Fire Pump and Water Storage Tank
681 Mariaville Road
Rotterdam, New York

Mr. Orr:

Albany Fire Protection Inc. would like to provide this narrative explaining the Vertical Turbine Fire Pump installation that we are proposing to install in the proposed new facility.

The Vertical Turbine Fire Pump is the only type of fire pump allowed by NFPA-20, Standard for the Installation of Stationary Fire /pumps for fire protection for this type of installation.

The fire pump can start from a negative suction pressure and pump water under a lift condition such as a below ground water storage tank.

The fire pump itself is a multi-stage turbine pump, is Underwriters and Factory Mutual Listed UL/FM) approved fire pump, installed, tested and certified in accordance with NFPA-20

The underground water storage tank is expected to be supplied from the existing water line located in Mariaville Road.

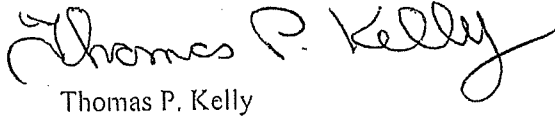
A new water line will be installed to fill the water storage tank that will include required underground control valves. (Size of water line and underground storage tank yet to be determined.) However, the size of the water storage tank will meet or exceed the requirements needed for the design and installation of the interior fire sprinkler system.

The Vertical Turbine Fire Pump will be set on top of the underground water storage tank. The fire pump stainless steel shaft will extend down into the tank where the pump will suck and lift water up into the fire pump which will then supply the interior fire sprinkler system should the need arise.

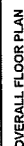
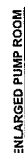
Albany Fire Protection Inc. has installed an number of Vertical Fire Pump installations at various locations and should you require additional information, please do not hesitate to contact me or the office.

Sincerely

ALBANY FIRE PROTECTION INC.

A handwritten signature in black ink that reads "Thomas P. Kelly". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent. The "T" in Thomas is particularly large and loops around the "h". The "P" is also large and loops around the "K". The "K" is tall and has a long, sweeping tail that extends to the right.

Thomas P. Kelly



TOWN OF ROTTERDAM
PUBLIC WORKS

[illegible]

Christopher Longo

From: Harrington, James (DOT) <James.Harrington@dot.ny.gov>
Sent: Thursday, September 28, 2023 1:58 PM
To: Christopher Longo; Corbett, Chad J. (DOT)
Subject: RE: DAIM - 681 Mariaville Road

RECEIVED

SEP 28 2023

TOWN OF ROTTERDAM
PUBLIC WORKS

Good afternoon Chris, I heard back from our traffic department. Here is their response.

This driveway is located within a 45 mph speed limit. We reviewed the available sight to the existing driveway. We found over 900 feet of sight for westbound traffic on Route 159 to the drive and approximately 615 feet for eastbound traffic. Given the speed limit and available sight, a truck warning sign is not warranted.

I also reviewed the crash data in this corridor covering the 5 year period from March 31 31, 2018 to March 31, 2023. There were 3 reported crashes, a car ran off road (shifting gears), dirt bike struck street light and a deer strike. No reported crashes at the driveway.

Thank You

James Harrington

Assistant Resident Engineer
New York State Department Of Transportation, Region1
3008 Chrisler Ave
Schenectady, NY 12303
(518) 393-0863 Office
(518) 428-4283 Cell
James.Harrington@dot.ny.gov



Department of
Transportation

From: Christopher Longo <clong@empireeng.net>
Sent: Tuesday, September 26, 2023 1:24 PM
To: Harrington, James (DOT) <James.Harrington@dot.ny.gov>; Corbett, Chad J. (DOT) <Chad.Corbett@dot.ny.gov>
Subject: Fwd: DAIM - 681 Mariaville Road

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Jim,

Just following up on this, let me know if you can have something back this week before the Town meeting.

Thanks,

Christopher Longo, PE

Christopher Longo

From: Mary Elizabeth Slevin <MSlevin@slevinlawfirm.com>
Sent: Tuesday, October 17, 2023 2:52 PM
To: Courtney E. Heinel; Peter Comenzo
Cc: Christopher Longo
Subject: FW: NY-5044 Carejon Realty, LLC to Peters Properties Holdings LLC - Mariaville Road, Rotterdam, New York (Our File No. 089435-01) [IMAN-ACTIVE.FID16056100]
Attachments: 20230814131926995.pdf

Courtney – I wanted to let you know that we have final sign off on the form of easement amendment with the neighboring Property owner, Vertical Bridge LLC.
Please see below and attached.

Mary Elizabeth Slevin

Slevin & Associates PLLC
518-449-3125

From: David Weisman <David.Weisman@gmlaw.com>
Sent: Wednesday, October 11, 2023 1:18 PM
To: Mary Elizabeth Slevin <MSlevin@slevinlawfirm.com>
Cc: {F16056100}.Active@gmlaw.imanage.work
Subject: RE: NY-5044 Carejon Realty, LLC to Peters Properties Holdings LLC - Mariaville Road, Rotterdam, New York (Our File No. 089435-01) [IMAN-ACTIVE.FID16056100]

In the end, I concluded that your first version was adequate.

David Weisman

Partner
Board Certified Real Estate Lawyer
Greenspoon Marder LLP
200 E. Broward Blvd., Suite 1800
Fort Lauderdale, FL 33301
Phone 954-491-1120 Ext. 1015
Direct Phone 954-343-6941

David.Weisman@gmlaw.com
www.GMLaw.com

GreenspoonMarder  LLP
— CELEBRATING FORTY YEARS TOGETHER

EASEMENT AMENDMENT

THIS INDENTURE, made __ day of August, 2023, by and between **PETERS PROPERTIES LLC**, a New York limited liability company having its principal place of business located at 128 Park Drive, Fultonville, New York 12072 (hereinafter called the "Grantor") and **VERTICAL BRIDGE LLC a _____ limited liability company** with a business address of 750 Park of Commerce Drive, Suite 200, Boca Raton, FL 33487 (hereinafter referred to as the "Grantee").

WITNESSETH:

That the Grantor and Grantee, in consideration of One Dollar (\$1.00) and other good and valuable consideration paid by the Grantee, the receipt whereof is hereby acknowledged, does hereby grant and agree to modify the existing Easements as filed with the Schenectady County Clerk at Book 1426 Page 156, across Lot 2B, as more particularly described on a certain "Minor 2-Lot Subdivision Plan 679 Mariaville Road Lands Now Or Formerly Of Wacay, LLC," Town of Rotterdam, Schenectady County, New York, prepared by C.T, Male Associates Engineering, Surveying, Architecture, Landscape Architecture & Geology, D.P.C., dated August 5, 2019, last revised October 18, 2019, Dwg. No. 19-469, Project No. 19.9358 and filed in the Schenectady County Clerk's Office on November 26, 2019, as Document No.: 2019-49 and as Instrument No.: 201953339 (the "Subdivision Map"), which non-exclusive, perpetual access easement is for the purpose of vehicular and pedestrian ingress and egress on, over, across and through the modified location of the paved roadway located at 679 Mariaville Road in the Town of Rotterdam, County of Schenectady, State of New York which is herein modified and relocated as more particularly described in Schedule "A" hereof and depicted on Schedule

"B" hereof, which are annexed hereto and made a part hereof ("Revised Easement Area").

This Grant of Easement, as modified and granted herein shall run with the land constituting Lot 2B on the Subdivision Map and shall inure to the benefit of any successor owners of Lot 2B and any heirs, successors and assigns, including any tenants, servants, invitees, licensees, contractors, customers, guests, employees, agents, successors and assigns.

The Grantor as owner of Lot 2B on the Subdivision Map shall, after the completion of the initial construction work on Lot 2B, undertake and complete and be responsible for the payment of all costs and expenses, including utilities, cables and conduits utilized by Grantee or its Tenants within the existing easement, to repave/rebuild the road improvements within the Easement Area so that the access road is repaved. The Easement Area shall be kept reasonably open and free of obstruction and/or blockage. Such modified Easement remains subject to all other terms and conditions of the original grant of easement.

If any cable is encountered during construction outside the Easement Area that is utilized by Grantee or its tenants, Grantor will work with Grantee to reasonably address.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

GRANTOR : PETERS PROPERTIES LLC

By: _____

Name: Pat O'ave

Title Partner

GRANTEE : VERTICAL BRIDGE CC AM, LLC

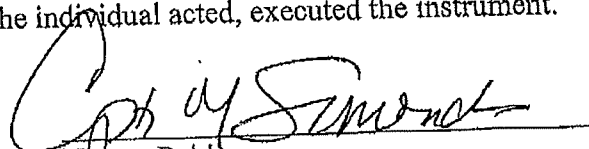
By: _____
Name:
Title

STATE OF NEW YORK)
COUNTY OF ~~ALBANY~~)

ss.:

CRYSTI M. SIMONDS
Notary Public State of New York
No. 01SI6214921 Fulton
Qualified in ~~Osage~~ County
Commission Expires December 21, 2025

Fulton August
On the 3 day of ~~June~~, 2023, before me, the undersigned, personally appeared Patrick Oare personally known to me or proved to me on the basis of satisfactory evidence to the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

STATE OF NEW YORK)
COUNTY OF ALBANY)

ss.:

On the ___ day of June, 2023, before me, the undersigned, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

SUGGESTED DESCRIPTION – 30' WIDE INGRESS AND EGRESS EASEMENT

ALL THAT PIECE OR PARCEL OF LAND LOCATED ON THE SOUTHERLY SIDE OF MARIAVILLE ROAD (ROUTE 159), ACROSS THE LANDS OF CAREJON REALTY, LLC (L. 2091, P. 203), KNOWN AS 681 MARIAVILLE RD, WITHIN THE TOWN OF ROTTERDAM, COUNTY OF SCHENECTADY, STATE OF NEW YORK AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTHERLY SIDE OF MARIAVILLE ROAD (ROUTE 159) WITH THE DIVISION LINE BETWEEN LANDS OF CAREJON REALTY, LLC (L. 2091, P. 203) ON THE WEST AND LANDS OF WILLIAMJOSEPH ENTERPRISES LLC (L. 2034, P. 47) ON THE EAST.

THENCE, SOUTH 28° 29' 10" WEST, ALONG THE LAST-MENTIONED DIVISION LINE, A DISTANCE OF 67.10' TO THE POINT OR PLACE OF BEGINNING.

THENCE, SOUTH 28° 29' 10" WEST, CONTINUING ALONG THE LAST-MENTIONED DIVISION LINE, A DISTANCE OF 30.00' TO A POINT.

THENCE, THROUGH LANDS OF CAREJON REALTY, LLC (L. 2091, P. 203), THE FOLLOWING 7 COURSES AND DISTANCES:

1. NORTH 61° 33' 42" WEST, A DISTANCE OF 340.15' TO A POINT OF CURVATURE,
2. ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 275.00' AND AN ARC LENGTH OF 46.18' (CH = 46.12, NORTH 66° 22' 20" WEST) TO A POINT,
3. NORTH 71° 10' 57" WEST, A DISTANCE OF 127.31' TO A POINT,
4. SOUTH 66° 47' 28" WEST, A DISTANCE OF 136.05' TO A POINT OF CURVATURE,
5. ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 50.00' AND AN ARC LENGTH OF 78.54' (CH = 70.71, SOUTH 21° 47' 28" WEST) TO A POINT,
6. SOUTH 23° 12' 32" EAST, A DISTANCE OF 65.00' TO A POINT,
7. SOUTH 66° 47' 28" WEST, A DISTANCE OF 105.00' TO A POINT ON THE DIVISION LINE BETWEEN LANDS OF CAREJON REALTY, LLC (L. 2091, P. 203) ON THE EAST AND LANDS OF IHEARTMEADIA TOWER COM, LLC (L. 1920, P. 590) ON THE WEST.

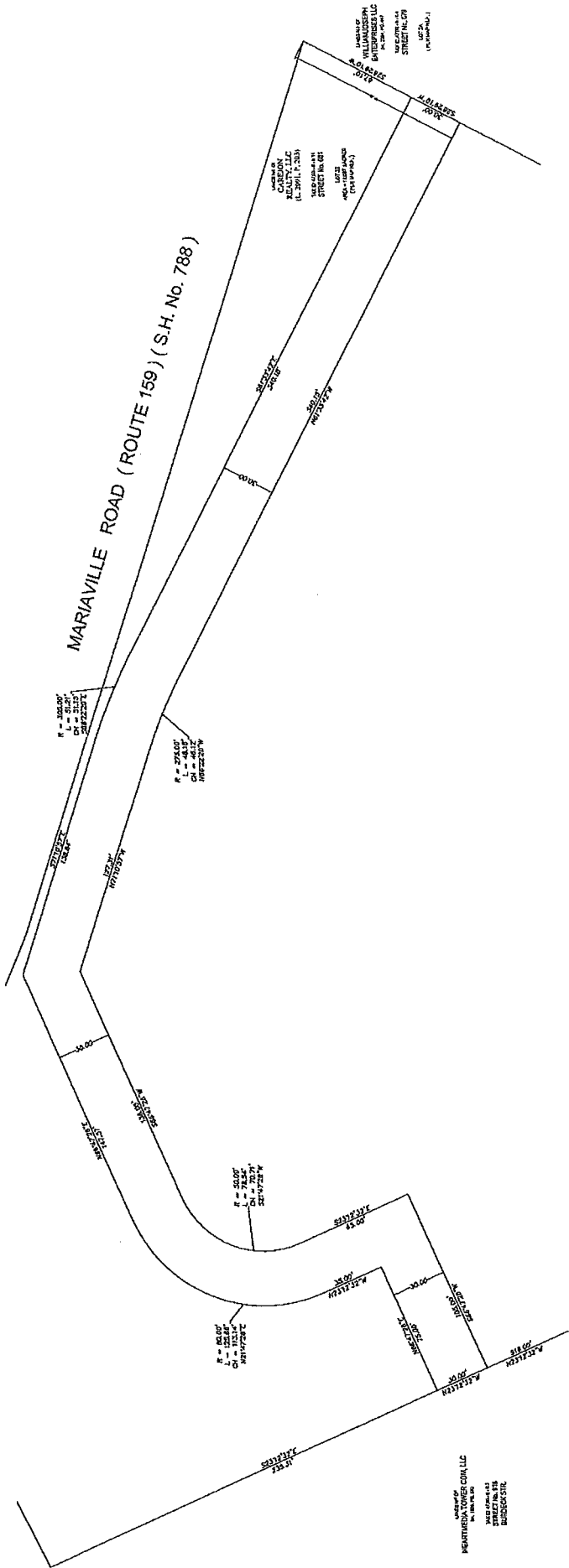
THENCE, NORTH 23° 12' 32" WEST, ALONG THE LAST-MENTIONED DIVISION LINE, A DISTANCE OF 30.00' TO A POINT.

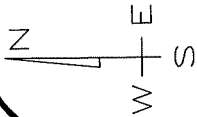
THENCE, THROUGH LANDS OF CAREJON REALTY, LLC (L. 2091, P. 203), THE FOLLOWING 7 COURSES AND DISTANCES:

1. NORTH 66° 47' 28" EAST, A DISTANCE OF 75.00' TO A POINT,
2. NORTH 23° 12' 32" WEST, A DISTANCE OF 35.00' TO A POINT OF CURVATURE,
3. ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 80.00' AND AN ARC LENGTH OF 125.66' (CH = 113.14, NORTH 21° 47' 28" EAST) TO A POINT,
4. NORTH 66° 47' 28" EAST, A DISTANCE OF 147.57' TO A POINT,
5. SOUTH 71° 10' 57" EAST, A DISTANCE OF 138.84' TO A POINT OF CURVATURE,
6. ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 305.00' AND AN ARC LENGTH OF 51.21' (CH = 51.15, SOUTH 66° 22' 20" EAST) TO A POINT,
7. SOUTH 61° 33' 42" EAST, A DISTANCE OF 340.18' TO THE POINT OR PLACE OF BEGINNING AND CONTAINING 27,176+/- SQFT OR 0.62 ACRE OF LAND.

Schedule A

Schedule B



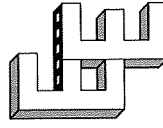


PRIOR TO ANY EARTH DISTURBANCE THE CONTRACTOR SHALL CALL IN A TICKET TO DIG SAFE NY AND OBTAIN A CLEAR TO DIG

IT IS A VIOLATION OF SECTION 7209 OF THE NYS EDUCATION LAW FOR ANY PERSON TO ALTER ANY ITEM ON THIS PLAN IN ANY WAY UNLESS HE/SHE IS ACTING UNDER THE DIRECT SUPERVISION OF A PROFESSIONAL ENGINEER.

No.	Revision/Issue	Date

CHRISTOPHER D. LONGO, PE
N.Y.S. LIC. # 095840



EMPIRE ENGINEERING, PLLC
1900 DUANESBURG ROAD
DUANESBURG, NY 12056
PH: (518) 280-1371
EMAIL: CLONGO@EMPIREENG.NET

Project
DAIM LOGISTICS, INC.
681 MARIAVILLE ROAD

ROTTERDAM, NY

This RADIO TOWER AERIAL VIEW Sheet		
Date	10/30/2023	C101
Scale	N.T.S.	
Job#	23006	

Christopher Longo

From: Mary Elizabeth Slevin <MSlevin@slevinlawfirm.com>
Sent: Wednesday, October 25, 2023 12:11 PM
To: Peter Comenzo
Cc: Christopher Longo
Subject: FW: NY-5044 Carejon Realty, LLC to Peters Properties Holdings LLC - Mariaville Road, Rotterdam, New York (Our File No. 089435-01) [IMAN-ACTIVE.FID16056100]
Attachments: Abstract Part 2 (H5012781x7A869).PDF

Peter – per our conversation this morning – please see the email from Counsel for Vertical bridge below confirming that they are satisfied the proposed site development will not impact the grounding field for the communications Tower. Please also see attached the portion of the Title Abstract that includes the Deed restriction for the Fall zone for the Tower (see page 22 of the Abstract – reference Book 1426 Page 160.

Please let me know if you need any additional information or have additional questions.

Mary Elizabeth Slevin

Slevin & Associates PLLC
518-449-3125

From: David Weisman <David.Weisman@gmlaw.com>
Sent: Monday, October 2, 2023 1:30 PM
To: Mary Elizabeth Slevin <MSlevin@slevinlawfirm.com>
Cc: Buddy Norman <Buddy.Norman@verticalbridge.com>; Robert Lankton <Robert.Lankton@verticalbridge.com>; {F16056100}.Active@gmlaw.imanage.work
Subject: RE: NY-5044 Carejon Realty, LLC to Peters Properties Holdings LLC - Mariaville Road, Rotterdam, New York (Our File No. 089435-01) [IMAN-ACTIVE.FID16056100]

Mary:

I have confirmed that the grounding radials are not affected and that the electric power comes in along the perimeter. We are only trying to locate the telco/fiber lines to see if any work must be done with the easement relocation. I will be on a call with them tomorrow morning and I will press the issue.

David Weisman

Partner
Board Certified Real Estate Lawyer
Greenspoon Marder LLP
200 E. Broward Blvd., Suite 1800
Fort Lauderdale, FL 33301
Phone 954-491-1120 Ext. 1015
Direct Phone 954-343-6941

David.Weisman@gmlaw.com
www.GMlaw.com

Greenspoon Marder  LLP
CELEBRATING FORTY YEARS TOGETHER

Y.S.
TAX

P 1341 - NLR Worksheet Used with Lien Certificate, 1991
(formerly N.M.I.)

34 2353

JAMES B. BARTON, Inc.
PUBLISHER, ALBANY, NY

BOOK 1426 PAGE 0160

This Indenture

COUNTY CLERK'S
OFFICE

Made the 13th day of
June Nineteen Hundred and Ninety-four
Between GARY A. FEUZ, residing at R.D. #5, 291A Currybush Road,
Schenectady, New York 12306
Schenectady, N. Y.

part y of the first part, and

GARY A. FEUZ, residing at R.D. #5, 291A Currybush Road, Schenectady,
New York 12306

part y of the second part,
Witnesseth that the part y of the first part, in consideration of

ONE Dollar (\$ 1.00) lawful money of the United States, and other good and valuable consideration paid by the part y of the second part, does hereby grant and release unto the part y of the second part, its heirs and assigns forever, all...

RESTRICTION ON USE

See Attached Schedule A

In conjunction with an application for a variance from the Town of Rotterdam, the Grantor and Grantee, Gary A. Feuz, have agreed not to build any structures on the property described in Schedule A. This restriction shall remain in effect as long as the property described in Schedule A is within the radius of the height of the existing WGY radio tower on the adjoining property. In the event the tower is removed or replaced and said property is no longer in violation of Chapter 270, Section 148, Paragraph B, Subparagraph 3 of the Zoning Code of the Town of Rotterdam, then this restriction shall automatically terminate.

In addition, the Grantor and Grantee, Gary A. Feuz, hereby grants to Dame Media, Inc., a Delaware corporation and the current owner of the WGY radio tower, its successors and assigns, an easement for ingress, egress and regress over and across the property described in Schedule A for the purpose of maintaining, improving and/or replacing the underground copper radial wires located on such property as long as the existing WGY Tower remains on the adjoining property. Any work done on the property described in Schedule A shall be at Dame Media's sole cost and expense and the property shall be restored to its prior condition. Gary A. Feuz hereby agrees that the foregoing easement shall run with the property described in Schedule A, shall bind his heirs, successors and assigns, and shall inure to the benefit of Dame Media, Inc., its successors and assigns.

1315
RPTSA
TAX MAP IDENT
SEC. 47.00 MK. 8 LOT 6.131

Together with the appurtenances and all the estate and rights of the part y
of the first part in and to said premises,
To have and to hold the premises herein granted unto the part y of the
second part, its heirs and assigns forever.

And said party of the first part

covenant s as follows:

First, That the part y of the second part shall quietly enjoy the said premises;

Second, That said party of the first part

will forever Warrant the title to said premises.

Third, That, in Compliance with Sec. 13 of the Lien Law, the grantor will
receive the consideration for this conveyance and will hold the right to receive such
consideration as a trust fund to be applied first for the purpose of paying the cost of
the improvement and will apply the same first to the payment of the cost of the
improvement before using any part of the total of the same for any other purpose.

In Witness Whereof, the part y of the first part has hereunto set his
hand and seal the day and year first above written.

IN PRESENCE OF

Gary A. Feuz

State of New York
County of Schenectady

On this 13th day of June
Nineteen Hundred and Ninety-four

before me, the subscriber, personally appeared

GARY A. FEUZ

to me personally known and known to me to be the same person described in and
who executed the within instrument, and he acknowledged
to me that he executed the same.

Robert J. Coan
Notary Public

Tax Map No. _____

Tax Billing Address _____

ROBERT J. COAN
Notary Public, State of New York
Qualified in Schenectady County
No. 00000000
Commission Expires 2/26/95

Deed

WARRANTY WITH LIEN COVENANT

GARY A. FEUZ

TO

GARY A. FEUZ

Dated, June 15, 19 94

State of New York

COUNTY OF SS

RECORDED ON THE

day of A.D. 19

at o'clock M.

in LIBER of DEEDS

at PAGE and examined

Ref: Higgins, Roberts, Feuz
50 & State St. Coan
Sandy NY 12305

C.T. MALE ASSOCIATES, P.C.

BOOK 1428 PAGE 0162

SCHEDULE A

PROPOSED DESCRIPTION
RESTRICTED DEVELOPMENT AREA
LANDS NOW OR FORMERLY OF GARY A. FEUZ
TOWN OF ROTTERDAM, SCHENECTADY COUNTY, STATE OF NEW YORK
AREA $\approx$ 1.173 $\pm$ ACRES

All that certain tract, piece or parcel of land situate in the Town of Rotterdam, Schenectady County, State of New York, lying generally Southwesterly of Mariaville Road, New York State Route No. 159 and generally Southeasterly of the Delaware and Hudson Railroad, and being more particularly bounded and described as follows:

COMMENCING a point on the common division line between lands now or formerly of Gary A. Feuz as described in Book 1270 of Deeds at Page 133 and lands now or formerly of Dame Media, Inc. as described in Book 1405 of Deeds at Page 15 on the Southeast and lands now or formerly of the Delaware and Hudson Railroad Company on the Northwest at its point of intersection with the division line between the lands of said Gary A. Feuz on the Northeast and lands of said Dame Media, Inc. on the Southwest and thence from said point of commencement South 23 deg. 12 min. 32 sec. East along the last mentioned division line 285.00 feet to the point or place or beginning; thence through the lands the lands of said Gary A. Feuz the following three (3) courses: 1) South 57 deg. 21 min. 30 sec. East 121.48 feet to a point; 2) South 33 deg. 14 min. 22 sec. East 283.92 feet to the point; and 3) South 08 deg. 09 min. 34 sec. East 286.02 feet to a point on the division line between the lands of said Feuz on the North and lands of said Dame Media, Inc. on the South; thence North 83 deg. 22 min. 41 sec. West along the last mentioned division line 50.00 feet to its point or intersection with the above first mentioned division line; thence along said above first mentioned division line North 23 deg. 12 min. 32 sec. West 631.45 feet to the point or place of beginning, containing 1.173 $\pm$ acres of land.

C.T. MALE ASSOCIATES, P.C.

PROPOSED DESCRIPTION
RESTRICTED DEVELOPMENT AREA
PAGE-2

BOOK 1426 PAGE 0163

C.T. MALE ASSOCIATES, P.C.

William J. Neill
WILLIAM J. NEILL, FLS
LAND SURVEYOR

May 26, 1994
WIN/jc
CTMA Project No. 94.4302

Note: The above described parcel is shown in its entirety on a map entitled "Two Lot Minor Subdivision To Eliminate Acreage And Create Two New Lots Known As Lot 1 And Lot 2", Town of Rotterdam, County, Schenectady, New York, made by C.T. Male Associates, P.C., dated October 2, 1989, last revised May 25, 1994, bearing Drawing No. 89-498.

Christopher Longo

From: Harrington, James (DOT) <James.Harrington@dot.ny.gov>
Sent: Thursday, September 28, 2023 1:58 PM
To: Christopher Longo; Corbett, Chad J. (DOT)
Subject: RE: DAIM - 681 Mariaville Road

Good afternoon Chris, I heard back from our traffic department. Here is their response.

This driveway is located within a 45 mph speed limit. We reviewed the available sight to the existing driveway. We found over 900 feet of sight for westbound traffic on Route 159 to the drive and approximately 615 feet for eastbound traffic. Given the speed limit and available sight, a truck warning sign is not warranted.

I also reviewed the crash data in this corridor covering the 5 year period from March 31 31, 2018 to March 31, 2023. There were 3 reported crashes, a car ran off road (shifting gears), dirt bike struck street light and a deer strike. No reported crashes at the driveway.

Thank You

James Harrington

Assistant Resident Engineer
New York State Department Of Transportation, Region1
3008 Chrisler Ave
Schenectady, NY 12303
(518) 393-0863 Office
(518) 428-4283 Cell
James.Harrington@dot.ny.gov



Department of
Transportation

From: Christopher Longo <clongo@empireeng.net>
Sent: Tuesday, September 26, 2023 1:24 PM
To: Harrington, James (DOT) <James.Harrington@dot.ny.gov>; Corbett, Chad J. (DOT) <Chad.Corbett@dot.ny.gov>
Subject: Fwd: DAIM - 681 Mariaville Road

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Jim,

Just following up on this, let me know if you can have something back this week before the Town meeting.

Thanks,

Christopher Longo, PE

6NYCRR PART 617
State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Date: November 9, 2023

This notice has been prepared in accordance with Article 8 of the Environmental Conservation Law by the Town of Rotterdam Department of Public Works Department
(Reference: 6 NYCRR 617.5 Unlisted Action)

SEQRA Status:	Type I	()
	Type II	()
	Unlisted	(X)

Conditioned Negative Declaration:	Yes	()
	No	(X)

Owner:	CAREJON Realty, LLC 6926 Fly Road East Syracuse, NY 13057
---------------	---

Contract Vendee/Developer:	DAIM Logistics c/o Patrick Oare 128 Park Drive Fultonville, NY 12072
-----------------------------------	---

Tax Map Number(s):	#47.-8-6.14
---------------------------	-------------

Project Location:	681 Mariaville Road Schenectady, NY 12306
--------------------------	--

Zoning:	Light Industrial (I-1) Zoning District
----------------	--

Proposed Project

Final Site Plan/Special Use Permit to construct a ±120,000 square foot multi-tenant warehouse building (up to 3 tenants of ±40,000 square feet) on an existing ±11.1-acre parcel.

This project is a Listed Type 1 Action and the Planning Commission conducted as a SEQR coordinated review. These agencies include the following: Schenectady County Economic Development and Planning, Schenectady County Department of Health, Schenectady County Department of Public Works, New York State Department of Environmental Conservation – Region #4, New York State Department of Transportation, Metroplex Development Authority, Schenectady County Industrial Development Agency, and Fire District #6. The applicant has supplied an Environmental Assessment Form along with supporting reports, studies and plans and the Planning Commission has or has caused to complete Part 2 of this checklist. The Department of Public Works for the Town of Rotterdam transmitted the application information to all involved and interested agencies for review.

The Town of Rotterdam Planning Commission, as lead agency, has reviewed the Long Environmental Assessment Form Part One completed by the Project Sponsor. The plans were reviewed by the Town Department of Public Works and the Town Designated Engineers (TDE) with modifications made addressing potential environmental impacts that were raised. All comments and concerns have been addressed.

The project site lies in a Light Industrial District (I-1) zone and is composed of one parcel identified as tax map parcel 47.00-8-6.14 and was recently subdivided. The subject property is currently vacant. The parcel encompasses an approximate area of 11.097 acres and has frontage along Mariaville Road (710+/- feet). A driveway currently exists from Mariaville Road that provides access to the parcel. This driveway is shared by the adjacent parcel (679 Mariaville Road) which is already developed with a building, circulation routes and parking. The subject parcel is bound by the Mariaville Road right-of-way on the north; the parcel at 679 Mariaville Road on the east; the parcel that contains a large radio tower with an address of 916 Burdeck Street on the south and south west; and the Delaware & H Municipal water is available along Mariaville Road but municipal sanitary sewer is not available and an on-site subsurface wastewater system will be developed.

The applicant proposes to develop the parcel with a one-story building with up to three (3) warehouse tenant spaces with associated offices and a total approximate area of 120,000 square feet. Associated access and circulation roadways are shown on the Site Plan to be developed to support the proposed development. The proposed use of the site for Warehouse building is consistent with adjacent development and property zoning and will not create a source of noise, visual incompatibility or other impacts.

Stormwater: A Stormwater Pollution Prevention Plan (SWPPP), Stormwater Operation and Maintenance Manual, and a Stormwater Management Engineering Report was prepared by Empire Engineering, PLLC and submitted to the Town of Rotterdam describing the proposed on-site stormwater management facilities and their ability to convey, store, and recharge runoff. These stormwater related items were reviewed by the Town Designated Engineer on this project CT Male and Associates as well as the Town Stormwater Manager. Comments were provided to the project engineer by the TDE.

Based upon comments from the TDE, a revised Stormwater Pollution Prevention Plan (SWPPP), Stormwater Operation and Maintenance Manual, and a Stormwater Management Engineering Report were submitted to the Town and TDE. After a review by the Town as well as the TDE it has been determined that these plans and reports sufficiently addresses stormwater impacts associated with the development of this project site. The project is conditioned upon full and

final review and approval of these documents by the Town Designated Engineer. The applicant will file a Notice of Intent with the New York State Department of Environmental Conservation in order to gain coverage under the SPDES General Permit for stormwater discharges from construction activities for the project.

Noise: The proposed project will not have noise impacts since it will be similar to other uses that already exist at the site or nearby. Construction noise impact will be temporary in nature and the applicant will observe the Town Code requirement regarding noise.

Visual: The proposed building will have exterior features that will blend into the existing environment. The proposed building will be commercial in appearance and be consistent with the surrounding commercial and industrial properties and land use. The applicant has provided elevations for the building and has proposed additional landscaping to enhance the aesthetic appearance of this industrial facility.

Traffic: Empire Engineering submitted a Traffic Assessment dated August 10, 2023 and revised on September 28, 2023 concerning the potential impacts of this proposed development. The property was recently subdivided and the access to this property was reviewed and approved by the NYSDOT as a joint access point for both properties that are currently or contemplated to be developed for commercial/industrial uses. The proposed development will maintain an existing driveway at an acceptable Level of Service along the existing State Highway. The nearest intersection with Burdeck Street (NYS Route 338) has significant remaining capacity as indicated in recent capacity analyses. Proposed internal driveways have been kept a maximum practicable distance away from the commercial driveway entrance while allowing for shared access to multiple parcels. The trips anticipated to be generated from the parcel do not significantly alter the existing conditions of the intersection. This traffic assessment was reviewed by the TDE and the Planning Commission. The study concluded that there is no mitigation necessary for this project. This was confirmed by NYSDOT in an email from James Harrington dated September 28, 2023.

Sanitary Sewer: The proposed development will generate minor wastewater flows that will be managed on-site with a subsurface wastewater system.

Water: The proposed development will require a water supply that will connect to the existing municipal water system that is located along the Mariaville Road frontage. The proposed site is located within the (L-1) Light Industrial zone as shown on the Town of Rotterdam Zoning Map. The proposed use within this zone is allowed and is a compatible use with existing uses and facilities located in the project vicinity. This proposed use is consistent with land uses permitted in the Town of Rotterdam Zoning Code.

Fire Protection:

The applicant has met with Town DPW staff, project engineer, and the Chief of Fire District #6 to review the site plans. A new fire hydrant will be installed at the entrance of the facility on the southern side of Mariaville Road. This hydrant shall service this project. In addition, the applicant will install an internal sprinkler system. A new water line will be installed and a water storage tank that will be included provide interior sprinkler system with a Vertical Turbine Fire Pump that will be set on top of the underground water storage tank. The fire pump stainless steel shaft will extend clown into the tank where the pump will suck and lift water up into the fire pump which will supply the interior fire sprinkler system should the need arise.

WGY Tower:

There is an existing 625-foot AM radio tower with associated fall zone located on an adjoining property currently owned by Vertical Bridge CC AM, LLC. This property is encumbered by this fall zone easement and the applicant's engineer has certified that although the fall zone encroaches onto the southern portion of the project in the vicinity of the proposed stormwater management system, the warehouse structure is located outside of this area. Additionally, any associated grounding structure for this tower does not appear to be located on this property in the existing easement areas as confirmed by Vertical Bridge.

After a review of the modified application materials, Environmental Assessment Form, and comments received on this proposal, the Town of Rotterdam Planning Commission has determined that this proposal will not have a significant adverse impact on the environment.

The Planning Commission has considered the following criteria to determine if this proposal has significant adverse impacts on the environment:

- (i) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;
- (iii) the impairment of the environmental characteristics of a Critical Environmental Area.
- (iv) the creation of a material conflict with a community's current plans or goals as officially approved or adopted;
- (v) the impairment of the character or quality of important historical, archaeological, architectural, or aesthetic resources or of existing community or neighborhood character;
- (vi) a major change in the use of either the quantity or type of energy;
- (vii) the creation of a hazard to human health;
- (viii) a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;
- (ix) the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;
- (x) the creation of a material demand for other actions that would result in one of the above consequences;
- (xi) changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or
- (xii) two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision.

The Planning Commission has also considered the reasonably related long-term, short-term, direct, indirect and cumulative impacts, including other simultaneous or subsequent actions, which are:

- (i) included in any long-range plan of which the action under consideration is a part;
 - (ii) likely to be undertaken as a result thereof; or
 - (iii) dependent thereon.
- (3) The significance of a likely consequence (i.e., whether it is material, substantial, large or important) has be assessed in connection with:
- (i) its setting (e.g., urban or rural);
 - (ii) its probability of occurrence;
 - (iii) its duration;
 - (iv) its irreversibility;
 - (v) its geographic scope;
 - (vi) its magnitude; and
 - (vii) the number of people affected

The environmental effects of the above-described action were discussed at regularly scheduled Planning Commission public hearing held on November 9, 2023. Adoption of this negative declaration was moved by XXXXXXXXXXXX, seconded by XXXXXXXXXXXX and approved by the Rotterdam Planning Commission.

Thomas P. Yuille
Planning Commission Chairman

*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.

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A. Project and Applicant/Sponsor Information.

Name of Action or Project: Proposed Warehouse Building w/ Offices			MAR 03 2023		
Project Location (describe, and attach a general location map): Site located on South side of Mariaville Road (NY 159) approximately 0.19 miles West of the intersection with Burdeck Street (NY 337).			TOWN OF ROTTERDAM PUBLIC WORKS		
Brief Description of Proposed Action (include purpose or need): The applicant is proposing to construct a Warehouse Building (120,000 SF) with flex office space (1,800 SF), associated asphalt access drive, and storm-water management. The site will have a private septic system installed along with municipal water connection.					
Name of Applicant/Sponsor: Peters Properties Holdings, LLC			Telephone: 518-853-1101		
			E-Mail: poare@daimlogistics.com		
Address: 128 Park Drive					
City/PO: Fultonville			State: NY		Zip Code: 12072
Project Contact (if not same as sponsor; give name and title/role): Christopher Longo c/o Empire Engineering, PLLC			Telephone: 518-858-4118		
			E-Mail: clongo@empireeng.net		
Address: 1900 Duanesburg Road					
City/PO: Duanesburg			State: NY		Zip Code: 12056
Property Owner (if not same as sponsor): Carejon Realty, LLC			Telephone:		
			E-Mail:		
Address: 6926 Fly Road					
City/PO: Syracuse			State: NY		Zip Code: 13057

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, ☐ Yes ☒ No or Village Board of Trustees		
b. City, Town or Village ☒ Yes ☐ No Planning Board or Commission	Town of Rotterdam Planning Board, Site Plan Approval	March 2023
c. City, Town or ☐ Yes ☒ No Village Zoning Board of Appeals		
d. Other local agencies ☐ Yes ☒ No		
e. County agencies ☒ Yes ☐ No	Schenectady County 239m	
f. Regional agencies ☐ Yes ☒ No		
g. State agencies ☒ Yes ☐ No	NYSDEC Stormwater	
h. Federal agencies ☐ Yes ☒ No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐ Yes ☒ No ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐ Yes ☒ No iii. Is the project site within a Coastal Erosion Hazard Area? ☐ Yes ☒ No		

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☒ No • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☒ Yes ☐ No If Yes, identify the plan(s): NYS Heritage Areas: Mohawk Valley Heritage Corridor _____ _____ _____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ 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. If Yes, what is the zoning classification(s) including any applicable overlay district?	☒ Yes ☐ No
<u>Light Industrial (I-1)</u>	
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?	<u>Schalmont</u>
b. What police or other public protection forces serve the project site?	<u>Rotterdam Police Department</u>
c. Which fire protection and emergency medical services serve the project site?	<u>South Schenectady Fire Dept/District 6 & Rotterdam EMS</u>
d. What parks serve the project site?	<u>N/A</u>

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)? <u>Industrial</u>	
b. a. Total acreage of the site of the proposed action?	<u>11.1</u> acres
b. Total acreage to be physically disturbed?	<u>11.0</u> acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	<u>11.1</u> acres
c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☒ No	
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____	
d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☒ No	
If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____	
ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No	
iii. Number of lots proposed? _____	
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will the proposed action be constructed in multiple phases? ☐ Yes ☒ No	
i. If No, anticipated period of construction: <u>21</u> 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 <u>1</u>	
ii. Dimensions (in feet) of largest proposed structure: <u>32</u> height; <u>250</u> width; and <u>520</u> length	
iii. Approximate extent of building space to be heated or cooled: <u>120,000</u> 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: <u>Storm-water Management</u>	
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☒ Other specify: <u>On-site runoff from parking lots and building</u>	
iii. If other than water, identify the type of impounded/contained liquids and their source. <u>N/A</u>	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: <u>1.5</u> 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? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐ Yes ☒ No If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
• Volume (specify tons or cubic yards): _____ • Over what duration of time? _____	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____	
iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No If yes, describe. _____ _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? ☐ Yes ☐ No	
ix. Summarize site reclamation goals and plan: _____ _____ _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☒ No If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____	

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

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

☐ Yes ☐ No

If Yes, describe:

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

☐ Yes ☐ No

If Yes:

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

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

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

☒ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: _____ 600 gallons/day

☒ Yes ☐ No

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

If Yes:

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

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

☐ Yes ☒ No

If Yes:

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

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

☐ Yes ☒ No

If, Yes:

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

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

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

d. Will the proposed action generate liquid wastes?

☒ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: _____ 600 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: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

• Do existing sewer lines serve the project site? _____ • Will a line extension within an existing district be necessary to serve the project? _____ If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____	☐ Yes ☐ No ☐ Yes ☐ No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____	
If Yes: • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____	☐ Yes ☒ No
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): <u>On-site individual sewage disposal system</u>	
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 <u>6.5</u> acres (impervious surface) _____ Square feet or <u>11.1</u> acres (parcel size)	
ii. Describe types of new point sources. <u>Buildings and parking lots</u>	
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)? <u>Storm-water runoff will be directed towards three separate storm-water management areas located within the site.</u>	
• If to surface waters, identify receiving water bodies or wetlands: _____	
• Will stormwater runoff flow to adjacent properties? _____	
☐ Yes ☒ No ☐ Yes ☒ No	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____	
☐ 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 6:00 am to 6:00 pm.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____
Semi Trailers - 40 Trips/day

iii. Parking spaces: Existing 0 Proposed 50 Net increase/decrease +50

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:
Access to site will be the use of two (2) ingress/egress points tied into existing drive of adjoiner to the East.

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

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

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

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

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____
1,080,000 kWh (9kWh/sf)

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 - 5 pm
- Saturday: 7 am - 5 pm
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: 24 hrs
- Saturday: 24 hrs
- Sunday: 24 hrs
- Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☒ No If yes: i. Provide details including sources, time of day and duration: _____	
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No Describe: _____	
n. Will the proposed action have outdoor lighting? ☒ Yes ☐ No If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: <u>Parking Lot and Building down lighting</u>	
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☒ Yes ☐ No Describe: <u>Removal of trees necessary for construction</u>	
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 : _____ 6 tons per _____ month (unit of time) ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste: • Construction: _____ • Operation: <u>Seperate recycling containers for solid waste disposal</u> iii. Proposed disposal methods/facilities for solid waste generated on-site: • Construction: _____ • Operation: <u>Hired Hauler</u>	

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	6.1	+5.8
• Forested	9.0	1.6	-7.4
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	1.8	3.4	+1.6
• Agricultural (includes active orchards, field, greenhouse etc.)	0		
• Surface water features (lakes, ponds, streams, rivers, etc.)	0		
• Wetlands (freshwater or tidal)	0		
• Non-vegetated (bare rock, earth or fill)	0		
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? i. If Yes: explain: _____	☐ Yes ☒ No
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? If Yes, i. Identify Facilities: _____ _____	☐ Yes ☒ No
e. Does the project site contain an existing dam? 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: _____ _____	☐ Yes ☒ No
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? If Yes: i. Has the facility been formally closed? • If yes, cite sources/documentation: _____ ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____ _____	☐ Yes ☒ No ☐ Yes ☐ No
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? If Yes: i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____ _____	☐ Yes ☒ No
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? 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 – Spills Incidents database ☐ Yes – Environmental Site Remediation database ☐ Neither database Provide DEC ID number(s): 9502983 Provide DEC ID number(s): _____ ii. If site has been subject of RCRA corrective activities, describe control measures: _____ N/A	☒ Yes ☐ No ☒ Yes ☐ No
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? If yes, provide DEC ID number(s): _____ iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____ _____	☐ Yes ☒ No

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? _____ > 7 feet	
b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No	
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site:	
Group A - loamy fine sand	100 %
_____	_____ %
_____	_____ %
d. What is the average depth to the water table on the project site? Average: _____ > 7 feet	
e. Drainage status of project site soils:	
☒ Well Drained:	100 % of site
☐ Moderately Well Drained:	_____ % of site
☐ Poorly Drained:	_____ % of site
f. Approximate proportion of proposed action site with slopes:	
☒ 0-10%:	100 % of site
☐ 10-15%:	_____ % of site
☐ 15% or greater:	_____ % of site
g. Are there any unique geologic features on the project site? ☐ Yes ☒ No	
If Yes, describe: _____	
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 _____	Approximate Size _____
• 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: Principal Aquifer, Sole Source Aquifer Names: Schenectady-Niskayuna SSA	

m. Identify the predominant wildlife species that occupy or use the project site: _____ Woodland animals _____ _____	
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: _____	
b. Are agricultural lands consisting of highly productive soils present? ☒ Yes ☐ No i. If Yes: acreage(s) on project site? 11.1 _____ ii. Source(s) of soil rating(s): USDA Custom Soil Resource Report _____	
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: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ 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

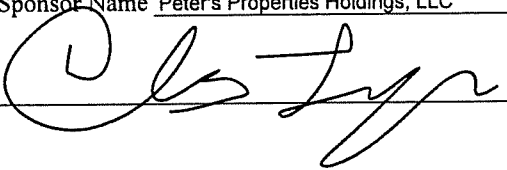
Attach any additional information which may be needed to clarify your project.

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.

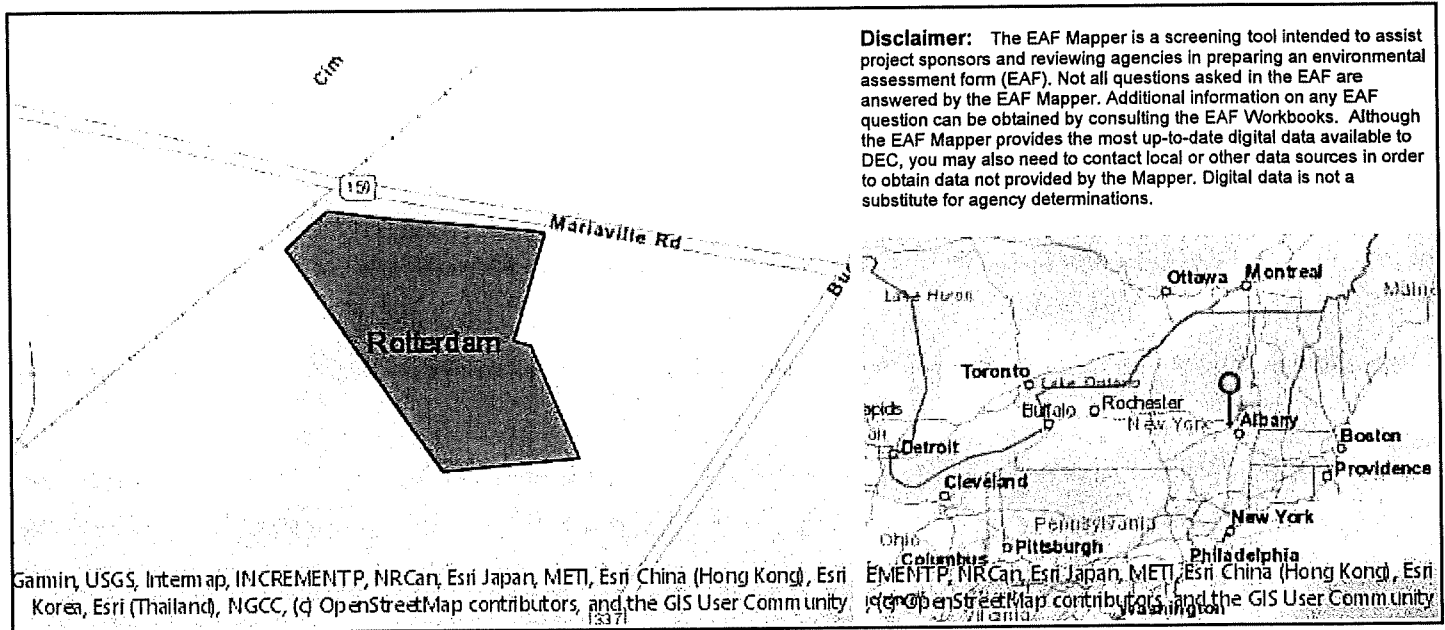
G. Verification

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

Applicant/Sponsor Name Peter's Properties Holdings, LLC Date 2/24/23

Signature  Title Engineer for Applicant

PRINT FORM



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas: Mohawk Valley Heritage Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.ii [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]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer, Sole Source Aquifer Names: Schenectady-Niskayuna SSA
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No

E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
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]	Yes
E.3.i. [Designated River Corridor]	No

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

Agency Use Only [If applicable]

Project : DAIM Logistics

Date : November 9, 2023

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

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

Tips for completing Part 2:

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

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

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☒ NO☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____ _____		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☒ NO☐ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

1. Other impacts: _____ _____		☐	☐
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4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer.

☐ NO

☒ YES

(See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☒	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☒	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☒	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☒	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☒	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☒	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☒	☐
h. Other impacts: _____ _____		☒	☐

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding.
(See Part 1. E.2)

☒ NO

☐ YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

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

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

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

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)

☒ NO

☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

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

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

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

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

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

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

13. Impact on Transportation

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

☐ NO

☒ YES

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

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

14. Impact on Energy

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

☐ NO

☒ YES

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

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

15. Impact on Noise, Odor, and Light

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

☐ NO

☒ YES

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

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

d. The proposed action may result in light shining onto adjoining properties.	D2n	☒	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☒	☐
f. Other impacts: _____ _____		☐	☐

16. Impact on Human Health

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

☐ NO

☒ YES

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

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

17. Consistency with Community Plans

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

☒ NO

☐ YES

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____ _____		☐	☐

18. Consistency with Community Character

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

☒ NO

☐ YES

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____ _____		☐	☐

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